

T: 01495 356139 Ext./Est: 6139

E: committee.services@blaenau-gwent.gov.uk

Contact:/Cysylltwch â: Gwasanaethau Democraataidd



THIS IS A MEETING WHICH THE PUBLIC ARE ENTITLED TO ATTEND

Dydd Gwener, 19 Mehefin 2020 Dydd Gwener, 19 Mehefin 2020

Dear Sir/Madam

PWLLGOR CYNLLUNIO, RHEOLEIDDIO A THRWDDEDU

A meeting of the Pwllgor Cynllunio, Rheoleiddio a Thrwyddedu will be held in Siambr y Cyngor, Canolfan Ddinesig on Dydd Iau, 25ain Mehefin, 2020 at 10.00 am.

Yours faithfully

Michelle Morris
Managing Director

AGENDA

Pages

1. CYFIEITHU AR Y PRYD

Mae croeso i chi ddefnyddio'r Gymraeg yn y cyfarfod, mae angen o leiaf 3 diwrnod gwaith o hysbysiad ymlaen llaw os dymunwch wneud hynny. Darperir gwasanaeth cyfieithu ar y pryd os gwneir cais.

2. YMDDIHEURIADAU

We welcome correspondence in the medium of Welsh or English. / Croesawn ohebiaith trwy gyfrwng y Gymraeg neu'r Saesneg.

Municipal Offices
Civic Centre
Ebbw Vale
NP23 6XB

Swyddfeydd Bwrdeisio
Canolfan Dinesig
Glyn Ebwy
NP23 6XB

a better place to live and work
lle gwell i fyw a gweithio

Derbyn ymddiheuriadau.

3. **DATGANIADAU BUDDIANT A GODDEFEBAU**

Ystyried unrhyw ddatganiadau buddiant a goddefebau a wnaed.

4. **APELIADAU, YMGYNGHORIADAU A DIWEDDARIAD DNS, MEHEFIN 2020** 5 - 8

Ystyried adroddiad y Rheolwr Gwasanaeth Datblygu a Stadau.

5. **DIWEDDARIAD APÊL CYNLLUNIO: NEWID DEFNYDD ADEILAD STABL (ADEILAD 4), ADEILAD ALLANOL A CHYNWYSYDDION AR GYFER DIBENION STORIO, A NEWID DEFNYDD STABL (ADEILAD 1) I GENEL BRIDIO CŴN YNG NGHAEU'R SEREN, GER HEOL Y MYNYDD, GLYNEBWY** 9 - 20

Ystyried adroddiad yr Arweinydd Tîm Rheoli Datblygu.

6. **RHESTR CEISIADAU A BENDERFYNWYD DAN BWERAU DIRPRWYEDIG 24 CHWEFROR 2020 A 12 MEHEFIN 2020** 21 - 36

Ystyried adroddiad yr Uwch Swyddog Cymorth Busnes.

7. **ADRODDIAD CEISIADAU CYNLLUNIO** 37 - 106

Ystyried adroddiad y Rheolwr Tîm Rheoli Datblygu.

8. **EITEM EITHRIEDIG**

Derbyn ac ystyried yr adroddiad dilynol oedd ym marn y swyddog priodol yn eitemau eithriedig gan roi ystyriaeth i'r prawf budd cyhoeddus ac y dylai'r wasg a'r cyhoedd gael eu heithrio o'r cyfarfod (roedd y rheswm am y penderfyniad am yr eithriad ar gael ar restr a gedwir gan y swyddog priodol).

9. **ACHOSION GORFODAETH A GAFODD EU CAU RHWNG 1 MAWRTH 2020 A 15 MEHEFIN 2020** 107 - 112

Ystyried adroddiad y Rheolwr Gwasanaeth Datblygu.

W. Hodgins (Is-gadeirydd)

D. Bevan

G. L. Davies

M. Day

S. Healy

J. Hill

C. Meredith

K. Rowson

T. Smith

B. Thomas

G. Thomas

D. Wilkshire

B. Willis

L. Winnett

All other Members (for information)

Manager Director

Chief Officers

This page is intentionally left blank

Agenda Item 4

Report Date: 12th June 2020
Report Author: Katherine Rees

BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	Appeals, Consultations and DNS Update June 2020
Report Author	Service Manager Development & Estates
Report Date	12th June 2020
Directorate	Regeneration & Community Services
Date of meeting	25th June 2020

1.0	Purpose of Report
1.1	To update Members in relation to planning appeal and related cases.
2.0	Present Position
2.1	The attached list covers the “live” planning appeals and Development of National Significance (DNS) caseload.
3.0	Recommendation/s for Consideration
3.1	That the report be noted.

	Application No Appeal Reference Officer	Appellant / Site Address	Development	Type	Status
1	C/2019/0990 APP/X6910/3243676 Lesley Taylor	Star Fields, Mountain Road, Ebbw Vale	Change of use of stable (building 4), outbuilding and containers for storage purposes; and the change of use of stable (building 1) to dog breeding kennels	Written	Decision received 08/04/2020: - Appeal allowed - Application for costs dismissed Refer to separate report on this agenda.
2	C19/052 APP/X6910/C/20/3247423 Paul Samuel	7 Brynawel, Brynmawr	Unauthorised decking	Enforcement Written	All interested parties re-notified. Questionnaire submitted. Statement of the LPA to be submitted by 17 th June 2020.
3	C19/0105 APP/X6910/C/20/3248862 Jonathan Brooks	Star Fields, Mountain Road, Ebbw Vale	Change of use of the land for the importation, deposition and disposal of waste material and associated engineering works.	Enforcement Written	Questionnaire submitted. Statement of the LPA to be submitted by 1 st July 2020.
4	C/2019/0312 APP/X6910/A/20/3250628 Joanne White	Llanhilleth Rugby Football Club, Commercial Road Llanhilleth	Change of use from Sports Club (Unique use) to 17 bedroom HMO and a two bedroom managers flat (Unique use) and associated alterations to windows/doors and single storey rear extension	Written	Questionnaire submitted Statement of LPA to be submitted by 1 st July 2020
5	C/2019/0219 APP/X6910/A/20/3252106 Joanne White	Domestic garage adjacent to 3 Glandwr Street Abertillery	Proposed conversion, extension and change of use from existing domestic garage and workshop to new dormer dwelling	Written	Questionnaire submitted Statement of LPA to be submitted by 2 nd July 2020. Inspector advised decision will be delayed until it is safe to carry out site visit.

6	C2020/0036 APP/X6910/A/20/3252612 Steph Hopkins	39 Beaufort Hill Beaufort Ebbw Vale	Construction of new detached house in curtilage of existing dwellinghouse with associated parking and external works	Written	Questionnaire submitted Statement of LPA to be submitted by 2 nd July 2020
---	-------------------------------------------------------	----------------------------------------	----------------------------------------------------------------------------------------------------------------------------	---------	---------------------------------------------------------------------------------------------

This page is intentionally left blank

BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of the Planning Committee
Report Subject	Planning Appeal Update: Change of use of stable building (building 4), outbuilding and containers for storage purposes; and the change of use of stable (building 1) to dog breeding kennels at Star Fields, off Mountain Road, Ebbw Vale Ref: (C/2019/0090)
Report Author	Steph Hopkins
Directorate	Regeneration and Community Services
Date of meeting	25th June 2020

Report Information

1. Purpose of Report
1.1 To advise Members of the decision of the Planning Inspectorate in respect of a planning appeal against the refusal of planning permission ref: C/2019/0090 for the ‘Change of use of stable building (building 4), outbuilding and containers for storage purposes; and the change of use of stable (building 1) to dog breeding kennels’. The application was refused at the October 2019 meeting of the Planning Committee contrary to officer recommendation.
2.0 Scope of the Report
2.1 The application was refused by Planning Committee for the following reason:

The main building is a large and prominent feature in the local landscape. It is sited within a Special Landscape Area as defined in the adopted Blaenau Gwent Local Development Plan. Such areas are sensitive to unacceptable impact from buildings and urbanisation and must be protected from inappropriate development of the type applied for. The development by virtue of its dimensions, mass and materials has an unacceptable impact on this designated Special Landscape Area and is therefore contrary to Policy ENV2 of the Local Development Plan. This policy seeks to protect the visual qualities of each Special Landscape Area and requires new development to conform to the highest design standards. It is also contrary to Policy DM2 (a) which requires development to respond to the local setting and context.

2.2 The applicant appealed this decision and he also applied for an award of costs. The Inspector's decisions on both the appeal and application for costs were received on 8th April 2020 (the decision letters are attached for Members Information).

2.3 In terms of procedural matters, the Inspector acknowledged that after the Decision Notice for refusal was issued, the Council had issued a Certificate of Lawfulness of Existing Use or Development (CLEUD) in relation to the appeal site. This confirmed the lawfulness of the six substantially completed structures on site but did not extend to the lawful use of the buildings. The Inspector noted that the granting of the CLEUD represented a material change in circumstances since the planning application had been determined and that he had to have regard to it.

2.4 In summary, whilst the Inspector noted that some of the structures on site have an unkempt visual appearance, given that a CLEUD had been issued he advised that in the event that he were to dismiss the appeal the structures were likely to remain in place. Nonetheless, he proceeded to consider the visual impact on the SLA and concluded that *'the use of the site for dog breeding kennels and storage has a minor visual impact, not only in longer distance views from the west but also at close range. The use is not perceived as inappropriate to its context, or as representing a material urbanisation of the site with little detectable harm to the landscape qualities for which the SLA has been designated'*. He was satisfied that any visual impacts associated with outside storage of feed, waste, refuse, storage tanks etc. and impacts

from noise could be addressed by the imposition of suitably worded conditions.

2.5 The Inspector acknowledged the strength of feeling from objectors in relation to animal welfare issues, but noted that such ethical and moral considerations were not material to the planning decision.

2.6 The Inspector concluded that the development accords with the objectives of Blaenau Gwent Local Development Plan policies DM2 and ENV2 and **allowed** the appeal.

2.7 In relation to the separate application of costs, the Planning Inspectorate can award costs against a party that he considers to have behaved unreasonably and thereby caused the party applying for an award of costs to incur unnecessary or wasted expense in the appeal process.

2.8 In his letter on the award of costs the Inspector acknowledges that the lawfulness of the structures was not verified at the time the decision was taken to refuse the planning application and that whilst he found that the buildings do not harm the SLA, he acknowledged that they do have a visual impact from public viewpoints. The reason for refusal was therefore not without foundation.

2.9 As such the Inspector was satisfied that the Council had provided sufficient evidence to substantiate its reason for refusal and **dismissed** the application for costs.

3. Recommendation/s for Consideration

3.1 That Members note for information the two separate appeal decisions in relation to planning application C/2019/0090 as attached at **Appendix A**.

This page is intentionally left blank



Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 28/02/20

gan Paul Selby BEng (Hons) MSc
MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 08.04.2020

Appeal Decision

Site visit made on 28/02/20

by Paul Selby BEng (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Date: 08.04.2020

Appeal Ref: APP/X6910/A/19/3243676

Site address: Star Fields, off Mountain Road, Grid Ref 317718 209001, Ebbw Vale

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Lee Bowerman against the decision of Blaenau Gwent County Borough Council.
 - The application Ref C/2019/0090, dated 29 May 2019, was refused by notice dated 4 October 2019.
 - The development is the change of use of stable (building 4), outbuilding and containers for storage purposes; and the change of use of stable (building 1) to dog breeding kennels.
-

Decision

1. The appeal is allowed and planning permission is granted for the change of use of stable (building 4), outbuilding and containers for storage purposes; and the change of use of stable (building 1) to dog breeding kennels, at Star Fields, off Mountain Road, Grid Ref 317718 209001, Ebbw Vale, in accordance with the terms of the application, Ref C/2019/0090, dated 29 May 2019, subject to the conditions set out in the schedule to this decision letter.

Application for costs

2. An application for costs was made by Mr Lee Bowerman against Blaenau Gwent County Borough Council. This application is the subject of a separate Decision.

Procedural Matters

3. After the Decision Notice was published the Council issued a Certificate of Lawfulness of Existing Use or Development (CLEUD) in relation to the appeal site (ref: C/2019/0293). This confirms the lawfulness of the six 'substantially completed' structures erected on the appeal site but it does not extend to their use as dog breeding kennels or storage. The CLEUD represents a material change in circumstance since the planning application was determined, and one on which parties have been able to comment during the appeal. I have therefore had regard to it.
 4. Since retention is not an act of development as described in section 55 of the Town and Country Planning Act 1990 I am treating the appeal as one for planning permission for development as has been carried out. Consequently, and notwithstanding the description given on the planning application, I have amended the
-

description of development to omit the word 'retention'. Whilst the CLEUD notes that no evidence has been submitted to demonstrate the lawful use of buildings on the site, there is little dispute that the appeal development seeks to retrospectively change their use. Consequently that is how I have described the development.

5. I note that an enforcement notice has been served in relation to the wider landholding, purporting to an importation of waste material and associated engineering works. The alleged breach of planning control relates to an area of land outside the appeal site. This matter lies outside the scope of this appeal and I have therefore not had regard to it when coming to my decision.

Main Issue

6. The Council's reason for refusal relates to the visual effect of the development on the Special Landscape Area (SLA) in which it is situated. Having regard to this reason for refusal and all other material submitted, I consider the main issue in this case to be the effect of the development on the character and appearance of the SLA.

Reasons

7. The appeal relates to an area of tiered land accessed via a narrow rural lane and situated on a steep hillside to the east of Ebbw Vale. The site hosts two clusters of steel or concrete structures of various sizes, a service bay and a sloping track. The former Morning Star Inn, now a dwelling with two attached cottages, lies to the north; otherwise there are few other buildings in close range.
8. The site lies within the Mynydd Carn-y-Cefn and Cefn yr Arail SLA as designated in the Blaenau Gwent Local Development Plan (LDP). The grasslands, dispersed woodland, hedgerows and stone boundary walls of this SLA provide a defined rural setting to the urbanised valley floor to the west. The SLA's open character and relative absence of built form are key features which contribute to its landscape value.
9. Several of the structures on the appeal site have an unkempt visual appearance. Nonetheless, all six have been confirmed as lawful in their substantially completed state; that is, they are exempt from planning control. On the evidence before me I consider it likely that they would remain in situ even were I to dismiss the appeal. Consequently, irrespective of whether the structures were erected prior to the SLA being designated, the question at hand is whether their change of use to kennels and storage has a materially harmful visual impact on the SLA.
10. The structures clustered at the eastern edge of the appeal site are modest in scale. Whilst they are clearly visible from the lane, even at close range there is little to indicate that they are not used for activities more typically found in a rural location, i.e. for the keeping of livestock or horses. They are thus not perceived as obtrusive.
11. Two of the three structures in the western cluster are greater in scale. The largest of these ('building 1') is used for dog breeding kennels and is the focus of the Council's concern. Roller shuttered doors have been installed to the front and rear, with double glazed windows to the side elevations providing light to the interior. Although not typical of a stable building, the windows are not prominent features due to their modest size, external treatment and the building's position between an embankment and a neighbouring store. The roller doors are more apparent, but their brown coating and the building's orientation relative to the landform reduces their prominence. Moreover, given the building's form and scale the roller doors do not appear overtly urban or obtrusive.

12. Other than some external tanks there is little else to indicate that the use of building 1, or the two adjacent structures, are used for dog breeding kennels or storage. Whilst engineering works may have taken place to facilitate the current use, the land profiling within the appeal site is not unsympathetic to the underlying topography and the visual impact of hard surfaced areas is softened by grass verges. In any case, the structures in their present location have been confirmed as lawful.
13. Consequently I find that the use of the site for dog breeding kennels and storage has a minor visual impact, not only in longer distance views from the west but also at close range. The use is not perceived as inappropriate to its context, or as representing a material urbanisation of the site, with little detectable harm to the landscape qualities for which the SLA has been designated. Whilst the external proliferation of feed, waste, refuse, storage tanks, lighting or other paraphernalia associated with the dog breeding kennels and storage use would have the potential to cause visual harm to the SLA by eroding the site's openness and rural character, such matters would be suitably mitigated by conditions to prevent the outside storage of materials and to control external lighting on the appeal site.
14. For the above reasons I conclude that the development accords with the design objectives of LDP policy DM2, and with policy ENV2, which expects development within SLAs to conform to the highest standards of design, siting, layout and materials appropriate to the character of the area.

Other Matters

15. Several representations and a petition attracting a substantial number of signatories have been submitted in relation to the planning application and appeal. These representations raise several concerns, particularly in relation to the welfare of dogs.
16. Planning Policy Wales (PPW) Edition 10 paragraph 1.20 states that the planning system should not be used to secure objectives which are more appropriately achieved under other legislation. I am informed that under an agreement with Blaenau Gwent County Borough Council, Powys County Council (PCC) is responsible for issuing licences for dog breeding. It is clear from the Council officer's report that a Licensing Officer from PCC has provided advice during the consideration of the application and has visited the appeal site.
17. On my site visit I inspected the interior of 'building 1' and saw that it accommodates 30 stalls. I note the comments of the PCC Licensing Officer, set out in the Council officer's report, that stalls may have to be combined and reduced in number due to the size of dogs being kept. Moreover, having regard to the described use as kennels for the purpose of dog breeding, space would inevitably be needed within building 1 for litters to be kept with their mothers for an appropriate period. The Council has proposed a condition limiting the number of adult dogs to be kept on the appeal site to 25. Given the extent of the available accommodation, I consider that this represents a reasonable upper limit in the context of the described use.
18. Restricting the number of adult dogs to 25 would also assist in controlling the level of noise generated. At the time of my site visit dogs were being fed and, as others have asserted, I noted that they could be heard from outside the site. As borne out by the findings of the submitted Noise Survey, the noise of dogs barking was also appreciably louder when the roller door was opened. Nonetheless, given the considerable distance between building 1 and the nearest dwellings, and the building's orientation and location relative to the former Morning Star Inn, I consider that the installed noise attenuation measures are sufficient to avoid harmful noise and disturbance to

residents in the vicinity. A condition to restrict noise levels consistent with the findings of the submitted Noise Survey is, however, necessary to prevent harm arising in this regard. For the same reason a condition is also necessary to limit the keeping of dogs to building 1, which is the only structure with proven satisfactory noise attenuation.

19. The lane serving the appeal site is narrow and steep in places but there is little evidence that the use generates such a volume of vehicular trips that it is harmful to highway safety. A condition prohibiting the sale and purchase of dogs at the site would, however, provide clarity in limiting the use to that described and, with it, the number of vehicular movements generated. This would safeguard the safety of highway users and would also remove the potential for noise and disturbance to arise from any additional vehicular movements. There is little evidence that such a condition would not be in the interests of securing the welfare of dogs under other legislation, particularly as the Council officer's report states that the appellant has planning permission and a licence for the sale of pups from his home address.
20. The site is located in the open countryside, within which LDP policy SB1 seeks to prevent 'inappropriate development'. However, in my view the potential for noise and disturbance arising from dog breeding kennels warrants physical separation from noise-sensitive uses which may typically be found at greater density in a more urban environment. Moreover, as vehicular access to the appeal site is obtained via a lane leading from the nearby settlement, the site has a strong functional relationship with Ebbw Vale. Having regard to the specific circumstances of the case I find no clear conflict with local or national planning policy in this regard.
21. I do not underestimate the strength of feeling felt by those who have taken the time to submit representations. My attention has been drawn to issues associated with third-party sales at 'puppy farms', which is the focus of potential legislation dubbed 'Lucy's Law'. However such ethical and moral considerations are not material to this planning decision. Whilst the appeal site does not feature any residential accommodation, the availability of staff to provide care to dogs is a licensing matter and not one to which I could afford material weight in the planning balance. There is nothing to indicate that the appeal site is so unsuitably located or 'building 1' so inadequately constructed that the welfare of dogs could not be secured under the relevant legislation. Consequently there is little risk that allowing the appeal would be reputationally harmful to the local area or to Wales, as some have claimed.
22. Assertions have been made that the appeal development has been insufficiently publicised but the volume of submitted representations indicate that those with an interest in the case have been afforded an opportunity to submit their considered views. Some matters which have been raised, including land ownership and allegations made about the appellant, are not relevant planning considerations and I afford them no weight as a result.

