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THIS IS A MEETING WHICH THE PUBLIC ARE ENTITLED TO ATTEND

6th November 2020

Dear Sir/Madam

PLANNING, REGULATORY & GENERAL LICENSING COMMITTEE

A meeting of the Planning, Regulatory & General Licensing Committee will be held in Virtually Via Microsoft Teams (if you would like to attend this meeting live via Microsoft Teams please contact committee.services@blaenau-gwent.gov.uk) on Thursday, 12th November, 2020 at 2.00 pm.

Yours faithfully

Michelle Morris
Managing Director

AGENDA

Pages

1. SIMULTANEOUS TRANSLATION

You are welcome to use Welsh at the meeting a minimum notice period of 3 working days is required should you wish to do so. A simultaneous translation will be provided if requested.

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

2. **APOLOGIES**
- To receive.
3. **DECLARATIONS OF INTEREST AND DISPENSATIONS**
- To consider any declarations of interest and dispensations made.
4. **LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 18TH SEPTEMBER, 2020 AND 22ND OCTOBER, 2020** 5 - 12
- To consider report of the Senior Business Support Officer
5. **QUARTERLY PERFORMANCE INFORMATION** 13 - 18
- To consider the report of the Service Manager Development and Estates.
6. **APPEALS, CONSULTATIONS AND DNS UPDATE NOVEMBER 2020** 19 - 22
- To consider the report of the Service Manager Development and Estates.
7. **PLANNING APPEAL UPDATE: FOR THE PROPOSED CONVERSION OF EXISTING 3 BEDROOM, 2 STOREY TERRACED HOUSE INTO A 5 BEDROOM HOUSE OF MULTIPLE OCCUPANCY (HMO) AND TO DEMOLISH EXISTING GARAGE TO PROVIDE A PARKING SPACE AT: 30 MARINE STREET, CWM, EBBW VALE** 23 - 28
- To consider report of the Planning Officer.
8. **PLANNING APPEAL UPDATE: MILL FARM, POCHIN CRESCENT, TREDEGAR REF: C/2019/0279** 29 - 36
- To consider report of the Planning Officer.

9. **PLANNING APPEAL UPDATE:** 37 - 44
LAND AT 3 GLANDWR STREET, ABERTILLERY

To consider report of the Planning Officer.

10. **PLANNING APPLICATIONS REPORT** 45 - 66

To consider report of Team Manager Development Management.

11. **AREAS FOR MEMBER BRIEFINGS/TRAINING**

To consider.

To: Councillor D. Hancock (Chair)
Councillor W. Hodgins (Vice-Chair)
Councillor D. Bevan
Councillor G. L. Davies
Councillor M. Day
Councillor S. Healy
Councillor J. Hill
Councillor C. Meredith
Councillor K. Rowson
Councillor T. Smith
Councillor B. Thomas
Councillor G. Thomas
Councillor D. Wilkshire
Councillor B. Willis
Councillor L. Winnett

All other Members (for information)
Manager Director
Chief Officers

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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 between 18th September 2020 and 22nd October 2020
Report Author	Senior Business Support Officer
Report Date	23rd October 2020
Directorate	Regeneration & Community Services
Date of meeting	12th November 2020

1.0 Purpose of Report
1.1 To report decisions taken under delegated powers.
2.0 Scope of the Report
2.1 The attached list deals with the period 18 th September 2020 and 22 nd October 2020
3.0 Recommendation/s for Consideration
3.1 The report lists decisions that have already been made and is for information only.

Application No	Address	Proposal	Valid Date Decision Date
C/2020/0062	Car Show Room, Crown Business Park, Dukestown, Tredegar	Change of use of land to form part of existing car showroom with new vehicular entrance and security fencing	24/07/2020 02/10/2020 Approved
C/2019/0335	Waterfall Cottage, Vale View, Beaufort Hill, Ebbw Vale	Application for non-material amendment of planning permission C/2016/0346 (new dwelling) - alterations to access and driveway, amended size and position of garage and provision of railings	04/12/2019 24/09/2020 Approved
C/2020/0187	Ty-Heulog, 25 Ashville, Tredegar	Elevated decking in rear garden	18/08/2020 13/10/2020 Approved
C/2020/0172	4 Henwaun Street, Blaina	First floor extension.	10/08/2020 13/10/2020 Approved
C/2020/0171	48 West Hill, Tredegar	Single storey rear extension	07/08/2020 29/09/2020 Approved
C/2020/0173	13 Alma Street, Brynmawr	Two storey rear extension & single storey garden store.	07/08/2020 19/10/2020 Approved

C/2020/0169	3A George Street, Brynmaur	Retention of summer house, gazebo and change of use of land to garden curtilage	30/07/2020 08/10/2020 Approved
C/2020/0117	Former St James Church, Poplar Road, Tredegar	Change of use from church (D1) to residential dwelling (C3), insertion of roof lights and modified rear access and parking area	23/07/2020 24/09/2020 Approved
C/2020/0149	14 Oak Road Tanglewood Blaina	Construction of a garage.	02/07/2020 13/10/2020 Approved
C/2020/0139	68 Queen Street, Nantyglo, Brynmaur	New build to infill terrace where original property has been demolished.	17/06/2020 24/09/2020 Approved
C/2020/0165	Land adjoining 10 Charles Street, Tredegar	Proposed detached house	29/07/2020 21/09/2020 Approved
C/2020/0178	Pentwyn Bungalow Lower Brynhyfryd Terrace Brynithel, Abertillery	Rear and side extensions and provision of balcony and porch	11/08/2020 13/10/2020 Approved
C/2020/0191	13 Gwaun Helyg Road Ebbw Vale	Construct 2 storey rear extension.	19/08/2020 29/09/2020 Approved

C/2020/0183	4 Lindsay Gardens Tredegar	Remove flat roof and replace with a pitched roof (domestic store room).	07/08/2020 23/09/2020 Lawful Development Certificate Granted
C/2020/0192	5 Intermediate Road Brynmawr	Creation of new vehicular access and driveway.	20/08/2020 21/09/2020 Approved
C/2020/0177	The New Griffin Hotel Beaufort Street Brynmawr	Conversion of the existing first floor into residential, three studio units and one 2-bed flat.	10/08/2020 21/09/2020 Approved
C/2020/0141	Fourways Arnold Place Tredegar	Lawful development certificate for a proposed use for a single occupancy care home with 24 hour staffing providing support to a young person towards independence.	19/06/2020 22/09/2020 Lawful Development Certificate Granted
C/2020/0179	1 Edward Terrace, Georgetown, Tredegar	Extension to domestic garage and associated alterations	29/07/2020 28/09/2020 Approved

C/2020/0182	67 Emlyn Avenue, Ebbw Vale	Lawful development certificate for a proposed single storey rear extension and the insertion of a ground floor window in the side elevation of the main dwelling	13/08/2020 28/09/2020 Lawful Development Certificate Granted
C/2020/0197	Vacant site Newchurch Road, Ebbw Vale	Application for discharge of condition 7 - external facing and roofing materials of planning permission C/2019/0036 (four detached houses)	21/08/2020 30/09/2020 Condition Discharged
C/2020/0174	Land east of Blaina Road, Brynmawr	Signs associated with drive-thru coffee including fascia signs to building, roof mounted sign, free standing illuminated poster boards, totem sign, vehicle height restriction, menu boards, freestanding direction boards and banner signs.	07/08/2020 21/09/2020 Approved
C/2020/0180	Hendrewen Libanus Road, Ebbw Vale	Change of use from domestic dwelling to a house in multiple occupation (5 bedrooms) and 1st floor rear extension including alterations to rear roof plane and refurbishment works	13/08/2020 14/10/2020 Approved
C/2020/0188	Llys Nant y Mynydd, Hospital Road, Nantyglo, Brynmawr	Three storey extension to the existing building to provide a new lift and amendments to parking.	07/08/2020 30/09/2020 Approved

C/2020/0203	19 Railway View, Sirhowy, Tredegar	Residential Garage (Retrospective)	21/08/2020 15/10/2020 Refused
C/2020/0194	Tillery Valley Foods, Units 2/3 Cwmtillery Industrial Estate, Abertillery	Remove poplar tree and coppice x2 willow trees covered by TPO No. BG67	24/08/2020 14/10/2020 Approved
C/2020/0195	118 Oak Street, Abertillery	Demolish existing part built garage and erect domestic garage on existing footprint.	24/08/2020 28/09/2020 Approved
C/2020/0199	24 Lakeside, Tredegar	Non material amendment for minor alterations to elevations to increase width of garage door, removal of side panel by front door, repositioning of side door, change windows to colour white and changes to drive finish to tarmac of planning permission C/2010/0420 (New build 4 bed detached house with integral garage)	27/08/2020 22/09/2020 Approved
C/2020/0176	(Unit 3 & 4), Former Rehobeth Congregational Church, King Street, Brynmawr	Application for variation of condition 3 - extend opening time for A3 use of planning permission C/2015/0448 (Re-development of former Rehobeth Congregational Church site for Retail Use (A1), Financial & Professional Services (A2) and Food and Drink Use (A3))	10/08/2020 14/10/2020 Approved

C/2020/0202	51 Tynewydd Nantybwhch Tredegar	Proposed garage to front garden	21/08/2020 12/10/2020 Refused
C/2020/0175	(Unit 3 & 4), Former Rehobeth Congregational Church King Street Brynmawr	Application for Discharge of Condition 14 - details of extraction equipment of planning permission C/2015/0448 (Re-development of former Rehobeth Congregational Church site for Retail Use (A1), Financial & Professional Services (A2) and Food and Drink Use (A3))	07/08/2020 06/10/2020 Condition Discharged
C/2020/0209	Brighton Terrace Cwm Ebbw Vale	Lean to single storey garage.	08/09/2020 13/10/2020 Approved

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BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	Chair & Members of Planning Regulatory & General Licensing Committee
Report Subject	Quarterly Performance Information Quarter 1: April – June 2020
Report Author	Service Manager Development & Estates
Directorate	Regeneration and Community Services
Date of Meeting	12th November 2020
Key Words	Performance Management Speed and quality of decision making Welsh Government Monitoring Quarter 1: April – June 2020

1.0	Background
1.1	Every local planning authority (LPA) in Wales is required to collect performance information regarding the speed and quality of decision making on all types of planning and related applications. This is submitted to Welsh Government on a quarterly basis.
1.2	This report considers the most recent data published by WG. The information relates to the first quarter of the current financial year i.e. <u>April to June 2020</u> .
1.3	It was published on the Welsh Government website on 30 th September 2020 Link to Data

2.0	Options for Consideration
2.1	<p>I have included 3 tables to illustrate current performance.</p> <ol style="list-style-type: none"> 1. Fig 1 - ranks the 25 LPA's in order of speed of determining all applications "on time". This is defined as within the 8-week target period or longer time that may be agreed with the applicant. 2. Fig 2 – ranks the LPA's in Wales and in respect of the average time (in days) taken to determine all applications. 3. Fig 3. – shows decisions taken by Planning Committee that are contrary to the recommendation of its officers.
3.0	Performance Information
3.1	<u>Fig 1</u> : this Council decided 96% of all applications in time. This compares to a Welsh average of 83%.
3.2	<u>Fig 2</u> : on average it takes 78 days from registration to decision for this Council to decide each planning application. The Wales average is 94 days.
3.3	<u>Fig 3</u> : 0% of Planning Committee decisions were contrary to officer recommendation. The Wales average is 3%.
4.0	Consideration
4.1	The data in this quarter covers the beginning of the Covid "lockdown" period. The returns therefore have to be viewed in that context. They are not necessarily representative of our normal service provision.
4.2	During this period, the service continued. There was an initial period of uncertainty around staff attending site visits and logistical issues, mainly IT related that continue to present difficulty, that we had to come to terms with at short notice. Many of these issues were common to other local planning authorities.
4.3	The Development Management team lost the services of the Team Manager, Team Leader and a Planning officer who were redeployed to Covid duties from what is already a small team.
4.4	The quarter April to June does not wholly cover the period when officers were seconded out of the service. I would therefore expect our performance to dip once again when the next quarter data (Q2) is published.

4.5	It is also worth noting that the response times of consultees and frontline technical administration from Business Support was (and to a degree still is) affected by Covid.
4.6	However, due to the efforts of the whole team, performance has been pleasing in very difficult circumstances.
4.7	When measured against the indicator of all applications determined “on time”, the returns for the last 5 quarters are 100%, 98%, 100%, 100% and now 96%. In all cases, this is well above the all Wales average.
4.8	There is a similar picture when looking at the indicator that measures the average time (in days) it takes to decide applications. Our return fluctuates but we are consistently above the Wales average. The trend reads 67 days, 70, 60, 60 and now the expected “blip” of 78 days. In the circumstances, this dip in performance is understandable.
4.9	In terms of decisions contrary to officer advice, for this quarter we only held one Committee meeting. This was our first “virtual” meeting on 25 th June where all three applications were decided in accordance with officer recommendation. Pleasingly, we therefore submitted a nil return.
5.0	Recommendation
5.1	That the report be noted.

Fig. 1

Welsh Government Quarterly DM Survey
Percentage of Planning Applications Determined “On Time”
(Ranked in Order of Performance)

Welsh Local Planning Authority		Percentage Determined On Time	
		Quarter 1 2020-2021	
		% in Time	No. of decisions
1	Merthyr Tydfil	100	59
2	Brecon Beacons NPA	99	120
	Swansea	99	336
4	Flintshire	98	179
5	Neath Port Talbot	97	141
	Caerphilly	97	200
7	Blaenau Gwent	96	54
8	Wrexham	94	63
9	Rhondda Cynon Taff	92	205
10	Powys	90	265
11	Vale of Glamorgan	89	262
	Ceredigion	89	136
13	Monmouthshire	87	183
	Conwy	87	165
15	Denbighshire	84	141
16	Torfaen	82	105
17	Anglesey	81	63
18	Pembrokeshire	78	137
19	Newport	73	228
20	Carmarthenshire	66	190
21	Bridgend	64	184
	Gwynedd	64	151
23	Cardiff	58	363
24	Snowdonia NPA	56	54
25	Pembrokeshire Coast NPA	47	55
WALES AVERAGE		83%	163


Fig. 2

Welsh Government Quarterly DM Survey
Average Time to Decide Applications in Days
(Ranked in Order of Performance)

Welsh Local Planning Authority		Average Days Taken to Decide An Application
1	Neath Port Talbot	49
2	Merthyr Tydfil	54
3	Rhondda Cynon Taff	61
4	Swansea	62
5	Vale of Glamorgan	63
6	Conwy	64
7	Brecon Beacons NPA	66
8	Snowdonia NPA	67
9	Gwynedd	74
	Pembrokeshire	74
11	Monmouthshire	77
12	Blaenau Gwent	78
	Bridgend	78
14	Caerphilly	79
15	Denbighshire	83
16	Pembs Coast NPA	86
17	Newport	91
18	Anglesey	93
19	Ceredigion	105
20	Torfaen	123
21	Flintshire	125
22	Carmarthenshire	163
23	Powys	170
24	Wrexham	271
25	Cardiff	-
WALES AVERAGE		94

Fig 3.

Welsh Government Quarterly DM Survey
Decisions Contrary to Officer Recommendation
(Ranked in Order of Performance)

Welsh Local Planning Authority		% Decisions Contrary to Recommendation	Number of Overturns / Total Decided by Planning Committee
1	Blaenau Gwent	0	0/3
	Bridgend	0	0/1
	Cardiff	0	0/3
	Conwy	0	0/9
	Carmarthenshire	0	0/6
	Denbighshire	0	0/2
	Newport	0	0/13
	Neath Port Talbot	0	0/3
	Pembrokeshire	0	0/3
	Pembs Coast NPA	0	0/3
	Snowdonia NPA	0	0/1
	Swansea	0	0/4
	Torfaen	0	0/7
	Wrexham	0	0/21
15	Rhondda Cynon Taff	20	1/5
16	Flintshire	29	2/7
17	Anglesey	 <p><i>No Planning Committee held in this quarter</i></p>	
	Brecon Beacons NPA		
	Caerphilly		
	Ceredigion		
	Gwynedd		
	Merthyr		
	Monmouthshire		
	Powys		
	Vale of Glamorgan		
	Wales Average	3%	3/91

Agenda Item 6

Report Date: 18th September 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 November 2020
Report Author	Service Manager Development & Estates
Report Date	23rd October 2020
Directorate	Regeneration & Community Services
Date of meeting	12th November 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 Case Officer	Site Address	Development	Type Procedure	Sit Rep
1	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.	Refusal of planning permission Written	Decision received 14/10/2020: Appeal dismissed <i>Refer to separate report on this agenda.</i>
2	C/2019/0308 APP/X6910/A/20/3256090 Les Taylor	30 Marine Street Cwm, Ebbw Vale, NP23 7ST	Conversion of existing 3 bed 2 storey terraced house into a 5 bedroom house of multiple occupancy (HMO) and to demolish existing garage to provide a parking space.	Refusal of planning permission Written	Decision received 22/10/2020: Appeal allowed. <i>Refer to separate report on this agenda.</i>
3	C/2019/0279 APP/X6910/A/20/3232617 Jane Engel	Mill Farm Pochin, Tredegar	Construction of new house.	Refusal of planning permission Written	Decision received 22/10/2020: Appeal dismissed <i>Refer to separate report on this agenda.</i>
4	C/2019/0280 APP/X6910/A/20/3257588 Justin Waite	Wauntyswg Farm, Abertyswg, Tredegar,	Variation of cond 3 of planning permission DNS/3213639 (30MW solar park and ancillary development) to extend the life of the permission from 30 to 40 years.	Refusal of planning permission Written	Statement of LPA submitted. Awaiting appeal decision.

5	C/2020/0024 APP/X6910/A/20/3259528 Joanne White	51 Coronation Street, Blaina, NP13 3HS			Statement of LPA submitted. Awaiting decision.
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BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	<p>Planning Appeal Update: For the proposed conversion of existing 3 bedroom, 2 storey terraced house into a 5 bedroom house of multiple occupancy (HMO) and to demolish existing garage to provide a parking space</p> <p>At:30 Marine Street, Cwm, Ebbw Vale</p> <p>Application Ref: C/2019/0308</p>
Report Author	Lesley Taylor
Directorate	Regeneration and Community Services
Date of meeting	12th November 2020

Report Information

1. Purpose of Report
<p>1.1 To advise Members of the decision of the Planning Inspectorate in respect of an appeal against the refusal of planning permission (Ref: C/2019/0308) for the proposed conversion of existing 3 bedroom, 2 storey terraced house at Marine Street Cwm into a 5 bedroom house of multiple occupation (HMO) and the demolition of an existing garage to provide a parking space. The application was refused at the February 2020 meeting of the Planning Committee contrary to officer recommendation.</p>
2.0 Scope of the Report
<p>2.1 The application was refused by Planning Committee for the</p>

following reason:

The development proposal has insufficient on-site parking to meet the needs of the development. This is likely to result in an increase in on street parking in an area where parking restrictions already apply and would therefore exacerbate existing congestion to the detriment of the highway network in the vicinity. As such the proposal contravenes Policy DM1 3 a and d of the Blaenau Gwent County Borough Council adopted Local Development Plan (November 2012).