Conditions

23. As set out above I have found that several conditions are needed to make the development acceptable in planning terms. Other conditions have been suggested by Council officers and the appellant, to which I have had regard.
24. Conditions which I consider necessary have been imposed for the stated reasons. Where necessary these have been adjusted to accord with the advice set out in Welsh Government Circular 16/14 'The Use of Conditions for Development Management'. In the light of the current national emergency I have extended the deadline for the submission and approval of a Waste Management Plan to account for the time period

during which restrictions on movement currently apply. A condition suggested by the Council seeking to restrict the permission only to the buildings and structures shown on the submitted plans duplicates conditions 1 and 4 and is therefore not necessary.

Conclusion

25. I have considered the other matters raised but none alter my decision. For the reasons given above I conclude that the appeal should be allowed.
26. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution towards the Welsh Ministers' well-being objective of building healthier communities and better environments.

Paul Selby

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development shall be carried out in accordance with the following approved plans: Drg Ref 19/LB/100 (Existing Site Location Plan); Drg Ref 19/LB/101 (Proposed Site Location Plan); Drg Ref 19/LB/102 (Proposed Floor Plan and Elevations of Kennel Building – Unit 1; Drg Ref 19/LB/103 (Revised) (Proposed Floor Plan Layout and Elevations of Store Building – Unit 2); Drg Ref 19/LB/104 (Proposed Floor Plan and Elevations of Open Hay Building – Unit 3); Drg Ref 19/LB/105 (Revised) (Proposed Floor Plan Layout and Elevations of Stable Building – Unit 4); Drg Ref 19/LB/106 (Revised) (Proposed Floor Plan Layout and Elevations of Steel Containers – Unit 5 & 6).
Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.
- 2) The level of noise emitted from the site shall not exceed the levels identified in the submitted Noise Survey dated 9 June 2019 at the locations of monitoring points identified in that Noise Survey.
Reason: In the interests of the amenities of neighbouring occupiers (LDP policy DM1).
- 3) The number of dogs (excepting pups under the age of 12 weeks) kept on site shall not exceed 25 at any time.
- 4) Reason: In the interests of the amenities of neighbouring occupiers (LDP policy DM1).
- 5) The keeping and breeding of dogs shall not take place anywhere on site except within the building identified as 'Dog Breeding Kennel' / 'Unit 1' on drawing Nos 19/LB/101 and 19/LB/102.
- 6) Reason: In the interests of the amenities of neighbouring occupiers (LDP policy DM1).
- 7) No dogs shall be bought or sold on site.

Reason: To clearly define the scope of the permitted use, and in the interests of the amenities of neighbouring occupiers (LDP policy DM1) and highway safety (LDP policy DM1).

- 8) Unless within 2 months of the date of this decision a Waste Management Plan specifying the method of disposal of all waste produced by the use hereby approved is submitted in writing to the local planning authority for approval, and unless the approved Waste Management Plan is implemented within 1 month of the local planning authority's approval, the use of the site shall cease until such time as a scheme is approved and implemented.

If no Waste Management Plan in accordance with this condition is approved within 2 months of the date of this decision, the use of the site shall cease until such time as a Waste Management Plan approved by the local planning authority is implemented.

Upon implementation of the approved Waste Management Plan specified in this condition, that Waste Management Plan shall thereafter remain in use.

Reason: In the interests of the amenities of neighbouring occupiers, waste management and environmental protection (LDP policy DM1).

- 9) No materials, products, waste or refuse of any kind shall be stored in the open on the site.

Reason: In the interests of the area's character and appearance (LDP policies DM2 and ENV2).

- 10) There shall be no external lighting on the site other than in accordance with details which have been submitted to and approved by the local planning authority.

Reason: In the interests of the area's character and appearance (LDP policies DM2 and ENV2) and biodiversity (LDP policy DM1).

Penderfyniad ar gostau

Ymweliad â safle a wnaed ar 28/02/20

gan Paul Selby BEng (Hons) MSc
MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 08.04.2020

Costs Decision

Site visit made on 28/02/20

by Paul Selby BEng (Hons) MSc MRTPI

an Inspector appointed by the Welsh Ministers

Date: 08.04.2020

Costs application in relation to Appeal Ref: APP/X6910/A/19/3243676

Site address: Star Fields, off Mountain Road, Grid Ref: 317718 209001, Ebbw Vale

The Welsh Ministers have transferred the authority to decide this application for costs to me as the appointed Inspector.

- The application is made under the Town and Country Planning Act 1990, sections 78, 322 and Schedule 6.
 - The application is made by Mr Lee Bowerman for a full award of costs against Blaenau Gwent County Borough Council.
 - The appeal was against the refusal of planning permission for the change of use of stable (building 4), outbuilding and containers for storage purposes; and the change of use of stable (building 1) to dog breeding kennels.
-

Decision

1. The application for an award of costs is refused.

Reasons

2. The Section 12 Annex 'Award of Costs' of the Development Management Manual advises that, irrespective of the outcome of an appeal, costs may only be awarded against a party who has behaved unreasonably, thereby causing the party applying for costs to incur unnecessary or wasted expense in the appeal process.
 3. The costs application is made on substantive grounds. The applicant contends that development which should clearly have been permitted was prevented. It is argued that, when refusing planning permission owing to the appeal development's visual impact on the Special Landscape Area (SLA), the Council had evidence available to it that the structures on the appeal site existed prior to the SLA being designated via the Local Development Plan (LDP).
 4. I do not dispute this. Indeed, the Council officer's delegated report confirms that digital mapping systems dating back to 1999 show the main buildings on the appeal site and that images dated 2008 show the smaller buildings/containers. Nonetheless, an unauthorised structure erected prior to the SLA's designation does not mean that it is less objectionable to the designated surroundings than had it been erected following the SLA being designated. Whilst the issuing of a Certificate of Lawfulness of Existing Use or Development (CLEUD) on 10 December 2019 confirms the Council's view that, on the balance of probabilities, the structures on the appeal site are lawful in their
-

'substantially completed' state, the applicant's CLEUD declaration post-dates the initial planning committee meeting on 5 September 2019, the further meeting on 3 October 2019 and the issuing of the Council's Decision Notice on 4 October 2019. The lawfulness of the structures on the appeal site was thus not verified and could not have been afforded weight when the Council made its decision.

5. Moreover, the roller shutter doors and windows in 'building 1' provide noise attenuation which is necessary for its use as dog breeding kennels. Whilst I have found that these features do not harm the SLA, they do have a material visual impact from public viewpoints. The Council's reason for refusing the development due in part to the prominence of materials used in the structure was thus not without foundation.
6. The Council has been able to reasonably substantiate its case in relation to its reason for refusal. The matter is thus one of disagreement between the parties which could only have been resolved at appeal. As the appeal could not have been avoided no unnecessary or wasted expense has been incurred.

Conclusion

7. For the above reasons I conclude that an award of costs is not justified in this case. The application is refused.

Paul Selby

INSPECTOR

Agenda Item 6

Report Date: 15 June 2020

Report Author: Kath Rees

BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	List of applications decided under delegated powers 24th February 2020 and 12th June 2020
Report Author	Senior Business Support Officer
Report Date	15th June 2020
Directorate	Regeneration & Community Services
Date of meeting	25th June 2020

1. Purpose of Report
1.1 To report decisions taken under delegated powers.
2. Scope of the Report
2.1 The attached list deals with the period 24 th February 2020 to 12 th June 2020
3. Recommendation/s for Consideration
3.1 The report lists decisions that have already been made and is for members information only.

Application No	Address	Proposal	Valid Date Decision Date
C/2019/0255	Vacant site north of the learning zone Lime Avenue, Ebbw Vale	Discharge of condition 3a - finished floor levels, condition 3b - details of foul and surface water drainage, condition 3c - position, height and materials of walls/fences/gates and other enclosures, condition 3d - minor structures such as cycle shelter and refuse storage facilities, condition 3e - surfacing of all hard areas, condition 3f - finishes to all buildings/units of planning permission C/2018/0208 -(provision of office development (A2 and B1) with ancillary facilities constructed from shipping containers with footpaths and parking area.)	17/09/19 02/06/20 Condition Discharged
C/2020/0055	60 Lancaster Street Blaina	Proposed domestic garage in rear garden	20/02/20 09/04/20 Approved
C/2020/0031	Rosedale, 12 Glanhwy Street, Scwrfa, Tredegar	Two storey side extension, single storey rear extension and covered front canopy porch area	31/01/20 24/03/20 Approved
C/2020/0040	Carpark at Dukestown Workmens Club, St Lukes Road, Tredegar	Siting of mobile butcher. Thursday only 8am-1pm	06/02/20 26/03/20 Approved

C/2020/0017	Flying Start Hilltop Hub Brynteg Terrace, Willowtown, Ebbw Vale	Proposed internal alterations, changing room extension, new retaining wall/enclosures and relocation of bin store	20/01/20 12/03/20 Approved
C/2019/0082	Former garden of Kismet The Rhyd, Tredegar	Discharge of conditions: 4 - Drainage, 6 - Retaining walls, of planning permission C/2017/0006 (Construction of new detached dwelling with integral garage)	09/04/19 21/05/20 Condition Discharged
C/2013/0206	Ebbw Vale Institute Church Street, Ebbw Vale	Retention of alterations to institute roof and proposed works including hall fire escape doors, hall bar with balustraded technical area above served by new access stair, ground floor north wing internal partitioning arrangements, relocation of external refuse bin storage area and rebuilding of rear bank retaining wall incorporating new seating area	18/07/13 11/06/20 Approved
C/2013/0205	Ebbw Vale Institute Church Street, Ebbw Vale	Retention of alterations to roof and hall fire escape doors and proposed works to rear banking to create garden area, including new fire escape steps	18/07/13 16/03/20 Approved
C/2020/0081	Land South of Unit 11 Roseheyworth Business Park, Abertillery	Discharge of condition 16 - Construction method statement of planning permission C/2018/0334 (Household waste facility, new access road, associated infrastructure and shop).	16/03/20 06/05/20 Condition Discharged

C/2019/0341	54 Tynewydd, Nantybwich, Tredegar	Single storey lean-to extension to rear and detached pitched roof shed to rear.	25/02/20 23/03/20 Approved
C/2020/0059	Land Adjacent to Unit 18 Rassau Industrial Estate, Ebbw Vale	Erection of a Synchronous Condenser, plant control building and auxiliary equipment, access, landscaping and associated works.	26/02/20 20/04/20 Approved
C/2018/0292	39 Lower Coedcae, Nantyglo, Brynmawr	Demolition of existing dwelling and garage and construction of replacement dwelling and a detached four bedroomed house in existing garden area with associated works.	22/10/19 30/04/20 Approved
C/2019/0123	Land at 2 Gwastad Farm Cwmtillery, Abertillery	Proposed two bedroomed bungalow with attached garage and alterations to levels.	30/01/20 10/03/20 Approved
C/2020/0026	Unit 58 Festival Park Shopping Centre, Ebbw Vale	Subdivide existing A1 Retail unit to provide 2 no. A3 units, reconstruct elevations under existing roof structure to provide covered seating area in association with A3 use	27/01/20 20/03/20 Approved
C/2019/0229	Land North of Regain Building, Mill Lane, Victoria, Ebbw Vale	Application for Discharge of Conditions: 3 - Site drainage details, 8 - External works, 14a - Tree plan, 14b - Existing tree protection mitigation, 14c - Landscaping details, 14d - Landscape maintenance, 14e - Landscaping phasing, 16 - Construction methodology of planning permission C/2018/0152 (Construction of 9 business units (B1) within 3 buildings, with associated parking and new access road)	22/08/19 06/04/20 Condition Discharged

C/2019/0311	Eurocaps Ltd, Crown Business Park Road, Dukestown, Tredegar	Creation of embankment and re profiling of spoil areas resulting from recent extension works with associated landscaping.	13/11/19 03/03/20 Approved
C/2019/0303	Land adjacent to High Winds, Verwey Road, Nantyglo	Application for discharge of conditions 2 (drainage) and 3 (levels) of planning permission C/2018/0036 (Construct 2 storey dwelling & detached garage)	12/11/19 04/06/20 Condition Discharged
C/2019/0332	Bridge Street Offices, Bridge Street, Ebbw Vale	Discharge of Condition 5 - boundary wall details of planning permission C/2017/0309 (change of use of office building (B1) to 42 bedroom hotel (C1) with provision of car park)	28/11/19 28/02/20 Condition Discharged
C/2020/0057	6 The Circle, Tredegar	Installation of new shop front, pull out awning and alterations to front elevation including new windows to upper floors.	03/01/20 20/03/20 Approved
C/2019/0239	Land between the Willows Social Club & Willow Grove House, Church Street, Tredegar	Application for discharge of conditions: 2 - Drainage, 3 - External finishes, 4 - Construction of access, parking & turning area, 5 - Site Investigation, 6 - boundary treatments of planning permission C/2018/0269 (Construction of a detached house and detached garage).	02/09/19 21/05/20 Condition Discharged
C/2020/0009	Plot 11 Valley View, Clydach Street, Brynmawr	Plot substitution involving new replacement house type for plot 11 in relation to existing planning approval reference C/2005/0601	09/01/20 02/03/20 Approved

C/2020/0016	Fulford House, Ashville, Tredegar	Install flexible cable brace to lime tree (T1 on plan/T5 on TPO BG121) and reduce its crown by up to 5 metres (30%), and re-pollard 2x horse chestnut trees at previous point of pollard (T4 and T5 on plan/T1 and T6 on TPO BG121)	20/01/20 09/03/20 Approved
C/2020/0036	39 Beaufort Hill, Beaufort, Ebbw Vale	Construction of new detached house in curtilage of existing dwellinghouse with associated parking and external works	05/02/20 18/03/20 Refused
C/2019/0345	147 Worcester Street, Brynmaur	Application for discharge of conditions; 2 - Geotech report, 3 - Demolition & construction method statement, 4 - Drainage & 5 - Enclosures of planning permission C/2019/0085 (Demolition of existing buildings and erection of a new 2 bedroom dwelling)	09/12/19 22/04/20 Condition Discharged
C/2019/0278	Land east of Blaina Road, Brynmaur	Application for Discharge of Conditions: 5 (contamination - phase 1), 12 (highways - phase 1) and 13 (drainage - phase 1) of planning permission C/2017/0159 (Outline planning application for the erection of residential dwellings (up to 25 units), a drive-thru restaurant, and associated works with all matters reserved other than means of access)	10/10/19 14/05/20 Condition Discharged
C/2020/0012	Land at St Georges Court TREDEGAR	Discharge of condition 2 (Landscaping scheme) of planning permission C/2019/0066 (Construction of 260 household refuse and recycling stores with landscaping screening).	13/01/20 05/03/20 Condition Discharged
C/2020/0092	Plot 12 Marian Close Tredegar	Application for Discharge of Condition 6 (Contaminated land assessment) of planning permission C/2019/0299 (detached dwelling)	03/04/20 29/04/20 Condition Discharged

C/2020/0045	2 Cross Brook Cottages, Trefil, Tredegar	Conversion of outbuilding into walkers holiday let accommodation.	12/02/20 07/04/20 Approved
C/2020/0044	Inglewood Allotment Road, Ebbw Vale	Extension of garden curtilage, garage extension to side of dwelling, side boundary wall and alterations to driveway/access	12/02/20 19/03/20 Approved
C/2020/0052	Calvery Pentecostal Church, Sycamore Avenue, Tredegar	Discharge of Condition 7 (Demolition Method Statement) of planning permission C/2018/0361 (Demolition of existing church and outline planning permission for residential development)	18/02/20 21/05/20 Condition Discharged
C/2020/0042	11 Greenfield Crescent, Beaufort, Ebbw Vale	Retention of boundary wall fence	12/02/20 06/04/20 Refused
C/2020/0030	Land at Bryn Serth (adjacent to KFC) off Waun y Pound Road, Ebbw Vale	Non-material amendment to the wording of Condition 16 of planning permission C/2018/0217 (Full planning application for 100 no. residential dwellings & associated works) to remove the requirement to provide the off-site informal pedestrian crossing facility and amend timings to provide the pedestrian/cycle footpath connection link and submit the Final Road Safety Audit	27/01/20 05/03/20 Approved
C/2020/0074	Mcdonalds Restaurant The Walk, Ebbw Vale	Installation of 5 no. new digital freestanding signs and 1 no 15" digital booth screen	09/03/20 17/04/20 Approved

C/2020/0025	Cae Orchid, Quarry Row, Blaina	Detached garage	27/01/20 09/03/20 Approved
C/2020/0022	Cae Orchid, Quarry Row, Blaina	Single storey side extension	24/01/20 06/03/20 Approved
C/2020/0070	10 Tyr Meddyg, Beaufort, Ebbw Vale	Rear single storey extension & conversion of garage	06/03/20 15/04/20 Approved
C/2020/0094	Old Brickyard House, Darenfelen Road, Brynmawr	Change of use of land at rear of property to garden land, erect a double wooden carport to side of house, and rebuild unstable wall to east side of site entrance and side boundary	06/04/20 08/06/20 Approved
C/2020/0082	15 Cromwell Street, Abertillery	Proposed domestic double garage.	18/03/20 07/05/20 Approved
C/2020/0105	Morrisons Superstore Bryn Serth Road Ebbw Vale	Introduction of a new Home Shopping canopy in the service yard and a new Click and Collect bays in the car park	28/04/20 28/05/20 Approved

C/2020/0067	Tredegar General Hospital, Tredegar Health Centre and Bedwellty Park Park Row, Tredegar	Discharge of Conditions: 4 (extent of demolition works), 5 (demolition method statement), 7 (tree protection plan & method statement), 15 (construction environmental management plan) of planning permission C/2019/0237 (outline application for demolition of Tredegar Health Centre, partial demolition of Tredegar General Hospital & erection of a new Class D1 Health & Wellbeing Centre including revised access, car parking, landscaping & ancillary works)	03/03/20 07/04/20 Condition Discharged
C/2020/0034	1 King Street, Brynmawr	Conversion of front conservatory to a sun room and new porch	04/02/20 16/03/20 Approved
C/2020/0033	23 - 24 Tafarnaubach Industrial Estate, Tredegar	Three storey lab block, external stairs, associated canopies and link to the existing building.	31/01/20 12/03/20 Approved
C/2020/0047	Jim Owen Field, Cwmtillery, Abertillery	Provision of 2 x 58 seater stands and associated works	14/02/20 06/04/20 Approved

C/2020/0061	Tredegar General Hospital, Tredegar Health Centre and Bedwellty Park, Park Row, Tredegar	Application for discharge of condition 3 (contract for carrying out of the works) of planning permission C/2019/0237 (Outline application for demolition of Tredegar Health Centre, partial demolition of Tredegar General Hospital and erection of a new Class D1 Health and Wellbeing Centre including revised access, car parking, landscaping and ancillary works (all matters aside from access reserved)).	26/02/20 06/04/20 Condition Discharged
C/2020/0029	Land at Merthyr Road, Tredegar	Non-Material Amendment to planning permission C/2015/0077 (construction of 6 no. detached houses, garages & assoc roads & drainage) requesting removal of the requirement for the details of street lighting to be submitted for approval.	29/01/20 25/02/20 Approved
C/2020/0063	Welfare Cottage Welfare Park, Warwick Road, Brynmawr	Works to sycamore tree covered by TPO no.144 involving removal of deadwood and crown clean, removal of crossing branches, crown reduction by 1.5m and removal of low branches to maintain 5.5m clearance over access lane	27/02/20 22/04/20 Approved
C/2020/0010	Former Town Hall The Circle, Tredegar	Discharge of condition 5 of planning permission C/2018/0287 in respect of newly discovered external openings. Works include reinstatement of original windows & doors.	13/01/20 19/03/20 Condition Discharged
C/2020/0015	5 Hazel Court, Rassau, Ebbw Vale	Proposed rear extension	17/01/20 06/03/20 Approved