2.2 The applicant appealed this reason for refusal and the Inspector's decision letter was received on 22nd October 2020. (The decision letter is attached for Members Information).

2.3 In reaching his conclusion, the Inspector noted that this Council's adopted 'Access, Car Parking and Design' SPG requires a development of this nature to provide a maximum of 3 off-street parking spaces but that in sustainable locations such a requirement could be reduced by up to 2 spaces. He considered the appeal site to be a sustainable location given its proximity and access to local facilities and transport links, and therefore concluded that a reduction from 3 spaces to the 1 space proposed, would be justified without giving rise to an increased demand for on-street parking to the detriment of highway safety.

2.4 The Inspector concluded that the proposed development accords with the requirements of Policy DM1 of the adopted LDP and satisfies the requirements of the adopted Access, Car Parking and Design SPG, **and has allowed the appeal** subject to conditions.

2.5 Members are advised there was no application made by the appellant for costs in this case.

3. Recommendation/s for Consideration

3.1 That Members note for information the appeal decision in relation to planning application C/2019/0308 as attached at **Appendix A.**

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Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 21/09/20

gan Nicola Gulley, MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 22nd October 2020

Appeal Decision

Site visit made on 21/09/20

by Nicola Gulley MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 22nd October 2020

Appeal Ref: APP/X6910/A/20/3256090

Site address: 30 Marine Street, Cwm, Ebbw Vale, NP23 7ST

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 TF Property Group Ltd. against the decision of Blaenau Gwent County Borough Council.
 - The application Ref: C/2019/0308 dated 8 October 2019, was refused by notice dated 12 February 2020.
 - The development proposed is the conversion of existing 3-bedroom 2-storey terraced house into a 5-bedroom house of multiple occupation (HMO) and to demolish existing garage to provide a parking space.
-

Decision

1. The appeal is allowed and planning permission is granted for the conversion of an existing 3-bedroom 2-storey terraced house into a 5-bedroom house of multiple occupation (HMO) and the demolition of the existing garage to provide a parking space at 30 Marine Street, Cwm, Ebbw Vale, NP23 7ST in accordance with the terms of the application, Ref: C/2019/0308 dated 8 October 2019, and the conditions set out below.
 - 1) The development shall begin no later than five years from the date of this decision.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing and proposed block plan; existing floor plan; proposed floorplan; and site plan.
Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application.
 - i) The off-street parking area and bicycle store must be provided in accordance with the approved plans before the development hereby approved is brought into use as a House in Multiple Occupation. Such approved areas shall be kept available for the parking of motor vehicles and bicycles at all times.
Reason: To ensure the parking requirements of the development are adequately met.

Main Issue

2. The main issue is the impact of the proposed development on highway safety.

Reasons

3. The appeal site comprises a two storey mid-terraced dwelling located in the mixed commercial/residential area of Marine Street in the settlement of Cwm. The submitted plans indicate that to the rear of the appeal site was a garage which had been subject to fire damage. At the time of my site visit the garage had been demolished and the remaining hardstanding was being used to provide car parking. The area immediately surrounding the appeal site is subject to on street parking restrictions.
4. The development proposes the conversion of an existing 3-bedroom dwelling into a 5-bedroom HMO, the demolition of the existing garage and its replacement with 1 parking space and a bike store.
5. Policy DM1 of the adopted Blaenau Gwent Local Development Plan (LDP) (2012) requires that proposals for new development have regard for the safe, effective and efficient use of the transportation network. Additional guidance is provided by the Council's adopted Access, Car Parking and Design Supplementary Planning Guidance (SPG) (2014). The SPG outlines a parking requirement for residential development of the type proposed of 1 no. space per bedroom up to a maximum of 3 no. spaces plus 1 visitor space. When applied to the appeal site, the SPG requires the provision of 3 no. parking spaces in total to serve the development.
6. The Council raises no objection to the conversion of the appeal dwelling into an HMO. But contends that the proposal would provide insufficient parking to meet the needs of future residents which would result in an increased demand for on-street parking in the area close to the appeal site. I agree that the proposed development would not have an adverse impact on the character, appearance or amenity of the appeal dwelling or immediate locality.
7. With regard to parking provision, although I note the Council's comments, I am mindful that the adopted SPG allows for the parking provision for proposals in sustainable locations to be reduced by up to 2 no. spaces. In this case, the appeal site is located close to a range of commercial and community facilities, including a school, convenience store, takeaway, chemist, children's playground, and a regular bus service. The appeal site is in my view in a sustainable location. In light of this, I am content that a reduction in the number of parking spaces required from 3 no. to 1 no. space is justified and would not result in an increased demand for on-street parking to the detriment of highway safety. As such I consider that the proposed development accords with the requirements of Policy DM1 and the adopted Access, Car Parking and Design SPG.
8. 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 supporting safe, cohesive and resilient communities.
9. For the reasons outlined above, and having regard to all matters raised, I conclude that the appeal should be allowed.

Nicola Gulley, INSPECTOR

BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	Planning, Regulatory & General Licensing Committee
Report Subject	Planning Appeal Update: Mill Farm, Pochin Crescent, Tredegar Ref.: C/2019/0279
Report Author	Jane Engel
Directorate	Regeneration and Community Services
Date of meeting	12th November 2020
Date Signed off by Monitoring Officer	

Report Information

1. Purpose of Report
To advise Members of the decision of the Planning Inspectorate in respect of a planning appeal against the refusal of planning permission ref: C/2019/0279 for the construction of a detached house on land at Mill Farm Tredegar. The application was refused under delegated powers on 3 rd December 2019.
2. Scope of the Report
The application was refused on the grounds of flood risk, highway safety and ecology. The applicant appealed this decision on the grounds that planning permission should have been granted. The Inspector's decision was received on 22 nd October 2020 (the decision letter is attached for Members Information).

Flood Risk

The development proposed the construction of a single detached dwelling in a location which is identified in the current development advice maps (DAM) as being within flood zone C2. Policy SP7 of the Blaenau Gwent Local Development Plan (LDP) seeks amongst other things to direct proposals away from those areas which are at high risk of flooding. This approach accords with the provisions of Technical Advice Note 15: Development and Flood Risk (2004)(TAN15) which makes it clear that highly vulnerable development such as new dwellings, located in an area defined on DAM as being within flood zone C2 should not be permitted.

In support of his appeal the appellant provided correspondence to the Inspector from Natural Resource Wales which confirmed that the level of flood risk at the appeal site has been reduced; and although NRW are no longer making changes for the operational DAM when the new Planning Flood Risk Map for Wales is produced that the site will no longer be identified as being within flood zone C2.

However, following a request from the Inspector I requested clarification from NRW on this matter. NRW confirmed that the DAM is still operational for the purposes of determining planning applications and appeals; the site is still identified as largely being within flood zone C2 and that no updates/amendments to the DAM are planned.

On this basis the Inspector concluded that in the absence of an amendment to the DAM or the provision of a successor map which identify the appeals site as being outside flood zone C2 that the proposed development would be contrary to the objectives of policy SP7 and TAN15.

Highway Safety

Policy DM1 of the LDP requires that proposals for development have regard for the safe, effective and efficient use of the transportation network. The proposed vehicular access to the site was via an existing access from the A4048.

The Council's Built Infrastructure Manager objected to the planning application on the grounds that additional vehicular movements at the access point would be detrimental to highway safety.

The appellant submitted a Transport Assessment in support of his appeal and whilst the Inspector noted its findings she considered that

the vehicular movements necessary to access and egress the appeal site from the A4048 would increase the potential for road traffic accidents to occur. As such she considered that the proposed development would have an adverse impact on highway safety and would be contrary to the objectives of policy DM1 of the LDP.

Ecology

Policies DM10 and DM14 of the LDP seek to protect and enhance the natural environment.

At the planning application stage the Borough ecologist identified that there was insufficient information submitted with the planning application to determine the presence or otherwise of protected species on the appeal site and the need for mitigation measures. Due to the concerns relating to flooding highway safety it was considered unreasonable to request one prior to the refusal of the planning application.

In support of his appeal the appellant submitted a preliminary ecological appraisal of the site. The appraisal found that there are no statutory or non statutory designated sites within 2 km of the appeal site; any impact on the on-site habitats would be minimised or appropriately mitigated and that there are unlikely to be any significant effect on habitats outside the appeal site.

Having reviewed the findings the borough ecologist is satisfied that subject to appropriate conditions the proposal would not have an adverse impact on protected species. As such the development would not be contrary to the objectives of policies SP19 and DM14.

In conclusion, the Inspector considered that the proposed development would have a harmful impact on highway safety and be contrary to the objectives of local and national policy in respect of flood risk. Accordingly she **DISMISSED** the appeal and planning permission was refused for the development.

3. Recommendation/s for Consideration

1. That Members note for information the appeal decision for planning application C/2019/0279 as attached at **Appendix A**.

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Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 21/09/20

gan Nicola Gulley, MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 22nd October 2020

Appeal Decision

Site visit made on 21/09/20

by Nicola Gulley, MA MRTPI

an Inspector appointed by the Welsh Ministers

Date: 22nd October 2020

Appeal Ref: APP/X6910/A/20/3252617

Site address: Mill Farm, Pochin Crescent, Tredegar, NP22 4JP

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 Marc Evans against the decision of Blaenau Gwent County Borough Council.
 - The application Ref: C/2019/0279 dated 27 September 2019, was refused by notice dated 3 December 2019.
 - The development proposed is construction of a new house.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the impact of the proposed development on flood risk; ecology; and highway safety.

Preliminary Matters

3. I note that outline planning permission for a detached dwelling at the appeal site was granted, under application reference C/2008/0236, in July 2009. However, I am mindful that the permission precedes the adoption of the Blaenau Gwent Local Development Plan (LDP) (2012) and, as such, there has been a material change in planning circumstances since the permission was granted. As a consequence, I will afford this permission limited weight.

Reasons

4. The appeal site is located between the Sirhowy River and the A4048 on the western fringe of the settlement of Tredegar. The site, which is separated from the existing dwellings of Mill Farmhouse and Mill Cottage by a small watercourse, comprises an area of open grassland occupied in part by a small stable. Topographically the site slopes gently down from the densely wooded boundary with the A4048 to the riverbank. Vehicular access to the site is afforded via an existing private driveway that leads directly from the A4048, which I am advised was provided as part of the Tredegar By-Pass Scheme to maintain access to Mill Farm.
-

Flood Risk

5. Policy SP7 of the LDP seeks, amongst other things, to direct proposals for new development away from those areas which are at high risk of flooding. This approach accords with the provisions of Technical Advice Note 15: Development and Flood Risk (2004) (TAN 15) which makes clear that highly vulnerable development, such as new dwellings, located in an area defined on the operational development advise maps (DAM) as being within flood zone C2 should not be permitted.
6. In this case, the development proposes the construction of a single, detached dwelling in a location which is identified on the current DAM as being, largely, within flood zone C2. I note however, that in support of the proposal the appellant has submitted correspondence with National Resources Wales (NRW) which confirms: that the level of flood risk at the appeal site has reduced; and, although NRW are no longer making changes to the operational DAM, when the new Planning Flood Risk Map for Wales is produced in late Summer / Autumn 2020 the site will no longer be identified as being within flood zone C2.
7. At my request the Council contacted NRW to discuss this matter. The reply from NRW makes clear that: the DAM is still operational for the purposes of determining planning applications and appeals; the appeal site is still identified as, largely, being within flood zone C2; and no updates/amendments to the DAM are planned¹.
8. In the absence of an amendment to the DAM or the provision of a successor map, which identify the appeal site as being outside flood zone C2, I must conclude that the proposed development would be contrary to the objectives of policy SP7 and TAN 15.

Ecology

9. Policies SP10 and DM14 of the LDP, seek to protect and enhance the natural environment and ensure that development proposals which effect sites of important nature conservation (SINCs) are only permitted where proposals maintain or enhance the designation, the need for the development outweighs the nature conservation importance or the development cannot reasonably be located elsewhere and appropriate compensatory provision is made.
10. The Council's concern in this matter relates to the absence of sufficient ecological information on which to determine the presence or otherwise of protected species in the appeal site and the need for mitigation measures. Following the determination of the planning application, the appellant commissioned a preliminary ecological appraisal of the site. The appraisal, which has been submitted in support of this appeal, found that: there are no statutory or non-statutory designated sites in, or within 2km of the appeal site; any impact on the on-site habitats could be minimised or appropriately mitigated; and there are unlikely to be any significant effect on habitats outside the appeal site.
11. The Council has reviewed the findings of the appraisal and is satisfied that, subject to conditions relating to the provision of a construction environmental management Plan and habitat enhancement measures, the proposal would not have an adverse impact on protected species. As such the proposed development would not be contrary to the objectives of policies SP10 and DM14.

¹ Letter from Blaenau Gwent County Borough Council received on 1 October 2020

Highway Safety

12. Policy DM1 of the LDP requires that proposals for development have regard for the safe, effective and efficient use of the transportation network. In this case, access to the proposed development would be afforded via a linear drive which would run along the south western boundary of the site and would connect to the access serving the existing dwellings from the A4048. No improvements or alterations are proposed to the alignment of the access point joining the A4048.
13. In support of the proposal the appellant has submitted a Transport Statement which indicates that: the existing access to the site could accommodate two way traffic; no accidents were reported in the vicinity of the appeal site or Heathfield roundabout with the A4048 between 2015 and 2019; and there were only likely to be between 2 and 4 vehicular movements to and from the site on a daily basis. The appellant contends that the findings of the study demonstrate that there was sufficient capacity on the existing highway network to safely accommodate the additional vehicular movements generated by the proposed development. This is disputed by the Council which maintains that the use of the existing access point, would increase the potential for unexpected stopping/turning movements to take place along this part of the A4048 thereby increasing the risk of road traffic accidents.
14. I note the findings of the Transport Assessment and the existing use of the access. However, I am mindful that the vehicular manoeuvres necessary to access and egress the appeal site from the A4048, which could include slowing, stopping and right-turning movements, together with the linear alignment of the road and its speed limit, would increase the potential for road traffic accidents to occur along this part of the highway. As such, I consider that the proposed development would have an adverse impact on highway safety and would be contrary to the objectives of policy DM1 of the LDP.

Conclusions

15. 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 supporting safe, cohesive and resilient communities.
16. I have also had regard to all the matters raised in support of the scheme. However, none of these factors are sufficient to alter my overall conclusions that the proposed development would have a harmful impact on highway safety and be contrary to the objectives of local and national policy in respect of flood risk.
17. For the reasons given above, I conclude that the appeal should be dismissed.

Nicola Gulley

INSPECTOR

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BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	Planning Appeal Update: Land at 3 Glandwr Street, Abertillery
Report Author	Joanne White
Directorate	Regeneration and Community Services
Date of meeting	12th November 2020

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/2019/0219). The development was for the proposed conversion, extension and change of use of an existing domestic garage and workshop (related to No.3 Glandwr Street) to a new dormer dwelling. Additional car parking spaces were proposed in an already approved garage to rear of Glandwr Street. The application was refused under delegated powers on 26th September 2019.

2.0 Scope of the Report

2.1 The application was refused on 3 grounds;

- a) The risk of flooding and failure to meet the tests set out in national planning policy (TAN 15) for highly vulnerable development within Flood Zones C1/C2;
- b) Highway safety grounds. It was considered that the street already exceeds capacity and that further development will exacerbate access, parking and highway safety issues; and;
- c) The form and design of the proposed dormer dwelling would be out of character with the area and have a detrimental visual impact

upon the street scene.

- 2.2 The Inspector highlighted that national planning policy (PPW) stipulates that Local Planning Authorities (LPAs) should adopt a precautionary approach and avoid development in areas at risk of flooding. The Inspector confirmed that the site is highly vulnerable development which falls largely within Flood Zone C1 with a strip of land adjacent to the rear boundary, (where a proposed conservatory would be), falling into Zone C2, as defined in Technical Advice Note (TAN)15.
- 2.3 Whilst a Flood Consequence Assessment (FCA) was submitted in support of the application, the Inspector agreed with the Council that the FCA failed to meet the tests laid out in national policy TAN 15. In any event, the Inspector made it clear that an FCA cannot justify or outweigh the strong presumption against residential development on land in Zone C2 (even if the proposed conservatory was removed from the scheme). The Inspector concluded that the development would result in a risk to flooding and is contrary to national policy.
- 2.4 In reference to the form and design of the proposed dwelling, the Inspector advised that whilst the existing garage occupies a stand-alone prominent position that is detached from the adjacent terrace, it remains a modest and subservient building within the street. As such, the Inspector agrees with the Council that the proposed dormers would be out of context with the surrounding area in this prominent location and that the orientation and layout of the proposed dwelling (fronting the side lane) would jar with the character of the street. The Inspector agreed that the proposed development would have a harmful effect on the character and appearance of the surrounding area.
- 2.5 It was fully acknowledged by the Inspector that significant amounts of on-street parking takes place in the area and that two-way traffic is restricted. He also acknowledged that traffic movements to and from Abertillery Park contribute to current highway capacity issues.
- 2.6 Nevertheless, the Inspector disagreed with the Council's argument that the proposed dwelling would exacerbate existing highway issues. The Inspector advised that the parking demand for a single modest dwelling would not be significant and that there are no parking controls or restrictions in the vicinity of the site which

would normally indicate excessive parking or highway pressures. The Inspector therefore concluded that the development would not result in a material change to existing traffic and parking conditions to the extent that would harm highway safety.

2.7 Whilst the Inspector was mindful of the personal circumstances of the case and did not agree with the reason for refusal on highway safety grounds, he stated that the risk of flooding and harm to the character and appearance of the area were overriding considerations.

2.8 The Inspector accordingly DISMISSED the appeal.

3. Recommendation/s for Consideration

3.1 That Members note for information the appeal decisions for planning application C/2019/0219 as attached at **Appendix A**.

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Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 28/07/20

gan H C Davies, BA (Hons) Dip UP MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 14th October 2020

Appeal Decision

Site visit made on 28/07/20

by H C Davies, BA (Hons) Dip UP MRTPI

an Inspector appointed by the Welsh Ministers

Date: 14th October 2020

Appeal Ref: APP/X6910/A/20/3252106

Site address: 3 Glandwr Street, Abertillery, Blaenau Gwent, NP13 1TY

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 Brett Brimble against the decision of Blaenau Gwent County Borough Council.
- The application Ref: C/2019/0219 dated 8 August 2019, was refused by notice dated 26 September 2019.
- The development proposed is described as 'proposed conversion, extension and change of use from existing domestic garage and workshop (related to No.3 Glandwr Street) to new dormer dwelling. Additional car parking spaces to be housed in already approved garage to rear of Glandwr Street.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on: the risk of flooding, with particular regard to national planning policy; the character and appearance of the area; and highway safety.