C/2020/0046	92 King Street, Brynmawr	Second storey extension	13/02/20 08/04/20 Approved
C/2019/0354	Unit 23-24 Tafarnaubach Industrial Estate, Tredegar	Discharge of Conditions 2 (car park phasing programme); 3 (details of surfacing); & 7 (landscape plan), of planning permission C/2019/0195 (new pharmaceutical containment facility & ancillary infrastructure (eg chillers), extended service yard & new car park including associated engineering/land upgrading works. It is proposed that the car park is built at the top of the site on previously unused land)	24/12/19 09/03/20 Condition Discharged
C/2020/0085	Land south of Unit 11 Roseheyworth Business Park, Abertillery	Non-material amendment to planning permission C/2018/0334 (Household waste facility, new access road, associated infrastructure and shop) to allow revised shop details and associated parking layout, and to change wording of conditions 2, 3 and 4 to allow security fencing to be implemented in accordance with planning permission C/2019/0331 (Security cabin, security fencing and foul and surface water drainage in association with new household waste recycling centre)	18/03/20 24/04/20 Approved
C/2020/0078	10 Garden Street, Ebbw Vale	Proposed garden shed and retention of retaining wall	12/03/20 27/04/20 Approved

C/2020/0024	51 Coronation Street, Blaina	Application for a Lawful Development Certificate for an existing shelter.	24/01/20 16/03/20 Lawful Development Certificate Refused
C/2020/0035	North of the Regain Building, Mill Lane, Ebbw Vale	Application for Discharge of Condition 12 (external finishes, hard landscaped finishes & boundary treatments) to planning permission C/2018/0152 (Construction of 9 business units (B1) within 3 buildings, with associated parking and new access road)	04/02/20 31/03/20 Condition Discharged
C/2020/0028	25 Meadow Crescent Dukestown, Tredegar	Side and rear extension and external alterations	27/01/20 14/05/20 Approved
C/2020/0054	Land south of Unit 11 Roseheyworth Business Park, Abertillery	Application for Discharge of Condition 5 (absorptive noise barrier) of planning permission C/2018/0334 (Household waste facility, new access road, associated infrastructure and shop)	19/02/20 23/04/20 Condition Discharged
C/2020/0048	97 Gwern Berthi Road Cwmtillery, Abertillery	Change of use from ground floor post office to residential to form part of existing dwelling together with associated external works.	12/02/20 30/03/20 Approved
C/2020/0023	Tredegar General Hospital, Tredegar Health Centre and Bedwellty Park Park Row, Tredegar	Application for discharge of condition 6 (Historic building record) of planning permission C/2019/0237 (Demolition of Tredegar Health Centre, partial demolition of Tredegar General Hospital & erection of a new Class D1 Health & Wellbeing Centre including revised access, car parking, landscaping & ancillary works)	23/01/20 27/02/20 Condition Discharged

C/2020/0039	Tredegar General Hospital, Tredegar Health Centre and Bedwellty Park Park Row, Tredegar	Application for Discharge of Condition 13 (ground gas monitoring) to planning permission C/2019/0237 (Outline application for demolition of Tredegar Health Centre, partial demolition of Tredegar General Hospital and erection of a new Class D1 Health and Wellbeing Centre including revised access, car parking, landscaping and ancillary works (all matters aside from access reserved)	05/02/20 23/03/20 Condition Discharged
C/2020/0107	Land adjoining Sunny Rise Merthyr Road, Tredegar	Application for Discharge of Conditions: 2(Site investigation) and 5 (Foul drainage) of planning permission C/2018/0323 (Detached dwelling, vehicular access and parking)	05/05/20 02/06/20 Condition Discharged
C/2020/0086	Former Sirhowy Infants School Rhoslan Sirhowy Tredegar	Application for Discharge of Conditions: 12 (Road & footway construction) and 13 (Bird boxes) of planning permission C/2014/0013 (Construction of 23 dwellings & associated works)	19/03/20 15/04/20 Condition Discharged
C/2020/0080	2 - 3 Morgan Street, Tredegar	Conversion of existing first floor flat and ground floor offices to 4 one bedroom flats	17/03/20 06/05/20 Approved
C/2020/0103	St James Forest Block, East of Tredegar, Blaenau Gwent	Application for prior approval of details of proposed forestry road extension.	29/04/20 10/06/20 Approved

C/2020/0084	Victoria Arms Mill Terrace Cwm, Ebbw Vale	Proposed part conversion of the Victoria Arms pub into a 4 bedroom end of terrace house with associated external works (revised proposal)	18/03/20 07/05/20 Approved
C/2020/0113	Plot 2 Gwastod Farm Church Lane Cwmtillery, Abertillery	Application for non-material amendment of planning permission C/2017/0279 (Renewal of outline planning permission for 1 detached dwelling with integral garage) to vary scale parameters for house and garage	15/05/20 10/06/20 Approved
C/2020/0037	Tredegar General Hospital Tredegar Health Centre and Bedwellty Park, Park Row, Tredegar	Variation of condition 1 and removal of condition 8 of outline planning permission c/2019/0237 (demolition of Tredegar health centre, partial demolition of Tredegar general hospital and erection of a new class d1 health and wellbeing centre including revised access, car parking, landscaping and ancillary works) to allow revised bat mitigation strategy.	04/02/20 08/04/20 Approved
C/2020/0049	12 Eureka Place, Ebbw Vale	Discharge of condition 1 (layout, surfacing & drainage of the parking area) of planning permission C/2019/0149 (COU from single dwelling to HMO with 4 bedrooms. Works to rear garden to provide an additional two off street parking spaces)	18/02/20 23/03/20 Condition Discharged
C/2020/0073	Land Adjacent to Red Villa Llangynidr Road Beaufort Ebbw Vale	Application of variation of condition 12 of planning permission C/2017/0167 (Renewal of outline planning permission for residential development and new site access) to extend date of submission of reserved matters relating to plots 3 and 4	09/03/20 30/04/20 Approved

C/2020/0014	10 Coed y Garn, Waunllwyd, Ebbw Vale	Garage conversion to kitchen (with associated internal alterations) and substitution of ground floor single rear door and window with bi-folding doors	13/01/20 28/02/20 Approved
C/2020/0011	23 Pant View, Nantyglo, Brynmawr	Reprofiling of front garden to provide car parking, raised patio, steps and disabled stair lift	13/01/20 24/02/20 Approved
C/2020/0075	Honeydale (former Hafodarthan Isaf) Blaencuffin Road, Brynithel, Abertillery	Non Material Amendment for minor alterations to elevations including simplified roof design and different chimney location of planning permission C/2015/0315 (proposed new dwelling).	10/03/20 18/03/20 Approved
C/2020/0051	10 Cambridge Gardens, Ebbw Vale	Single storey side/front extension with front canopy	18/02/20 25/03/20 Approved
C/2020/0038	18 Willow Close, Ebbw Vale	Retention of boundary fence and proposed front gates.	04/02/20 27/03/20 Approved
C/2020/0076	47 Lakeside Close, Nantyglo	Erect conservatory to rear elevation	11/03/20 20/04/20 Approved

C/2020/0069	Sycamore Lodge Farm Road, Nantyglo	Various works to 4 sycamore trees, including removal of deadwood, reduction of lateral limbs by 3-4m and stem reduction by 4-5m, and reduction of lateral limb of horse chestnut tree by 3m (Trees covered by TPO No.118)	05/03/20 28/04/20 Approved
C/2020/0097	Honeydale, Blaencuffin Road, Brynithel, Abertillery	Application for Discharge of Condition 2 (external facing materials) of planning permission C/2015/0315 (New dwelling)	14/04/20 15/05/20 Condition Discharged
C/2020/0087	Ex Ambulance Hall Castle Street, Abertillery	Change of Use from Ex Ambulance Hall to residential use.	18/03/20 28/05/20 Approved
C/2020/0091	Pant-y-Garreg, Rassau Road, Rassau, Ebbw Vale	Replacement bay window with associated roof works	30/03/20 15/05/20 Approved
C/2020/0032	Land at St Georges Court , Tredegar	Non-material amendment to planning permission C/2019/0066 (construction of 260 household refuse & recycling stores with landscaping screening) to allow repositioning of a number of refuse and recycling stores	31/01/20 26/02/20 Approved
C/2020/0053	Family Shopper, Park Place, Tredegar	Retrospective application for an external store	19/02/20 09/04/20 Approved

BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	Planning Applications Report
Report Author	Team Manager Development Management
Report Date	15th June 2020
Directorate	Regeneration & Community Services
Date of meeting	25th June 2020

Report Information Summary

1. Purpose of Report	
To present planning applications for consideration and determination by Members of the Planning Committee.	
2. Scope of the Report	
Application No.	Address
C/2020/0106	PCI Pharma Services, Unit 23-24, Tafarnaubach Industrial Estate, Tafarnaubach
C/2020/0027	Regain Building & Basement Garden, Mill Lane, Victoria, Ebbw Vale, NP23 6GR
C/2020/0095	Former Tredegar General Hospital, Tredegar Health Centre and Bedwellty Park, Park Row, Tredegar, NP22 3NG
3. Recommendation/s for Consideration	
Please refer to individual reports	

Planning Report

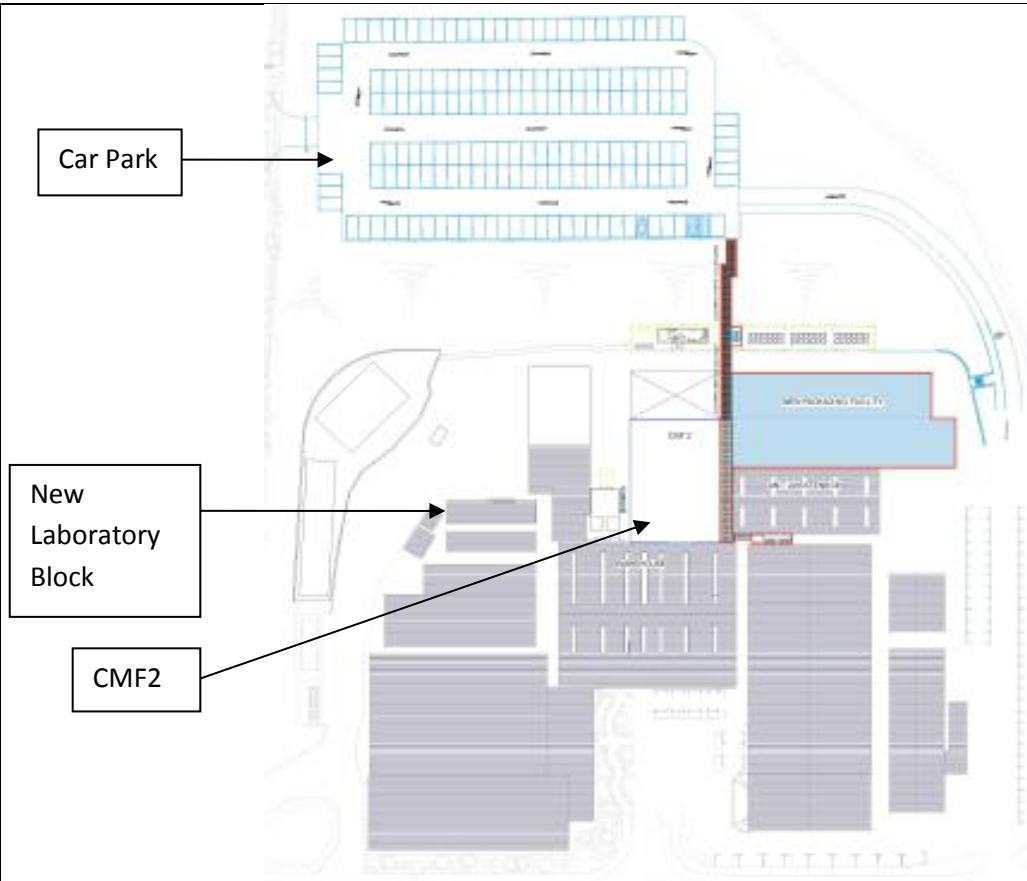
Application No: C/2020/0106	App Type: Full
Applicant: PCI Pharma Services Unit 23-24 Tafarnaubach Industrial Estate Tredegar	Agent: Mr Geraint Jones Asbri Planning Ltd. Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS
Site Address: PCI Pharma Services Unit 23-24 Tafarnaubach Industrial Estate Tredegar	
Development: Construction of new packaging line building, retaining wall and covered pedestrian walkway linking new packaging line building with new car park	
Case Officer:	Eirlys Hallett



1. Background, Development and Site Context

- 1.1 This is a 'major' planning application relating to the proposed construction of a large new packaging line building within the existing PCI Pharma Services Ltd complex (formerly known as Penn Pharmaceuticals) located on the eastern edge of the Tafarnaubach Industrial Estate, Tredegar. The current application also relates to some associated development, namely a bridge/covered pedestrian walkway that will link the new building with a recently constructed car park to the north of the existing complex and an extended section of reinforced concrete retaining walling.
- 1.2 As noted in the Design and Access Statement submitted as part of this application the company is a *'respected industry leader and trusted partner which provide a comprehensive range of pharmaceutical services from the earliest stages of development through to commercial launch and ongoing supply'*.
- 1.3 Over recent months PCI, which currently employs 440 staff, has embarked upon what they explain to be *'an expansion of its facility to enhance its highly potent drug manufacturing and development capabilities, including both clinical and commercial supply which will support the growth of the business'*. During the last 12 months planning permission has been granted by the Authority for two separate developments on the site – the construction of a large new pharmaceutical containment facility building (referred to henceforth as CFM2) with a new large car parking area to the north of the existing complex and a new replacement laboratory facility. Such developments and the current proposal are viewed by the company as the first phase of a growth programme which will potentially see a significant increase to their workforce over the next five years.
- 1.4 The proposed packaging building is to be erected on a hardstanding area located to the rear of the existing PCI buildings to the east of the approved (but not yet constructed) CFM2 and a new three storey laboratory block, which has recently been brought to site. This area is currently used for car parking for approximately 44 cars.

1.5



Block plan showing current application site boundary (in red) and approximate positions of the approved CMF2 building and new car park and new laboratory facility.

1.6



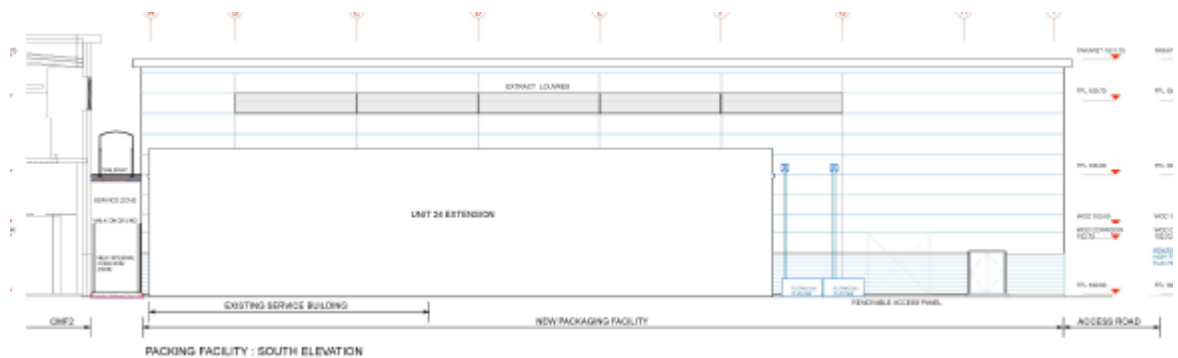
Photograph taken from elevated area to the north east of site showing area where new packaging building is to be erected.

1.7

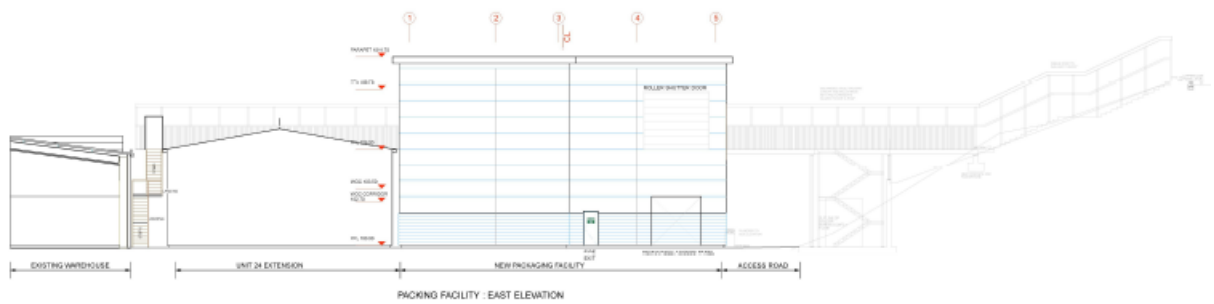
The proposed packaging building itself is largely rectangular in shape with

maximum dimensions of 42 x 22 metres and a footprint of approximately 850m. Its configuration is largely dictated by the site constraints and the equipment which it is required to house. It will be of two storeys in height with the main packaging operation being conducted at ground floor and a first floor that will accommodate meeting rooms, process office, changing rooms and a plant room. The building is 11.7 metres in height which will be approximately 1 metre below the height of the approved CFM2 building to be erected on the site immediately to the west. The packaging unit would be connected to the existing buildings and CFM2 by virtue of a shared internal corridor. The new unit will be constructed in materials to match those already approved for the adjacent CFM2 building, namely grey, white and light blue profile metal cladding

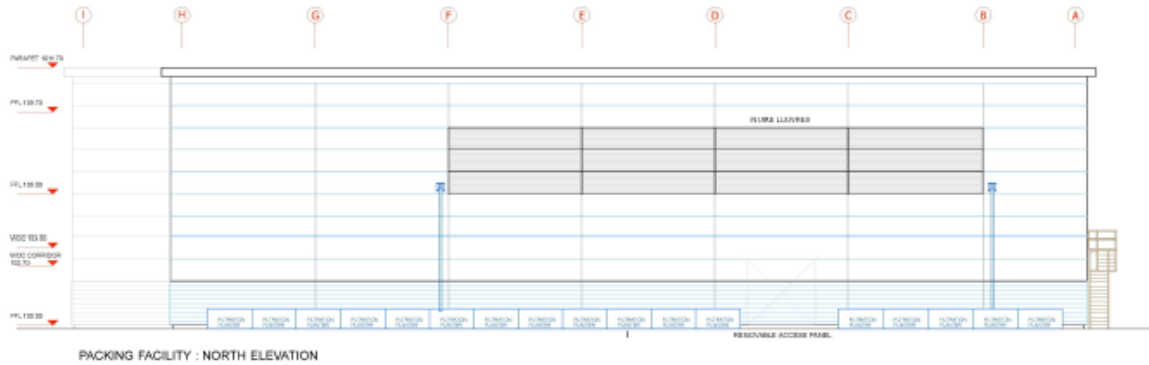
1.8 Elevations of the proposed Packaging unit



Elevation as viewed from the south from main estate road with building substantially screened by the existing buildings



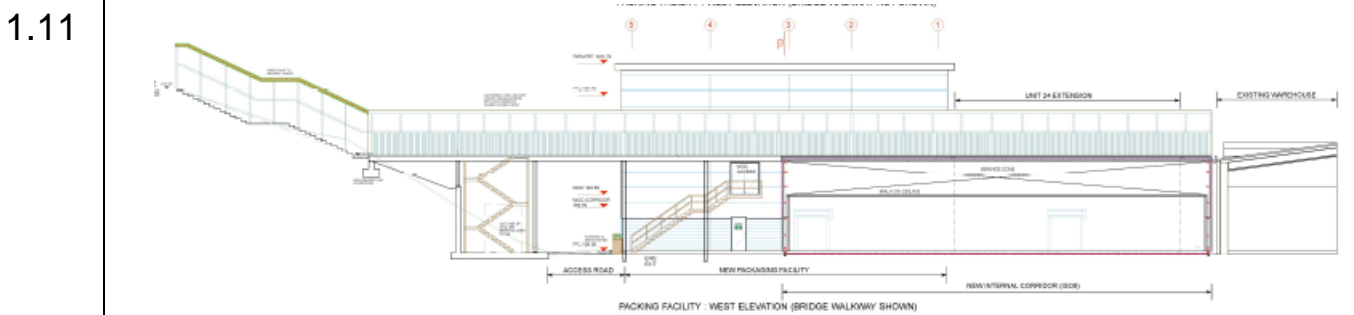
Elevation as viewed from a distance from residential areas to the east, partially screened by existing hedgerow and built structures.



Elevation as viewed from the north, largely screened by the embankment located between the proposed unit and the new car park area.

1.9 In terms of levels the building is to be erected off the same level as the existing buildings and the approved CFM2, building however the topography of the area is such that to the rear of the new packaging facility there are steep embankments which provide a distinct break in levels between the main complex and the recently constructed new car park area to the north. The difference in levels between these two areas of the site is approximately 11 metres.

1.10 Whilst a vehicular access road has already been provided to facilitate access to the new car park from the main complex as part of the previously approved scheme this application makes provision for a new covered bridge/walkway that will allow direct pedestrian access for employees from the complex to the new car park. The underside of the bridge/walkway which is 64 metre long will be elevated approximately 6metres above the existing yard area. The 2.0 metres wide walkway, canopy and balustrading will be constructed of galvanised steel with a polycarbonate glazed façade and roof. Sections of the walkway canopy will also feature a green roof.



Section as viewed from the west showing relative levels of car park, bridge/walkway, proposed building and existing buildings at rear of existing complex.

1.12	The application also relates to the provision of an extended section of reinforced concrete retaining wall. This would be constructed to the north of the packaging unit as an extension of a retaining wall of similar design and dimensions to that already approved relative to the adjacent CFM2 building. The area to the front (south of the retaining walls) will be used to site up to 3 large chiller units that will serve both the packaging unit and CFM2. Two of these 3 chillers have previously been approved as part of the CFM2 scheme.
1.13	<p>On the basis of the scale of the development proposed the application is classed as a 'major' planning application. In this context the application details have been the subject of a statutory pre -application consultation process and the application has been supported by the following documents:-</p> <ul style="list-style-type: none"> • A Design and Access Statement • A Pre Application Consultation (PAC) Report • Transport Statement • A Drainage Strategy • Energy Statement • Construction Design and Management – Construction Phase Plan

2. Site History

The application property forms part of a long established industrial unit with an extensive planning history going back to when planning permission was granted for two separate units in 1978. In the interest of brevity I have only listed below (in reverse order) those planning applications recorded against the property over the last ten years.

	Ref No	Details	Decision
2.1	C/2020/0033	Three storey lab block, external stairs, associated canopies and link to the existing building.	Approved 12/03/2020
2.2	C/2019/0354	DoC 2 (car park phasing programme); 3 (details of surfacing); & 7 (landscape plan), of planning permission C/2019/0195	Approved 09/03/2020
2.3	C/2019/0195	A new pharmaceutical containment facility and ancillary infrastructure (e.g. chillers), extended service yard and new car park including associated engineering/land upgrading works. It is proposed that the car park is built at the top of the site on previously unused land.	Approved 02/10/2019
2.4	2015/0029	The addition of a section of raised roof above an existing building (Unit 23) to accommodate	Approved 25/02/2015

		new equipment within the existing facility	
2.5	2011/0263	1. Revised staff car parking and vehicle access to enable construction of additional manufacturing building. 2. Construction of a new manufacturing building.	Approved 04/11/2011
2.6	2011/0167	Revised staff car park & vehicle access and construction of new manufacturing building.	Approved 11/08/2011

3. Consultation and Other Relevant Information

3.1 Internal BG Responses

3.2 Team Leader Building Control:

Building Regulations approval required

3.3 Service Manager Infrastructure:

Highways:

Highlighted the need for the new car park area previously approved by the Authority to be available for use before the proposed building is brought into beneficial use. Confirmed that the provision of new cycle parking and the submission of a Travel Plan should be secured by the imposition of suitably worded conditions. Satisfied on such basis that the development complies with Policy DM 1 (3 a, b, c, d & e) of the LDP.

3.4 Drainage: Advised of the need for the applicant/developer to secure a separate approval for Sustainable Drainage as required by Schedule 3 of the Flood and Water Management Act 2010, which came into effect in Wales on 7th January 2019. Noted the need for applicants to contact Caerphilly CBC who are processing applications on behalf of Blaenau Gwent for sustainable drainage applications relating to proposed developments in the Borough.

3.5 Ground Stability:

No objection

3.6 Structures

Advised of the need for details and calculations in relation to proposed retaining wall.

3.7 Landscape:

Noted that the proposal is for an extension to the existing facility in a northerly direction towards the SLA of Trefil Uplands and surrounds. Satisfied that the recent application to extend car parking facilities north of this site included a landscape condition for hedgerow and tree planting to help address any negative visual impact concerns from the sensitive

	<p>landscape area to the north. Further advised that the site levels of the development area being much lower than the northern extent of the site and the sites existing industrial development means the current proposal does not raise any additional visual impact concerns.</p> <p>3.8 <u>Service Manager Public Protection:</u> No comments received</p> <p><u>External Consultation Responses</u></p> <p>3.9 <u>Town / Community Council:</u> Confirmed they have no observations</p> <p>3.10 <u>Welsh Water:</u> Confirmed that the development would require approval of Sustainable Drainage Systems (SuDS) and the applicants should liaise with the SuDS Approval Body (SAB) in relation to such requirements. Suggested a drainage condition and informative advice that should be attached to any decision if the development was to be approved.</p> <p>3.11 <u>Western Power:</u> Advise on apparatus in vicinity of the site</p> <p>3.12 <u>W&W Utilities:</u> Advise on apparatus in the vicinity of the site</p> <p>3.13 <u>Public Consultation:</u></p> <ul style="list-style-type: none"> • 4 letters to nearby properties • 2 site notice(s) • press notice • website public register of applications • ward members by letter • all members via weekly list of applications received <p><u>Response:</u> No responses received</p>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Planning Policy

4.1	<p><u>Team Manager Development Plans:</u> Noted that the proposed development is supported by employment related policies within LDP and the proposed use would be compatible with surrounding employment uses. Advised that the principle of locating this development at this site is therefore acceptable. Noted need to give due</p>
-----	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>4.2</p> <p>4.3</p> <p>4.4</p>	<p>regard to issues of detail including design and placemaking, infrastructure provision, renewable energy and highways and car parking.</p> <p><u>LDP Policies:</u></p> <ul style="list-style-type: none"> • SP1 Northern Strategy Area – Sustainable Growth and Regeneration • SP8 Sustainable Economic Growth • DM1 New Development • DM2 Design and Placemaking • DM3 Infrastructure Provision • DM4 Low and Zero Carbon Energy • DM10 Use Class Restrictions • SB1 Settlement Boundaries • EMP2.5 Employment Protection Area • TI.6 Cycle Routes <p><u>Supplementary Planning Guidance</u></p> <ul style="list-style-type: none"> • Access, Car Parking and Design (March 2014) • Planning Obligations (September 2011) <p><u>PPW & TANs:</u></p> <ul style="list-style-type: none"> • Planning Policy Wales (PPW) (Edition 10, December 2018) • Technical Advice Note (TAN) 23: Economic Development (February 2014)
<p>5. Planning Assessment</p>	
<p>5.1</p> <p>5.2</p> <p>5.3</p>	<p>The application relates to a building in excess of 1000 sq. metres which is deemed a ‘major’ planning application. It is on the basis that the current officer delegated agreement does not extend to ‘major’ applications that it has been necessary to present this application to Planning Committee.</p> <p>As noted in section 1.3 of this report the application has been the subject of the required pre-application consultation with statutory and community consultees and has been supported by a number of documents which explain the need for the development, how the scheme has evolved to address the company’s ambitious proposals to expand their business and how this has been addressed in light of the requirements of relevant national and local planning policies and other legislative and technical requirements.</p> <p>In the above context I have considered the proposal relative to national planning policies as contained in Planning Policy Wales (PPW) and relevant policies in the adopted Local Development Plan (LDP), focusing initially on</p>

	<p>the principle of the development and thereafter on those more detailed issues which have been identified during the planning application process.</p>
5.4	<p><u>Principle of development</u> This application relates to an extension to and works within the confines of an existing industrial unit located on the Tafarnaubach Industrial Estate. The estate lies within an area identified in the adopted LDP as the Northern Strategy Area. Policy SP1 of the LDP requires proposals in this area to deliver sustainable growth and regeneration that will benefit the whole of Blaenau Gwent, whilst policy SP8 seeks to increase economic activity, diversify the economy and ensure that residents maximise their economic potential. In this context Policy SP8 highlights the role of major employment areas to support the diversification of employment and to support the sustainable development of manufacturing.</p>
5.5	<p>Tafarnaubach has been identified in the LDP Policy EMP2 as a Primary Site. Policy DM10 of the LDP further identifies the uses which might be considered appropriate on such sites, including B2 uses and any ancillary facility or service to existing employment uses. The proposed development which relates to an expansion of an established pharmaceutical company clearly falls under such category of development hence raises no issues in terms land use.</p>
5.6	<p>In terms of national policy (PPW), growing our economy in a sustainable manner is a Key Planning Principle. PPW identifies the need for the planning system to enable development which contributes to an areas long term economic well-being and making the best use of existing infrastructure and planning for new supporting infrastructure and services (PPW, Figure 3, page 18). There is no doubt in my opinion that expanding this established business at Tredegar and providing the additional 50 full time employment (which the applicants anticipate to be linked with this proposal) will make a positive and sustainable contribution to the economic well-being of the area.</p>
5.7	<p>Having assessed the acceptability of the proposal '<i>in principle</i>' I have noted below those more detailed aspects of the development which in my opinion due to site circumstance and other material planning considerations warranted further assessment, namely, highways and car parking, drainage, impact on visual and other amenities, structures and energy.</p>
5.8	<p><u>Highways/Parking</u> The highway authority has raised no objections to the scheme. The officer is content that the new car park provided to the north of the existing complex (approved as part of an earlier application, and about to become operational)</p>

	<p>will more than compensate for any direct loss of car parking resulting from the previously approved and current proposals. The new car park will accommodate 183 car parking spaces. In support of their application the applicants further highlight the fact that the operation of the new packaging facility will be split into two shift patterns and traditional office hours. This will mean that attendance at the site will be staggered therefore reducing the number of car parking spaces required on site at any one time. It is also noted that new the covered bridge/walkway that forms part of the current proposal will further encourage employees to use the new car park facility by making it more convenient and practical to access from the existing/proposed buildings. The highways officer had requested however that a condition be imposed that would require the approved car park to become operational <u>before</u> the packaging building is brought into use. Whilst this is potentially un-necessary (as at the time of writing this report the new car park works are substantially completed) the applicants are entirely agreeable to such a condition. They see the provision of this car park as a key element that will assist them in the short term with dealing with the logistical issues which will inevitably arise during the construction phase of erecting the two large extensions - the approved CFM2 building and the currently proposed packaging building - and in the longer term, with the parking needs of the expanded facility. This large car park is also seen as a practical means of addressing what has been long been recognised as an issue with numerous employees typically parking along the adjacent estate roads. This was a matter raised specifically by a respondent as part of the pre application consultation process.</p>
5.9	<p>Having noted the advice and findings of the Transport Assessment submitted with the application the highways officer has also requested that a condition is imposed that will require the submission of a Travel Plan that would promote sustainable travel. Again the applicants are agreeable to such a condition and a condition has been included in my recommendation to reflect that imposed in relation the approved CFM2 development.</p>
5.10	<p>In the interest of promoting sustainable modes of transport the officer has also requested that a condition is imposed that will require the new cycle parking provision indicated on the approved plans to be made available for use before the building is brought into beneficial use. A condition to such effect is included in my recommendation.</p>
5.11	<p>Based on the above I am satisfied that the development is acceptable in the context of the requirements of Policy DM1.3 of the adopted LDP.</p>

5.12	<p><u>Drainage</u></p> <p>In terms of drainage it is noted that the foul drainage works associated with this development are minimal. These are of such a scale that I consider them to be more appropriately dealt with through liaison with Welsh Water and other regulatory bodies such as Building Control. I therefore recommend that an informative note to such effect be attached to the decision notice.</p>
5.13	<p>The development however is of a scale that will require a separate consent for surface water proposals from the SuDS Approval Body (SAB). Whilst the applicants are fully aware of this requirement I recommend that a condition is included on the decision notice to make it clear that the surface water drainage details indicated on the submitted plans and outlined in the Drainage Strategy are <u>not</u> approved by virtue of any planning permission issued. An informative note is also included in my recommendation drawing the applicant/developer's attention to the need for SuDS approval <u>prior</u> to the commencement of development on the site.</p>
5.14	<p><u>Impact on visual and other amenities</u></p> <p>In assessing any built development careful consideration must be given to the potential impact of a proposal on the amenities of interested parties and its visual impact in the context of the area and the local landscape (Policies DM1 and DM2, LDP).</p>
5.15	<p>I am satisfied from an amenity perspective that whilst the building is large it's positioning to the north/rear of the existing complex and immediately east of the approved CFM2 building is such that it should integrate seamlessly into the existing facility. The proposed use of the land as part of a long established industrial complex is clearly acceptable. Whilst there are residential properties to the west and south west I am content that the distance between this building and those properties is such that any long term impact on the amenities of the occupiers of those properties would be minimal. The building is positioned over 18 metres away from its nearest boundary with the nearest residential property being positioned approximately 700 metres from the building. I am also mindful that in terms of any construction phase disturbance the applicants have submitted a detailed Construction Design and Management Plan and a Proposed site Compound/Traffic Plan with their application which identifies the measures to be taken to demonstrate compliance with other legislative requirements and minimise any disturbance and inconvenience to interested stakeholders during the construction phase of the development. It is noted in this respect that the Service Manager Public Protection has raised no concerns in relation to amenity issues.</p>

5.16	<p>From a visual perspective whilst the building is large I am satisfied that the fact that its design, scale and mass will mirror those of the approved CFM2 and will be similarly masked by the topography of the area, (in particular the significant increase in ground levels from the site to the elevated car park), will minimise its impact. Its overall height is marginally below that of the consented CFM2 building which has previously been assessed as being acceptable in terms of its mass and height within the context of the overall PCI facility and local topography.</p>
5.17	<p>From a wider visual impact perspective it is noted that existing landscaping, (in the form of hedgerow that runs along the sites eastern boundary), and the enhanced landscaping works approved in conjunction with the new car park will further mitigate any negative impacts this proposal might have on the landscape amenities of the wider area. The Team Manager Natural Infrastructure concurs with this view.</p>
5.18	<p>Based on the above considerations I am satisfied that the impacts that the development might have on the amenities of local receptors or the visual amenities of the area are minimal. On such basis the I am satisfied that the proposed development is appropriate for the local context in terms of type form scale and mix and accords with the requirements of policies DM1 and DM2 of the LDP.</p>
5.19	<p><u>Structural</u></p> <p>The planning permission approved in 2019 for the CFM2 building and associated car park also included the proposed construction of some relatively high (up to 3.7 metres) reinforced concrete retaining walls and the siting of two no. chillers at the base of the embankment to the rear of the building. The current application plans indicate that the wall may need to be further extended (eastwards) to accommodate one further chiller. Whilst section details have been provided which confirm the height of the required wall, and the intended profile of the proposed groundworks, no structural details have been provided for the retaining walls which exceed 1-5 metres in height. However I am content that this is a matter that can be dealt with by planning condition, particularly as works beyond what have been previously approved may not be required. A condition can similarly be imposed to require details of the additional chiller.</p>
5.20	<p><u>Renewable Energy</u></p> <p>Policy DM4 of the LDP encourages major development proposals to incorporate schemes which generate energy from renewable and low/zero carbon technologies. In response to this requirement the applicants have submitted an Energy Statement as part of this application. The Energy</p>

	<p>Statement highlights the fact that as an extension of an existing facility that the opportunities to include renewable energy options are limited for viability reasons. However they have noted a commitment to achieve energy efficiency by complying with or exceeding the requirements of current building regulations in relation to the construction of the building. I am satisfied based on this information that the applicants have carefully considered this issue and have addressed the requirements of policy DM4.</p> <p><u>Conclusion</u></p> <p>5.21 This application seeks permission to erect a large packaging unit with associated development within the confines of an industrial complex on a long established and allocated Employment Protection Area. The scheme forms an integral part of an ambitious expansion proposal, elements of which have recently been approved and have been implemented.</p> <p>5.22 It is anticipated that the current proposal will result in significant economic benefits to the area in terms of job creation (50 full time positions) particularly as the applicants envisage that the majority of those positions will be filled by local personnel.</p> <p>5.23 The potential impacts of the proposal have been carefully assessed against relevant national and local planning policies and guidance and found to be acceptable. I am satisfied that the matters of technical detail which have yet to be finalised can be addressed by the imposition of suitably worded conditions. I accordingly recommend approval of this development subject to the conditions listed.</p>
<p>6. Legislative Obligations</p>	
<p>6.1</p>	<p>The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.</p>
<p>6.2</p>	<p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>

7. Conclusion and Recommendation

7.1 Planning permission be **GRANTED** subject to the following condition(s):

1. The development shall be completed in full accordance with the following approved plans and documents :-

Plans

- Site location plan ADJ Architects, Ref 9051-09B stamped date received 29th April 2020
- Block plan ADJ Architects, Ref 9051 08 stamped date received 29th April 2020
- Site Plan : Ground level general arrangement ADJ Architects, Ref 9051 01 Rev E stamped date received 29th April 2020
- General arrangement Ground & First floor plans ADJ Architects, Ref 9051 02 Rev E stamped date received 29th April 2020
- First floor level general arrangement plan ADJ Architects, Ref 9051 03 Rev C stamped date received 29th April 2020
- Proposed Elevations Sheet 1 of 2 ADJ Architects, Ref 9051 05 Rev C stamped date received 29th April 2020
- Proposed Elevations Sheet 2 of 2 ADJ Architects, Ref 9051 06 Rev C stamped date received 29th April 2020
- Walk on Ceiling Plan ADJ Architects, Ref 9051 stamped received 7th May 2020.
- Retaining wall & access bridge layout – Intrado Consulting Engineers Ref IR19217 001 Rev P3 stamped date received 29th April 2020
- Access bridge sections – Intrado Consulting Engineers Ref IR19217 002 Rev P3 stamped date received 29th April 2020
- Proposed site compound/traffic plan – AFW Ltd Ref V/1A/L/1001A stamped date received 29th April 2020

Documents

- Construction Design and Management – Construction Phase Plan AFM (sw) Ltd Dated 1st October 2019.
- Transport Statement PCI Pharma Services, Asbri transport, dated March 2020
unless otherwise specified or required by conditions 2-7 listed below.

Reason: To clearly define the scope of this permission.

2. The building hereby approved shall not be brought into use until the approved car parking area (identified by cross hatching on the block plan hereby approved (Ref 9051 08)) is completed and made available for use. The said car parking area shall be retained for parking purposes at all times.

Reason: To ensure that the parking needs of the site and the proposed development are appropriately addressed and that the parking requirements of the overall site are suitably met at all times.

3. The building hereby approved shall not be brought into beneficial use until details of the cycle parking provision referred to in the submitted Transport Assessment have been submitted to and approved in writing by the Local Planning Authority. Such cycle parking as may be approved shall be provided before the building is brought into use and retained as such at all times.

Reason: In the interest of promoting sustainable means of transport.

4. The building hereby approved shall not be brought into beneficial use until a Travel Plan (including a detailed programme of implementation) has been submitted to and approved in writing by the Local Planning Authority. All actions and measures as may be approved shall be implemented in accordance with the approved details and timeframes.

Reason: In the interests of sustainable transport.

5. Before works commence in relation to the construction of any new retaining walls exceeding 1.5 metres structural calculations and finishing details for such walls and the re-grading details of any associated embankments shall be submitted to and approved in writing by the Local Planning Authority. All works subsequently implemented shall be completed in full accordance with such details as may be approved.

Reason: To ensure that such walls are constructed to current engineering standards and have no adverse visual impact on their surroundings.

6. No chillers shall be placed on site (other than those approved pursuant to any separate planning approval or deemed planning consent) until details of their scale and appearance are submitted to and approved in writing by the Local Planning Authority.

Reason : To ensure control over this form of development and clearly define the scope of this permission.

	<p>7. Notwithstanding those details indicated on the approved plans no surface water drainage details have been considered as part of this application.</p> <p>Reason: Surface Drainage is regulated by the Sustainable Urban Drainage Body.</p> <p>8. Standard time condition</p>
8. Risk Implications	
8.1	Any delay to the determination of the current application could in practice delay the implementation of a wider scheme for which planning permission has previously been granted and put at risk an expansion programme which could jeopardise the economic benefits that might otherwise be secured by this proposal.