Reasons

Flood Risk

3. Planning Policy Wales, Edition 10 (PPW), states that "Flooding as a hazard involves the consideration of the potential consequences of flooding, as well as the likelihood of an event occurring. Planning authorities should adopt a precautionary approach of positive avoidance of development in areas of flooding from the sea or from rivers" (paragraph 6.6.22). Paragraph 6.6.25 further says that "Development should reduce, and must not increase, flood risk arising from river and/or coastal flooding on and off the development site itself."
4. The appeal site lies close to the River Ebbw Fach with a stone wall bordering the boundary. It falls largely within Zone C1 and partially within Zone C2 as defined on the Development Advice Maps that accompany the Welsh Government's Technical Advice Note 15 "Development and Flood Risk" (TAN 15). Zone C2 is described as areas of the floodplain without significant flood defence infrastructure. The part of the appeal site within Zone C2 includes a strip of land adjacent to the river and the wall,

which would be partly occupied by the proposed conservatory. TAN 15 categorises all residential uses as highly vulnerable development, and Paragraph 6.2 identifies that new development should be directed away from Zone C and that highly vulnerable development should not be permitted in Zone C2. The proposal would therefore conflict with national policy.

5. Notwithstanding the above, a Flood Consequences Assessment (FCA) has been submitted. The proposed finished floor levels and mitigation measures are supported by Natural Resources Wales (NRW). However, in terms of national policy it remains that proposals in Zone C must meet the justification criteria of TAN 15. In this case, it has not been demonstrated that these tests would be met. Moreover, the proposed conservatory would be adjacent to a section of the wall. In the absence of information in the FCA to establish whether the wall is functioning as a flood risk management asset and whether it needs to remain accessible for inspection and maintenance, NRW have significant concerns. I note that an easement would potentially enable access to the wall and/or the conservatory could be removed from the scheme. However, amendments to a scheme are not permitted at appeal, and the details required by NRW to assess the requirement for an easement have not been provided. In any event, national policy does not allow a risk assessment to justify highly vulnerable development in Zone C2. The FCA therefore does not outweigh the strong presumption against residential development on land in Zone C2 and the positive avoidance of development in such areas.
6. I conclude that the proposal would result in a risk of flooding contrary to national planning policy and Policy SP7 of the LDP, which states that new development should be directed away from those areas which are at high risk of flooding.

Character and Appearance

7. The appeal site consists of a detached garage, occupying a prominent position at the end of a terrace of dwellings on the southern flank of Glandwr Street. The surrounding area has a reasonably dense residential character comprised of linear terraced dwellings sited close to the street frontage. There have been some alterations over time, however the continuity of the roofscape, and the uniform pattern and appearance of the terraces remains largely intact. The appeal garage occupies a prominent stand-alone position in a relatively open aspect and is detached from the adjacent terrace by a service lane. It has a modest appearance, being of simple proportionate form and a single storey massing. Whilst it is clearly a contrasting building in terms of age and style, it nevertheless forms a visually subservient feature that does not unduly influence the context that I have described.
8. The proposed rendered finish would be an acceptable elevational treatment and a condition could be imposed to control other external finishes. However, the proposed dormers would fundamentally alter the appearance and scale of the appeal site. In particular, and notwithstanding their generally subordinate nature within the roof slope, the dormers would be untypical features of the local context and would result in a dwelling clearly at odds with the traditional style and age of the nearby terraces. Other dormers in the area are in the minority and I saw none that have directly influenced the context of the appeal site. The proposed dwelling would also lie side onto the street with its principal frontage facing the service lane. Its orientation and layout would therefore be a further distinguishing factor that would jar with the prevailing housing layout and character. I acknowledge that the existing wall is to remain, but the design, appearance and orientation of the proposal would be clearly visible above the wall. Given its prominent position within the street scene, the unacceptable impacts of the proposal's design, form and layout would be readily

apparent. My attention is drawn to permitted development rights but there is no evidence that the exercise of rights in this regard would result in a significant change to the architectural integrity of the terraces such that the identified harm would be justified.

9. I conclude that the proposed development would have a harmful effect on the character and appearance of the surrounding area. It would thus conflict with Policy DM2 of the Blaenau Gwent Local Development Plan (LDP) which seeks to ensure development proposals are appropriate to the local context in terms of type, form and scale and are of good design which reinforces local character and distinctiveness of the area.

Highway Safety

10. During my site visit in the early afternoon it was apparent that a significant amount of on-street parking takes place in the area. I observed vehicles parked on both sides of Glandwr Street and this has the effect of narrowing the highway to a single car width. In these circumstances, two-way traffic flow is restricted, and vehicles would be required to reverse in order to find space to pass. Traffic movements to/from Abertillery Park also contribute towards the current highway capacity issues.
11. In terms of parking for the proposal, there is provision for a double garage some 40m away, and there would be off-road space in front of the proposed dwelling. Although the proposal would remove parking for the existing dwelling and displace this onto the street, in the context of this dense residential environment, the additional parking demand arising from a single modest dwelling would not be significant. Existing and proposed traffic movements are not quantified by the Council and I observed low traffic speeds, good provision for pedestrians, and clear inter-visibility along the street. Further, I note that there are no parking controls or restrictions in the vicinity of the appeal site which normally indicate excessive parking and highway pressures. I do not doubt that there are highway capacity issues, especially during peak activity times at the Park. However, there is little evidence that the modest scale of the proposal would result in any material change to existing traffic and parking conditions to the extent that harm to highway safety would be caused. The proposal would therefore comply with LDP Policy DM1.

Conclusions

12. I have had regard to all matters raised, including the very modest contribution to housing supply and the personal and family circumstances that relate to the proposal. Nonetheless, and notwithstanding my findings on highway safety, the risk of flooding and the harm to the character and appearance of the area are overriding considerations.
13. 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 objectives of driving sustainable growth and building resilient communities.
14. For the aforementioned reasons, and taking into account all matters raised, I conclude that the appeal is dismissed.

HC Davies

Inspector

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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	3rd November 2020
Directorate	Regeneration & Community Services
Date of meeting	12th November 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/2020/0148	The Bridge, Station Approach, Pontygof, Ebbw Vale
C/2020/0156	Former Brynmawr Clinic, Lower Bailey Street, Brynmawr
3. Recommendation/s for Consideration	
Please refer to individual reports	

Planning Report

App No: C/2020/0148	App Type: Full
Applicant: Mr Ryan Shepherd Brynderwen Queens Square Ebbw Vale	Agent: As applicant
Site Address: The Bridge, Station Approach, Ebbw Vale	
Development: Change of use to nursery, bin storage, escape stair, landscaping and associated car park	
Case Officer:	Lesley Taylor

Follow Up Report

1.0	Background
1.1	This planning application was presented to Planning Committee on 1 st October 2020. The officer recommendation was for the refusal of planning permission given that the proposal relates to highly vulnerable development at a site that is largely situated in within Flood Zone C2 as defined by Development Advice Maps (DAM) associated with Technical Advice Note 15: Development and Flood Risk (2004) (TAN 15).
1.2	The report noted that in all other respects the proposed development was considered acceptable and that any outstanding matters could be addressed by conditions.
1.3	Members discussed the site and proposed development in detail, and it was noted that some Members had visited the site and the surrounding area in a period of heavy rain fall to consider the impact these conditions had on the development site.
1.4	The applicant addressed the Committee stating that in his view and the professional opinion of the consultants he had commissioned to under a Flood Risk Assessment based on the fluvial model of the River Ebbw that informs NRW DAM maps and in considering the presence of a stone wall (not included in the fluvial model), the development site met the sequential tests outlined in TAN 15.

1.5	The Service Manager – Development and Estates advised the Committee that those tests should not be applied to highly vulnerable development proposed in Flood Zone C2.
1.6	Further discussions concluded that Members did not consider that the 1 in 100 year probability and 1 in 1000 year probability of flooding at the site should prejudice the granting of planning permission.
1.7	Members therefore resolved to grant planning permission subject to appropriate conditions. Authority was delegated to officers to compile a list of relevant planning conditions, and present those conditions to this Committee for consideration.
2.0	Recommendation
2.1	<p>That planning permission be <u>GRANTED</u> subject to the following and conditions and reasons:</p> <ol style="list-style-type: none">1. The development hereby approved shall be completed in full accordance with the following approved documents<ul style="list-style-type: none">• Drg no. 1910.SLP - Site location plan (scale 1:500) received 17th June 2020;• Drg no. 1910.PL01 – Proposed floor plans received 17th June 2020;• Drg no. 1910.PL02B – Proposed Site Plan received 25th June 2020;• Drg no. 1910.PL03 – Proposed elevations received 17th June 2020<p>Unless otherwise specified by conditions 2 - 3 listed below.</p><p>Reason: To clearly define the scope of this permission.</p>2. The development hereby approved shall not be brought into use until a detailed Flood Evacuation Plan has been submitted to and agreed in writing by the Local Planning Authority. The Plan shall include precise details of:<ol style="list-style-type: none">(a) the actions to be taken in the case of a flood;(b) the evacuation/escape route;

- (c) the content and location of all flood warning signs to be erected at the site and within the buildings to ensure people are aware of the risk of flooding and the evacuation procedure; and
- (d) the measures to be taken to ensure that all staff and visitors are made aware of the evacuation plan to be implemented in the event of any flood.

Reason: To ensure there are adequate flood protection measures in place and the consequences of flooding are adequately managed in accordance with the requirements of TAN15.

3. The development hereby approved shall not be brought into use until details of cycle parking as indicated on drg no. 1910.PL02B have been submitted to and approved in writing by the Local Planning Authority.

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

4. Notwithstanding the requirements of condition 3 of this permission, the development hereby approved shall not be brought into use until the proposed motor vehicle and cycle parking spaces have been laid out in full accordance with the details shown on the approved plans. Such facilities shall be retained and kept available for this purpose at all times.

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

5. The development hereby approved shall not be open for the purpose of childcare outside the following times: 08.00 hrs – 18.00hrs Mondays to Fridays inclusive.

Reason: In the interests of amenity.

6. Statutory time limit (full planning permission).

Planning Report

Application No: C/2020/0156	App Type: FULL
Applicant: Mr Paul Stephens United Welsh Housing Association C/O Asbri Planning Ltd	Agent: Llinos Hallett Asbri Planning Ltd. Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff
Site Address: Former Brynmawr Clinic, Lower Bailey Street, Brynmawr	
Development: Construction of supported living accommodation comprising 5 no. 1 bed flats, communal areas, staff accommodation and associated works	
Case Officer:	Lesley Taylor



1. Background, Development and Site Context

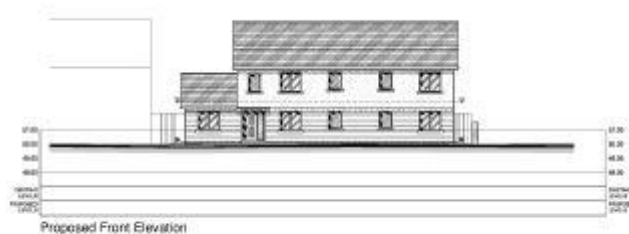
1.1	The development site is a vacant parcel of land located in a residential area. To the north of the site is a terrace of three dwellings that front Lower Bailey Street and to the west, are the rear elevations of terraced dwellings that front
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onto Bailey Street. Immediately to the south is a block of three garages, and further south and to the east, the site is bounded by the rear gardens of dwellings located on Worcester Street and a small vacant parcel of land. The site is within a short walk of Brynmawr Town Centre and other local facilities, and within walking distance of public transport links to the wider area.

1.2 The site formerly housed a health clinic that was demolished in June 2020, following an application to the Authority for prior notification of demolition (C/2019/0343 refers).

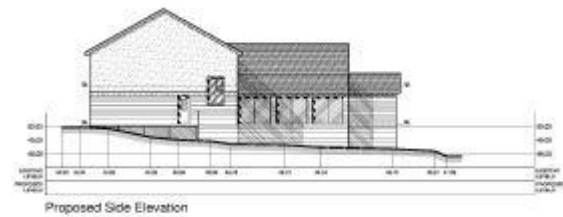
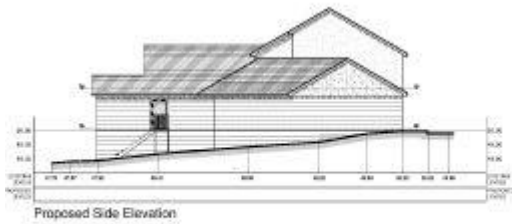
1.3 The site has also been the subject of a preliminary enquiry for the construction of a new building containing 5 flats, staff accommodation for use as supported living. At the time the enquiry was received and advice was issued, the clinic was still in situ. The written response indicated the proposal was broadly acceptable, subject to consideration of parking provision to accord with the Council's adopted SPG.

1.4 The development currently before Members is for the construction of a building that is largely two storey with single storey annexes to the side and rear. levels. The building will front Lower Bailey Street and the principle elevation will be of a height and design in keeping with neighbouring residential properties.



1.5 The following extracts from the plans show proposed side and rear elevations:





1.6

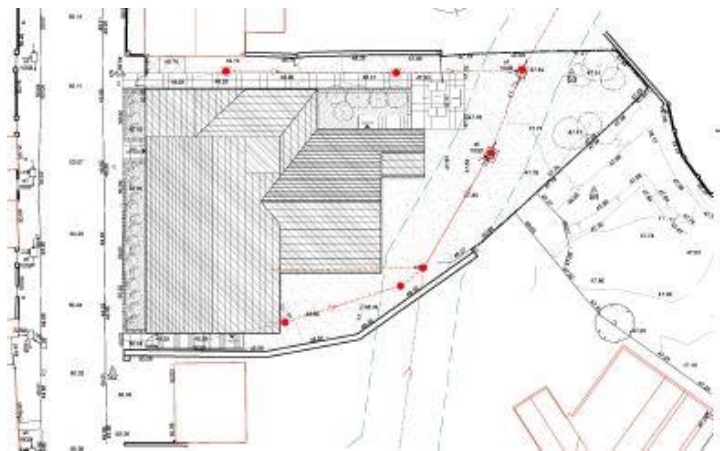
It is proposed to construct the building in a mix of facing brick and render with a reconstituted slate roof. Windows will be manufactured in white upvc and doors in colour coated aluminium (white). Reconstituted stone will be used for all cills.

1.7

The building will provide 5 no. 1 bedroom flats together with staff accommodation, communal lounge and kitchen and storage. Three flats, communal areas and staff office will be located on the ground floor, and two flats, the staff bedroom and storage rooms will be located on the first floor.

1.8

There will be a small forecourt and access on both sides to an enclosed garden at the rear of the building.



1.9

The boundary walls on either side of the site will be retained, as will the palisade fence to the rear, and rear side boundaries. To provide privacy for both future occupants and neighbours, 2.1m high close boarded timber fencing will be erected inside the existing palisade fencing. Landscaping will be provided to front and rear of the building.

1.10

The purpose of the development is to provide self-contained living accommodation for 5 persons with learning difficulties who require care and support in meeting their day to day living needs. The age range of residents has not been specified. However the applicant has confirmed there is an unprecedented demand for single persons supported living accommodation.

	It is proposed that there will be two members of staff on site between the hours of 8.00am and 6.00pm daily and 1 member of staff on a night shift (sleeping in) between the hours of 6.00pm and 8.00am daily. It is anticipated there will be 3 staff on site for a short period during shift changeover.
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2. Site History

	Ref No	Details	Decision
2.1	C/2020/0343	Application for prior notification of proposed demolition of health clinic	Prior approval not required 20/12/19
2.2	PA/2020/0058	Preliminary enquiry – redevelopment of the former Brynmawr Clinic to provide 5 no. 1 bedroom flats and associated works	Planning permission required 29/04/20

3. Consultation and Other Relevant Information

3.1	<p><u>Internal BG Responses</u> <u>Team Leader Building Control:</u> Building Regulations consent required.</p>
3.2	<p><u>Service Manager Infrastructure:</u> <u>Highways:</u> Has no objections to the proposed development but note the following: To accord with the Council’s adopted SPG, the development requires 4 car parking spaces – one for each member of staff and two for visitors. However there is no off-street parking provided, but the Highway Authority is mindful of the use of the former building, and the traffic movements that would have been associated with such a facility.</p>
3.3	<p>As the former building has subsequently been demolished, it no longer offers a fall-back position for the site. In view of this, consideration has been given to whether the parking needs of the proposed development can be accommodated either on-street or by utilising public car parks in the vicinity.</p>
3.4	<p>The Highway Authority is aware that available on-street parking at peak times (evening and overnight) on both Lower Bailey Street and the neighbouring streets is restricted. However outside of these periods i.e. during the day time there is sufficient on-street capacity within the vicinity to accommodate the parking needs of the proposed development. It is unlikely that the visitors to the development site would coincide with peak on-street parking times.</p>

3.5	It is noted that there is a public car park located within approximately 150m of the development site which could also be used by staff should on-street parking not be available. The site is within a sustainable location with good access links to local facilities and public transport is available within 400m
3.6	It is reasonably concluded that only the parking needs of staff will need to be accommodated during the identified peak, on-street parking times, and it is therefore considered that the two car parking spaces that may be required for staff can be safely accommodated within the vicinity of the development site, either on site or within nearby public car parks if necessary.
3.7	Drainage: Has confirmed the development will require SAB approval.
3.8	Ground Stability: No comments or observations in relation to ground stability.
3.9	Landscape: No objections subject to a review of the planting species.
3.10	Ecology: No objections.
3.11	<u>Service Manager Public Protection:</u> No objections.
3.12	<u>External Consultation Responses</u> <u>Town / Community Council:</u> Notes it was unable to comment on the development proposal due to outstanding issues such as parking.
3.13	<u>Welsh Water:</u> Confirms there is capacity within the public sewerage network in order to receive the domestic foul only flows from the proposed development site and indicates SAB approval may be needed to deal with surface water drainage which it will not permit to drain directly or indirectly to the public sewerage system.
3.14	Additionally, it advises that the site is crossed by public sewers and that no development should be carried out within 3m either side of the centreline of those public sewers.