Planning Report

Application No: C/2020/0027	App Type: Full
Applicant: Blaenau Gwent CBC Municipal Offices Ebbw Vale NP23 6XB	Agent: Paulo Santos Blaenau Gwent CBC Municipal Offices Civic Centre Ebbw Vale NP23 6XB
Site Address: Regain Building & Basement Garden, Mill Lane, Victoria, Ebbw Vale, NP23 6GR	
Development: Two storey building (B1 use) linked to Regain building with associated infilling of basement garden, access, parking and other infrastructure, and additional parking areas and service access to Regain building	
Case Officer:	Justin Waite



1. Background, Development and Site Context

- 1.1 Planning permission is sought for a two storey building that would be linked to the existing Regain building. The building would form part of the National Digital Exploitation Centre which will help and support companies looking to test and develop their digital concepts as well as provide training in digital practices. The research and development facility will be delivered by Thales (a private company currently occupying the original Regain building) in collaboration with the University of South Wales. The Centre's educational outreach element will also provide students with real-life experience in the digital sector. The proposed building would have a B1 use¹ that complements the existing use of the Regain building. The educational element would be ancillary to the main B1 uses of the existing and proposed buildings as a whole.
- 1.2 The proposed employment building would have gross floor area of approximately 942 square metres and would comprise of a simple rectangular shape, measuring approximately 13.5m, 42m and 7m in width, length and height respectively. The building would have a flat roof design with photovoltaic panels above. The front and rear of the building would predominately comprise of glazed curtain walls with glazed aluminium doors. Blue/grey wall cladding panels would surround the glazed curtain wall and an aluminium brise soleil would be included on the front (southern) elevation of the building. The side elevations would predominantly be clad in blue/grey panels and the horizontal form of the building would be punctuated by vertical bands of glazing, particularly along the eastern flank adjacent to Lime Avenue. Anodized aluminium patterned cladding would also be used at first level along the sides of the building. The western side of the building would be connected to the existing Regain building via a glazed link and an enclosed landscaped courtyard would serve both buildings. A galvanised grating plant enclosure would be sited between the proposed and existing buildings (see Figure 1 below showing front and eastern side image of the building).

¹ B1 (Business) use include, among other things, offices and research and development type uses.



Figure 1 – View from the corner of Mill Lane and Lime Avenue (Looking north-westwards)

1.3 In terms of associated development and infrastructure, the proposed development would involve the infilling of the existing basement garden; a new vehicular access off Lime Avenue with new on-street car parking spaces, which would replace those lost as a result of the new vehicular access; 15 on-site car parking spaces; a bin store and cycle shelter; and areas of landscaping. An additional 6 on-site car parking spaces would also be provided to the western side of the existing Regain building and a new service access would be created to the rear (see Figure 2 below showing proposed site layout).

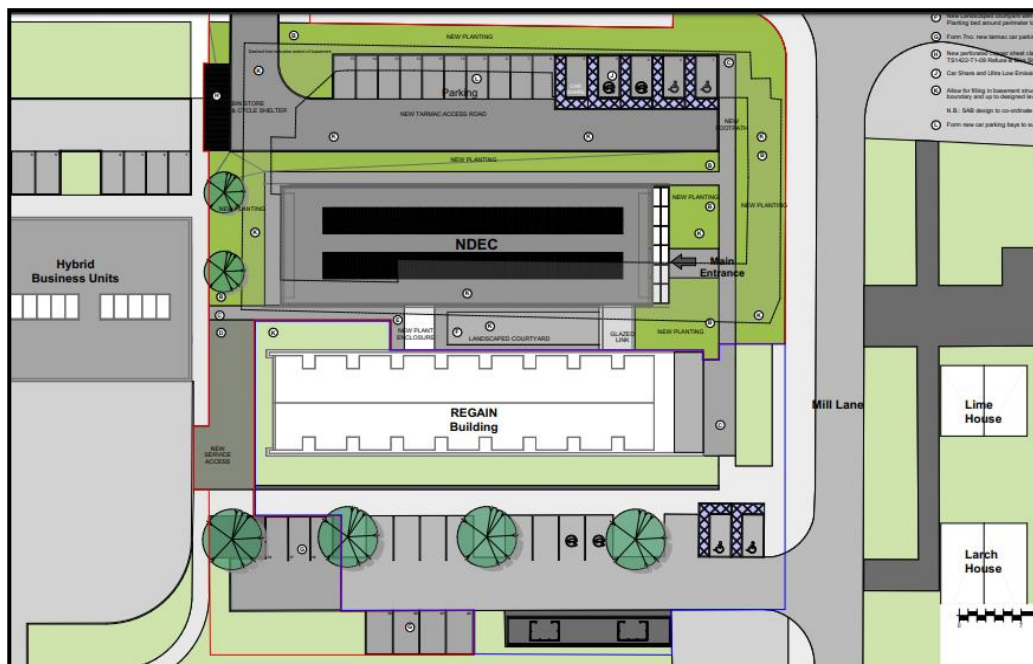


Figure 2 – Proposed Site Layout

1.4 The application site comprises of brownfield land, covering an area of

1.5	<p>approximately 0.38 hectares. The majority of the site comprises of the existing basement gardens which sit in a prominent corner location at the junction between Mill Lane and Lime Avenue. The application site also includes smaller, contiguous areas of land immediately to the north and west of the existing Regain building. The basement gardens are approximately 2m lower than the adjoining and surrounding land, which is generally flat.</p> <p>The Regain site adjoins the western boundary of the site with separate basement gardens and land allocated for employment development beyond. Hybrid business units, which are currently under construction, lie adjacent to the northern site boundary of the site. Lime Avenue lies adjacent to the eastern boundary of the site with playing fields and green space beyond. The residential properties of Mill Lane lie adjacent to the southern boundary of the site.</p>
-----	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

2. Site History

	Ref No	Details	Decision
2.1	C/2010/0156	Change of use of former steelworks industrial basement to community basement garden (public open space) with interpretation material, renovations to basement including insertion of new access ramp, steps, seating and other improvements.	Approved 12/11/2010
2.2	C/2010/0120	Construction of a 500 sqm office development with associated cycle shelter, refuse store, parking and hard landscaping.	Approved 16/12/2010
2.3	C/2009/0406	Ground stabilisation of potential shallow abandoned mine working by drilling and grouting techniques to create development platform.	Approved 09/02/2010
2.4	C/2007/0125	Outline for a mixed use development comprising residential, hospital, learning campus, employment uses, theatre, leisure centre, primary school, landscaping works and railway terminus. A number of conditions imposed on this planning permission have subsequently been varied/removed under further permissions (see C/2009/0236 and C/2010/0101).	Approved 20/07/2007
2.5	C/2005/0453	Phase 1 regeneration of the site comprising of remediation works, earthworks, drainage and	Approved 07/11/2005

		landscaping. Condition 3 of this planning permission was also varied under a subsequent permission (see C/2008/0494).	
3. Consultation and Other Relevant Information			
3.1	<u>Internal BG Responses</u>		
3.2	<u>Team Leader Building Control:</u> The proposed development will require building regulations approval.		
3.3	<u>Service Manager Infrastructure:</u>		
3.4	Highways: No objection to the proposed development subject to the provision and retention of the cycle and car parking areas, and the submission and approval of the details relating to the proposed highway junction and reconfiguration of the existing on street parking.		
3.5	Drainage: No objection to the proposed development.		
3.6	Ground Stability: No objection to the proposed development subject to the proposed ground stabilisation works, as recommended in the submitted Ground Investigation Report, being undertaken prior to development commencing.		
3.7	Landscape: No objection to the proposed development as it includes a robust approach to enhancing the development through the use of tree and shrub planting which helps define a sense of place.		
3.8	<u>Service Manager Public Protection:</u> No objection to the proposed development.		
3.9	<u>Head of Estates and Strategic Asset Management:</u> No objection to the proposed development.		
	<u>External Consultation Responses</u>		
3.10	<u>Natural Resources Wales:</u> No objection to the proposed development provided that conditions are attached to any planning permission granted that address potential land contamination issues. In particular, the requested conditions relate to unforeseen land contamination and the mobilisation of contaminants through infiltration of surface water into the ground and the use piling or any other		

	foundation designs using penetrative methods.
3.11	<p><u>Welsh Water:</u> Welsh Water has confirmed that there is existing capacity within the public sewerage network for domestic foul only flows and that surface water infrastructure, incorporating Sustainable Drainage System (SuDS) features, is likely to need consent from the SuDS Approval Body (SAB). The existence of an abandoned public sewer and distribution water mains crossing the site is also highlighted, along with the need for both pipelines to be accurately located on site and that no operational development should be carried out within 3m either side of their centrelines.</p>
3.12	<p><u>Western Power and W&W Utilities:</u> Approximate position of apparatus in the vicinity of the application site is highlighted.</p>
3.13	<p><u>Coal Authority:</u> The Coal Authority has confirmed that there are likely to be coal mining features and hazards within the application site and surrounding area that pose a risk to surface stability. The Coal Authority has also considered the submitted Ground Investigation Interpretation Report and concurs with the recommendation that a programme of ground treatment by drilling and grouting should be undertaken. As such, no objection is raised to the proposed development provided that the details of the aforementioned ground works are secured via a suitably worded condition if planning permission were to be granted.</p>
3.14	<p><u>Public Consultation:</u> Strikethrough to delete as appropriate</p> <ul style="list-style-type: none">● 4 letters to nearby buildings● 2 site notice(s)● press notice● website public register of applications● ward members by letter● all members via weekly list of applications received● other
3.15	<p><u>Response:</u> No letters of support or objection have been received from members of the public. A Ward Member has, however, confirmed that he has no issues in respect of the proposed development.</p>

4. Planning Policy	
4.1	<p><u>Team Manager Development Plans:</u> The proposed development is supported by employment related policies within LDP and the proposed B1 use would be compatible with surrounding employment uses within the 'Basement Park' character area as defined by 'The Works Design and Masterplan' Supplementary Planning Guidance (SPG). However, the latter specifically designates the application site as an open basement structure that is to be retained. As such, the infilling and loss of the basement is not in accordance with the SPG.</p>
4.2	<p><u>LDP Policies:</u></p> <ul style="list-style-type: none">• SP1 Northern Strategy Area – Sustainable Growth and Regeneration• SP7 Climate Change• SP8 Sustainable Economic Growth• DM1 New Development• DM2 Design and Placemaking• DM10 Use Class Restrictions• SB1 Settlement Boundaries• MU2 The Works• EMP1 Employment Allocations
4.3	<p><u>Supplementary Planning Guidance</u></p> <ul style="list-style-type: none">• The Works Design and Masterplan (October 2013)• The Works Design Code – Masterplan Update (June 2010)• Access, Car Parking and Design (March 2014)
4.4	<p><u>PPW & TANs:</u></p> <ul style="list-style-type: none">• Planning Policy Wales (Edition 10, December 2018)• Technical Advice Note 16: Sports, Recreation and Open Space (January 2009)• Technical Advice Note 23: Economic Development (February 2014)
5. Planning Assessment	
5.1	<p><u>Principle of Development</u> The application site is located within the settlement boundary (Policy SB1) and forms part of a mixed use allocation relating to the regeneration of the former steelworks site (Policy MU2). Strategic Policy SP1 directly refers to 'The Works' site as a strategic flagship scheme within the Northern Strategy Area that will help achieve sustainable regeneration that benefits the whole of Blaenau Gwent.</p>

5.2	<p>'The Works' allocation seeks to deliver a range of uses, including housing, employment, education, health and leisure related uses. In order to guide development and ensure that neighbouring land uses are compatible 'The Works Design and Masterplan' Supplementary Planning Guidance (SPG) sets out the indicative land use plan for the whole of the regeneration site. The parts of the application site immediately to the north and west of the existing Regain building fall within the employment allocation Bus 3, which is identified for B1 uses. The majority of the site, which comprises of the basement garden, is however identified as an open basement structure that is to be retained.</p>
5.3	<p>The proposed employment building on the application site is not therefore in accordance with LDP Policy MU2 or the adopted SPG for 'The Works' site. Accordingly, the planning application has been advertised as a proposed development that does not accord with the provisions of the LDP (i.e. a 'departure application').</p>
5.4	<p>'The Works Design and Masterplan' SPG identifies five character areas across the whole of 'The Works' site. The application site falls within the 'Basement Park' character area which is recognised as an opportunity to create a business area of unique character and appropriate scale around two retained linear open basement structures (paragraph 4.17). One of the retained open basement structures relates to the former number 4 motor room basement which is located within the application site. Planning permission was granted to change the use of this basement to an area of public open space on 12th November 2010 and also included industrial heritage/exhibition space, public art and seating with ramped and stepped access (Planning reference: C/2010/0156).</p>
5.5	<p>This area of open space is a key element in defining the character of this area and, in my view, makes an important contribution to creating a meaningful 'Basement Square' at the intersection between Mill Lane and Lime Avenue. The infilling of the basement and replacement with the proposed employment building would also result in the loss of open space that provides opportunities for enjoyment and recreation by local workers and residents as well as a link to the industrial heritage of the local area. As such, I am of the view that the loss of the open basement structure would in itself be detrimental to both the character of the area and the provision of public open space.</p>
5.6	<p>In terms of the loss of public open space, TAN 16: Sports, Recreation and Open Space (January 2009) identifies a broad range of open space typologies that can be considered for protection (see Annex B – Typology of</p>

	<p>Open Space). PPW (Edition 10 December 2018) also indicates that planning authorities should protect open spaces which have a significant amenity or recreational value to local communities from development (see paragraph 4.5.5). However, both PPW and TAN 16 are clear in that the assessment of open space deficiencies and the policy framework for setting standards of provision and protection should be undertaken at the local level through the LDP (see PPW – paragraph 4.5.2 and TAN 16 – section 3). I note that the Team Manager of Development Plans has not highlighted Policy DM13, which seeks to protect existing open space, as being relevant to the proposed development. As such, the retained basement structure is not a locally protected form of open space and, accordingly, less weight can be given to its loss.</p>
5.7	<p>In terms of the benefits of the proposed development, the new service access to the rear of the existing Regain building and additional car parking to the side would assist with the existing employment function of this building and would be in accordance with the land use plan of ‘The Works Design and Masterplan’ SPG. The proposal would also result in an additional 942 square metres of B1 employment floor space being delivered on ‘The Works’ site which is compatible with surrounding business, residential and leisure uses within the locality. The proposed employment building would therefore make a contribution towards meeting the LDP’s target of delivering 50 ha of employment land by 2021 and would also make an important contribution to diversifying the local economy given its focus on research and development and training within the digital sector (LDP Policy SP8).</p>
5.8	<p>TAN 23: Economic Development (February 2014) provides advice on weighing up the economic benefit where a proposed development causes environmental or social harm which cannot be fully mitigated. In these circumstances consideration should be given to the following three tests: whether or not there are suitable alternative sites; the number of jobs that will be created; and whether or not the proposal would make a special contribution to policy objectives (see section 2.1). In terms of suitable alternative sites, in this instance, there is limited flexibility in locating the proposed development in a different location as the proposal relates to the expansion of an existing business operating from the Regain building. Adjacent land to the west is constrained by the other retained basement structure, while land to the north is currently being developed for hybrid business units. I am therefore satisfied that there is no suitable alternative site in close proximity to the existing business that could be used to facilitate its expansion.</p>
5.9	<p>With regards to the direct number of jobs based at the site, the proposed</p>

	<p>development would secure the retention of the existing 8 full time equivalent jobs and result in an additional 2 full time equivalent jobs. The amount of jobs created by the proposed development is not therefore considered to be significant.</p>
5.10	<p>In respect of special merits, the proposed development would facilitate the expansion of a digital based business that provides research and development and training facilities for individuals and small or medium sized enterprises. It also has an education and outreach element with links to primary, secondary and further education. As such, the proposed development would make an important contribution to Strategic Objectives 8 and 10 of the LDP in terms of diversifying the economic base of the local area, and improving and broadening opportunities for education and skills.</p>
5.11	<p>Based on these three tests, I am satisfied that the proposed employment building would make a special contribution to employment, education and skills related objectives of the LDP and there is no suitable alternative site. Moreover, I am of the view that the proposed development would contribute towards making up the significant shortfall in the delivery of the LDP's employment allocations. As such, in my opinion, the employment benefits of the proposal should be afforded significant weight.</p>
5.12	<p>In summary, the proposed development would result in the loss of the retained basement structure that provides public open space and contributes positively to the character of the area. However, this area of open space is not afforded protection by Policy DM13 and a further basement structure, which has a similar open space and industrial heritage function, would remain to the west of the existing Regain building. As such, while the essence of the 'Basement Park' character area, as identified by 'The Works Design and Masterplan' SPG, would be diminished to some degree as result of the proposed development, it would not be lost in its entirety. Furthermore, when the significant employment benefits of the proposed development are weighed against these losses, I am of the view that the proposed development would not be unacceptable in land use terms.</p>
5.13	<p><u>Layout, Scale and Appearance</u> In terms of layout, the proposed employment building's relationship with the existing Regain building and its siting on a somewhat constrained site on a corner plot has resulted in some compromises in respect of the proposal's built form. In particular, the proposed building would not front onto Lime Avenue, which is the main street through 'The Works' site, nor would it maintain the common building line established by the hybrid business units under construction on the adjacent land to the north (see Figure 3 below</p>

showing the relationship with the adjacent hybrid business units). Whilst the decision to front the proposed building towards Mill Lane is understandable given its relationship with the existing Regain building, which has the same orientation, it needs to be acknowledged that the lack of continuity along Lime Avenue weakens the distinction between public and private space along this street. It is, however, noted that the inclusion of a number of windows in the eastern flank elevation of the proposed building would avoid the creation of blank elevation adjacent to Lime Avenue and allow the main street to be overlooked.



Figure 3 – Overall view of proposed employment building with hybrid business units in background (looking north-westwards)

- 5.14 The eastern flank elevation of the proposed building would be sited forward of the building line of the adjacent hybrid business units, which pushes the proposed off-street car parking area closer towards Lime Avenue. This increases the visual prominence of the proposed car parking area within the street scene and reduces the area of soft landscaping that would help mitigate the visual impact. In my view, the prominence of this car parking area in such close proximity to Lime Avenue would negatively impact the appearance of the street scene to some degree and the applicant was asked to consider moving the car parking area closer to the proposed building to reduce the extent of the visual impact. However, the applicant declined to do so, citing reasons relating to reduced air quality within the building and surveillance issues around the building's perimeter. Whilst, in my view, moving the car parking area away from Lime Avenue as far as possible would reduce the visual impact on the street scene of Lime Avenue and enhance the proposed development overall, the visual impact of the proposal as submitted is not considered to be unacceptable when the proposed landscaping is taken in to account (see landscaping section below).

5.15 In respect of scale and appearance, one of the development requirements for the 'Basement Park' character area is for new buildings to be within 1-5 storeys in height (see Table 1 pages 13-14 of the SPG). The proposed two storey building would comply with this building height requirement and even though it would be taller than the adjoining Regain building, the proposed building would be in keeping with the height and mass of other buildings within the surrounding area, including the adjacent hybrid business units (see Figure 3 above).

5.16 The proposed employment building has been designed to have a simple rectangular shape that has a consistent rhythm of glazing and cladding. This design approach respects the linear form of the both the adjacent Regain building and the adjacent hybrid business units, as well the basement structure that it replaces (see Figure 4 below showing the relationship between the proposed building and the Regain building). The proposed building also complements the style and general appearance of the Regain building and the adjacent hybrid business units, and creates visual interest by incorporating aluminium patterned perforated cladding to the sides of the building at first floor level. This particular design feature, through its texture, pattern and colour will contribute positively to both the appearance of the building and the character of the area as a whole.