3.15	<u>Western Power:</u> Issued standard advice in relation to its apparatus.
3.16	<u>W&W Utilities:</u> Issued standard advice in relation to its apparatus.
3.17	<u>Public Consultation:</u> Strikethrough to delete as appropriate <ul style="list-style-type: none">• 31 letters to nearby houses• 3 site notices• press notice• website public register of applications• ward members by letter• all members via weekly list of applications received• other
3.18	<u>Response:</u> I received an email from a member of the public as a result of discussions over the plans and the development proposal. The email raised the following issues: <ul style="list-style-type: none">• Providing accommodation for residents with complex care needs may result in local residents experiencing problems similar to those they have experienced from another facility within the locality.• That the development is likely to need more than the 4 parking spaces indicated, given that in addition to staff, 5 residents may have cars and the needs of visitors would also have to be met. Visits by other parties will also need to be accommodated;• That Lower Bailey Street already has '<i>huge issues with parking</i>', as it accommodates the parking needs of 17 houses on Bailey Street who park at the rear of their properties, along with residents of Lower Bailey Street. The street is also used for parking by residents of Worcester St and King Street who have no parking available in their own streets. It is also used for parking by a facility operated by Plasgeller Nursing Home which is located on the end of Lower Bailey Street, where deliveries of supplies occur at least 12 times a day;• Lower Bailey Street is a narrow road and regularly has vehicles parked on pavements. It is used daily by pedestrians, in particular, school children walking to and from the primary and Comprehensive schools in Intermediate Road. Further inadequate parking facilities will escalate an already serious situation;

<p>3.19</p> <p>3.20</p>	<ul style="list-style-type: none"> • The estimated traffic movements associated with the former clinic that were submitted by the agent is disputed, as residents did not experience issues with parking when the clinic was in use; • Concern over the number and frequency of trade and delivery vehicles that may visit the site; • Concern over the noise levels and disturbance generated by staff arriving at and leaving the premises. Residents already experience car doors slamming and conversations between staff at unsocial hours as a result of an existing premises located on Lower Bailey Street; • The ground floor plan shows a communal training kitchen. Will meals be prepared in individual flats and what measures are proposed to deal with cooking smells; • Can adequate screening measures be put in place to safeguard the amenity of nearby residents and mitigate future complaints from residents; • Will visiting be limited to certain times? <p>I responded to the author by email, including further information received from the applicant and agent on the matters raised. I later received an email stating that the additional information did not resolve the concerns that had been outlined.</p> <p>I also received an email from a Ward Member who sought clarification over plan details, and how the site would operate/be staffed, and whether the site would be screened to protect the amenity of local residents. I responded to these queries in writing having sought further information from the agent/applicant, and confirm I have received no further correspondence or observations from this Member regarding the development.</p>
<p>4. Planning Policy</p>	
<p>4.1</p> <p>4.2</p>	<p><u>Team Manager Development Plans:</u> The Blaenau Gwent Local Development Plan (LDP) indicates that the proposed site lies within the settlement boundary (Policy SB1) within which development is generally permitted subject to policies in the Plan and other material considerations. The site is not the subject of any designations or constraints according to the LDP Proposals Map and Constraints Map.</p> <p><u>Principle of Development</u> The proposal is for a change of use from a D1 use (former health clinic) to a C2 use (Special Purpose Housing). The site is located within a residential area and within a sustainable location with local amenities and Brynmawr town centre close by. It is also noted that the site is brownfield land, and</p>

4.3	<p>reuse of this site will help achieve sustainable development in the borough.</p> <p>Policy DM11 of the LDP states proposals that would result in the loss of a community and/or leisure facility will not be permitted unless a replacement facility is provided by the developer either on site or in accessible location; or it can be demonstrated that the facility is surplus to requirements. Planning Policy is satisfied that the facility is surplus to requirements due to the fact that the former clinic has been decommissioned and a new replacement facility has been opened nearby. The proposal is therefore in accordance with this policy.</p> <p><u>Parking Provision</u></p>
4.4	<p>The proposed development is classed as a C2 use and as such falls under Special Purpose Housing. The closest housing type noted in the Access, Car parking and Design SPG is “Self-Contained elderly persons dwellings (not wardened)”, which requires there to be 1 space per 2-4 dwellings for residents, and 1 space per 4 units for visitors. The proposal comprises of 5 residential units but there are no spaces set out in the proposed development. The proximity to the town centre would mean the site may meet the sustainability criteria and reduce the need for car parking provision at the site.</p>
4.5	<p>It is noted however there was no parking allocated to the previous use of the site. A view from highways is therefore required due to the fact that it does not meet the requirements set out in the Access, Car Parking and Design SPG.</p>
4.6	<p><u>Conclusion</u></p> <p>There are no planning policy objections in principle to the proposed development without prejudice to the issue of car parking provision.</p>
4.7	<p><u>LDP Policies:</u></p> <ul style="list-style-type: none">SP1 – Northern Area StrategySP4 - Delivering Quality HousingSP5 - Spatial Distribution of HousingSP6 - Ensuring AccessibilitySP9 - Active and Healthy CommunitiesDM1 - New DevelopmentDM2 - Design and Place makingDM11 - Protection of Community and Leisure FacilitiesDM14 - Biodiversity Protection and Enhancement

4.8	<p>SB1 - Settlement Boundaries</p> <p>Supplementary Planning Guidance Access, Car Parking and Design (March 2014)</p> <p><u>PPW & TANs:</u> Planning Policy Wales Edition 10 (December 2018)</p>
5. Planning Assessment	
5.1	<p>The Blaenau Gwent Local Development Plan (LDP) indicates that the proposed site lies within the settlement boundary (Policy SB1) within which development is generally permitted provided it meets the requirements of relevant LDP policies and satisfies other material considerations. The site is not the subject of any designations or constraints according to the LDP Proposals Map and Constraints Map.</p>
5.2	<p>The proposal is to construct a two storey building with some single storey elements to provide 5 self-contained flats with staff accommodation and some shared facilities to house persons that require support with their day to day living needs. Such a use falls into Class C2 of the Use Classes Order and therefore complies with Policy DM1 2a of the adopted LDP.</p>
5.3	<p>As noted in para 1.1 above, the development site is located in a sustainable location close to local amenities including Brynmawr town centre and local transport links. Furthermore the proposed development will utilise previously developed land as advocated in Section 3, para 3.51 of Planning Policy Wales.</p>
5.4	<p>Local Authorities are required to ensure sufficient land is available to provide a 5 year supply to meet the housing needs of the County Borough (PPW ED 10 para 4.2.15 refers). Through the planning process, Local Authorities must encourage a wide range of housing types to meet the identified needs of its communities. In this case the provision of flats where care and support for residents is provided, should be encouraged to allow persons to live with independence and in relative safety as noted in para 4.2.11 of PPW ED 10.</p>
5.5	<p>Policy SP4 of this Council's adopted LDP supports the delivery of quality housing to meet the Authorities need over the Plan Period. This Policy supports a mix of dwelling types, sizes and tenures for the benefit of the current and future populations of the County Borough. Furthermore Policy SP5 of the adopted Local Development Plan supports the spatial distribution</p>

	<p>of housing acknowledging the importance of brownfield opportunities to meet housing needs. The development proposal satisfies the requirements of both policies.</p>
5.6	<p>Siting and Design</p> <p>New developments must enhance and respect their surroundings and be of an appropriate type, form, scale and mix for the proposed location. The developer has had regard for this, and I am satisfied that the proposed building will make a positive contribution to the street scene as required by Policy DM1 2b and Policy DM2 b of the adopted LDP. In terms of ridge height it reflects that of the neighbouring dwellings, and the front elevation and forecourt it will present to the street is also in keeping with the built form. The mix of external finishes as specified in para 1.6 is considered acceptable in principle and the specific products can be secured by condition.</p>
5.7	<p>Amenity</p> <p>I note that ground floor windows in the front elevation of the proposed building will serve two of the flats and the staff wellness room/ office. Those at first floor level will serve the cleaning store and 2 flats. These windows will face the rear elevations of dwellings on Bailey Street, but will be separated by the public highway. The rear windows at Bailey Street serve a mix of rooms and it is inevitable that some overlooking from the proposed development will occur.</p>
5.8	<p>However I am mindful, that in many terraced streets in the locality a similar situation exists due to the built form. Indeed, this relationship currently exists between front and rear elevations of residential properties in this street, where no.'s 3, 4 and 5 Lower Bailey Street face the rear elevations of no.'s 120, 121 and 122 Bailey Street.</p>
5.9	<p>As noted in para 5.6, the height of the proposed building is compatible with neighbouring residential properties. Whilst it will exceed that of the former clinic and marginally reduce the views from rear first floor windows of some dwellings on Bailey Street, given the separation distance, I do not consider the proposed development will have an overbearing impact.</p>
5.10	<p>In such circumstances it would difficult to justify refusing planning permission on amenity grounds.</p>

5.11	<p>The side and rear annexes of the proposed building will be single storey. The north elevations contain no windows and therefore no 5 Lower Bailey Street will not be directly overlooked. However there is a doorway on this side that provides access from the proposed communal lounge to the rear garden from which a view over the neighbouring garden will be possible. The opposite side elevation has a glazed passageway that runs alongside the communal kitchen, but given the separation distance from this point to the rear elevations of dwellings on Worcester Street is approximately 21 metres, I have no concerns in this regard. All rear windows overlook the proposed garden of the development site and therefore will not give rise to amenity issues.</p>
5.12	<p>Site Layout</p> <p>The development makes good use of this brownfield site and its irregular shape. There is adequate amenity space to meet the needs of future residents, and the landscape scheme proposed will enhance the site. The Council's Manager for Green Infrastructure has not objected to the scheme but has noted that consideration should be given to the use of more hardy species.</p>
5.13	<p>Discussion with the agent has confirmed that the landscaping of the site and selection of species has been considered as part of a SAB application whereby a rain garden will be formed to assist in the disposal of surface water drainage. I am satisfied that the proposed landscaping will enhance the site and that a condition can be imposed that requires the replacement of any plants and species that fail in a specified time period.</p>
5.14	<p>The existing walls and palisade fencing along the side and rear boundaries of the development will be retained. The boundary wall shared with no. 5 Lower Bailey Street will be improved with the consent of the landowner. This is also the case with the wall along the south side of the site. To protect the amenity and privacy of future occupants and that of nearby residents, it is proposed that a 2.1m high fence will be erected inside this fencing. As a side and rear side boundary, I consider this is visually acceptable and am mindful that a fence of 2.0m could be erected on site any time in the future without requiring planning permission. The timber fencing will assist in addressing third party concerns over privacy and screening.</p>

5.15	Parking and Highway Considerations
	<p>Members will note from the site layout plan shown in para 1.8, the development proposal does not provide parking and that this is of particular concern to a third party who, in correspondence, has made reference to there being '<i>huge issues with parking</i>' in Lower Bailey Street and other streets in the locality.</p>
5.16	<p>To accord with this Council's adopted Access, Car Parking and Design SPG, a development of this nature should provide 4 car parking spaces – one for each member of staff and two for visitors, as confirmed by the Council's Service Manager – Infrastructure. I am mindful however that by virtue of its use, the former health clinic had the potential to generate significantly more traffic than that which is likely to be generated by the proposed flats.</p>
5.17	<p>In the Planning Statement submitted with the application, the agent has provided a detailed analysis of the parking requirements of the former clinic supposing that the number of parking spaces it would have required varied between 9 and 17 in any working week. Whilst I have nothing at my disposal to confirm or dispute this, I am mindful with the former clinic in situ, the site did not have the capacity to provide off-street parking of the level indicated, and that the email received from a member of the public confirms that residents did not experience parking problems when the clinic was in use.</p>
5.18	<p>By comparison, the Planning Statement concludes that the development proposal is likely to require a maximum of 4 car parking spaces at any time.</p>
5.19	<p>I agree with the Service Manager – Infrastructure that as the clinic has now been demolished the site has no fall back position in terms of use and likely traffic generation. However, I consider a development that will generate a maximum of 2 – 3 staff vehicles at any time, limited visiting opportunities when resident parking may be at a premium, and a tenure that is most unlikely to have a car, can be accommodated without significant impact on on-street parking.</p>
5.20	<p>This view is shared by the Highway Authority who has advised there is sufficient on-street capacity within the vicinity to accommodate the parking needs of the proposed development, and that in his view, it is unlikely that the visitors to the development site would coincide with peak on-street parking conditions experienced during the evenings and overnight.</p>

5.21	<p>On occasions where on-street parking may not be available close to the development site, staff and visitors will have access to the free public parking available 150m away. Furthermore the site has easy access to local facilities and public transport.</p>
5.22	<p>A Travel Plan provided with the application explains how an information pack will be distributed to all employees that will encourage sustainable travel. Whilst I am mindful that a planning permission could include a condition that requires this information pack to be distributed to staff, such measures could not reasonably be monitored or enforced.</p>
5.23	<p>Notwithstanding this, I am satisfied that the level of parking required by the development can be accommodated on street, or within public parking areas and that the lack of parking should not be a reason for refusing to grant planning permission.</p>
5.24	<p>Third Party Concerns</p> <p>Members will note from para 3.18 of the report that one of the concerns raised by a member of the public was that the development may have an adverse impact on local residents given its purpose is to accommodate persons who require living support. Information received from the agent confirms that the flats will be occupied by people with learning difficulties but with 2 staff in place throughout the day and one during the night, this should not give rise to disturbance of local residents. The applicants aim is to aid tenants in learning how to live independently, with much focus on consideration to neighbours and how to live within the community.</p>
5.25	<p>Concern has been raised over the number and frequency of trade and delivery vehicles that may visit the site, noise levels and disturbance generated by staff arriving at and leaving the premises, visiting times and how the communal training kitchen will be used/ventilated.</p>
5.26	<p>In response, the agent has confirmed that trade and delivery vehicles will be restricted to those normally associated with residential properties e.g. delivery of groceries, although the aim of living support is to take residents into the community to use local facilities and encourage them to shop independently. Trade and maintenance vehicles may visit the site if a problem occurs, but this is likely to be no more frequent than any residential property may require.</p>

5.27	<p>It has already been noted that staff changeover will occur twice daily at times when most residents would leave or return home from work, and I consider such activity should not generate any more or less disturbance than may normally occur in a residential area.</p>
5.28	<p>The agent has confirmed the purpose of the communal training kitchen is to develop skills amongst residents and teach independence. Food will not be produced on a commercial scale, and as such domestic grade ventilation or extraction will be installed accordingly. Members will note that the Service Manager Public Protection has been consulted and has raised no objections to the proposed development.</p>
5.29	<p>As with any household, it is reasonable to expect future occupants to have visitors. The agent has indicated that on similar schemes operated by the applicant, visitors are not normally permitted past 8pm, but in any case, scheme managers do not allow tenants to have too many visitors for insurance purposes.</p>
5.30	<p>Notwithstanding the issues discussed above, Members should be mindful that the application proposes residential development in a residential area. Furthermore the Local Planning Authority has no jurisdiction over the tenure of the proposed flats and should be mindful that should noise or disturbance occur in the future, it is a matter for the police to address at that time.</p>
5.31	<p>I am satisfied therefore that residential amenity will not be unduly prejudiced by the proposed development and that the proposal complies with Policy DM1 2 c of the adopted LDP.</p>
5.32	<p>Ground conditions</p> <p>The development site is previously developed land that lies in a Coal Mining low risk area. For this reason it has not been necessary to consult the Coal Authority but the development has been considered by the Council's Geotechnical Engineer who has confirmed he has no concerns relating to ground stability. In this case it is the developer's responsibility to ensure that ground conditions are assessed to inform a suitably designed foundation.</p>
5.33	<p>Drainage</p> <p>Welsh Water has confirmed there is capacity within the public sewerage</p>

5.34	<p>network to accommodate foul waste from the proposed development. It is noted that the site is crossed by public sewers, which traverse the western and eastern ends of the site. There appears to be no built development in the vicinity of these sewers, but the developer will be advised by informative to contact Welsh Water prior to development for advice in this regard.</p> <p>The proposed development requires the provision of a sustainable urban drainage system for the disposal of surface water. The developer will therefore be advised to obtain SAB approval prior to the commencement of development.</p>
6. Legislative Obligations	
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 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>
6.2	<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>The proposal is to provide living accommodation in an established residential area that is designed to make good use of brownfield land as directed by national planning policies.</p>
7.2	<p>It has been designed to accord with site circumstances and is of a scale in keeping with the local settlement pattern.</p>
7.3	<p>The proposal has had regard for amenity issues and is designed to minimise overlooking and so as not to have an overbearing impact on nearby residential properties.</p>
7.4	<p>The proposal raises no Planning Policy objections, nor objections from other consultees.</p>
7.5	<p>Whilst the development provides no off-street parking to accord with this</p>

Council's adopted SPG, it is considered that the needs of the development can be adequately met on-street and by public parking in the locality, minimising any impact on the highway network and the amenity of local residents.

7.6

In all other respects it satisfies the requirements of Policies SB1, SP1, SP4, SP5, SP6, SP7, DM1, DM2, and DM11 of the adopted BGCBC Local Development Plan (November 2012) and those of Planning Policy Wales Edition 10 (December 2018). I therefore recommend that planning permission be **GRANTED** subject to the following condition and reasons(s):

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

- Drg no. (90) 001 – Site location plan (scale 1:1250) received 6th July 2020;
- Drg no. (90) 002 - Proposed site layout plan received 6th July 2020;
- Drg. no. (90) 003 – Proposed ground floor plan received 6th July 2020;
- Drg no. (90) 004 – Proposed first floor plan received 6th July 2020;
- Drg no. (90) 005 – Proposed elevations received 6th July 2020;
- Drg no. (90) 006 – Proposed elevations received 6th July 2020;
- Drg no. (90) 007 – Proposed sections received 6th July 2020;
- Drg no. LA1 – Rain garden planting,

Unless otherwise otherwise specified or required by conditions 2 to 6 listed below.

Reason: To clearly define the scope of this permission.

2. The development hereby approved shall not progress beyond slab level until full details of the proposed facing materials have been submitted to and approved in writing by the LPA. The development shall then be completed in full accordance with the approved details.

Reason: To safeguard visual amenity interests.

3. The boundary enclosures indicated on the approved plans shall be provided before the development to which this permission relates is occupied and shall be retained as such at all times.

Reason: To protect the privacy and amenities of the occupants of the development site and the occupiers of nearby properties.

4. For the avoidance of doubt, this permission relates to foul drainage

only as indicated on drg no. (90) 002 received 6th July 2020. It does not convey consent for surface water drainage.

Reason: To define the scope of this permission

5. Within the first planting season immediately following the completion of the development hereby approved, the proposed landscaping scheme as shown on drg no. LA1 shall be implemented in full. Any trees, shrubs or plants which die, or become damaged or diseased within a period of 5 years from implementation of the planting scheme, shall be replaced by one of the same species and size in the next available planting season.

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

6. No development and construction works shall take place on site outside of the hours of 8.00 hrs to 17.00hrs Monday to Friday.

Reason: To safeguard amenity interests.

7. 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.

Informative Advice

1. Prior to the commencement of development, the developer is advised to contact Welsh Water for advice regarding the position of public sewers on, and within the vicinity of the development site and to secure any agreements that may be required in this regard.
2. The developer is reminded that the development hereby approved also requires SuDS approval before work commences. Further guidance can be found at <https://www.blaenau-gwent.gov.uk/en/resident/planning/how-to-apply-for-planning-permission/permission-for-drainage/>. On this basis any surface water drainage details submitted as part of your application have not been considered. Should it be necessary to amend your development to meet the requirements of the SAB (SuDS Approval Body) you should seek further advice from the Local Planning Authority.
3. Notwithstanding the details indicated on drg no. (90) 002, the developer is reminded of his/her obligations under the Party Wall Act to seek consent to carry out improvement works to walls marked x1 – x3

	on the approved plan. This decision notice relates to planning permission only and does not over-ride the need for third party agreement to carry out such works.
8. Risk Implications	
8.1	None