Figure 4 – View from hybrid business park (looking south-eastwards)

5.17 Overall, I am of the opinion that the proposed employment building would be in keeping with the character and appearance of the street scene and surrounding area. Whilst I do have some reservations over the proposed built form in respect of the proposal's relationship with Lime Avenue, I am of the view that the visual impact would not be unacceptable. The design of the proposed building and layout of the site has also had due regard to reducing opportunities for crime and making provision for people with special access

	<p>requirements. As such, the proposed employment building is considered to be in accordance with requirements of Policies DM1 and DM2 of the LDP in terms of good design and visual amenity.</p>
5.18	<p><u>Highways and Parking</u></p> <p>The proposed development would involve the creation of a new vehicular access into the site off Lime Avenue, which would result in the loss of 4 on-street car parking spaces. It is proposed to replace the latter further south along Lime Avenue and 21 off-street car parking spaces are proposed within the application site. Only 15 of the 21 proposed car parking spaces would be accessed from Lime Avenue, with the remaining 6 located to the western side of the existing Regain building and accessed via Mill Lane. The proposed car parking provision includes a car share parking space, 2 disabled parking spaces and 2 electric vehicle car charging points. A covered bike store is also proposed that would include 5 cycle stands.</p>
5.19	<p>The Team Manager – Built Environment has raised no objection to the proposed development, but has requested the submission and approval of the details relating to the proposed highway junction and reconfiguration of the existing on-street car parking spaces. The need for the proposed car parking areas, cycle stands and highway works to be constructed prior to the occupation of the new building has also been highlighted. I am satisfied that these matters can be adequately addressed via suitably worded conditions. As such, I consider the proposed development to be acceptable in terms of the safe and efficient use of the highway network, special access requirements, prioritising sustainable transport and providing appropriate parking, servicing and operational space. Accordingly, the proposal is considered to be in accordance with Policy DM1 in respect of these matters.</p>
5.20	<p><u>Landscaping</u></p> <p>The proposed site layout provides adequate areas of soft landscaping around the perimeter of the proposed employment building and the periphery of the application site between the proposed car parking area and Lime Avenue/Mill Lane. The Team Manager – Natural Environment has also confirmed that the landscaping details submitted with the application provide a robust approach to enhancing the development through the use of tree and shrub planting which helps define a sense of place. In addition, all new footpaths proposed would comprise of paving slabs that would match those along Lime Avenue. I am therefore satisfied that the proposed employment development incorporates appropriate hard and soft landscaping details that would provide an appropriate visual setting and allow the development to integrate adequately with the street scene and surrounding area. Accordingly, the proposal would meet the requirements of Policy DM2 in</p>

respect of hard and soft landscaping matters.

5.21 Amenity

As indicated above, the proposed employment building would have a similar use to the existing Regain building (B1 - business) which is considered to be compatible with other uses in the locality, including the residential uses at Mill Lane. In respect of the latter, a separation distance of over 30 metres would be maintained between the nearest residential property, Lime House, and the proposed employment building. I consider this separation distance sufficient to prevent an unacceptable impact on the amenity of the occupiers in terms of overlooking, overshadowing or overbearing. Whilst a smaller separation distance of only 8 metres would be maintained between the proposed employment building and the hybrid business unit to the north, I am satisfied that the amenity of the future users of this neighbouring building would not be unduly affected given its employment use and the fact that there will be no windows in its southern flank elevation.

5.22 With regards to the impact on the amenity of the users of the existing Regain building, it should be recognised that the proposed employment building would be used in conjunction with the existing building and any reduction in the current levels of amenity are accepted by the occupying business. Similarly, any new business occupying the building in the future would do so in the full knowledge of the levels of amenity provided. Notwithstanding this, a degree of overbearing and overshadowing impact on the users of the existing Regain building would inevitably occur given the height of the proposed employment building and separation distance only being approximately 5.2 metres. However, the landscaped courtyard (see Figure 5 below) and other landscaping planting between the buildings would help create pleasant visual setting and given the employment nature of the building's use, I am satisfied that these impacts on amenity would not be unacceptable. In addition, only one window is proposed at ground floor level in the western flank elevation of the employment building and the windows proposed at first floor level would be partially screened by the proposed cladding. As such, inter-visibility between the existing and proposed buildings would be limited.



Figure 5 – View of courtyard between proposed building (right) and Regain building (left)

- 5.23 I am therefore of the opinion that the proposed employment building would not give rise to any unacceptable impacts on the amenity of adjacent residential or employment buildings. Accordingly, the proposal meets the requirements of Policy DM1 in respect of amenity related matters.
- 5.24 Drainage
The proposed employment building would seek to connect foul water drainage to the main public sewerage network and Welsh Water has confirmed that spare capacity exists within the network to receive foul flows. I am satisfied that the details of a foul water drainage scheme for the proposal can be secured by an appropriately worded condition.
- 5.25 As the proposed development has a construction area of greater than 100 square metres, Sustainable Drainage Systems (SuDS) will need to be used to dispose of surface water and a separate consent will be required from the SuDS Approval Body. As such, I recommend that an informative is attached to any planning permission granted, drawing the applicant/developer's attention to the need for SuDS approval prior to the commencement of development on the site.
- 5.26 With regards to the presence of an abandoned public sewer on the application site, both the applicant and Welsh Water have previously confirmed that they are in discussion over formally abandoning the sewer. As the presence of the abandoned public sewer is not considered an insurmountable constraint to the development of the site, I am of the view that the matter can be left to be resolved between the parties and its relevance highlighted via an appropriately worded informative. I am also

	<p>satisfied that the same approach can be taken to addressing any constraints posed by the existing distribution water main, which appears to be located in the footpaths of Mill Lane and Lime Avenue.</p>
5.27	<p><u>Ground Stability and Contamination</u></p> <p>In respect of ground stability, the Ground Investigation Interpretive Report (GIIR), which presents the findings of rotary borehole drilling on the site, states that evidence of shallow coal mine workings has been identified on the site and there is insufficient rock cover to remove any risk of subsidence (see Section 6). As such, there is the potential for surface instability associated with the collapse of mine workings and it is recommended that a mitigation programme of ground treatment is undertaken in the form of drilling and grouting. Both the Council's Engineer and Coal Authority agree with the findings of the GIIR and raise no objection to the proposed development provided that a detailed programme of ground works is approved and implemented prior to the development being undertaken. I am satisfied that such ground stability mitigation measures can be secured via an appropriately worded condition.</p>
5.28	<p>In terms of ground contamination, the GIIR also presents the findings of the soil sample and soil leachate tests and ground gas risk assessment (see Section 8). The GIIR states that none of the chemical contaminants tested for were recorded at concentrations above the applicable threshold for the intended commercial land use and the risk posed to construction operatives is low. The potential risk posed by the presence of potentially harmful gases was also found to be very low. Marginally raised levels of chromium and copper levels were, however, found as part of the soil leachate tests and whilst a very low risk to controlled waters was identified, the risk assessment appears to be partly based on the restriction of water infiltration into the ground as part of the proposed development.</p>
5.29	<p>The Council's Specialist Environmental Health Officer has raised no objection to the proposed employment building. Natural Resources Wales (NRW) has, however, recommended conditions that would protect controlled waters from the mobilisation of contamination as a result of uncontrolled surface water infiltration into the ground and/or piling or any other foundation designs using penetrative methods. I am satisfied that such conditions are necessary given the findings of the GIIR and as such, I recommend that appropriately worded conditions to that effect are imposed if planning permission were to be granted. I note that NRW has also requested the imposition of a condition relating to the presence of unsuspected contamination on the site. As a condition of this nature hasn't been request by the Council Specialist Environmental Health Officer and I have no</p>

<p>5.30</p> <p>5.31</p> <p>5.32</p>	<p>evidence before me to suggest that the submitted GIIR is deficient in any way in identifying levels of ground contamination on site, I do not consider such a condition to be necessary.</p> <p>I am therefore of opinion that subject to appropriate mitigation and remediation measures being secured via the conditions identified above, the proposed employment building would be acceptable in respect of ground stability and contamination. Accordingly, the proposal is considered to be in accordance with LDP Policy DM1 in respect of these matters.</p> <p><u>Conclusion</u> In summary, the proposed employment building is not in accordance with the LDP land use allocation (Policy MU2) or the associated supplementary planning guidance ('The Works Design and Masterplan'). The loss of the basement garden would also be detrimental in terms of open space provision and the character of the area, but not unacceptably so. The proposed employment building would, however, bring significant economic benefits and is considered appropriate to the local context in terms scale and appearance. I am also of the view that the proposal would not have an unacceptable impact on the amenity of surrounding buildings and is acceptable in respect of access and off-street parking provision.</p> <p>I am therefore of the opinion that, on balance, the proposed employment building and associated infrastructure is broadly in accordance with the general thrust of LDP policies and the conflict with the LDP's land use allocation is outweighed by the economic benefits of the proposal.</p>
<p>6. Legislative Obligations</p>	
<p>6.1</p> <p>6.2</p>	<p>The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.</p> <p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>

7. Conclusion and Recommendation

7.1 Planning permission be **GRANTED** subject to the following condition(s):

1. The development shall be completed in full accordance with the following approved plans and documents:

Approved Plans

- Site Location Plan, Drawing No. TS1422 P01, stamped received 21/01/2020;
- Revised Proposed Site Layout Plan, Drawing No. TS1422 T1-02A, stamped received 10/03/2020;
- Proposed Ground Floor Plan, Drawing No. TS1422 P04 (Rev. B), stamped received 06/02/2020;
- Proposed First Floor Plan, Drawing No. TS1422 P05 (Rev. B), stamped received 06/02/2020;
- Proposed Elevations, Drawing No. TS1422 P06 (Rev. B), stamped received 06/02/2020;
- Refuse and Bike Store, Drawing No. TS1422 P11, stamped received 23/12/2019;
- Landscape proposals, Drawing No. TS1422-DA-191205, stamped received 21/01/2020;
- Imported Soil Over Basement Infill, Drawing No. TS1422-DA-02, stamped received 19/11/2020; and
- Semi-mature Tree Planting, Drawing No. TS1422-DA-03, stamped received 19/11/2020.

Approved Documents

- Ground Investigation Interpretative Report – Ground and Mining Investigation of Regain 2 Building, The Works Site, Ebbw Vale, prepared by Quantum Geotechnic Limited (February 2020 / Report No. Q0088/GIR), stamped received 06/02/2020;
 - Landscaping Specification – Works Section, stamped received 09/03/2020; and
 - Landscaping – Schedule of Quantities, stamped received 09/03/2020.
- unless otherwise specified or required by conditions listed below.

Reason: To clearly define the scope of this permission.

2. The use of the building hereby approved shall be restricted to uses falling solely within Class B1 (Business) uses of Part B of the Schedule to the Town & Country Planning (Use Classes) Order 1987.

Reason: To clearly define the scope of this permission.

3. No development shall commence on site until details of the proposed highway junction and the reconfiguration of the existing on-street parking area are submitted to and approved in writing by the Local Planning Authority. The building hereby approved shall not be brought into beneficial use until all highway works and the reconfigured on-street parking area are completed in accordance with the approved details.

Reason: In the interest of highway safety and parking provision.

4. The building hereby approved shall not be brought into beneficial use until the car parking areas and cycle parking store are completed in accordance with the details indicated on the approved plans. The car parking areas and cycle parking store shall not be obstructed and shall be retained and kept available for their designated purposes at all times.

Reason: To ensure that the parking needs of the development are adequately met all times.

5. No development shall commence on site until details are submitted to and approved in writing by the Local Planning Authority of a scheme showing how foul water will be dealt with. The building hereby approved shall not be brought into beneficial use until all foul water drainage works relating to the building and its connection to the wider drainage network are completed in accordance with the approved details.

Reason: To ensure that effective drainage facilities are provided for the proposed development and that no adverse impact occurs to the environment or the existing public sewerage system.

6. If infiltration of surface water into the ground is to be used as part of a sustainable drainage scheme for the development hereby approved, no development shall commence until details of the sustainable drainage scheme are submitted to and approved in writing by the Local Planning Authority. The building hereby approved shall not be brought into beneficial use until all sustainable drainage works relating to the building and any related connection to the wider drainage network are completed in accordance with the approved details.

Reason: To ensure that the development is implemented in a manner that has due regard to the potential for pollution to controlled water from inappropriately located infiltration systems.

7. If piling or any other foundation design using penetrative methods are to be used as part of the development hereby approved, no development shall commence until details of a foundation assessment that demonstrates there is no unacceptable risk to groundwater is submitted to and approved in writing to the Local Planning Authority. The building foundation works shall be carried out in full accordance with the approved details.

Reason: To ensure that the development is implemented in a manner that has due regard to the potential for pollution to controlled waters.

8. Notwithstanding any details indicated on the approved plans, the construction of the building hereby approved shall not commence until samples of all external finishes to the building hereby approved have been submitted to and approved in writing by the Local Planning Authority. The building shall be completed in full accordance with the approved details before it is brought into beneficial use.

Reason: To safeguard the visual and landscape amenities of the area.

9. The building hereby approved shall not be brought into beneficial use until a Travel Plan (including a detailed programme of implementation) has been submitted to and approved in writing by the Local Planning Authority. All actions and measures as may be approved shall be implemented in accordance with the approved details.

Reason: In the interests of sustainable transport.

10. The building hereby approved shall not be brought into beneficial use until details of the electric car charging points as shown on Revised Proposed Site Layout Plan, Drawing No. TS1422 T1-02A, stamped received 10/03/2020 have been submitted to and approved in writing by the Local Planning Authority. Such electric car charging points shall be completed in full accordance with the approved details before the building hereby approved is brought into beneficial use.

Reason: To safeguard highway safety and visual amenity interests.

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following occupation of the building, the completion of the development (whichever is the sooner), or any alternative timescale that may be approved in writing by the Local Planning Authority before works

commence on site. Any trees, shrubs or plants which within a period of 5 years from implementation of the planting scheme die, are removed or become seriously damaged or diseased, shall be replaced by one of the same species and size in the next available planting season.

Reason: To ensure timely implementation of an appropriate landscaping scheme.

12. No development shall take place until details of the ground stability measures to be taken to remediate the site as recommended in the Ground Investigation Interpretative Report – Ground and Mining Investigation of Regain 2 Building, The Works Site, Ebbw Vale, prepared by Quantum Geotechnic Limited (February 2020 / Report No. Q0088/GIR), stamped received 06/02/2020, have been submitted to and approved in writing by the Local Planning Authority. The building hereby approved shall not be brought into beneficial use until the detailed ground stability measures which are approved in writing by the Local Planning Authority are implemented and the Local Planning Authority is provided with a validation report, signed by a suitably qualified person that confirms that such ground stability measures have been fully implemented.

Reason: To ensure adequate regard has been given to ground conditions in carrying out the development.

13. The development hereby approved shall not progress beyond ground preparation until a validation report signed by a suitably qualified person that confirms that imported material has been assessed for contamination and is deemed suitable for the filling of the basement structure has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate regard has been given to ground contamination issues in carrying out the development.

14. No development shall commence on site until a Construction Method Statement has been submitted to and approved in writing by The Local Planning Authority. The Statement shall provide details of:-
- hours of working;
 - the parking of vehicles of site operatives and visitors;
 - delivery of materials;
 - wheel washing facilities;

- storage of plant and materials used during construction;
- the erection and maintenance of security hoarding;
- measures to control the emissions of dust and dirt during construction;
- a scheme for the recycling/disposing of waste resulting from the construction works; and
- the siting and details of any construction compound.

Such details and measures as contained in a Statement that is approved in writing by the Local Planning Authority shall be adhered to throughout the construction period.

Reason: To safeguard local amenity interests and to ensure that the impacts of the construction phase of the development are appropriately and adequately addressed.

15. The development shall begin not later than five years from the date of this decision notice.

Reason: To comply with the requirements of Section 91 of The Town and Country Planning Act 1990.

Informatives

1. The Council's Service Manager Infrastructure has advised that the development for which full planning permission has been granted is one that requires SUSTAINABLE DRAINAGE APPROVAL BEFORE WORKS COMMENCE ON SITE. This is a separate legislative requirement introduced by Schedule 3 of the Flood and Water Management Act 2010 which came into effect in Wales on 7th January 2019. Applications for sustainable drainage approval relating to developments in Blaenau Gwent are being processed by Caerphilly County Borough Council. Further information in relation to this requirement can be found at <https://www.blaenau-gwent.gov.uk/en/resident/planning/how-to-apply-for-planning-permission/permission-for-drainage/>
2. The developer is advised that the site is crossed by an abandoned public sewer and distribution water mains. Welsh Water has advised that their positions must be accurately located and marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centre line of the

	abandoned sewer or water main. Further advice can be sought from Welsh Water on 0800 917 2652.
8. Risk Implications	
8.1	No risks identified.

Planning Report

Application No: C/2020/0095	App Type: Reserved Matters
Applicant: Mr Andrew Walker c/o agent	Agent: RPS Planning & Development Miss Rhian Lees 2 Callaghan Square Cardiff United Kingdom CF10 5AZ
Site Address: Former Tredegar General Hospital, Tredegar Health Centre and Bedwellty Park, Park Row, Tredegar, NP22 3NG	
Development: Reserved matters application relating to access (revised from that approved under outline planning permission), landscaping, appearance, scale and layout of planning permission C/2020/0037 (Demolition of Tredegar Health Centre, partial demolition of Tredegar General Hospital and erection of a new Class D1 Health and Wellbeing Centre)	
Case Officer:	Justin Waite



1. Background, Development and Site Context

- 1.1 Approval of reserved matters is sought for access, landscaping, appearance, scale and layout for the proposed health and wellbeing centre at Park Row, Tredegar. Outline planning permission was originally granted on 7th November 2019 for full demolition of the existing Tredegar Health Centre, partial demolition of Tredegar General Hospital and the erection of the new health and wellbeing centre (Application Number C/2019/0237). An associated Conservation Area Consent was also granted for the partial demolition of Tredegar General Hospital and the full demolition of Tredegar Health Centre on 8th November 2019 (Application Number C/2019/0160).
- 1.2 Since the outline planning permission was originally granted, permission has been granted to vary bat mitigation related conditions imposed on the outline planning permission (Application Number C/2020/037). This subsequent permission, which was approved on 8th April 2020, is in effect a new, standalone outline planning permission, and it is under this planning permission that the applicant is seeking approval of the above reserved matters. It should also be noted that details of access have previously been approved under the original planning permission; however, the applicant is now seeking approval of alternative access arrangements to the proposed development (see below for further details).
- 1.3 The proposed health and wellbeing centre would be predominantly built on the site of the former Tredegar general hospital building, with the original 1904 twin gabled building retained as part of the proposed development and incorporated into the new health and wellbeing centre (see Figure 1 below). This would be achieved by wrapping a new split level two storey building around the sides and rear of the existing twin gable building. This chosen development option was referred to as 'The Heart' at outline application stage.
- 1.4 The floor area of the proposed building would measure approximately 2,921 square meters which would be split over the proposed ground and upper ground floors. The upper ground floor (2,222 square metres) would comprise of the main entrance from Park Row, treatment rooms, foyer/reception area, a pharmacy and patient W/C facilities. The lower ground (699 square metres) would comprise of staff facilities and meeting rooms, plant rooms and wellbeing facilities, including a café and internal courtyard area.
- 1.5 The proposed health and wellbeing centre building would have a maximum width and depth of approximately 57.5m and 41.4m metres respectively, which is in line with the related scale parameters approved at outline

application stage. The height of the proposed health and wellbeing building would also measure approximately 9m in height to the front (west) and 12.8m to the rear (east) again reflecting the previously approved scale parameters. The new element of the proposed health and wellbeing centre would have the appearance of a series of gabled buildings of similar scale and form that are interconnected by subservient structures (see Figure 1 below). The existing 1904 twin gabled building, which comprises of redbrick, white render and a slate roof would be repaired and restored. The new elements of building would primarily comprise of a mix of traditional brick and slate with contemporary metal cladding and glazed curtain walling.



Figure 1 – View from Park Row of ‘The Heart’ development proposal (looking north-eastwards)

1.6

The proposed health and wellbeing centre building would primarily be built within the footprint of the former Tredegar general hospital and would have a primary frontage on to Park Row. Three separate car parking areas would serve the proposed health and wellbeing centre: the existing car parking area to the rear that would be reconfigured to provide 43 parking spaces; a new car parking area to the south of the proposed building that would provide 18 parking spaces and be accessed off Park Row; and a new car parking area to the north of the proposed building on the corner between Park Row and Market Street that would provide 22 car parking spaces. When access details were previously approved at outline application stage, this latter car park was accessed off Market Street. However, it is now proposed to access this car park off Park Row (see Figure 2 below).



Figure 2 – Proposed Site Layout (Park Row at the top and Market Street to the right hand side)

- 1.7 Other than the proposed internal courtyard area, the main areas of hard and soft landscaping are proposed to the front of the proposed health and wellbeing centre and along the boundaries with the surrounding streets. Whilst an area of grassland which forms part of Bedwellty Park remains within the application site boundary, no proposals have been put forward for this part of the site under this reserved matters application. At outline application stage a number of potential landscape measures were proposed, including an improved grassland management regime, the replacement of the existing concrete panel fencing with more sympathetic housing estate style fencing and improved footpath access between the Park and Market Street. These measures are, however, no longer included within the current proposals due to land ownership and funding timeline constraints. As such, the submitted details indicate that this area of grassland would remain in its current form and condition.
- 1.8 The application site comprises of an irregular parcel of land that varies in level due to the land falling from west to east. The site area is approximately 1.1 ha and is a mixture of previously developed land (brownfield) and greenfield land. The site is bounded by Bedwellty Park and Ty Park (a hostel building) to the south, Park Row to the west, Market Street to the north and both Bedwellty Park and Lower Salisbury Street to the east.
- 1.9 The western half of the site primarily comprises of the former general hospital building, the existing health centre and associated accesses and car parking areas. While the health centre building is currently in use, the former general hospital building is unoccupied and has fallen into disrepair. The

	<p>main vehicular access into the site is off Market Street, with a further three accesses from Park Row. The former hospital building fronts onto Park Row, while the health centre fronts both Park Row and Market Street, due to its corner location.</p>
1.10	<p>The eastern half of the site comprises of an underused area of parkland within Bedwellty Park. Whilst the area predominantly comprises of grassland, some play equipment can be found at southern end of the site. This area of parkland is somewhat visually divorced from the rest of the park by a wire mesh fence and concrete panel fence along the southern and eastern boundaries of the site respectively.</p>
1.11	<p>The application site falls within both the Tredegar Townscape Initiative and Bedwellty Park and Garden Conservation Areas, and partially falls within the Bedwellty Park which has been registered as a Historic Park and Garden. The site also falls within the setting of a number of listed buildings including those associated with Bedwellty House and Park, and Saron Congregational Chapel and its front walls and railings.</p>

2. Site History

	Ref No	Details	Decision
2.1	C/2020/0067	Application for discharge of condition 4 (extent of demolition works), 5 (demolition method statement), 7 (tree protection plan and method statement) and 15 (construction environmental management plan) of planning permission C/2019/0237	Approved 07/04/2020
2.2	C/2020/0061	Application for discharge of condition 3 (contract for carrying out of works) of planning permission C/2019/0237	Approved 06/04/2020
2.3	C/2020/0039	Application for discharge of condition 13 (ground gas monitoring) of planning permission C/2019/0237	Approved 23/03/2020
2.4	C/2020/0037	Variation of condition 1 and removal of condition 8 of outline planning permission C/2019/0237 to allow revised bat mitigation strategy	Approved 08/04/2020
2.5	C/2020/0023	Application for discharge of condition 6 (historic building record) of planning permission C/2019/0237	Approved 27/02/2020
2.6	C/2019/0353	Prior notification of the intention to remove 6x whitebeam trees, 1x ash tree, 1x leyland	To not impose a

		cypress and 1x common alder within a conservation area	tree preservation order 03/02/20
2.7	C/2019/0349	Access ramp to the rear of health centre building.	Planning permission granted 06/02/20
2.8	C/2019/0288	Prior notification of intention to remove a sycamore tree and a group of trees (including fruit tree, sycamore, whitebeam and ash) within a conservation area.	To not impose a tree preservation order 04/12/19
2.9	C/2019/0282	Construction of permanent bat house as part of bat mitigation strategy associated with demolition of existing former Tredegar General Hospital.	Planning permission granted 13/12/19
2.10	C/2019/0237	Outline application for demolition of Tredegar Health Centre, partial demolition of Tredegar General Hospital and erection of a new Class D1 Health and Wellbeing Centre including revised access, car parking, landscaping and ancillary works (all matters aside from access reserved).	Planning permission granted 07/11/19
2.11	C/2019/0160	Application for conservation area consent for partial demolition of former Tredegar General Hospital building and full demolition of Tredegar Health Centre	Conservation area consent granted 08/11/19
2.12	5428	Demolition of existing sanitary building and replacement to front elevation and day room, extension to rear.	Planning permission granted 19/02/85
2.13	2136	Erection of 20 bed geriatric unit with supporting facilities.	Planning permission granted 08/03/79
2.14	1415	Erection of health centre.	Planning permission granted 31/05/77

2.15	1101	Erection of health centre.	Planning permission granted 12/11/76
2.16	1100	Erection of 20 bed geriatric unit, new kitchen and staff dining room and supporting facilities.	Planning permission granted 14/10/76

3. Consultation and Other Relevant Information

3.1 Internal BG Responses

3.2 Team Leader Building Control:

Building regulations are required for the proposed development.

3.3 Service Manager Infrastructure:

3.4 Highways:

The Team Manager – Built Environment has raised no objection to the proposed development subject to the following:

- A car parking phasing plan being secured via a condition.
- Vehicle and cycle parking being provided as proposed and retained thereafter.
- Ten percent of car parking spaces being provided with charging points for electric vehicles.
- All measures within the previously approved Framework Travel Plan being implemented and a more detailed Full Travel Plan being secured via condition.

3.5 Drainage:

The Council's Drainage Engineer has confirmed that any surface water drainage proposals would need to be considered by the Sustainable Drainage Approval Body (SAB) under a separate application.

3.6 Landscape:

The Team Manager – Natural Environment has raised concerns over the lack of proposals to improve connectivity and green infrastructure links between the proposed health and wellbeing centre and Bedwellty Park. As a result, an opportunity has been missed to facilitate active travel by encouraging cycling and walking as a method of accessing the new facility. Notwithstanding this, if landscaping proposals on the area of parkland within the application site are to be secured via condition, they should include path links, tree planting and a management plan.

3.7	<p><u>Head of Estates and Strategic Asset Management:</u> Confirmation has been provided that the Health Board is seeking the Council's consent (as Charitable Trustees of Bedwellty Park) to lease, for a short term, an area around the current hospital site in order to safely demolish and construct the proposed health and wellbeing centre. The land will also be used for a temporary bat house that will be removed once the new health and wellbeing centre has been completed. It is anticipated that the temporary lease will be required for a maximum of 3 years.</p>
3.8	<p><u>External Consultation Responses</u></p>
3.9	<p><u>Town / Community Council:</u> No objection to the proposed development.</p>
3.10	<p><u>Welsh Water:</u> No objection to the proposed development.</p>
3.11	<p><u>Cadw</u> No objection to the proposed development. The area of soft landscaping between Bedwellty Park Registered Historic Park and Garden and the proposed health and wellbeing building and associated car parking areas is also welcomed.</p>
3.12	<p><u>Monmouthshire County Council (Heritage Advisory Service to Blaenau Gwent)</u> No objection to the proposed development as overall the design of the new structures around the original building are considered to preserve and enhance the special character of the conservation area. A number of conditions are however recommended relating to the submission and approval of samples of the materials for the new buildings and a schedule of work to the original building, including details of all decorative finishes and materials.</p>
3.13	<p><u>Public Consultation:</u> Strikethrough to delete as appropriate</p> <ul style="list-style-type: none">● 39 letters to nearby houses● site notice(s)● press notice● website public register of applications● ward members by letter● all members via weekly list of applications received● other

<p>3.14</p> <p>3.15</p>	<p><u>Response:</u> One member of the public has responded to the public consultation, stating that whilst the proposed health and wellbeing centre will be a wonderful facility for local people, the land within Bedwellty Park should not be sold or leased to Aneurin Bevan Health Board. The permanent bat house should also not have been granted planning permission or be allowed to be built on land within Bedwellty Park.</p> <p>In addition, a response has been received from a Ward Member who has raised concerns regarding the impact of traffic on Park Row and the lack of public consultation over the proposed change to the position of the access to the new northern car park from Market Street to Park Row. The limited availability of car parking in the area is also highlighted along with the potential impact of large demolition/construction related vehicles on local people's access to car parking, dirt and noise.</p>
<p>4. Planning Policy</p>	
<p>4.1</p> <p>4.2</p> <p>4.3</p>	<p><u>LDP Policies:</u></p> <ul style="list-style-type: none"> • Policy SP11: Protection and Enhancement of the Historic Environment • Policy DM1: New Development • Policy DM2: Design and Placemaking • Policy DM4: Low and zero Carbon Energy • Policy DM17: Buildings and Structures of Local Importance • Policy SB1: Settlement Boundaries • Policy TM1: Tourism and Leisure <p><u>PPW & TANs:</u></p> <ul style="list-style-type: none"> • Planning Policy Wales (Edition 10, December 2018) • Technical Advice Note 12: Design (March, 2016) • Technical Advice Note 18: Transport (March 2007) • Technical Advice Note 24: The Historic Environment (May 2017) <p><u>Other Guidance</u></p> <ul style="list-style-type: none"> • Managing Conservation Areas in Wales (Cadw, May 2017) • Managing Change to Historic Parks and Gardens in Wales (May 2017) • Managing Setting of Historic Assets in Wales (May 2017) • Tredegar Townscape Initiative Conservation Area Appraisal & Design Guide (originally adopted May 2009 / updated and re-adopted March 2016). • Access, Car Parking and Design – Supplementary Planning Guidance (March 2014)

5. Planning Assessment

5.1 Layout

Whilst the application site includes both the Tredegar general hospital and Tredegar health centre sites and the area of grassland to the rear (east) which forms part of Bedwellty Park, all of the proposed built development would be restricted to the former brownfield sites. This constrains the area of land available for the chosen development option ('The Heart') which seeks to retain the original 1904 twin gabled hospital building with a new building wrapping around the northern, southern and eastern elevations (see Figure 1 above). In my opinion, the proposed layout is an appropriate response to the site constraints and the chosen development option, with the proposed health and wellbeing centre building positioned broadly centrally within the site and the car parking areas located to the sides and rear of the proposed building. The principal elevation of the proposed health and wellbeing centre building would front on to Park Row, reflecting the orientation of the original 1904 twin gabled building and creating a continuous, active frontage along this main street (see Figure 3 below). The primary access to the proposed building would also be located to the front of the building creating activity on the street.



Figure 3 – Street View from Park Row (looking eastwards)

5.2 The proposed health and wellbeing centre building would have a secondary access to the rear and a significant number of windows are proposed in the rear elevation allowing Bedwellty Park to be overlooked. In doing so, the proposal re-establishes the link and inter-relationship between the general hospital site and Bedwellty Park, which has been lost over the decades as the original general hospital changed its aspect towards Park Row through alterations and additions to the building.



Figure 4 – Rear view from Bedwellty Park (looking westwards)

- 5.3 As indicated in Section 1 above, the applicant also originally intended to use the area of parkland within the application site in association with the proposed health and wellbeing centre, and proposed a number of potential hard and soft landscaping measures, including new footpaths, at outline application stage. These proposed measures would have enhanced the appearance of this area of parkland and improved links between Bedwellty Park and the proposed health and wellbeing centre and the wider area. Collectively they would also have represented a positive form of “placemaking”. The latter is recognised by Planning Policy Wales (PPW) as the most effective way of maximising social, economic, environmental and cultural benefits of development proposals, while considering their potential impacts (see paragraphs 2.8 and 2.9). “Placemaking” is defined as follows:
- 5.4 *“[A] holistic approach to the planning and design of development and spaces, focused on positive outcomes. It draws upon an area’s potential to create high quality development and public spaces that promote people’s prosperity, health, happiness and wellbeing in the widest sense. Placemaking considers the context, function and relationships between a development site and its wider surroundings...Placemaking adds social, economic, environmental and cultural value to development proposals resulting in benefits which go beyond a physical development boundary and embed wider resilience into planning decisions.”* (see page 16 of PPW)
- 5.5 In my view, the applicant’s decision to no longer include any proposals that seek to integrate the area of parkland with the proposed health and wellbeing centre, while also maintaining it as an area of open space for public recreation, is at odds with the “placemaking” approach advocated by PPW. The Team Manager – Natural Environment has also raised concerns over lack of connectivity and green infrastructure links between the proposed

	<p>health and wellbeing centre and Bedwellty Park. He is also of the view that new routes across this parkland area would facilitate active travel by encouraging cycling and walking as a method of accessing the new facility.</p>
5.6	<p>Whilst I acknowledge that the landownership, issues around the legal status of the land and funding timeline constraints are justifiable reasons for not submitting firm and detailed proposals for the parkland area within the application site at this stage, the exclusion of this area of parkland from the proposal in its entirety would result in a development that has failed to maximise its contribution to the achievement of the wellbeing goals and sustainable development. The applicant has, however, indicated a willingness to provide some form of hard and soft landscaping measures, albeit at smaller scale than originally anticipated. Such measures have the potential to provide some improvement to the connectivity and links between Bedwellty Park and the proposed health and wellbeing centre and would go some way to overcoming the concerns raised by the Team Manager – Natural Environment. The applicant has indicated that there is a reasonable prospect of the aforementioned constraints being overcome if the details of any hard and soft landscaping measures are secured at a later date via condition. I agree with this approach and recommend an appropriately worded condition in section 7 below.</p>
5.7	<p>There is little opportunity within the development area of the site to provide open space as the limited land available is required for the parking areas and circulation routes around the proposed health and wellbeing centre building. An internal courtyard area is, however, proposed within the proposed health and wellbeing building that would provide a welcome amenity space for staff and visitors to the centre.</p>
5.8	<p>In summary, I am of the view that the proposed layout would integrate effectively with the surrounding street scene and appropriate physical and visual connections with Bedwellty Park can be secured via an appropriately worded condition. As such, I consider the proposed development to be in accordance with Policy DM1 and DM2 in respect of this matter.</p>
5.9	<p><u>Scale and Appearance</u> The proposed split level building would wrap around the retained and refurbished 1904 twin gabled building and would have the appearance of a series of gabled buildings interconnected by subservient structures (see Figure 1 above and 5 below). The height and shape of the proposed gabled buildings would respect the scale and appearance of the 1904 twin gabled building, and the overall mass of the proposed building would be broken up by the interconnecting subservient structures. In doing so, the proposal</p>

	<p>creates more visual interest within the street scene and prevents the new gable buildings becoming overly dominant.</p>
5.10	<p>It is noted that the proposed design and appearance of the new health and wellbeing centre contrasts with that of the terrace properties opposite at Park Row. However, Monmouthshire County Council's (MCC) Heritage Officer has confirmed that this design approach is acceptable given that the proposed health and wellbeing centre building would not be in competition with the terrace and provides a complementary approach to the public realm. She is also of the view, and I agree, that the more contemporary design would create a more distinctive building and an improved sense of place.</p>
5.11	<p>In terms of materials, the proposed health and wellbeing centre building would be finished in a mixture of more traditional (brick and slate) and contemporary (metal cladding and curtain wall) materials. The MCC Heritage Officer is satisfied that this approach is appropriate in the local context. I am also of the opinion that the proposed materials would help differentiate between the old and new elements of the health and wellbeing centre, whilst also remaining complementary to the character and appearance of the original 1904 twin gabled building. In order to ensure that materials sympathetic to the character and appearance of the original 1904 twin gabled building and the surrounding area are incorporated into the proposed development, I recommend that a condition is imposed requiring the submission and approval of samples of the proposed materials.</p>
5.12	<p>In summary, I am of the opinion that the proposed health and wellbeing centre building would be in keeping with the character and appearance of the street scene and surrounding area. The design of the proposed building has also had due regard to reducing opportunities for crime and making provision for people with access requirements. As such, I consider the proposed health and wellbeing centre building to be in accordance with the requirements of Policies DM1 and DM2 of the LDP in terms of good design and visual amenity.</p>
5.13	<p><u>Access and Parking</u> With regards to the proposed vehicular access and parking, existing accesses off Market Street and Park Row would be retained to serve the proposed car parking areas to the rear (east) and northern side of the proposed health and wellbeing centre respectively. The proposed parking area to the rear is not new, but would be modified to increase the number of car parking spaces. A new vehicular access from Park Row would also be created to serve a new car parking area located adjacent to the southern side of the proposed building. In total, the car parking areas would provide 83</p>

	<p>parking spaces, which is 13 more than what was indicatively proposed at outline application stage. Electric charging vehicle points are also proposed to be installed adjacent to 10 of the parking spaces.</p>
5.14	<p>The Team Leader - Built Environment has raised no objection to the proposed vehicular accesses or the amount and position of car parking spaces, subject to the latter being provided and retained in perpetuity. It should, however, be noted that there would be a temporary under provision of parking spaces (approximately 22 spaces for 30 weeks) during the period when the existing health centre is being demolished and the new car park which replaces it is being constructed. The proposed health and wellbeing centre would be operational during this time and as such, the Team Leader – Built Environment has requested that a car parking phasing plan, which addresses levels of parking provision over this period, be secured via condition.</p>
5.15	<p>In terms of pedestrian and cycle access, there would be stepped and ramped access for pedestrians off Park Row and a further access off Market Street alongside the vehicular access to the rear car parking area. Cycle access to 3 cycle shelters would also be provided off Park Row. The Team Manager – Built Environment has confirmed that he is satisfied with the proposed cycle provision and, as with car parking spaces, has requested that proposed cycle shelters are provided as proposed and retained thereafter. A full a detailed travel plan for the proposed development has also been requested that will maximise environmental benefits that result from fewer cars and promote health benefits associated with walking and cycling. I am satisfied that the travel plan can be secured by an appropriately worded condition and also note that the parkland related condition discussed above has the potential to secure improved access and connectivity to Bedwellty Park that would also have active travel benefits.</p>
5.16	<p>As highlighted in Section 3 above, a Ward Member has raised a concerns relating to consultation on the proposed change to the northern car park access, local car parking issues and the potential impact from large vehicles during demolition and construction works. The car parking provision for the proposed development has been addressed above with the Team Manager – Built Environment confirming that the amount of off-street parking spaces proposed is acceptable and would not lead to unacceptable overspill on street car parking in the local area. In respect of the lack of consultation on the proposed change to the car park access, whilst pre-application public consultation was undertaken by the developer at outline planning application stage, there is no statutory requirement for a similar consultation exercise to be undertaken for reserved matters. I can, however, confirm that properties</p>

	<p>surrounding the application site have been consulted as part of this reserved matters application by letter and the application has also been advertised in the local newspaper. At the time of writing this report, no objections to the proposed access off Park Row to the northern car park have been received from members of the public.</p>
5.17	<p>With regards to the impact of demolition/construction traffic, it should be noted that a demolition phasing and method statement, which contains details of access, parking and a traffic management plan, has already been approved under a previous discharge of condition application (see section 2 above). This method statement was considered acceptable by the Team Manager – Built Environment and the Environmental Health Officer and will minimise impacts on the local highway network and local amenity. A construction method statement still needs to be agreed under a separate discharge of condition application and, as indicated above, it is recommended that an additional car parking phasing plan is secured via condition if the reserved matters were to be approved. As such, whilst some local disruption is unavoidable during the demolition and construction phase of the development, I am satisfied that there would be sufficient controls in place to ensure that the temporary impacts on local high safety, car parking and amenity would not be unacceptable.</p>
5.18	<p>In summary, I am of the opinion that, subject to the conditions recommended above, the proposed development would be acceptable in terms of the safe and efficient use of the highway network, access requirements, prioritising sustainable transport and providing appropriate parking space. Accordingly, I consider the proposal to be in accordance with Policy DM1 in respect of these matters.</p>
5.19	<p><u>Landscaping</u> The landscaping proposals are limited to some extent by the focus of built development on the Tredegar general hospital and Tredegar health centre sites. However, I consider the elements of hard and soft landscaping that are proposed to be appropriately concentrated to the front of the proposed health and wellbeing centre at Park Row and more generally along the boundaries with the surrounding streets. The proposed soft landscaping broadly comprising of new tree, mixed shrub and rain garden planting would soften the impact of the proposed car parking areas and associated retaining walls, while the various forms of paving would add visual interest and improve the appearance of the public realm. The proposed landscaped internal courtyard within the centre of the building would also provide a valuable amenity space for staff and visitors to the health and wellbeing centre.</p>

5.20 A number of existing boundary treatments, such as the walls, railings and wrought iron piers adjacent to Park Row, would be retained as part of the proposal. These boundary treatments make a positive contribution to the character and appearance of the area and their retention is welcomed. In terms of notable new boundary treatments, a retaining wall is proposed along Market Street that would return into the site supporting the car park above. This retaining wall would increase in height as it extends down Market Street from the junction with Park Row and would measure up to the 3 metres in height within the site (see Figure 5 below). Whilst this new retaining wall would be a visually prominent structure, there is a similar existing high retaining wall within the street scene of Market Street associated with the existing rear car park serving the health centre. As such, I am of the opinion that the proposed retaining wall would not have an unacceptable visual impact, subject to the details being secured via condition.



Figure 5: View from Bedwellty Park (looking south-westwards)

5.21 With regards to the landscaping proposals relating to the eastern area of grassland within the application site, a 2.5 – 3 metre wide strip of mixed shrub planting was proposed in order to create a soft landscape buffer between the proposed health and wellbeing centre and Bedwellty Park. However, as indicated above, the Team Manager – Natural Environment has expressed concern over the missed opportunity to enhance this green space and provide links between the proposed health and wellbeing centre and Bedwellty Park. As such, the proposed soft landscape buffer has now been removed from the landscaping proposals and will be reconsidered alongside other soft and hard landscaping measures secured via condition (see paragraph 5.6 above).

5.22	<p>I am therefore of the view that the proposed health and wellbeing centre incorporates appropriate hard and soft landscaping details that would provide an appropriate visual setting and allow the development to integrate adequately with the surrounding street scene. I am also satisfied that appropriate soft and hard landscaping measures can be secured on the area of grassland within the application site and Bedwellty Park via condition. Accordingly, the proposal would meet the requirements of Policy DM2 in respect of hard and soft landscaping matters.</p>
5.23	<p><u>Historic Environment</u></p> <p>The application site falls within the Tredegar Heritage Initiative Conservation Area, Bedwellty Park and Garden Conservation Area and Bedwellty Park Registered Historic Park and Garden (Grade II). The site also falls within the setting of a number listed buildings associated with Bedwellty Park (including Bedwellty House (Grade II*)), and Saron Congregational Chapel (Grade II*) and its front walls and railings (Grade II*). As such, the proposed health and wellbeing centre has the potential to have an impact on a range of heritage assets which are considered in turn below.</p>
5.24	<p>In respect of the Conservation Areas, the need to preserve or enhance the character or appearance of conservation areas is highlighted in both PPW (paragraph 6.1.6) and Technical Advice Note (TAN) 24: The Historic Environment (paragraph 6.3). This requirement is also reflected in LDP Policy SP11 which seeks to protect, preserve and, where appropriate, enhance Blaenau Gwent's distinctive built environment through, among other things, the protection of conservation areas. In addition, PPW advises that the preservation or enhancement of a conservation area can be achieved by development which either makes a positive contribution to the character or appearance of an area or leaves them unharmed (paragraph 6.1.16). It also indicates that mitigation measures can be considered which could result in an overall neutral or positive impact of a proposed development in a conservation area.</p>
5.25	<p>The Tredegar Townscape Initiative – Conservation Area Appraisal & Design Guide (TTI-CAADG) identifies the former general hospital as a significant, unlisted building which contributes to the special interest of the Conservation Area, most notably in relation to the foundations of the National Health Service emanating from the Tredegar Medical Aid Society and the link with Aneurin Bevan (paragraphs 4.1.1, 4.3.15 - 4.3.19 and 4.5.9 – 4.5.11). The more modern health centre, whilst physically attached to the general hospital building has not, however, been given this status within the TTI-CAADG (see figure 4.2 - Tredegar Town Centre Key Building Context), due to its lack of meaningful historic or architectural interest.</p>

5.26	<p>The proposed continuation of the health and wellbeing services within the original 1904 twin gabled building and the wider site is a key factor in preserving the character of the Tredegar Heritage Initiative Conservation Area given the historical association with Tredegar Medical Aid Society, Aneurin Bevan and the Foundations of the National Health Service. The in principle acceptance that the character and appearance of the Conservation Areas would be preserved by a sensitively designed new health and wellbeing centre following 'The Heart' design option was also established under the previous approval of conservation area consent (C/2019/0160) and outline planning permission (C/2019/0237). Other contributing factors in reaching this decision were the proposed removal of the detracting post war additions from the general hospital building complex and the opportunity to re-establish the physical and visual connection with Bedwellty Registered Historic Park and Garden.</p>
5.27	<p>As indicated above, the MCC Heritage Officer has raised no objection to the proposed health and wellbeing centre in relation to its impact on the character and appearance of the Conservation Areas. I am also of the view that the proposed layout, scale and appearance of the proposed health and wellbeing centre would respect the scale, form and appearance of the existing 1904 twin gabled building and would also be in keeping with the character and appearance of the street scene and surrounding area. In addition, the proposed secondary, rear access to the health and wellbeing centre building and the design of the building's rear elevation helps re-establish the link with Bedwellty Park, which can be strengthened further with improved physical and visual connections secured via condition. As such, I am of the opinion that the proposed health and wellbeing centre would preserve the character and appearance of the Tredegar Heritage Initiative Conservation Area and Bedwellty Park and Garden Conservation Area. Accordingly, the proposal would meet the requirements of PPW, TAN 24 and LDP policies SP11, DM1, DM2 and DM17.</p>
5.28	<p>In considering the impact on Bedwellty Park Registered Historic Park and Garden, local planning authorities are advised to protect, conserve and enhance the special interest of the asset (PPW – paragraph 6.1.18). One of the key interests in respect of the Bedwellty Park is its function as a park and garden and the need for land within it to continue to be used for that purpose. At outline planning application stage, the applicant confirmed that whilst the area of parkland within the application site would be used in association with the health and wellbeing centre, it would remain as an open space and any future use would comply with the restrictive covenant limiting its use to public recreation and pleasure. A number of potential landscape measures were</p>

	<p>also proposed, including an improved grassland management regime, the replacement of the existing concrete panel fencing with more sympathetic housing estate style fencing and improved footpath access between the Park and Market Street. As indicated above, these measures are no longer included within the current proposals, due to land ownership and funding timeline constraints, and as such, Bedwellty Park would remain unaffected by the proposed development.</p>
5.29	<p>Cadw has raised no objection to the proposed health and wellbeing centre development as whole or to the removal of the landscape enhancement measures originally proposed on the land within Bedwellty Park. Cadw also welcomed the area of soft landscaping buffer between Bedwellty Park and the proposed health and wellbeing centre building and associated car parking areas. However, for wider “placemaking” reasons, I recommend that the physical and visual connections between Bedwellty Park and the proposed health and wellbeing centre be improved through appropriate hard and soft landscaping measures on the area of grassland within Bedwellty Park. If approval were to be given for the proposed reserved matters, Cadw would have an opportunity to advise on any proposed hard and soft landscaping measures which affect Bedwellty Park as part of an associated discharge of condition application. I am therefore satisfied that adequate control exists to ensure that the proposed development would enhance this designated historic asset or, at the very least, allow it to remain unharmed. Accordingly, the proposed development is considered to be in accordance with PPW and TAN 24 in respect of policies and guidance relating to registered historic parks and gardens, and the requirements of LDP Policy SP11.</p>
5.30	<p>With regard to the listed buildings in the vicinity of the application site, 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). Both Saron Congregational Chapel (Grade II*) and its front walls and railings (Grade II*) are located opposite the application site at Park Row. The application site’s historic use for health service provision would continue as part of the proposed health and wellbeing centre and I am satisfied that the layout, scale and appearance of the proposed development respects the character and appearance of the street scene at Park Row and would preserve the setting of these Listed Buildings.</p>
5.31	<p>In respect of the setting of the Listed Buildings associated with Bedwellty Park, including Bedwellty House (Grade II*), the function of the parkland area on the eastern half of the application site would remain as its historic use for public recreation and pleasure. The hard and soft landscaping enhancement</p>

	<p>measures that can be secured via condition also have the potential to enhance the setting of the Listed Buildings, albeit not to the extent as originally proposed. Replacing the general hospital building's existing post war rear additions with the new health and wellbeing building would also be beneficial to the visual amenity of the local area. As such, I am satisfied that the proposed health and wellbeing centre would also preserve the settings of these listed buildings. Accordingly, the proposed development is considered to be in accordance with PPW and TAN 24 in respect of policies and guidance relating to the setting of listed buildings, and the requirements of LDP Policy SP11.</p>
5.32	<p><u>Sustainable Design</u> Policy DM4 seeks to encourage major development proposals to incorporate renewable and/or low carbon technologies into their development scheme and requires the submission of an energy statement. The purpose of the latter is to examine the potential for energy generation from renewable and/or low carbon sources and to set out how the proposal can make an appropriate contribution.</p>
5.33	<p>Supporting information provided at outline application stage indicated that the proposed health and wellbeing centre would be designed to achieve 'Excellent' under the BREEAM 2018 scheme and solar photovoltaic panels were recommended for incorporation into the design of the building, due to the technology's practical, cost and greenhouse gas emission reduction benefits. The applicant has indicated that solar photovoltaic panels are still anticipated to be taken forward as part of the proposed development with the potential for them to be located on the south facing roof places of the proposed health and wellbeing centre building. Whilst no specific details of the proposed solar photovoltaic panels have been submitted with this reserved matters application, it is acknowledged that this form of renewable energy technology benefits from certain permitted development rights and could be installed at a later date without the need for planning permission.</p>
5.34	<p><u>Amenity of Neighbouring Properties</u> The application site is located in an area characterised by a mixture of uses, including residential. Given that the proposed health and wellbeing centre would continue the long established, existing use of the site for the provision health services, I consider the proposed development to be compatible with surrounding land uses.</p>
5.35	<p>With regards to the impact on the amenity of properties located at Park Row, the height of the new gabled buildings as part of the proposed health and wellbeing centre would be similar to that of the original 1904 twin gabled</p>

	<p>building to be retained and the existing former general hospital buildings that it replaces. The proposed building would maintain the existing separation distance of approximately 20 metres from the residential properties opposite the application site to the west. The separation distance between the Ty Park building to the south and the proposed building would also increase from 10 to over 40 metres. As such, I am satisfied that the proposed development would not have an unacceptable impact on the amenity of properties at Park Row by means of overshadowing, overlooking or overbearing.</p>
5.36	<p>In respect of the impact on the amenity of properties located at Market Street, the existing health centre would be replaced by a car park and the proposed health and wellbeing building would be located a minimum of 38 metres from the surrounding properties. I note that a retaining wall would need to be constructed to facilitate the new car park; however, it would only measure approximately 2 metres at its highest point along Market street. As such, I am of the opinion that proposed development would not have an unacceptable impact on the amenity of properties at Market street by means of overshadowing, overlooking or overbearing.</p>
5.37	<p>In relation to the impact on the amenity of properties located at Lower Salisbury Street to the east, the area of grassland and an existing band of trees provides a significant buffer between the proposed health and wellbeing centre building and these properties. The separation distance between the proposed building and these properties is also greater than 50 metres and as such, I am of the view that the proposal would not have a detrimental impact on the amenity of the occupiers of these surrounding properties.</p>
5.38	<p>I am therefore of the opinion that the proposed health and wellbeing centre would not give rise to any unacceptable impacts on the amenity of surrounding residential buildings. Accordingly, the proposal meets the requirements of Policy DM1 in respect of amenity related matters.</p>
5.39	<p><u>Other Matters</u></p> <p>It should be noted that Bedwellty Park, including the area of grassland within the application site, is covered by Policy TM1 Tourism and Leisure, which allocates Bedwellty House and Park for tourism related activities. Whilst the primary purpose of the proposed development is not to directly contribute to tourism in the local area, I am the view that any hard and soft landscape enhancement measures that can be secured via condition would make a positive, albeit modest, contribution to improving Bedwellty House and Park as a tourist attraction.</p>

5.40	<p>As highlighted above, one letter of objection has been received stating that whilst the proposed health and wellbeing centre will be a wonderful facility for local people, the land within Bedwellty Park should not be sold or leased to Aneurin Bevan Health Board. The permanent bat house should also not have been granted planning permission or be allowed to be built on land within Bedwellty Park. Firstly, the ownership and sale of the land is not a material planning consideration and is being considered under a separate process by the Council in its role as Charitable Trustee. The use of the land is, however, a material consideration and given that it would remain as an open space for the purpose of public recreation and pleasure, the proposal is considered to be acceptable in land use terms.</p>
5.41	<p>In respect of the planning permission granted for the permanent bat house, it should be noted that the planning permission is just one form of consent and cannot be implemented without the agreement of the landowner or Trustee. In addition, it appears that the applicant no longer intends to pursue the implementation of this planning permission as an alternative bat mitigation strategy, which does not include the permanent bat house, has been approved more recently (see planning application C/2020/0037). Instead, the alternative bat mitigation strategy includes a temporary bat house, which will be removed when the development is completed, and permanent bat mitigation measures incorporated into the design of the new health and wellbeing centre building.</p>
5.42	<p><u>Conclusion</u></p> <p>In summary, I am of the view that, subject to the conditions set out below, the proposed health and wellbeing centre would preserve the character and appearance of the Conservation Areas and would not harm the special interests of Bedwellty Park Registered Historic Park and Garden, the setting of surrounding Listed Buildings, or the visual amenity of the local area. I am also of the view that the proposal would not have an unacceptable impact on the amenity of surrounding buildings and is acceptable in terms of access and off-street parking provision. Accordingly the proposed development is considered to be in accordance with PPW and TAN 24 in respect of policies and guidance relating to historic assets, and the requirements of LDP Policies SP11, DM1, DM2, DM4, DM17, SB1 and TM1.</p>
<p>6. Legislative Obligations</p>	
6.1	<p>The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future</p>

6.2	<p>Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.</p> <p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>
-----	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

7. Conclusion and Recommendation

7.1	<p>Planning permission be GRANTED subject to the following condition(s):</p> <ol style="list-style-type: none">1. The development shall be completed in full accordance with the following approved plans and documents: <u>Approved Plans</u><ul style="list-style-type: none">• Site Red Line Boundary Plan, Drawing No. THWC-IBI-01-ZZ-PL-A-100-002, stamped received 13/03/2020;• Revised General Arrangement Drawing, Drawing No. THWC-IBI-WS-XX-PL-L-700-001 (Rev. 012), stamped received 28/05/2020;• Proposed Upper and Lower Ground Floor Plan, Drawing No. THWC-IBI-01-ZZ-PL-A-200-002 (Rev. P05), stamped received 13/03/2020;• Planning Northern and Western Elevations, Drawing No. THWC-IBI-ZZ-ZZ-EL-A-251001 (Rev. P03), stamped received 13/03/2020;• Planning Southern and Eastern Elevations, Drawing No. THWC-IBI-ZZ-ZZ-EL-A-251002 (Rev. P03), stamped received 13/03/2020;• Overall Roof Plan Areas Plan, Drawing No. THWC-IBI-ZZ-RF-PL-A-240-010 (P03), stamped received 24/03/2020; and• Electric Services – External EVCP Locations Plan, Drawing No. THWC-AECC-00-ZZ-DR-E-009004, stamped received 09/06/2020.unless otherwise specified or required by conditions listed below. Reason: To clearly define the scope of this permission.2. Notwithstanding any details indicated on the approved plans, prior to any works progressing beyond ground preparation and laying of the slab, samples of all external finishes to the building and hard landscaped areas hereby approved shall be submitted to and approved in by writing the Local Planning Authority. The development shall be carried out in full accordance with the details as may be approved in writing by the Local Planning Authority.
-----	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Reason: To safeguard the visual amenities of the area and preserve the character and appearance of the conservation area.

3. Notwithstanding any details indicated on the approved plans, prior to any works progressing beyond ground preparation and laying of the slab, a schedule of works detailing all external repair and restoration works to the original hospital building and all associated external finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the details as may be approved in writing by the Local Planning Authority.

Reason: To safeguard the visual amenities of the area and preserve the character and appearance of the conservation area.

4. Prior to any works progressing beyond ground preparation and laying of the slab, a Car Park Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the details and measures as contained in a Plan that is approved in writing by the Local Planning Authority and the car parking areas shall be retained and kept available for their designated purpose at all times.

Reason: In the interest of highway safety and to ensure that the parking needs of the development are adequately met at all times.

5. The building hereby approved shall not be brought into beneficial use until details of the electric vehicle charging points as shown on Electric Services – External EVCP Locations Plan, Drawing No. THWC-AECC-00-ZZ-DR-E-009004, stamped received 09/06/2020 have been submitted to and approved in writing by the Local Planning Authority. Such electric vehicle charging points shall be completed in accordance with the approved details before the building hereby approved is brought into beneficial use and retained thereafter.

Reason: To safeguard highway safety and visual amenity interests.

6. The building hereby approved shall not be brought into beneficial use until details of the cycle parking shelters as shown on Revised General Arrangement Drawing, Drawing No. THWC-IBI-WS-XX-PL-L-700-001 (Rev. 012), stamped received 28/05/2020 have been submitted to and approved in writing by the Local Planning Authority. Such cycle parking

shelters shall be completed in accordance with the approved details before the building hereby approved is brought into beneficial use and retained and kept available for their designated purpose at all times.

Reason: In the interest of visual amenity and to ensure that the parking needs of the development are adequately met at all times.

7. The building hereby approved shall not be brought into beneficial use until a Travel Plan (including a detailed programme of implementation) has been submitted to and approved in writing by the Local Planning Authority. All actions and measures as may be approved by the Local Planning Authority shall be implemented in accordance with the approved details.

Reason: In the interests of sustainable transport.

8. Before works commence on site (other than demolition works) details shall be submitted to and approved in writing by the Local Planning Authority of the finishes and constructional details of any retaining wall or works required in association with the development hereby approved that would exceed 1.5 metres in height. Such details must also include a certificate signed by a suitably qualified engineer that shall verify the structural integrity of the proposed structure. All works implemented shall be undertaken in full accordance with such details and specifications as may be approved by the Local Planning Authority and completed within 12 months of the development hereby approved being brought into beneficial use.

Reason: To safeguard the integrity of any retaining works required in association with the approved development and to safeguard visual amenity interests.

9. Notwithstanding any details indicated on the approved plans, prior to any works progressing beyond ground preparation and laying of the slab a detailed scheme of landscaping shall be submitted to and approved in writing by the local planning authority. The submitted scheme shall include :-

- a) details of ground preparation, planting plans, number and details of species;
- b) maintenance details for a minimum period of 5 years; and
- c) a phased timescale of implementation

Reason: To ensure submission of an appropriate landscaping scheme and to secure a development that makes a positive contribution to the landscape and visual amenities of the area.

10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following occupation of the building, the completion of the development (whichever is the sooner), or any alternative timescale that may be approved in writing by the Local Planning Authority before works commence on site. Any trees, shrubs or plants which within a period of 5 years from implementation of the planting scheme die, are removed or become seriously damaged or diseased, shall be replaced by one of the same species and size in the next available planting season.

Reason: To ensure timely implementation of an appropriate landscaping scheme.

11. The building hereby approved shall not be brought into beneficial use until a scheme of hard and soft landscaping to the area of parkland to the east of the building hereby approved has been submitted to and approved in writing by the Local Planning Authority. The hard and soft landscaping improvements as may be approved by the Local Planning Authority shall be implemented and completed in accordance with approved details within 12 months of the first beneficial use of the building hereby approved and retained thereafter.

Reason: To ensure submission of an appropriate landscaping scheme and to secure a development that makes a positive contribution to the landscape and visual amenities of the area.

Informatives

1. The Council's Service Manager Infrastructure has advised that the development for which full planning permission has been granted is one that requires SUSTAINABLE DRAINAGE APPROVAL BEFORE WORKS COMMENCE ON SITE. This is a separate legislative requirement introduced by Schedule 3 of the Flood and Water Management Act 2010 which came into effect in Wales on 7th January 2019. Applications for sustainable drainage approval relating to developments in Blaenau Gwent are being processed by Caerphilly County Borough Council. Further information in relation to this requirement can be found at <https://www.blaenau-gwent.gov.uk/en/resident/planning/how-to-apply-for-planning->

	<p>permission/permission-for-drainage/.</p> <p>2. The applicant/developer is advised that a hard and soft landscaping scheme for the area of parkland to the east of the proposed health and wellbeing centre should, as a minimum, include path links between Bedwellty Park, the proposed health and wellbeing centre and Market Street; compensatory tree planting; and a landscaping management plan. For further advice on this matter, please contact the Team Manager – Natural Environment on 01495 355545 or email: chris.engel@blaenau-gwent.gov.uk.</p> <p>3. The applicant/developer is advised that any signage proposed for the health and wellbeing centre may require separate advertisement consent. For further advice on this matter, please contact the Planning Department on 01495 355555 or email: planning@blaenau-gwent.gov.uk.</p>
8. Risk Implications	
8.1	No risks identified.

Report Date:
Report Author:

This page is intentionally left blank

By virtue of paragraph(s) 12 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank