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Contact:/Cysylltwch â: Democratic Services



**THIS IS A MEETING WHICH THE PUBLIC ARE ENTITLED TO ATTEND**

29th January 2021

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](mailto:committee.services@blaenau-gwent.gov.uk)) on Thursday, 4th February, 2021 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.

**Municipal Offices**  
Civic Centre  
Ebbw Vale  
NP23 6XB

**Swyddfeydd Bwrdeisiol**  
Canolfan Dinesig  
Glyn Ebwy  
NP23 6XB

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

2. **APOLOGIES**  
To receive.
3. **DECLARATIONS OF INTEREST AND DISPENSATIONS**  
To consider any declarations of interest and dispensations made.
4. **SOLAR FARM, LAND AT WAUNTYSSWG, TREDEGAR** 5 - 10  
To consider report of the Service Manager Development & Estates.
5. **APPEALS, CONSULTATIONS AND DNS UPDATE FEBRUARY 2021** 11 - 12  
To consider the report of the Service Manager Development & Estates.
6. **PLANNING APPEAL UPDATE  
51 CORONATION STREET, BLAINA** 13 - 16  
To consider the report of the Planning Officer.
7. **PLANNING APPEAL UPDATE:  
19 RAILWAY VIEW TREDEGAR** 17 - 20  
To consider the report of the Planning Officer.
8. **LIST OF APPLICATIONS DECIDED UNDER  
DELEGATED POWERS BETWEEN  
14 DECEMBER 2020 AND 18 JANUARY 2021** 21 - 26  
To consider report of the Senior Business Support Officer.
9. **PLANNING APPLICATIONS REPORT** 27 - 74  
To consider report of the Team Manager Development Management.

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

To consider.

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To: Councillor D. Hancock (Chair)  
Councillor W. Hodgins (Vice-Chair)  
Councillor D. Bevan  
Councillor G. L. Davies  
Councillor M. Day  
Councillor J. Hill  
Councillor C. Meredith  
Councillor K. Pritchard  
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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## Agenda Item 4

Report Date 19<sup>th</sup> Jan 2021

Report Author: Steve Smith

<b>BLAENAU GWENT COUNTY BOROUGH COUNCIL</b>	
<b>Report to</b>	<b>Chair &amp; Members of Planning Regulatory &amp; General Licensing Committee</b>
<b>Report Subject</b>	<b>Solar Farm, Land at Wauntysswg, Tredegar</b>
<b>Report Author</b>	<b>Service Manager Development &amp; Estates</b>
<b>Directorate</b>	<b>Regeneration and Community Services</b>
<b>Date of Meeting</b>	<b>4<sup>th</sup> February 2021</b>

<b>1.0</b>	<b>Background</b>
1.1	At the January 2021 cycle of this Committee, I reported an appeal decision (with costs award) at the above site.
1.2	Members requested that the Chair and Vice write to the Minister in response to issues surrounding the appeal and the costs award.
1.3	I have attached a copy of the letter emailed to the Minister on 15 <sup>th</sup> January 2021.
1.4	I will report the response to a future meeting.
<b>2.0</b>	<b>Recommendation</b>
2.1	That the report be noted.

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T:

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Our Ref./Ein Cyf.

Your Ref./Eich Cyf.

Contact:/Cysylltwch â: **Cllr Denzil Hancock**

**Julie James MS**  
**Minister for Housing & Local Government**  
**via email**

15<sup>th</sup> January 2021

Dear Julie James MS,

Re: **Solar Farm at Wauntysswg Farm, Tredegar**

We write in our capacity as Chair and Vice of the Planning Committee. The views expressed herein are representative of the entire Committee regardless of political affiliation.

At the outset, we wish to confirm that this Council acknowledges the climate emergency and the part we can play in contributing to sustainable energy supply. Our County Borough, despite being outside the SSA's, is now home to a number of wind turbines and a solar farm. This is a real world demonstration of our commitment to meet Welsh Government's energy agenda. However, our support to these projects has always been dependent on it being the right scheme on the right site i.e. that each scheme is acceptable in planning terms.

You may recall in April 2020, you were presented with a report from one of your Planning Inspectors who had considered the DNS case for the solar farm at the above site in Tredegar. This Council objected to the application, as did Tredegar Town Council and Cadw. The Planning Inspector, in concluding her report and recommending permission be refused commented...

*"My overall conclusion is that the proposed development would have a significant harmful effect on the character and appearance of the area and on a designated heritage asset that would not be outweighed by the benefits of the proposed renewable energy development. In this context, I find that the development would not satisfactorily reflect the principles of sustainable development promoted through PPW and the WCFG Act, nor would it comply overall with the Development Plans".*

*Continued...*

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg a Saesneg a byddwn yn cyfathrebu gyda chi yn eich dewis iaith, dim ond i chi rhoi gwybod i ni pa un sydd well gennych. Ni fydd gohebu yn Gymraeg yn creu unrhyw oedi.

The Council welcomes correspondence in Welsh and English and we will communicate with you in the language of your choice, as long as you let us know which you prefer. Corresponding in Welsh will not lead to any delay.

Despite the overwhelming evidence pointing to the unacceptability of the scheme, it was decided to set aside the expert views of the Inspector, Cadw and the locally elected representatives of the Town and County Borough Councils.

This decision was extremely disappointing given the context to the case where robust objections were made by responsible bodies. It seems to us that the need to meet targets set out in WG policy was given undue importance when balanced against the site specific constraints.

The decision to afford greater weight to other factors seriously calls into question the premise that the Development Plan takes precedence in the decision making process. It also undermines the credibility of the planning system when the views of the Local Planning Authority, Cadw and the independent Planning Inspector are set aside.

You will recall that despite not providing reasons for any of the conditions in the original decision, it limited the consent to 30 years. We subsequently received a s.73 planning application to extend the lifetime of the development to 40 years. This represents a 33% increase in the time that the solar farm would have a detrimental impact on the landscape and the setting of a scheduled ancient monument.

Planning Committee's decision to refuse planning permission was based on sound planning reasons. However, this decision was appealed and we have now received the Inspector's decision. Frustratingly, not only was the appeal allowed but costs awarded to the appellant.

In awarding costs, Planning Committee are particularly disappointed with some of the language used by the Inspector. In our opinion we discharged our obligations under the Planning Act. To state that the decision making process demonstrated "*irrationality*" and the LPA "*unreasonably*" withheld planning permission is not borne out by the facts. The reason for refusal clearly acknowledged that a DNS permission existed for 30 years but that the view of the LPA was that the additional operational period was unacceptable. This is something that the Inspector on this recent appeal appears to have over looked.

As a Planning Committee, we wish to place on record our position that despite the Inspector's comments, we had full regard to the DNS decision issued last year but felt strongly that prolonging the already unacceptable impact on the landscape was of itself a reason to refuse planning permission.

*Continued....*



In closing, we wish to express our disappointment that the chain of events which led to costs being awarded on this recent appeal began with the decision to overrule an independent Inspector and against the wishes of locally elected representatives. This has now resulted in a particularly sensitive landscape of acknowledged importance having to accommodate a massive solar farm on an industrial scale for 40 years.

We would appreciate your thoughts on the case.

Yours faithfully,

*Denzil Hancock*

**Councillor Denzil Hancock**

Chair: Planning, Regulatory & General Licensing Committee  
Blaenau Gwent County Borough Council

*Wayne Hodgins*

**Councillor Wayne Hodgins**

Vice Chair: Planning, Regulatory & General Licensing Committee  
Blaenau Gwent County Borough Council

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## Agenda Item 5

*Report Date: 25<sup>th</sup> January 2021*

*Report Author: Katherine Rees*

<b>BLAENAU GWENT COUNTY BOROUGH COUNCIL</b>	
<b>Report to</b>	<b>The Chair and Members of Planning, Regulatory and General Licensing</b>
<b>Report Subject</b>	<b>Appeals, Consultations and DNS Update February 2021</b>
<b>Report Author</b>	<b>Service Manager Development &amp; Estates</b>
<b>Report Date</b>	<b>25<sup>th</sup> January 2021</b>
<b>Directorate</b>	<b>Regeneration &amp; Community Services</b>
<b>Date of meeting</b>	<b>4<sup>th</sup> February 2021</b>

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

	Application No Appeal Reference Case Officer	Site Address	Development	Type Procedure	Sit Rep
1	C/2020/0024 APP/X6910/A/20/3259528 Joanne White	51 Coronation Street, Blaina, NP13 3HS	Application for a Lawful Development Certificate for an existing shelter.	Refusal of Lawful Development Certificate  Written	Decision received 18/01/2021: <b>Appeal dismissed</b>  Refer to separate report on this agenda.
2	C/2020/0203 APP/X6910/D/20/3263449 Jane Engel	19 Railway View Tredegar	Garage (Retention)	Refusal of planning permission  Written	Decision received 15/01/2021: <b>Appeal allowed</b>  Refer to separate report on this agenda.
3	C/2020/0202 APP/X6910/D/21/3266321 Jane Engel	51 Tynewydd, Nantybwch, Tredegar	Proposed garage to front garden	Refusal of planning permission  Written	Questionnaire Submitted  Awaiting Decision

<b>BLAENAU GWENT COUNTY BOROUGH COUNCIL</b>	
<b>Report to</b>	<b>The Chair and Members of Planning, Regulatory and General Licensing</b>
<b>Report Subject</b>	<b>Planning Appeal Update: 51 Coronation Street, Blaina</b>
<b>Report Author</b>	<b>Joanne White</b>
<b>Directorate</b>	<b>Regeneration and Community Services</b>
<b>Date of meeting</b>	<b>4<sup>th</sup> February 2021</b>

## **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 a Lawful Development Certificate for an existing structure (Ref: C/2020/0024). The certificate was sought for the lawful use of an existing shelter within the rear garden of the residential property.
- 1.2 The application was refused under delegated powers on 16<sup>th</sup> March 2020.
- 1.3 When determining if a Lawful Development Certificate should be issued, the only consideration the LPA could have in this instance was whether the evidence given by the applicant demonstrated, on the balance of probability, that the works were substantially completed 4 years prior to the date of the application. For the purposes of this application, the relevant date was 24<sup>th</sup> January 2016.

## **2.0 Scope of the Report**

- 2.1 The application was refused on the basis that there was insufficient evidence to demonstrate that the shelter had been substantially completed since January 2016.
- 2.2 The Inspector highlighted that due to the materials used in the construction of the shelter that it was difficult to achieve a visual estimation of its age. The Inspector further noted that the appellant had admitted that the structure had changed over time.
- 2.3 Evidence was provided by the appellant in support of the application and from a third party challenging the claim. However, the Inspector agreed with the LPA that neither party's evidence was clear in detail or timeframe.
- 2.4 Consequently, the Inspector concluded that the appellant failed to demonstrate, on the balance of probabilities, that the shelter had been substantially complete in excess of 4 years from January 2016.
- 2.5 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/2020/0024 as attached at **Appendix A**.



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## Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 23/11/20

**gan Janine Townsley, LLB (Hons)  
Cyfreithiwr (Nad yw'n ymarfer)**

**Arolygydd a benodir gan Weinidogion Cymru**

**Dyddiad: 18<sup>th</sup> January 2021**

## Appeal Decision

Site visit made on 23/11/20

**by Janine Townsley, LLB (Hons) Solicitor  
(Non-practising)**

**an Inspector appointed by the Welsh Ministers**

**Date: 18<sup>th</sup> January 2021**

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**Appeal Ref: APP/X6910/X/20/3259528**

**Site address: 51 Coronation Street, Blaina, Blaenau Gwent, NP13 3HS.**

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

- The appeal is made under section 195 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 against a refusal to grant a certificate of lawful use or development (LDC).
  - The appeal is made by Miss Julie Smith against the decision of Blaenau Gwent County Borough Council.
  - The application Ref: C/2020/0024 dated 24 January 2020, was refused by notice dated 16 March 2020.
  - The application was made under section 191(1)(b) of the Town and Country Planning Act 1990 as amended.
  - The development for which a certificate of lawful use or development is sought is a shelter in back yard of 51 Coronation Street.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. This is whether the evidence given by the appellant demonstrates, on the balance of probability, that the works described in the application were substantially completed on the relevant date.

### Reasons

3. An appeal relating to a Certificate of Lawful Use or Development (LDC) is confined to reviewing the local planning authority's reason for refusal and then deciding whether or not the reasons are well founded. In relation to the construction of this shelter the question to be asked is whether the appellant has shown, on the balance of probabilities, that the shelter which was present at the date of the application had been substantially completed 4 years before the date of the application. The application was made on 24 January 2020 and so, in this case, the relevant period commenced on 24 January 2016 and this is referred to as the "relevant date".
  4. In any LDC application, an applicant is required to provide evidence that is sufficiently precise and unambiguous to justify the grant of a certificate 'on the balance of probability'. The burden of proof is on the applicant and a local planning authority
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must be supplied with sufficient information to satisfy them that the proposed development is lawful.

5. The appeal relates to a structure which has been erected in the rear garden area comprising a covered shelter. The appellant states she has lived at the property since 2007 and she has had structures in the garden since 2007 but they have changed over a period of time.
6. I observed that the shelter has been constructed of mixed materials, some of which appeared to have been recycled. The nature of the construction is such that it is difficult to reach any visual estimation of its age and the structure has the appearance of one which may have evolved over time. This is consistent with the appellant's evidence.
7. Comments have been received from the occupiers of the adjacent dwelling that the current shelter differs from that which was present when they moved into the property in 2018. Whilst this calls into question whether the shelter could have been described as substantially completed at that time, the evidence referred to comprising property marketing photographs which appear to show a roof alteration are not dated and do not show in any clear detail the construction of the appeal shelter.
8. The appellant has referred to a letter which has been produced by her housing officer to confirm the shelter has been present for over four years, however the author of the letter states they have only recently seen the shelter. Furthermore, there is nothing in the evidence to indicate that the shelter was in a substantially completed form on relevant date.
9. Overall, the evidence which has been presented lacks sufficient detail to discharge the evidential burden. There has been contradictory evidence submitted by the Council, but this too lacks detail and clarity. The evidence is therefore limited to an assertion from the appellant that the shelter was in place for four years prior to the relevant date and a challenge to this from interested parties. I have attributed little weight to all corroborating evidence due to lack of detail. Furthermore, the appellant has not addressed or evidenced whether the shelter was substantially completed at the date of the application and for the four years prior to that.
10. For these reasons I conclude that the appellant has failed to demonstrate on the balance of probability that the shelter has been substantially completed in excess of four years from the relevant date.

### **Conclusion**

11. For aforementioned reasons, and taking account of all matters raised, I conclude that the Council's decision to refuse to grant a certificate of lawful use or development was well-founded. Accordingly, the appeal is dismissed, and I shall not issue a certificate.

*Janine Townsley*

Inspector



<b>BLAENAU GWENT COUNTY BOROUGH COUNCIL</b>	
<b>Report to</b>	<b>Planning, Regulatory &amp; General Licensing Committee</b>
<b>Report Subject</b>	<b>Planning Appeal Update: 19 Railway View Tredegar</b>  <b>Ref.: C/2020/0203</b>
<b>Report Author</b>	<b>Jane Engel</b>
<b>Directorate</b>	<b>Regeneration and Community Services</b>
<b>Date of meeting</b>	<b>4<sup>th</sup> February 2020</b>
<b>Date Signed off by Monitoring Officer</b>	

## **Report Information**

<b>1. Purpose of Report</b>
To advise Members of the decision of the Planning Inspectorate in respect of a planning appeal against the refusal of planning permission ref: C/2020/0202 for the retention of a detached garage constructed on the frontage of 19 Railway View, Sirhowy, Tredegar The application was refused under delegated powers on 15 <sup>th</sup> March 2020.
<b>2. Scope of the Report</b>
Officers were of the view that the siting of the garage forward of the dwelling's principle elevation resulted in an incongruous structure that has an unacceptable visual impact upon the streetscene to the detriment of the character and appearance of the surrounding area. The proposal was therefore considered to be contrary to policy DM1 2 (b) of the adopted Blaenau Gwent Local Development Plan (LDP) and the

Council's Adopted Supplementary Planning Guidance Note 2 Householder Design Guidance. The application was refused on such basis.

The applicant appealed this decision on the grounds that planning permission should have been granted. The Inspector's decision was received on 15th January 2021 (the decision letter is attached for Members Information).

In summary, the Inspector allowed the appeal. He was of the opinion that the garage with its wall hard to the highway boundary respects and complements the prevailing pattern of development in this part of Sirhowy. He further stated that he considers that the development does not have an adverse impact on the streetscene.

Whilst respecting the decision of the Inspector, I feel it necessary to express my disappointment at this decision. The siting of the garage forward of the dwellings front building line is a prominent and uncharacteristic feature in the streetscene and in my professional opinion is clearly contrary to Council's adopted SPG. I would not wish for this decision to create a precedent for similar applications where extensions/outbuildings are proposed forward of a dwellings front building line and/or where they are not a characteristic feature of the area.

The Inspector was satisfied that subject to the imposition of conditions the development was acceptable and complies with policy DM1. Accordingly he **ALLOWED** the appeal and planning permission was granted for the development.

### 3. Recommendation/s for Consideration

1. That Members note for information the appeal decision for planning application C/2020/0203 as attached at **Appendix A**.

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## Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 04/01/21

**gan Mr A Thickett, BA (Hons) BTP Dip  
RSA MRTPI**

**Arolygydd a benodir gan Weinidogion Cymru**

**Dyddiad: 15<sup>th</sup> January 2021**

## Appeal Decision

Site visit made on 04/01/21

**by Mr A Thickett, BA (Hons) BTP Dip RSA  
MRTPI**

**an Inspector appointed by the Welsh Ministers**

**Date: 15<sup>th</sup> January 2021**

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**Appeal Ref: APP/X6910/D/20/3263449**

**Site address: 19 Railway View, Sirhowy, Tredegar, NP22 4PX**

<b>The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.</b>
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- 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 R Skarratts against the decision of Blaenau Gwent County Borough Council.
  - The application Ref: C/2020/0203 dated 21 August 2020, was refused by notice dated 15 October 2020.
  - The development proposed is a residential garage.
- 

### Decision

1. The appeal is allowed, and planning permission is granted for a residential garage at 19 Railway View, Sirhowy, Tredegar, NP22 4PX in accordance with the terms of the application, Ref: C/2020/0203 dated 21 August 2020 and the plans submitted with it.

### Main Issue

2. The garage is in situ. The main issue is the impact of the garage on the street scene in Railway View.

### Reasons

3. Railway View is a narrow street with late 19<sup>th</sup> century terraced houses on its eastern side facing late 20<sup>th</sup> century detached houses on its western side. At its northern end the street turns sharply to the north east. The garage subject to this appeal has been constructed at this corner, with its side wall forming the boundary with the highway.
  4. The Council's Householder Design Guidance states that garages should not be sited forward of the building line unless they are a feature of the streetscape. I doubt the authors of the Design Guidance had this flat roofed garage in mind when thinking about what qualifies as a feature of the streetscape. However, it does form a visual full stop at the end of the street as it turns the corner. Even though the detached houses are set back, the street has a close, tight knit feel in common with adjoining streets. The siting of the garage, with its wall hard to the highway boundary respects and complements the prevailing pattern of development in this part of Sirhowy.
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5. The garage has been constructed in a brick to match the host dwelling. The Council's Design Guidance encourages but does not require the provision of a pitched roof. The lack of a pitched roof limits the massing of the garage and its visual impact which is beneficial in this case.

### **Conditions**

6. The Council requests a condition limiting the use of the garage to the parking of private motor vehicles and for uses incidental to the enjoyment of the dwelling house. As any material change of use is likely to require planning permission and be at risk of enforcement action, I see no need to attach such a condition.

### **Conclusions**

7. For the reasons given above and having regard to all matters raised, I find that the proposed development does not have an adverse impact on the street scene in Railway View. I conclude that the garage complies with Policy DM1(2b) of the Blaenau Gwent Local Development Plan up to 2021, adopted 2012 and that the appeal should be allowed.
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 building better environments.

*Anthony Thickett*

Inspector

## Agenda Item 8

Report Date: 16 December 2020

Report Author: Kath Rees

<b>BLAENAU GWENT COUNTY BOROUGH COUNCIL</b>	
<b>Report to</b>	<b>The Chair and Members of Planning, Regulatory and General Licensing</b>
<b>Report Subject</b>	<b>List of applications decided under delegated powers between 14<sup>th</sup> December 2020 and 18<sup>th</sup> January 2021</b>
<b>Report Author</b>	<b>Senior Business Support Officer</b>
<b>Report Date</b>	<b>25<sup>th</sup> January 2021</b>
<b>Directorate</b>	<b>Regeneration &amp; Community Services</b>
<b>Date of meeting</b>	<b>4<sup>th</sup> February 2021</b>

<b>1.0 Purpose of Report</b>
1.1 To report decisions taken under delegated powers.
<b>2.0 Scope of the Report</b>
2.1 The attached list deals with the period 14 <sup>th</sup> December 2020 and 18 <sup>th</sup> January 2021.
<b>3.0 Recommendation/s for Consideration</b>
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/2020/0252	27 George Daggar Avenue Abertillery	Retrospective application for front garden wall and fence with reduction in height	02/11/20 22/12/20 Approved
C/2020/0249	7 Fitzroy Avenue, Ebbw Vale	Double storey rear kitchen/bedroom extension	16/12/20 18/01/21 Approved
C/2020/0250	14 Mount Pleasant Estate Abertillery	Retention of green house with decked supporting platform and proposed shed with decked supporting platform.	28/10/20 16/12/20 Approved
C/2020/0161	Land Adjoining Lake View Merthyr Road, Tafarnaubach, Tredegar	Construction new detached dwelling and detached garage including modified access, landscaping and services.	20/07/20 18/12/20 Approved
C/2020/0218	Land adj to Unit 27 Tafarnaubach Industrial Estate, Tredegar	Application for Discharge of Conditions: 2 (Foul), 4 (Access, parking & turning), 5 (Cycle stand), 7 (Bin store) & 12 (Landscaping) of planning permission C/2019/0203 (Parking place for heavy goods vehicles with associated workshop/office building (unique use class), building comprising of 6 no. starter business units (B1 use class), new vehicular accesses and associated parking)	18/09/20 11/01/21 Condition Discharged

C/2020/0260	First Floor, 16a Market Square, Brynmawr	Change of use from first floor offices to a single three bed flat	11/11/20 21/12/20 Approved
C/2020/0280	2 Lilian Grove, Ebbw Vale	Two Storey Rear Extension	30/11/20 11/01/21 Approved
C/2020/0285	30 Queen Street, Blaina	Single storey rear extension	03/12/20 15/12/20 Lawful Development Certificate Granted
C/2020/0254	Melia House, 50 Larch Lane Bedwellty Gardens Tredegar	Change of use to garden land and erection of fence	04/11/20 18/01/21 Approved
C/2020/0292	Land Adjacent to Unit 18 Rassau Industrial Estate Rassau Industrial Estate Ebbw Vale	Application for Non-material amendment to the main plant building to reduce its width and revise access arrangements/door openings, reconfiguration of approved infrastructure and welfare facilities within the site, revised fence style and position, reduction in the number of coolers and addition of bund, replacement of diesel generator and tank with 2 no. small storage	04/12/20 12/01/21 Approved

		containers, removal of transmission mast, the realignment of road and footpath access within the site, and, associates amendments including the creation of a ditch to align with the SAB drainage approval of planning permission C/2020/0059 (Erection of a Synchronous Condenser, plant control building and ancillary equipment, access, landscaping and associated works)	
C/2020/0251	157 King Street, Brynmawr	Garage	02/11/20 11/01/21 Approved
C/2020/0263	39 Glanstruth, Blaina	Single storey extension to the front with new roof over porch, second storey extension to the rear and associated works	17/11/20 15/01/21 Approved
C/2020/0267	9 Hereford Road Beaufort Ebbw Vale	Rear extension, alterations to roof & installation of dormer window to front roof plane	18/11/20 23/12/20 Approved
C/2020/0264	36 Church Street, Abertillery	Proposed replacement canopy to shopfront	18/11/20 17/12/20 Approved



C/2020/0286	Land at Waun y Pound/ College Road, Ebbw Vale	A non- material amendment application to remove condition 3 (Affordable Housing Provision) of planning permission C/2019/0005 (Residential development of 277, including associated works).	01/12/20 05/01/21 Approved
C/2020/0261	Office Cottage Dukestown Road, Tredegar	Replacement two storey rear extension (including increase in height of dwelling and a hip to gable roof extension) and garage	13/11/20 04/01/21 Approved
C/2020/0262	Augusta House Augusta Park Victoria Ebbw Vale	Construction of two residential units for the provision of respite care.	16/11/20 22/12/20 Approved
C/2020/0278	25 Bethel Avenue, Tredegar	Construction of garage	26/11/20 18/01/21 Approved
C/2020/0266	Salem House Charles Street, Tredegar	Single storey side extension	17/11/20 13/01/21 Approved
C/2020/0273	10 Village Lane Victoria Ebbw Vale	Demolish existing conservatory and erect single storey rear extension	19/11/20 22/12/20 Approved

C/2020/0255	Eugene Cross Park Welfare Ground, Ebbw Vale	Proposed alterations and extension to existing cricket pavilion.	05/11/20 17/12/20 Approved
C/2020/0281	Land east of Blaina Road Brynmawr	Application for Discharge of Condition 6 (Contamination verification report) of planning permission c/2017/0159 (Outline planning application for the erection of residential dwellings (up to 25 units), a drive-thru restaurant, and associated works with all matters reserved other than means of access)	30/11/20 05/01/21 Condition Discharged
C/2020/0227	Land adjoining Coed Cae Farm House Rassau Ebbw Vale	Outline planning permission for a single detached dwelling with parking	01/10/20 18/01/21 Refused
C/2020/0265	202 King Street, Brynmawr	Proposed excavation of rear yard and construction of domestic garage and use of garage roof as garden area with timber fencing.	18/11/20 06/01/21 Approved

BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	Planning Applications Report
Report Author	Team Manager Development Management
Report Date	25 <sup>th</sup> January 2021
Directorate	Regeneration & Community Services
Date of meeting	4 <sup>th</sup> February 2021

## 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/2020/0287	Garden of the Nag's Head Merthyr Road, Tafarnaubach, Tredegar
C/2020/0201	Land at Northgate Steelworks Road Ebbw Vale NP23 8AU
3. Recommendation/s for Consideration	
Please refer to individual reports	

## Planning Report

<b>Application No:</b>	<b>App Type:</b> Resubmission
<b>Applicant:</b> Mr Mark Harris Nags Head Merthyr Road Tredegar NP22 3AP	<b>Agent:</b> Mr Adrian Drew 14 Thornhill Close Brynmawr NP23 4SA
<b>Site Address:</b> Garden of the Nag's Head Merthyr Road, Tafarnaubach, Tredegar	
<b>Development:</b> New house build	
<b>Case Officer:</b>	Jane Engel



**Figure 1 Site Location**

## 1. Background, Development and Site Context

- 1.1 This application seeks planning permission for a new house in the garden of the Nag's Head public house, Merthyr Road, Tafarnaubach, Tredegar. The application site is located to the east of the existing public house and is identified on the exiting plan as a beer garden. There is a single storey garage on the site which would be removed to accommodate the development.
- 1.2 The proposed dwelling would be set behind the building line of the existing building and would front onto Merthyr Road. To the east of the site is the roundabout which provides access to Tafarnaubach Industrial Estate which lies to the north of the application site.

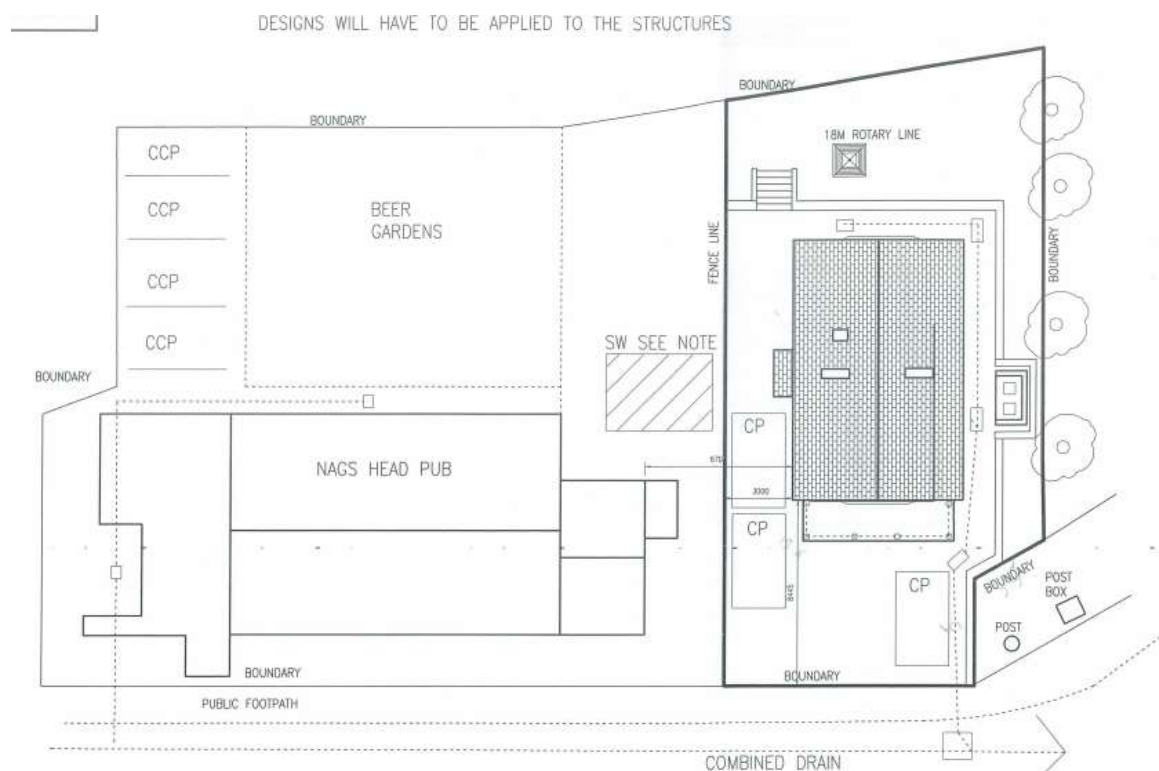


Figure 2 : Block Plan



1.3

Figure 3 : Street View  
The proposed dwelling would be of three storeys in height and feature a gabled frontage. Forward of the main gable would be a flat roofed projection which would be used as a first floor balcony. Above this at the second floor level it is proposed that a further Juliette balcony would be provided serving one of two rooms proposed in the roof space.

1.4

The proposed accommodation spread over three floors would provide a bedroom, dressing room, ensuite bathroom utility room, hallway, storeroom and garage on the ground floor, a kitchen, lounge, study, bedroom, bathroom and balcony at first floor and two bedrooms (one with ensuite bathroom), family bathroom and Juliette balcony in the roof space.

1.5

The proposed finishes are cement render and Cambrian slate. Three car parking spaces are proposed to the front and side of the house and a small garden would be provided to the rear.

1.6

The application is a resubmission of an earlier application C/2020/0133) which was withdrawn following discrepancies identified on the submitted plans. Prior to its withdrawal discussions took place with the applicant in relation to my concerns regarding the design of the proposal. The current proposal is a revision to the withdrawn scheme. Prior to the resubmission of this application the agent was advised that there remained concerns over the design. However he confirmed that he wished the application to be considered as submitted.



<b>2. Site History</b>			
	Ref No	Details	Decision
2.1	C/2020/0133	New House	Withdrawn 08/12/2020
<b>3. Consultation and Other Relevant Information</b>			
3.1	<b><u>Internal BG Responses</u></b>		
3.2	<u>Team Leader Building Control:</u> Building Regulations required		
3.3	<u>Service Manager Infrastructure:</u> Highways: No objections: subject to conditions relating to the provision of the off street parking spaces and visions splays.		
3.4	<u>Drainage:</u> Advised that the development proposed would require approval from the SAB (Sustainable Urban Drainage Approval Body). <u>Landscape:</u> No objections		
3.5	<b><u>External Consultation Responses</u></b>		
3.6	<u>Town / Community Council:</u> No objection		
3.7	<u>Welsh Water:</u> Confirmed that there is capacity within the public sewerage network to receive the domestic foul only flows from the site. Advises that a public sewer crossed the development site and that no part of any building should be permitted with 3m of the centreline of the public sewer. Further advised that the development may require approval of Sustainable Drainage Systems (SuDS)		
3.8	<u>Western Power:</u> Identify their apparatus in the vicinity of the site		
3.9	<u>W&amp;W Utilities:</u> Identify their apparatus in the vicinity of the site		
	<b><u>Public Consultation:</u></b>		
	<ul style="list-style-type: none"> <li>• 5 letters to nearby houses</li> <li>• <del>site notice(s)</del></li> <li>• <del>press notice</del></li> <li>• website public register of applications</li> </ul>		

3.10	<ul style="list-style-type: none"> <li>• ward members by letter</li> <li>• all members via weekly list of applications received</li> <li>• <del>other</del></li> </ul> <p><u>Response:</u> No responses were received to neighbour consultation. However when ward Members were advised of the intention to recommend refusal of the application under delegated powers for design related reasons a ward Member requested that the application be presented to Planning Committee on the grounds that there were a variety of designs in Tafarnaubach.</p>
<b>4. Planning Policy</b>	
4.1	<p><u>LDP Policies:</u> <u>DM1 New development</u> <u>DM2 Design</u></p> <p><u>Supplementary Planning Guidance</u> Model Design Guide for Wales Residential Development</p>
<b>5. Planning Assessment</b>	
5.1	<p>The site is located at the entrance to an established residential area and is bound to the north and west by residential properties (excepting the exiting public house which falls in the applicants control and ownership) On such basis the development is considered acceptable <u>in principle</u>. However, in assessing the planning merits of the proposal due regard must be given to relevant Local Development Plan (LDP) policies (DM1 and DM2) and the Council's adopted SPG - Model Design Guide for Wales Residential Development.</p>
5.2	<p>In considering the acceptability of the proposal against the criteria listed in the LDP policies and the advice offered in the adopted Model Design Guide for Residential Development, consideration has been given in particular to site layout and design of the proposed dwelling.</p>
5.3	<p><u>Site Layout ( including access and parking)</u> From a site layout perspective I was initially concerned that the erection of a dwelling in this location would result in a cramped form of development and an unacceptable loss of land that was required to service the existing public house, e.g.parking and servicing. I was particularly mindful in this regard to the very close proximity of the site to</p>



	the busy roundabout on the entrance to the Tafarnaubach Industrial Estate. However having noted the lack of objection from the Team Manager Built Infrastructure I am content that the site is capable of accommodating a dwelling of modest proportions and suitable design. Members should note however that the proposed layout will involve loss of garage that serves the existing property and will result in the existing public house and any residential accommodation therein having to rely solely upon the existing parking and servicing located to the rear of the building (which can only be accessed from the narrow one way lane which runs to the west of the existing public house).
5.4	The proposed block plan indicates that an area to the rear/north of the existing public house (currently identified as a private garden) will be used as a beer garden. This will be to displace the beer garden currently identified on the land where the new house is to be erected.
5.5	The block plan also indicates that the new dwelling (discounting the ground floor single storey projection) will be positioned approximately 8.5metres back from the front site boundary. This means the house will be will be set back approximately 6.0metres behind the building line established by the existing public house. The block plan also proposes that the area in front of the house would accommodate one car parking space and that an area to the side/west of the new house would accommodate a further two parking spaces. Such provision meets the highways authority requirements for a dwelling of the design proposed.
5.6	I further note that the footprint of the proposed house will mean that only a small remaining area of land to the rear/north of the property will be available as amenity area to serve what would be a large 4/5 bedroomed house. I recognize however that the balcony area currently proposed above the ground floor projection on the front of the property would also provide a small separate amenity area for the benefit of the occupants. Whilst I am mindful that the overall amenity area available for occupants of a dwelling of the size proposed will be limited I do not feel that the proposed footprint of the dwelling constitutes overdevelopment which might justify refusal of the application
5.7	In considering the proposed layout I have also sought to assess the compatibility of the proposed development with existing surrounding land uses, namely asses what impact the operation of the existing public house might have on the amenities of any future occupants of the proposed house. It must be appreciated in this regard that whilst the applicants are the current owners of the public house if planning permission is granted

	<p>for this development such permission would relate to the land rather than to a person and the site could be sold and the house built by persons with no association with the existing public house. Whilst I accept that the physical distance between the new property and the public house are such that the amenities of the occupants of the new dwelling would not necessarily be unduly affected by the operation of the public house and its associated beer garden, I am concerned that the <u>design</u> of the house proposed (in particular the manner in which several of the habitable windows serving the property would directly overlook the beer garden of the public house at relatively close distances) will give rise to amenity issues. I fully accept however that it would be difficult to sustain refusal of an application of a house of an <u>amended design</u> on this plot for land use compatibility reasons.</p>
5.8	<p><u>Design/Appearance</u></p> <p>Having considered the siting/scale issues noted above detailed consideration has also been given to the design of the proposed dwelling and its potential impact of the visual amenity of the area. Members will note from the elevation details provided below that the dwelling proposed is a substantial three storey property with a gable facing the road. The south facing front elevation and the west facing side elevation will feature a large number of window and door openings serving a range of habitable rooms and the front elevation features a flat roofed front projection which provides a balcony area that can be accessed from a first floor study and bedroom.</p>
5.9	<p>Undoubtedly this house is of a non-traditional design and would be in stark contrast with the design of other properties in the locality. Whilst this is not of itself a reason to object to the development, having regard to what were considered legitimate design concerns the applicant was asked to make changes that may have resulted in a form of development that could be supported e.g. bringing the property forward to better align with the existing public house; turning the roof in order that the ridge runs parallel with the road and other properties in the area and revising the floor layout and rationalizing and removing some window and door openings on the side of the property facing the public house (and beer garden) to address amenity/compatibility concerns. Despite having been advised of such concerns in relation to the withdrawn application the applicant has chosen to submit what is a largely unaltered scheme for determination</p>

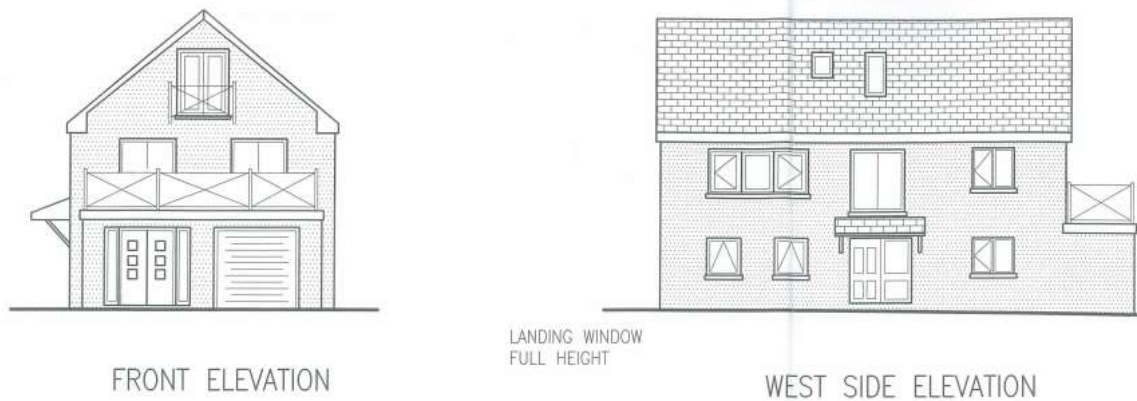


Figure 4 : Elevations



Figure 5 Floor Plan

5.10

Whilst the fact that the proposed dwelling is of a non-traditional design is not of itself a reason refuse a planning application LDP policy DM1.2 b clearly requires that new development should have *no unacceptable adverse visual impact on townscape or landscape*, policy DM2(a) states that development *proposals should be appropriate to the local context in terms of type and form, scale and mix* and Policy DM2 (b) requires proposals to be *of a good design which reinforces local character and distinctiveness or positively contribute to the area's transformation*. In my opinion the proposed dwelling fails to meet all of these requirements.

5.11

Whilst I accept a Member contention that there are a variety of styles of properties along Merthyr Road (including some with frontage elevated

5.12	<p>frontage patios and balconies) this is not of itself justification to approve development which is poorly designed and has scant regard for its surroundings. In my opinion the combined effect of having a gable frontage to the road at variance with other built form, a poorly designed front elevation dominated by a flat roof element and balconies, and the manner in which the side elevation of this property features numerous and large habitable room windows which overlook the beer garden of the adjacent public results in a dwelling which has little regard for its setting and is unacceptable on design grounds. I have no doubt that a building of such design and proportions erected on a prominent site on the entrance to the village of Tafarnaubach would be at variance with and appear discordant with the existing street scene. To approve such a development in my opinion would run counter to the requirements of LDP policies DM1.2 (b) and DM 2(a) and (b) of the adopted LDP.</p> <p><u>Other matters</u></p> <p>As part of my assessment of this application I have also given careful consideration to the proposal from other more technical perspectives, namely drainage, ground conditions and landscaping. I am satisfied that the consultee responses I have received confirm that such aspects of the development can be addressed by suitably worded conditions. It is of note however that implementing this scheme will result in the loss of a number of established trees currently evident along the eastern section of the site. It is envisaged however from looking at aerial photographs and the site plan that a number of trees located on land outside the site boundary fronting the roundabout will remain and thus retain some screening of the site and any new dwelling built thereon as viewed from the roundabout to the east and from the road entering Tafarnaubach.</p>
<b>6. Legislative Obligations</b>	
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	This application seeks permission to erect a dwelling on a narrow site which currently forms part of the curtilage of an existing public house located on the entrance to the residential area of Tafarnaubach.
7.2	<p>Whilst there is no objection in principle to such a development the form and design of the house proposed raises concerns. It is contended that whilst the site may be capable of accommodating a dwelling of <u>modest</u> proportions designed to respect the orientation and roof lines of existing properties in the locality, the shape and orientation of the dwelling proposed raises concerns from a visual and compatibility perspective.</p> <p><u>Recommendation</u></p> <p>That planning permission be <b><u>REFUSED</u></b> for the following reason:</p> <p>The dwelling proposed is of poor design which fails to respect the character of the area nor the site's context. It is considered that a dwelling of such design and orientation would appear discordant and would negatively impact on the street scene and the visual amenities of the area. Its design could also give rise to amenity issues for future occupants due to the orientation of principal windows which directly overlook the beer garden of the adjacent public house. Based on such considerations the development fails to meet the requirements to policies DM1.2 (b and c), and Policy DM2 (a and b) of the adopted Blaenau Gwent Local Development Plan (November 2012)</p>
8. Risk Implications	
8.1	<b>None</b>

## Planning Report

<b>Application No:</b> C/2020/0201	<b>App Type:</b> Full
<b>Applicant:</b> Mr Matthew Davies Davies Homes 7 Gelliwastad Road Pontypridd CF37 2BP	<b>Agent:</b> Asbri Planning Ltd. Mr Dylan Green Unit 9 Oak Tree Court Cardiff Gate Business Park Cardiff CF23 8RS
<b>Site Address:</b> Land at Northgate Steelworks Road Ebbw Vale NP23 8AU	
<b>Development:</b> Proposed residential development and associated works	
<b>Case Officer:</b>	Steve Smith



## 1. Background, Development and Site Context

- |     |  |
|-----|--|
| 1.1 | <p>Full planning permission is sought for residential development on a vacant plot of land known as the 'Northgate site' located at the northern end of 'The Works' regeneration site, Ebbw Vale. The proposed residential development would provide a total of 56 houses, including 5 affordable units. The proposed houses would comprise of two and three storey buildings in the form of a mixture of flats, short terraces, and semi-detached and detached dwellings. The number of house types are split as follows:</p> <ul style="list-style-type: none"> <li>• 2no. 1 bedroom affordable flats;</li> <li>• 3no. 2 bedroom affordable houses;</li> <li>• 37no. 3 bedroom houses; and</li> <li>• 14no. 4 bedroom houses.</li> </ul>   |
| 1.2 | <p>The proposed residential development has been oriented to provide a strong street frontage onto Lime Avenue and the proposed houses within the site would front on to the adjacent streets and lanes. An area of open space that would have a dual function as a surface water attenuation basin would also be created within the south-western corner of the site. The belt of existing protected trees adjacent to the eastern boundary of the site would be retained, continuing to separate the site from Steel Works Road. A smaller group of protected trees would also be largely retained, as well as the existing stone boundary wall adjacent to Lime Avenue, in the north-western corner of the site (See Figure 1 below).</p> |
| 1.3 | <p>Two existing vehicular accesses from Lime Avenue are proposed to serve the development, while the existing access from Steel Works Road would be closed off. Additional footpaths would also provide east-west pedestrian links between Lime Avenue and Steel Works Road, and north-south pedestrian links through the site, which would increase connectivity to the train station. In terms of car parking provision, the proposed development would be served by a mixture of off-street parking to the side of the proposed houses and private parking courts.</p>  |





Figure 1 – Proposed Site Layout

- 1.4 The application site comprises of an irregular parcel of land measuring approximately 1.9 hectares in area. The site previously comprised of land associated with the steel works, but has been largely cleared, re-profiled and raised as part of the earlier phases of the wider regeneration works. As such, the site is predominately flat with a gravel surface that has experienced a degree of natural re-vegetation by grass and scrub. There is an area of raised land in the north-western corner of the site and a group of existing trees which are protected under a Tree Preservation Order (TPO). In terms of built structures there is also an existing substation, gated vehicle access and portakabin type building nearby at the northern end of the site. Along the



	<p>eastern boundary is belt of TPO trees that run parallel to Steel Works Road. The main site slopes down to this area which was excluded from the previously undertaken land raising and re-profiling works. As a result, this area is noticeably more densely vegetated and is at a risk of flooding. The western and southern boundaries of the site are predominately defined by timber fencing; however, there is as a relatively small section of brick wall which separates the site from the Mill Stand monument. Two existing road junctions adjacent to the western boundary of the site provide potential access from the site onto Lime Avenue and there is also an existing vehicle turning head adjacent to the southern boundary opposite the General Offices and Gwent Archives building.</p>
1.5	<p>To the north of the application site is the residential building known as 'The Croft' and to the south are the General Offices, Gwent Archives, a grassed area identified for future development and Station Square. The Mill Stand is also located adjacent to the south-western corner of the site. Lime Avenue bounds the western boundary of the site with the residential area of The Crescent and 'The Rookery' care home beyond. Steel Works Road bounds the eastern site boundary with the residential area of Heol Cae Ffwrnais beyond.</p>
1.6	<p>In addition to the detailed plans showing the site layout and floor plans/elevations of the proposed houses, the applicant has submitted supporting information which includes a Design and Access Statement, an Extended Phase One Habitat Survey, a Reptiles – Ecology Note, a Flood Consequence Assessment, a Coal Mining Risk Assessment, a Ground Investigation Report, a Tree Survey and Technical Advice Note, and a Landscape Strategy.</p>
1.7	<p>The applicant also undertook statutory pre-application consultation prior to the submission of the planning application, which included publicising a draft of the proposed residential development and consultation with the community and specialist consultees, including ward members. A Pre-application Consultation Report has been submitted with the planning application.</p>

## 2. Site History

	Ref No	Details	Decision
2.1	C/2010/0101	Vary and remove conditions attached to planning permission C/2007/0125	Approved 17/06/2010
2.2	C/2009/0236	Variation of conditions 1 & 3 relating to planning permission C/2007/0125	Approved 03/09/2009

2.3	C/2009/0023	Re-profiling/ground raising earthworks in order to raise the site approximately 3.3 metres	Approved 02/07/2009
2.4	C/2008/0494	Variation of condition 3 of planning permission C/2005/0453	Approved 17/02/2009
	C/2007/0125	Outline planning application for mixed use development comprising residential, hospital, learning campus, employment uses, theatre, leisure centre, primary school, landscaping works and railway terminus. Associated works to include public transport facilities, highway infrastructure and improvements and town centre link	Approved 20/07/2007
2.5	C/2005/0453	Phase 1 regeneration of the site, comprising remediation works, earthworks, drainage and landscaping	Approved 07/11/2005

### 3. Consultation and Other Relevant Information

3.1	<b><u>Internal BG Responses</u></b>
3.2	<u>Team Leader Building Control:</u> The proposed residential development will require building regulations approval.
3.3	<u>Service Manager Infrastructure:</u> <u>Highways:</u> No objection to the proposed residential development subject to the following requirements being secured via condition: <ul style="list-style-type: none"> <li>• the proposed parking provisions for each plot to be constructed prior to the occupation of the associated dwelling and retained thereafter;</li> <li>• details of how the existing vehicle access at the north-eastern corner of the site is to be downgraded to a private drive to be submitted and approved in writing;</li> <li>• a full travel plan to be submitted and approved prior to the development being brought into beneficial use; and</li> <li>• all access roads, footways and street lighting to be completed in accordance with the Council's highway design standards prior to the development being brought into beneficial use.</li> </ul>
3.4	<u>Drainage:</u> No objection to the proposed residential development. The proposed management of surface water and associated Sustainable Drainage Systems (SuDS) will be subject to a separate application considered by the SuDS Approval Body.

3.5	<p>Ground Stability: No observations from the Principal Engineer.</p>
3.6	<p>Landscape: No objection to the proposed residential development as it would only involve the removal of a limited number of trees and incorporates a robust tree and landscaping strategy. Final detailed designs are required to ensure overall suitability as a condition of approval.</p>
3.7	<p>Ecology: No objection to the proposed residential development based on the revised Phase 1 Habitat Survey (dated 2<sup>nd</sup> November 2020). The reasons given for failing to undertake a reptile survey are accepted and a pragmatic approach is considered acceptable whereby a reptile survey is undertaken when the site is secured. The reptile survey and method statement must, however, be submitted for approval prior to the commencement of development. Attention is also drawn to the following matters:</p> <ul style="list-style-type: none"> <li>• the need for development activity to occur outside of the bird breeding season or for an ecologist to be present on site during the removal of vegetation between March and August;</li> <li>• the need to eradicate invasive alien species of plant identified on the site prior to the commencement of development; and</li> <li>• the need for the landscaping plan to incorporate hedgehog passes in the development boundaries and between gardens.</li> </ul>
3.8	<p><u>Service Manager Public Protection:</u> No objection to the proposed residential development subject to the imposition of conditions relating to land contamination and the submission and approval of a construction and environmental management plan. It is also advised that the residential properties and garages are fitted with charging points for electric vehicles.</p>
3.9	<p><u>Head of Estates and Strategic Asset Management:</u> No objection is raised to the proposed residential development. The sale of the land has been agreed with the applicant.</p>
3.10	<p><u>Connected Communities (Housing) Manager</u> The Residential Development Officer has confirmed that the proposed residential development will go some way towards meeting the social housing needs of the residents of Blaenau Gwent. A financial contribution should also be sought towards affordable housing in Blaenau Gwent.</p>

	<p><b><u>External Consultation Responses</u></b></p>
3.11	<p><b><u>Natural Resources Wales:</u></b></p> <p>Natural Resources Wales (NRW) has confirmed that the application site is <u>partially</u> within a Flood Zone C2 and the 0.1% (1 in 1000 year) annual probability fluvial flood outline of the River Ebbw. Attention has also been drawn to Section 6 of Technical Advice Note 15: Development and Flood Risk and the Chief Planning Officer letter from Welsh Government, dated 9<sup>th</sup> January 2014, which affirms that highly vulnerable development should not be permitted in Flood Zone C2. Moreover, the justification tests in paragraph 6.2 do not apply to highly vulnerable development in Flood Zone C2.</p>
3.12	<p>Notwithstanding this policy position, NRW has reviewed the submitted Flood Consequence Assessment (FCA), including the additional technical information on the rate of rise of flood water, and confirmed that the risk and consequences of flooding could be managed to an acceptable level provided that the finished floor levels is set at a minimum of 274.23m AOD as recommended by the submitted FCA.</p>
3.13	<p>In addition to the above, NRW has provided advice on land contamination and controlled waters, with a number of conditions recommended that would control unforeseen land contamination, risks to controlled waters posed by the infiltration of surface water into the ground and risks to groundwater posed by piling or any other foundation designs using penetrative methods. NRW has also confirmed that, based on the findings of the Extended Phase 1 Habitat Survey, no advice is required in respect of European protected species.</p>
3.14	<p><b><u>Welsh Water:</u></b></p> <p>Welsh Water has confirmed that there is existing capacity within the public sewerage network for domestic foul only flows and there are no problems envisaged with the waste water treatment works for the treatment of domestic discharges. In addition, no objection has been raised to the proposed residential development in relation to water supply, and attention is drawn to the fact that surface water infrastructure, incorporating SuDS features, is likely to need consent from the SuDS Approval Body (SAB).</p>
3.15	<p><b><u>Western Power and W&amp;W Utilities:</u></b></p> <p>Approximate position of apparatus in the vicinity of the application site is highlighted.</p>

<p>3.16</p> <p>3.17</p> <p>3.18</p> <p>3.19</p>	<p><u>Coal Authority:</u></p> <p>The Coal Authority (TCA) has confirmed that the application site falls within the defined Development High Risk Area and as such, there are coal mining features and hazards which need to be considered in relation to the determination of this application. TCA has considered the findings of the submitted Coal Mining Risk Assessment and agrees with its recommendation that further selective probe drilling should be undertaken in order to confirm the extent of any workings/underground roadways requiring treatment. It also advised that consideration is given to the risk of mine gas as part of this further site investigation work and the need for any remedial/mitigation measures. Overall, TCA has raised no objection to the proposed residential development subject to the imposition of a condition securing further intrusive site investigation work and the submission of the findings and the approval and implementation of a detailed remediation scheme as necessary.</p> <p><u>GGAT:</u></p> <p>No objection to the proposed residential development. The remediation and ground raising works previously undertaken on the site would have resulted in any remaining archaeological features being deeply buried. As such, it is unlikely that significant archaeological remains would be encountered during the course of the development.</p> <p><b><u>Public Consultation:</u></b>  <del>Strikethrough-to delete as appropriate</del></p> <ul style="list-style-type: none"> <li>• 14 letters to nearby buildings</li> <li>• 8 site notice(s)</li> <li>• 1 press notice</li> <li>• website public register of applications</li> <li>• ward members by letter</li> <li>• all members via weekly list of applications received</li> <li>• <del>other</del></li> </ul> <p><u>Response:</u></p> <p>A response has been received from a Ward Member, requesting that the planning application go before Planning Committee to consider the flooding issue, in particular. A preference for a vehicular access into the site from the north off Steel Works Road is also highlighted and a concern is raised over potential overlooking issues between the Croft building to the north and proposed house plots 9-13.</p>
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3.20	One objection has also been received raising concerns over the additional volume of traffic along Steel Works Road. It is considered that the volume of traffic has continued to increase along this road since it was upgraded and there are difficulties turning on to the road from side streets. Additional cars from the new homes will result in the road becoming busier and potentially more hazardous. Concerns are also raised in relation to an existing backlog of traffic along Lime Avenue in the mornings, and it is felt that any vehicular access onto this road will add more vehicles and create more chaos.
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#### 4. Planning Policy

4.1	<p><u>Team Manager Development Plans:</u></p> <p>The Team Manager has confirmed that the application site is allocated for residential development as part of the wider mixed use development allocation on “The Works” site (Policy MU2). However, attention is drawn to the fact that the eastern edge of the site falls within a Flood Zone C2, along with a small area of proposed road and parking areas. Whilst the Team Manager acknowledges that the majority of the application site, including the proposed houses, falls outside the Flood Zone C2, reference is made to paragraph 6.2 of TAN 15: Development and Flood Risk, which states that highly vulnerable development, such as residential, should not be permitted in Flood Zone C2. There also remains the potential for access and egress to the proposed houses to be affected by flooding and, on this basis, the Team Manager has raised an objection to the proposed development.</p>
4.2	<p>In addition to the above, comments have been provided in relation to the requirements of the adopted Phase 1: Northgate Site Development Brief. Whilst certain areas of non-compliance have been highlighted, no objection to the proposed residential development has been raised in respect of design matters or a fundamental conflict with the requirements of the Development Brief.</p>
4.3	<p><u>LDP Policies:</u></p> <ul style="list-style-type: none"> <li>• SP1 Northern Strategy Area – Sustainable Growth and Regeneration;</li> <li>• SP4 Delivering Quality Housing;</li> <li>• SP5 Spatial Distribution of Housing Sites;</li> <li>• SP6 Ensuring Accessibility;</li> <li>• SP7 Climate Change;</li> <li>• SP10 Protection and Enhancement of the Natural Environment;</li> <li>• SP11 Protection and Enhancement of the Historic Environment;</li> <li>• DM1 New Development;</li> <li>• DM2 Design and Placemaking;</li> </ul>

	<ul style="list-style-type: none"> <li>• DM3 Infrastructure Provision;</li> <li>• DM7 – Affordable Housing;</li> <li>• DM12 – Provision of Outdoor Sport and Play Facilities;</li> <li>• DM14 Biodiversity Protection and Enhancement;</li> <li>• DM15 – Protection and enhancement of the Green Infrastructure;</li> <li>• DM16 Trees, Woodlands and Hedgerow Protection;</li> <li>• SB1 Settlement Boundaries;</li> <li>• MU2 – ‘The Works’; and</li> <li>• H1 – Housing Allocations.</li> </ul>
4.4	<p><u>Supplementary Planning Guidance:</u></p> <ul style="list-style-type: none"> <li>• Access, Car Parking and Design (March 2014);</li> <li>• A Model Design Guide for Wales – Residential Development (March 2005);</li> <li>• Planning Obligations – Note 7 (September 2011);</li> <li>• The Works Design and Masterplan (October 2013);</li> <li>• Phase 1: Northgate Development Brief (August 2017); and</li> <li>• The Works Design Codes: Masterplan Update (June 2010).</li> </ul>
4.5	<p><u>PPW &amp; TANs:</u></p> <ul style="list-style-type: none"> <li>• Planning Policy Wales (Edition 10, December 2018);</li> <li>• Technical Advice Note 2: Affordable Housing (June 2006);</li> <li>• Technical Advice Note 12: Design (March 2016);</li> <li>• Technical Advice Note 15: Development and Flood Risk (July 2004); and</li> <li>• Technical Advice Note 24: The Historic Environment (May 2017).</li> </ul>
<b>5. Planning Assessment</b>	
5.1	<p><u>Principle of Development</u></p> <p>The Blaenau Gwent LDP indicates that the application site lies within the settlement boundary within which development is normally permitted subject to other policies within the plan and material considerations (Policy SB1). The site is also allocated for mixed use development as part of the regeneration scheme of the former steelworks site (Policy MU2). Amongst other things, ‘The Works’ site is allocated for 520 houses (Policies MU2 and H1) and The Works Design and Masterplan SPG identifies the application site as residential plots B and C which will contribute towards this overall target. The proposed residential development is therefore considered to be acceptable in land use terms and I am satisfied that the proposal would be compatible with</p>

	surrounding neighbouring land uses which includes a mixture of residential, employment and community uses.
5.2	The Works Design and Masterplan SPG splits the 'The Works' site up into six character areas. The application site falls within the 'Urban Centre Character Area' which is described as a busy mixed use area close to the town centre designed around the main square. It is anticipated that new residential areas within this area would be of a higher density (35-50 dwellings per hectare) with a higher proportion of apartments, town houses and semi-detached properties (see Table 1, pages 13-14, of SPG). The indicative housing allocation for the application site is 100 dwellings based on a density of 50 DPH (see Appendix 4 of SPG).
5.3	The proposed residential development would provide 56 houses which falls significantly below the indicative housing numbers and high density aspired for by The Works Design and Masterplan SPG. However, it is recognised that a number of site constraints have reduced the amount of land available for built development. These include the retention of the belt of protected trees and flooding issues along the eastern boundary of the site, the retention of a smaller group of protected trees in the north-western corner of the site and the need for additional land in order to meet Sustainable Drainage Systems (SuDS) requirements. The requirement for SuDS only came into effect after the SPG was adopted and the applicant has demonstrated that when the areas of constraint are removed from the housing density calculation (i.e. the calculation is based on net rather than gross developable area) the proposed housing density on the site would be above the lower range figure of 35 dwellings per hectare identified by The Works Design and Masterplan SPG. As such, I am satisfied that the proposed housing density is acceptable.
5.4	In terms of the type of housing, the proposed residential development would comprise of a mixture of flats, short terraces, and semi-detached and detached houses. The proposed flats and a block of terraced properties at the northern end of the site would also be designated as affordable housing. Among other things, Policy SP4 seeks to secure a mix of dwelling types, sizes and tenure in order to create mixed and balanced communities and meet the housing needs. The Team Manager – Development Plans has confirmed that the most recent Housing Market Assessment (May 2019) identifies a need for all of the housing types proposed. It is, however, noted that the market need is greatest for 2 bed properties followed closely by 3 bed properties with less need for 4 and 1 bed properties. Whilst the proposed market housing types are heavily weighted towards 3 bed properties, I am satisfied that the proposed residential development has a sufficient mix of house types that would positively contribute to meeting the housing needs of local residents. As such, the



proposal is considered to be in accordance with the requirements of strategic housing policies SP4 and SP5.

### Flood Risk

5.5

The River Ebbw is located just to north east of the application site on the far side of Steel Works Road. The River Ebbw enters a large culvert at this location and remains culverted for a length of 160m where it subsequently discharges into an open channel south of the site. The majority of the application site, including all areas where houses are proposed to be located, falls outside of the Flood 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). There are, however, certain areas of land within the application site that fall within this flood zone. In particular, the tree covered area of land that runs along the eastern boundary of the site (shown at the top of Figure 2 below, adjacent to Steel Works Road) falls within Flood Zone C2. This is primarily due to it being at a lower land level than the majority of the site that has previously been raised and re-profiled to create a development plateau (planning permission C/2009/0023 refers). No built development is proposed on this lower lying area of land.



Figure 2 – Extent of Flood Zone C2 (Hatched blue)

5.6

Flood Zone C2 also extends beyond this lower lying tree covered area onto the development plateau where built development is proposed. The extent of the conflict between built development and this flood zone is however limited to the following:

	<ul style="list-style-type: none"> <li>• the rearmost part of the gardens of plots 22, 27, 28 and 29, which would back on to the tree covered area;</li> <li>• the footpath and gardens to the front of plots 35, 36 and 37, which would be located opposite the General Offices and Gwent Archive building; and</li> <li>• the internal site access road, gardens and off-street parking spaces to the front of plots 15 and 16, which would be located toward the north-eastern end of the application site.</li> </ul>
5.7	<p>Flood Zone C2 is described as an area of floodplain without significant flood defence infrastructure (see Figure 1 of TAN 15). TAN 15 categorises all residential uses as highly vulnerable development, and Paragraph 6.2 indicates that new development should be directed away from Zone C and that highly vulnerable development should not be permitted in Zone C2. The proposed development would therefore conflict with national policy and it is on this basis that the Team Manager – Development Plans has raised an objection to the proposed residential development.</p>
5.8	<p>Notwithstanding the above, a Flood Consequence Assessment (FCA) and additional letter containing technical information on the rate of rise of flood water has been submitted with the application. Natural Resources Wales (NRW) has reviewed the FCA and additional letter which are based on the finished floor levels (FFLs) being set at a minimum of 274.23m AOD. The findings of this assessment with the advice of NRW, where appropriate, are as follows:</p> <ul style="list-style-type: none"> <li>• During 1% (1 in 100 year) and 1% (1 in 100 year) plus 25% for climate change annual probability fluvial flood events, the application site would remain entirely flood free.</li> <li>• During a 0.1% (1 in 1000 year) annual probability fluvial flood event, the development plateau would be flood free with any flooding confined to the lower area of tree covered land adjacent to the eastern boundary of the site.</li> <li>• During a 1% (1 in 100 year) plus 25% for climate change (with a 50% blockage of the culvert) annual probability fluvial flood event, NRW have indicated that the proposed properties and gardens would be flood free.</li> <li>• During a 0.1% (1 in 1000 year (with a 50% blockage of the culvert)) annual probability fluvial flood event, the proposed properties are predicated to flood to a maximum depth of 200mm at a maximum velocity of 0.5m/s. NRW has confirmed that the maximum flood depths are within the tolerable limits set out within TAN 15. The maximum velocity would, however, exceed the tolerable limit set out within TAN 15 and result in a Flood</li> </ul>

	<p>Hazard rating below 0.75 which is classed as a 'Very Low Hazard – Caution'.</p> <ul style="list-style-type: none"> <li>• During a 0.1% (1 in 1000 year (with a 50% blockage of the culvert)) annual probability fluvial flood event, the maximum rate of rise of water on the development plateau is 0.041 m/hr. NRW has confirmed that this maximum rate of rise is within the tolerable limits set out within TAN 15. The maximum rate of rise of water on the lower area of tree covered land adjacent to the eastern site boundary is 2.18 m/hr, which exceeds the tolerable limits set out within TAN 15. However, as indicated above, this lower area of land would remain undeveloped as part of the proposed residential development.</li> <li>• The extent, frequency and impacts of flooding elsewhere would be unchanged as a result of the proposed residential development, which meets the flood consequence requirements within TAN 15.</li> <li>• The proposed management of any residual flood risk is set out in section 4.3.1 of the FCA, which includes ensuring a minimum FFL of 274.23m AOD on the site's development plateau and leaving the tree covered area of land that runs along the eastern boundary of the site undeveloped.</li> </ul>
5.9	<p>There is a clear conflict between flooding related planning policies (TAN 15 and LDP Policy SP7) and the housing allocation policies within the LDP (Policies MU2 and H1). On the one hand, the proposed residential development is deemed acceptable in land use terms by LDP allocations, while on the other, TAN 15 and LDP Policy SP7 indicates that highly vulnerable development, such as residential development, should not be permitted in Flood Zone C2.</p>
5.10	<p>This conflict has occurred for two main reasons. Firstly, the lower lying tree covered area of land adjacent to the eastern boundary has been included within the application site despite being retained in its current undeveloped form and remaining somewhat segregated from the main development plateau by existing topography and various forms of proposed boundary treatment. I am also of the understanding that this undeveloped area of land will now remain within the ownership and control of the Council. As such, even though this area of land falls within application site boundary, I am of the view that it can be treated as if it doesn't form part of the proposed residential development. Accordingly, I only afford limited weight to the risk and consequences of flooding on this particular area of land.</p>
5.11	<p>The second reason for the conflict relates to the fact that it was anticipated that the land raising and re-profiling works previously undertaken on the site would create a development plateau that would fall outside of the Flood Zone</p>

	<p>C2. However, when the most recent Development Advice Maps were published by NRW in 2019, small areas of the development plateau, particularly along the south-eastern edge and the north-eastern part of the site, remained within Flood Zone C2. Whilst these identified areas of flood risk are small with no proposed houses to be located within them, it must be acknowledged that a strict application of national and local flooding related policies would render the proposed residential development unacceptable in principle. If this position were to be taken, the justification tests and the acceptability of the consequences of flooding as set out in paragraph 6.2 of TAN 15 should not be applied. However, in my view, a more balanced approach is required in this instance in recognition of the fact that the application site is allocated for housing within the adopted LDP based on it being a brownfield site that forms part of the Council's regeneration initiative for 'The Works' site.</p>
5.12	<p>The submitted FCA and additional letter containing technical information on the rate of rise of flood water confirms that the application site's main development plateau remains flood free for all modelled events up to and including the 0.1% (1 in 1000 year) flooding event in the free-flowing scenario. When a 50% blockage scenario of the nearby culvert is considered for 1% (1 in 100 year) plus 25% climate change flooding event, NRW has confirmed that the proposed properties and gardens would not be affected by flooding. I note that this modelled scenario appears to most closely resemble the spatial extent of the Flood Zone C2 designation covering the application site as shown on the Development Advice Map.</p>
5.13	<p>The worst case scenario modelled, 0.1% (1 in a 1000 year) flooding event with a 50% culvert blockage, predicts that most, but not all, of the application site would experience flooding. However, an extreme flooding event of this nature appears to go beyond the modelling used to define the Flood Zone C2 on the Development Advice Maps. Moreover, NRW are satisfied that the risks and consequences of flooding could be managed to an acceptable level provided the mitigation measures set out in paragraph 4.3.1 of the FCA are secured via condition. The recommended mitigations measures include ensuring that a minimum finished floor level of 274.23m AOD is achieved and any significant low points or topographic depressions are filled in order to minimise the risk of surface water ponding. Whilst I note that the submitted topographic survey of the application site indicates that the ground levels of the development plateau are currently above this minimum ground level, I consider it pertinent to take precautionary approach and secure details of the final finished floor levels of all houses and their curtilages via condition. I also recommend that a detailed flood evacuation plan is secured via condition in order to ensure that the consequences of flooding are adequately managed in the event of a worst</p>

case flooding scenario. The flow and management of surface water on the site will be controlled and approved via a separate consent considered by the SuDS Approval Body.

#### Layout, Scale and Design

- 5.14 In terms of site layout, the proposed development provides a good urban presence by fronting the houses on to Lime Avenue to the west (see figure 3 below) and towards the General Offices building along the southern boundary of the site. The proposed townhouse style terrace blocks have been revised to increase the mass of the buildings on prominent corners and vertically emphasised feature windows have been added to the side elevation of certain blocks to help articulate the turning of the corner and create more of a gateway into the site off Lime Avenue. Modern style roof dormers have also replaced the central 3 storey gables on two of the blocks in order to provide a more varied roof-scape and visual interest along Lime Avenue.



Figure 3 – Townhouse style terrace blocks fronting Lime Avenue

- 5.15 Within the site itself, the houses also predominately front on to the internal roads, providing active frontages and natural surveillance of the public realm (see Figure 4). Houses proposed on prominent corner plots are also articulated to turn the corner through the use of dual aspect rooms containing both front and side windows. I note that only one of the private parking courts has a house fronting directly on to the entrance, providing good levels of natural surveillance. However, in respect of the other private parking courts, I am satisfied that sufficient levels of natural surveillance would be provided by the windows incorporated into the side elevations of the proposed houses adjacent to the entrances in conjunction with overlooking from the proposed houses located immediately opposite. The additional east-west pedestrian link between Lime Avenue and Steel Works Road, and north-south pedestrian link through the site, would also benefit from natural surveillance as well as



providing good levels of access through the site and connectivity with nearby community facilities and services, such as the train station.



Figure 4 – Examples of proposed detached and semi-detached houses which overlook the public open space/attenuation basin located in the south-western corner of the site

- 5.16 In terms of scale and design, I am of the opinion that the proposed two and three storey houses would be appropriate within the local context. The mix of house types in the form of short terraces, and detached and semi-detached houses would also ensure a diverse housing stock and visually interesting street scene. The proposed houses are a mix of both traditional and more contemporary design, and in order to break up the facades of the buildings and provide architectural interest, a mix of materials and textures are proposed. The latter includes a mixture of blue band brick plinth with red brick and white render. The roofs would be finished in slate effect roof tiles and the doors and windows frames would comprise of dark grey wood effect UPVc. Whilst I consider this design approach to be acceptable in principle, I recommend that a condition is imposed requiring the submission of sample materials. Such a condition would provide sufficient flexibility to secure alternative materials more in line with The Works Design Codes: Masterplan Update if those originally submitted were found to be unacceptable.
- 5.17 Whilst I acknowledge that not all of the design requirements set out within the adopted Phase 1 – Northgate Design Brief and The Works Design Codes: Masterplan Update would be met by the proposed residential development, I am satisfied that the proposal would be in accordance with the general thrust of the guidance. Overall, I am of the opinion that the proposed residential development would be of a good design and in keeping with the character and appearance of the street scene and surrounding area. As such, the proposal is considered to be in accordance with requirements of Policies DM1 and DM2 in terms of design and placemaking.

<p>5.18</p> <p>5.19</p> <p>5.20</p> <p>5.21</p>	<p><u>Highways and Parking</u></p> <p>In terms of vehicular access, the proposed residential development would utilise the two existing bell mouth junctions off Lime Avenue, which adjoin the western boundary of the site. The existing gated access at the north-eastern corner would be closed off from the application site and would effectively become a private drive for “The Croft” property located just to the north.</p> <p>Lime Avenue is the main spine road which has been designed to serve all of the development plateaus within ‘The Works’ site, including the proposed residential development on the application site. Accordingly, the need for vehicular access to be solely off Lime Avenue is set out in the adopted Phase 1: Northgate Site Development Brief and the Team Manager – Built Environment has raised no objection to the proposed residential development given that Lime Avenue has been designed to accommodate the associated traffic movements. I am therefore satisfied that the proposed residential development would not detrimentally affect the safe, effective and efficient use of the highway network.</p> <p>In respect of onsite car parking provision, the proposed residential development would be served by a mixture of off-street parking to the side of the proposed houses and private parking courts. The application site is located within a sustainable location with public transport and local facilities all within close proximity to the site. Based on these sustainability credentials, a reduction of one parking space for each 2, 3 and 4 bedroom house is acceptable. The proposed residential development would at least meet the minimum car parking requirement for each house, with additional parking spaces provided through the provision of garages in certain instances. The Team Manager – Built Environment has confirmed that the proposed level of car parking is appropriate to meet the needs of the proposed residential development, but has requested that a Travel Plan (TP) that encourages greater use of non-car modes of transport is secured via condition. A TP can include measures such as the promotion of public transport, walking and cycling provision and car sharing schemes.</p> <p>I am also satisfied that other matters raised by the Team Manager – Built Environment, such as the appropriate provision of the car parking spaces, access roads, footways, street lighting and the closing off of the gated access located in the north-eastern corner of the site can be addressed via suitably worded conditions. Accordingly, the proposed residential development is considered to be in accordance with Policy DM1 in respect of highways and parking matters.</p>
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5.22	<p>It is noted that vehicular access and highway safety concerns were contained within the correspondence received as part of the public consultation exercise. In summary, a preference for a vehicular access off Steel Works Road was highlighted and highway capacity and safety issues in respect of both Steel Works Road and Lime Avenue were raised. The Team Manager – Built Environment has considered these matters and has confirmed that a transport assessment was submitted with the original planning application for ‘The Works’ site and all key junctions and roads that were identified as requiring upgrading works have been completed. Steel Works Road was assessed at this time, and subject to the identified upgrades, was demonstrated as having sufficient capacity to accommodate all of the proposed traffic movements associated with ‘The Works’ development site. He also indicates that the Highway Authority is not aware of any significant issues in this area and notes that it is not uncommon for vehicles accessing directly onto the principal highway network from side streets to experience some minor delays merging with traffic at peak times.</p>
5.23	<p>With regard to Lime Avenue, the Team Manager – Built Environment has stated that the Highway Authority is aware of high levels of traffic along Lime Avenue at peak times. However, this is considered to be temporary in nature and is expected due to the proximity to the school and college. Moreover, there are alternative traffic routes from the principal highway network to Lime Avenue that vehicles can use to access this particular development.</p>
5.24	<p><u>Landscaping and Trees</u></p> <p>There are limited number of natural features on the application site given its previous use and subsequent land raising and re-profiling works. However, there are two distinct areas of tree cover on the application site that have high landscape value: a band of trees running along the eastern boundary of the site and a smaller group of trees in the north-western corner. Both groups of trees are covered by Tree Preservation Order BG100.</p>
5.25	<p>Only four trees within the north-western corner of the site are proposed to be removed as part the residential development. The submitted Tree Survey Reports classify all of these trees as unsuitable for retention because they are suffering from Ash dieback, have poor physiology or are liable to failure and a safety risk. The Team Manager – Natural Environment has confirmed that pre-application consultation has taken place with the applicant and no objection is raised to the removal of these trees which have a low retention value. The proposal would therefore accord with Policy DM16 in relation to the protection of trees.</p>



5.26	<p>The submitted Landscape, Biodiversity and Amenity Strategy Plan illustrates how the existing groups of protected trees would be retained and integrated with proposed landscaping features which form a key component of the sustainable drainage scheme that would serve the proposed residential development. These include proposed shrub and herbaceous beds to the frontages of houses and rain gardens, proposed wildflower grassland within the attenuation basin/ public open space and a proposed mix of grasses and herbaceous planting within the swales. New tree planting would also be undertaken at key locations across the site, most notably within the new area of public open space adjacent to the Mill Stand Monument and opposite the General Offices and Gwent Archives building.</p>
5.27	<p>The Team Manager – Natural Environment has confirmed that the landscaping proposals include both a robust replacement tree strategy and utilise the green infrastructure to good effect as a sustainable drainage scheme. I am also satisfied that the proposed residential development would incorporate an appropriate mix of boundary walls, fences, block paving, paving slabs and tarmac finishes to hard landscape areas that would define private, semi-private and public spaces. Final detailed designs of both the hard and soft landscaping scheme can be secured via condition. I also recommend that permitted developments rights are removed for the erection of gates, fences, walls or other means of enclosure given the visual prominence of the application site and the high design standards set for ‘The Works’ site as a flagship regeneration scheme.</p>
5.28	<p>I am therefore of the view that the proposed soft and hard landscaping schemes would provide an appropriate visual setting and allow the proposed development to integrate effectively with the street scene and surrounding area. Accordingly, the proposal would meet the requirements of Policy DM2 in respect of hard and soft landscaping matters.</p>
5.29	<p><u>Affordable Housing and Other Planning Obligations</u></p> <p>Policy SP4 seeks to deliver a mix of dwelling types, including at least 335 affordable dwellings over the plan period. To help meet this requirement, Policy DM7 seeks to secure 10% affordable housing on all residential proposals subject to evidence of affordable housing need, viability considerations and other criteria relating to the size of the proposed development.</p>
5.30	<p>The proposed residential development would provide 5 affordable houses on site, comprising of 2no. one bedroom flats and 3no. two bedroom houses. The Team Manager – Development Plans has confirmed that the latest Housing Market Assessment (May 2019) identifies a need for such properties within the</p>

	local area, and the Residential Development Officer has confirmed that the proposal will go some way towards meeting the social housing needs of the residents of Blaenau Gwent.
5.31	Notwithstanding the acceptability of the types of affordable housing proposed, the provision of only 5 affordable houses on the site would fall short of the 10% contribution required for the 56 houses proposed in total. As such, in accordance with the requirements of Policy DM7 and the adopted Planning Obligations Supplementary Planning Guidance, the applicant has also agreed to provide a commuted sum that would cover the 0.6 of a house. A Section 106 agreement would be required to secure the provision of the 5 onsite affordable houses and the related commuted sum. The tenure of affordable houses (e.g. social rent or low cost home ownership) would be agreed at this stage.
5.32	In addition to affordable housing, Policy DM3 requires new development to meet the infrastructure needs that it generates, including the improvement or provision of infrastructure, services and community facilities. Whilst no request has been received for a financial contribution in respect of education, the Leisure Department has identified a need for sport/play facilities within the Ebbw Vale North Ward and requested a financial contribution towards the provision of new offsite facilities. The latter is also supported by Policy DM12 which seeks to secure the provision of outdoor sport and play facilities with all new residential developments of 10 or more units. As such, a financial contribution has been sought for £130,000 towards the provision of a new wheeled sports facility (e.g. skateboard park) elsewhere on 'The Works' site. I am satisfied that a financial contribution of this nature would meet the three planning obligation tests set out under the Community Infrastructure Levy regulations. The applicant has also agreed for the financial contribution to be secured as part of the Section 106 agreement highlighted above.
5.33	I am therefore of the view that, subject to the completion of a Section 106 agreement, the proposed residential development would make an appropriate contribution to the provision of affordable housing within the local area and meet the infrastructure needs that it generates. Accordingly, the proposal is considered meet the requirements of policies SP4, DM3, DM7 and DM12.
5.34	<p><u>Residential Amenity</u></p> <p>The only residential property that adjoins the application site boundary is 'The Croft' located to the north. A Ward Member has raised concern over potential overlooking issues between this existing property and proposed house/flat plots 9-13. A separation distance of at least 21m would be maintained between this neighbouring property and the proposed houses/flats, which is considered</p>

	sufficient to avoid any unacceptable overbearing, overshadowing or overlooking impact on the residential amenity of the occupiers. The proposed 1.8m high close board fence to the rear of the proposed houses/flats would also provide adequate screening between the newly created rear gardens and the front drive/parking area of 'The Croft'.
5.35	The closest residential building to the west is 'The Rookery' care home which is located at least 27m from the proposed houses that front on to Lime Avenue. This property is also at a higher land level than Lime Avenue and benefits from landscape screening in the form of trees along much of its rear boundary. As such, I am satisfied that the proposed residential development would not have a detrimental impact on the residential amenities of the occupiers of this building.
5.36	To the east of application site is residential area of Heol Cae Ffwrnais, which is separated from the application site by Steel Works Road. The latter is largely screened on both sites by belts of trees and a significant separation distance of approximately 50m would separate existing and proposed dwellings. As such, I am satisfied that the proposed residential development would not have a detrimental impact on the residential amenities of the occupiers of Heol Cae Ffwrnais.
5.37	The proposed house plots 35-37 would be located in closest proximity to the General Offices and Gwent Archive building to the south. An adequate separation distance of at least 20m would be maintained between the existing and proposed buildings and I am satisfied that the amenity of the users of the General Offices and Gwent Archive building would not be unduly affected given its employment use.
5.38	The Specialist Environmental Health Officer has indicated that a construction and environmental management plan should be secured as part of any planning permission that is granted. I agree that a condition of this nature is necessary given the sensitive land uses within the local area, such as education buildings and residential properties.
5.39	With regards to the residential amenity of the future occupiers of the development, I am of the view that the proposed residential use would be compatible with surrounding neighbouring land uses which includes a mixture of residential, employment and community uses. I note that the adopted Phase 1: Northgate Site Development Brief indicates that a noise survey should be undertaken as part of the proposed development. The Specialist Environmental Health Officer has not, however, requested a survey of this nature or raised any concerns in respect of noise impacts.

5.40	The proposed layout, building orientations and window arrangements would prevent any direct overlooking between the habitable room windows of the proposed houses. I am also satisfied that the future occupiers of the houses would not experience unacceptable levels of overbearing or overshadowing from neighbouring buildings. All of the proposed houses would be provided with adequate private garden space, and whilst I note that some of the proposed private gardens are not overly generous in terms of size, this is not uncommon in an urban environment. The immediate area also benefits from additional outdoor public amenity space in the form of the nearby square which is readily accessible to future occupiers.
5.41	Notwithstanding the adequacy of the provision of private amenity space, I recommend the removal of permitted development rights for the erection of extensions and other alterations to the houses and the erection of curtilage buildings given the restrictive nature of some of the plots. This control over future development is also necessary given the visual prominence of the application site and the high design standards set for 'The Works' site as a flagship regeneration scheme.
5.42	Overall, I am of the opinion that the proposed residential development would not have an unacceptable impact on the residential amenity of the occupiers of the surrounding properties or the future occupiers of the site. As such, the proposal is considered to be in accordance with Policy DM1 in respect of this matter.
5.43	<p><u>Historic Environment</u></p> <p>There are a number of historic assets located within the vicinity of the application site. Most notably, the British Steel Tinsplate Works General Office listed building (Grade II*) is located adjacent to the southern boundary of the site. In the wider area, the Furnace Bank (Grade II) and Newtown Bridge (Grade II*) are located approximately 80m to the north-east and over 200m to the north of the application site respectively. The Mill Stand, which is a retained rolling mill historical feature from the former Steelworks site, is also located immediately adjacent to the south-eastern corner of the site. However this historical feature is not protected by any statutory designations.</p>
5.44	The application site falls within the setting of these historic assets and consideration must therefore be given to the impact of the proposed residential development. Technical Advice Note 24: The Historic Environment (TAN 24) describes the setting of an historic asset as:

	<i>“...the surroundings in which it is understood, experienced, and appreciated embracing present and past relationships to the surrounding landscape. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.” (paragraph 1.25)</i>
5.45	In accordance with the requirements of TAN 24, the applicant has prepared a Heritage Impact Statement (HIS) which focusses on the closest listed building, namely the British Steel Tinplate Works General Office. This building is listed as a very fine and rare survival of an industrial office complex, with much of its character and detail well-preserved. It was designed by a leading firm of Cardiff architects to an unusually high specification, reflecting the great prosperity of the steelworks in the Edwardian period.
5.46	The setting of The General Offices was always anticipated to evolve as part of the regeneration of ‘The Works’ site and the HIS draws attention to the fact that residential development is considered acceptable in principle on the application site by the very nature of its LDP allocation. The HIS also argues that the site currently detracts from the way in which the heritage asset is experienced given that is bare and open with no relationship to built development. In doing so, it also notes that the surrounding land within ‘The Works’ site is largely developed, enhancing the appreciation of the building as it increases footfall to the area, public awareness of the General Offices building and the wider industrial heritage of the site.
5.47	In terms of the visual impact on the setting of the General Offices building, the HIS acknowledges that there is inter-visibility between the proposed residential development and this Listed Building via the paved area of public space which separates them. The HIR states that the proposal has positively addressed this relationship by fronting proposed houses on to this space and providing a proportionate landscaped area that helps soften the impact. Overall, the HIR states that the proposed residential development has been designed sympathetically to respect and complement the General Offices building, and would contribute positively to the way the asset is appreciated, experienced and understood.
5.48	I broadly agree with the findings of the HIS and am satisfied that the proposed residential development on the application would continue the accepted evolution of the General Offices’ setting into a good quality urban environment. I consider the scale and design of the proposed houses to be respectful of the General Offices building and agree with the findings of the HIS in that the proposals would contribute positively to the public space that separates this

	Listed Building and the application site. As such, I am satisfied that the proposal would preserve the setting of this Listed Building.
5.49	With regard to the other listed buildings within surrounding area highlighted above, a much greater separate distance exists between them and the application site. Existing residential development also forms an established element of the setting of these Listed Buildings, and significant screening exists in the form of both buildings and trees between the application site and these heritage assets. As such, I am of the opinion that the proposal would preserve the setting of the Furnace Bank or Newtown Bridge Listed Buildings.
5.50	The adopted Phase 1: Northgate Site Development Brief indicates that the Mill Stand feature must be retained and its setting enhanced as part of any proposed development. An area of open space, which will also function as an attention basin, is proposed adjacent to the Mill Stand. This would increase the area of public open space surrounding the Mill Stand and, in my view, enhance its setting provided the existing brick wall is removed to enable the integration of existing and proposed spaces. I recommend that the removal of the existing brick wall is secured via an appropriately worded condition.
5.51	I note that the Development Brief indicates that a building record should be commissioned of the Mill Stand feature. However, the Mill Stand is to be retained in its current location and it is noted that the Glamorgan Gwent Archaeological Trust has not advised that a building record of this historic feature should be undertaken. In any event the Mill Stand feature is located outside of the application site boundary and I am of the view that a building record should not be undertaken as part of the proposed development.
5.52	I am therefore of the opinion that the proposed residential development would preserve, and some instances enhance, the setting of heritage assets. Accordingly, the proposal is considered to be in accordance with requirements of TAN 24 and LDP Policies SP11.
5.53	<p><u>Ecology</u></p> <p>An Extended Phase 1 Habitat Survey has been submitted with the application which indicates that the habitats identified on the site have a moderate to low conservation value. The features that are particularly important for wildlife are those located primarily along the boundaries of the site, such as the woodland strip on the eastern part of the site. These features would not be directly impacted by the proposed development.</p>
5.54	In respect of species, the site has been found to have a limited value for protected species mainly due to the urban location of the site and the high

	levels of disturbance. The site has the ability to provide habitat and resources for common birds, bats and reptiles. The wildlife value of the site can, however, be maintained through the retention the woodland areas along the boundaries of the site. These features would also continue to support pollinating insects.
5.55	An additional Ecology Note on Reptiles has been submitted which explains that attempts were made to undertake a reptile survey in March/April and August/September 2020. However, a combination of Covid-19 restrictions and vandalism to, and theft of, the survey equipment installed on site has resulted in both surveys having to be aborted. The Ecology Note indicates that a reptile survey and method statement should be undertaken before any works commence on site, but recommends that they are delayed until planning permission has been granted and the site has been secured to prevent public access.
5.56	The Council's Ecologist has raised no objection to the proposed residential development and agreed that a pragmatic approach should be taken in relation to a reptile survey and method statement, which can be secured via condition. She is also satisfied that the retention of the main wildlife features along the boundaries of the site would maintain the ecological value of the site and the incorporation of native vegetation planting in the proposed landscaping scheme and hedgehog passes in boundary treatments would be of benefit to foraging birds, mammals and insects. Such features can be secured under the related landscaping and boundary treatment conditions. I am also satisfied that other matters raised by the ecologist, such as the removal of invasive alien species of plant and the precautionary approach required during the bird breeding season can be addressed via appropriately worded informatives.
5.57	I am therefore of the opinion that, subject the conditions and informatives, highlighted above, the proposed residential development would not have an unacceptable impact on the ecological interests of the site or the surrounding area. Accordingly, the proposal is considered to be in accordance with LDP Policies SP10, DM1 and DM14 in respect of biodiversity related matters.
5.58	<p><u>Ground Conditions</u></p> <p>In respect of ground stability, a Preliminary Coal Mining Risk Assessment (PCMRA) has been submitted which, among other things, presents the findings of rotary borehole drilling on the site. The PCMRA states that evidence of a void was encountered at one of the rotary boreholes, which may represent coal workings or an underground roadway. The depth of rock-head cover was, however, found to be insufficient to remove any risk of subsidence, and as such, further selective probe drilling is recommended to ascertain the extent of the workings requiring treatment.</p>

5.59	<p>The Coal Authority (TCA) agrees with the recommendations within the PCMRA, but has also highlighted the need for any further site investigation works to also consider the risk of mine gas. As such, TCA has raised no objection to the proposed residential development subject to the imposition of a condition securing further intrusive site investigation work and the submission of the findings and the approval and implementation of a detailed remediation scheme as necessary. I am also of the view that a condition of this nature is necessary to ensure that any land instability is appropriately dealt with and the site made safe for the proposed residential use.</p>
5.60	<p>In terms of ground contamination, the submitted Ground Investigation Factual Report (GIFR) provides information on the ground conditions encountered on the site, in-situ test results, geotechnical and chemical laboratory tests results and ground water monitoring. It does not, however, appear to provide an interpretation of the findings or confirm whether any remediation measures are required to deal with any contamination on site. The Specialist Environmental Health Officer has considered the findings of the GIFR and highlighted the presence of asbestos contamination on the site. However, he raises no objection to the proposed residential development provided that a standard land contamination condition is imposed. I am also of the view that a condition of this nature is necessary to ensure that the site capable of effective remediation and is suitable for its intended residential use.</p>
5.61	<p>In addition, Natural Resources Wales (NRW) has recommended conditions that would protect controlled waters from the mobilisation of contamination as a result of uncontrolled surface water infiltration into the ground and/or piling or any other foundation designs using penetrative methods. A further condition relating to the presence of unsuspected contamination on the site is also recommended. I am satisfied that such conditions are necessary given the findings of the GIFR and as such, I recommend that appropriately worded conditions which address these contamination issues are imposed.</p>
5.62	<p>I am therefore of opinion that, subject to appropriate mitigation and remediation measures being secured via the conditions identified above, the proposed residential development would be acceptable in respect of ground stability and contamination. Accordingly, the proposal is considered to be in accordance with LDP Policy DM1 in respect of these matters.</p>
5.63	<p><u>Drainage</u></p> <p>The proposed residential development would seek to connect foul water drainage to the main public sewerage network and Welsh Water has confirmed that spare capacity exists within the sewerage network and treatment works</p>



	to receive foul flows. I am satisfied that the details of a foul water drainage scheme for the proposal can be secured by an appropriately worded condition. Welsh Water has confirmed that no objection is raised to the proposed residential development in respect of water supply.
5.64	In terms of surface water management, indicative Sustainable Drainage System (SuDS) details have been submitted with the application, indicating that the proposed residential development would incorporate rain gardens and roadside swales that would connect to a detention basin proposed in the southwest corner of the site. As the proposed residential development is for more than one dwelling, these SuDS details will require a separate consent from the SuDS Approval Body. The applicant has confirmed that discussions with the SuDS Approval Body are being undertaken separately to this planning application.
	<u>Conclusion</u>
5.65	In summary, I am of the view that the proposed residential development is acceptable in land use terms and would not have a detrimental impact on residential amenity, protected trees, local biodiversity or the character and appearance of the street scene and surrounding area. Moreover, the proposal is considered to be acceptable in terms of access and car parking provision and would preserve the setting of surrounding listed buildings.
5.66	Whilst it is acknowledged that the proposed residential development would partly fall within a Flood Zone C2, the proposed houses and gardens would largely fall outside of this high risk flood zone and the consequences of flooding have been found to be acceptable under the most extreme flooding event. On balance, I am of the opinion that the risk of flooding is not significant enough to warrant refusal of the application. Accordingly, I recommend that the proposed development be approved subject to the conditions highlighted and the completion of a Section 106 agreement securing affordable housing provision and the leisure related planning obligation.
<b>6. Legislative Obligations</b>	
6.1	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.

6.2	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.
<b>7. Conclusion and Recommendation</b>	
7.1	<p>Planning permission be <b>GRANTED</b> subject to the following condition(s) and the completion of a Section 106 agreement:</p> <p>1. The development shall be completed in full accordance with the following approved plans and documents:</p> <p><u>Approved Plans</u></p> <ul style="list-style-type: none"> <li>• Site Location Plan, Drawing No. SLP-01, stamped received 21<sup>st</sup> August 2020;</li> <li>• Proposed Site Layout Plan, Drawing No. TP-01 (Rev. D), stamped received 4<sup>th</sup> January 2021;</li> <li>• External Works Layout Plan, Drawing No. EW-01 (Rev. C), stamped received 7<sup>th</sup> December 2020;</li> <li>• Windermere House Type Planning Drawings (Plots 4, 5, 35, 37, 52 &amp; 53), Drawing No. WIN-PL-01 (Rev. C), stamped received 7<sup>th</sup> December 2020;</li> <li>• Windermere House Type – Option 2 Planning Drawings (Plots 1, 8, 49 &amp; 56), Drawing No. WIN-PL-02 (Rev. B), stamped received 7<sup>th</sup> December 2020;</li> <li>• Canterbury House Type Planning Drawings (Plots 6, 7, 54, &amp; 55), Drawing No. CAN-PL-01 (Rev. C), stamped received 18<sup>th</sup> January 2021;</li> <li>• Canterbury House Type – Option 2 Planning Drawings (Plots 2, 3, 50, &amp; 51), Drawing No. CAN-PL-02, stamped received 7<sup>th</sup> December 2020;</li> <li>• 2 Bed Affordable House Planning Drawings, Drawing No. 2BAFF-PL-01 (Rev. A), stamped received 7<sup>th</sup> December 2020;</li> <li>• 1 Bed Affordable Flat Planning Drawing, Drawing No. 211AF-PL-01 (Rev. A), stamped received 18<sup>th</sup> January 2021;</li> <li>• Radleigh House Type Planning Drawings, Drawing No. RAD-PL-01 (Rev. A), stamped received 18<sup>th</sup> January 2021;</li> <li>• Radleigh House Type – Option 2 Planning Drawings (Plots 43 &amp; 48 only), Drawing No. RAD-PL-02 (Rev. A), stamped received 7<sup>th</sup> December 2020;</li> <li>• Raglan House Type Planning Drawings, Drawing No. RAG-PL-01 (Rev. A), stamped received 18<sup>th</sup> January 2021;</li> </ul>

- Raglan House Type – Option 2 Planning Drawings (Plots 18, 19 & 33), Drawing No. RAG-PL02 (Rev. B), stamped received 18<sup>th</sup> January 2021;
- Ascot House Type Planning Drawings, Drawing No. ASC-PL-01 (Rev. A), stamped received 7<sup>th</sup> December 2020;
- Plot 40 Garage Planning Drawing, Drawing No. G6-PL-01, stamped received 7<sup>th</sup> December 2020;
- Plot 41 & 42 Garage Planning Drawing, Drawing No. G7-PL-01, stamped received 7<sup>th</sup> December 2020;
- Chepstow House Type Planning Drawings, Drawing No. CHE-PL-01 (Rev. A), stamped received 7<sup>th</sup> December 2020;
- Standard Garage Planning Drawings, Drawing No. G1-PL-01, stamped received 21<sup>st</sup> August 2020;
- Garage Planning Drawings (Garage to Plots 29-31), Drawing No. G2-PL-01, stamped received 21<sup>st</sup> August 2020;
- Garage Planning Drawings – Tandem & Link Garage, Drawing No. G3-PL-01 (Rev. A), stamped received 22<sup>nd</sup> October 2020;
- Garage Planning Drawings – Triple Garage, Drawing No. G4-PL-01, stamped received 21<sup>st</sup> August 2020; and
- Standard Carport Planning Drawings, Drawing No. G5-PL-01, stamped received 21<sup>st</sup> August 2020.

#### Approved Documents

- Flood Consequences Assessment – Northgate, The Works Site (dated April 2018, prepared by Wallingford HydroSolutions Ltd, stamped received 21<sup>st</sup> August 2020;
- Preliminary Coal Mining Risk Assessment – Northgate, Plot MU13, Ebbw Vale, Reference: 15991/CMRA (dated 31<sup>st</sup> March 2020), prepared by Terra Firma (Wales) Ltd, stamped received 21<sup>st</sup> August 2020; and
- Extended Phase 1 Habitat Survey – Northgate, Ebbw Vale, Blaenau Gwent, Reference: AEUK 1059b (dated 2<sup>nd</sup> November 2020), prepared by Alder Ecology UK Ltd, stamped received 3<sup>rd</sup> November 2020.

Unless otherwise specified or required by conditions listed below.

Reason: To clearly define the scope of this permission.

2. Notwithstanding the details forming part of the submitted plans, prior to the commencement of development full details of a scheme showing how foul water will be dealt with shall be submitted to and approved in writing

	<p>by the Local Planning Authority. None of the dwellings hereby approved shall be occupied until all foul water drainage works relating to that dwelling and its connection to the wider drainage network are completed in accordance with the approved details.</p> <p>Reason: To ensure that effective drainage facilities are provided for the proposed development and that no adverse impact occurs to the environment or the existing public sewerage system.</p> <p>3. Notwithstanding the details forming part of the submitted plans, prior to the commencement of development details of the finished floor levels and curtilage ground levels of all dwellings shall be submitted to and approved in writing by the Local Planning Authority. The dwellings and their curtilages shall be constructed in full accordance with the approved details before the dwellings hereby approved are occupied.</p> <p>Reason: To ensure that adequate flood mitigation measures are incorporated into the development.</p> <p>4. Notwithstanding the details forming part of the submitted plans, the construction of any dwellings hereby approved shall not commence until samples of all external finishes to the dwellings, garages, car ports and all hard landscaped finishes have been submitted to and approved in writing by the Local Planning Authority. All dwellings and garages, car ports and hard landscaping relating to that dwelling shall be erected and completed in accordance with the approved details before they are occupied.</p> <p>Reason: To safeguard the visual and landscape amenities of the area.</p> <p>5. Notwithstanding the details forming part of the submitted plans, the construction of any dwellings hereby approved shall not commence until the design, materials and finishes of all boundary treatments have been submitted to and approved in writing by the Local Planning Authority. All approved boundary treatments shall be provided before the dwelling to which they relate is occupied and shall be retained as such at all times.</p> <p>Reason: To protect residential amenity interests and to safeguard the visual and landscape amenities of the area.</p> <p>6. Notwithstanding the details forming part of the submitted plans, no development shall take place until there has been submitted to and</p>
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	<p>approved in writing by the Local Planning Authority a detailed scheme of landscaping. The submitted scheme shall include:-</p> <ol style="list-style-type: none"> <li>details of ground preparation, planting plans, number and details of species;</li> <li>maintenance details for a minimum period of 5 years; and</li> <li>a phased timescale of implementation.</li> </ol> <p>Reason: To ensure submission of an appropriate landscaping scheme and to secure a development that makes a positive contribution to the landscape and visual amenities of the area.</p> <p>7. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following occupation of the dwelling, the completion of the development (whichever is the sooner), or any alternative timescale that may be approved in writing by the Local Planning Authority before works commence on site. Any trees, shrubs or plants which within a period of 5 years from implementation of the planting scheme die, are removed or become seriously damaged or diseased, shall be replaced by one of the same species and size in the next available planting season.</p> <p>Reason: To ensure timely implementation of an appropriate landscaping scheme.</p> <p>8. No development shall take place (including any site clearance works) until there has been submitted to and approved in writing by the Local Planning Authority details of a scheme for the protection of the trees shown to be retained on External Works Layout Plan, Drawing No. EW-01 (Rev.C), stamped received 7<sup>th</sup> December 2020. All works and measures identified in the approved scheme shall be implemented in accordance with timescales to be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure protection of any trees to be retained and to avoid any unnecessary damage to their root system.</p> <p>9. No development shall take place (including any site clearance works) until a reptile survey and method statement have been submitted to and approved in writing by the Local Planning Authority. All works and measures shall be implemented in full accordance with such details and timescales as may be approved in writing by the Local Planning Authority.</p>
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	<p>Reason: To protect biodiversity interests and ensure that suitable measures are taken to mitigate any adverse impacts on biodiversity.</p> <p>10. None of the dwellings hereby approved shall be occupied until the roads and footways fronting and/or serving that part of the site on which the dwelling is located have been laid out and constructed to a minimum of binder course level, and the street lighting serving that part of the site has been erected and energised in accordance with details to be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure suitable vehicular and pedestrian access to the site and to safeguard highways safety.</p> <p>11. None of dwellings hereby approved shall be occupied until the garage/car port/car parking spaces serving that dwelling have been provided in accordance with the approved plans. All garages/car ports/car parking spaces shall be kept available for the parking of vehicles at all times.</p> <p>Reason: To ensure that the parking needs of the development are adequately met at all times.</p> <p>12. Notwithstanding the details forming part of the submitted plans, no development shall take place until full details of highway works relating to the closure of the existing vehicular access located in north-eastern corner of the application site have been submitted to and approved in writing by the Local Planning Authority. The highway works shall be completed in full accordance with the approved details before all of the dwellings hereby approved are occupied.</p> <p>Reason: To ensure suitable vehicular access to the site and to safeguard highways safety.</p> <p>13. No dwelling hereby approved shall be occupied until a Travel Plan (including a programme of implementation) has been submitted to and approved in writing by the Local Planning Authority. All actions and measures as may be approved shall be implemented in accordance with the approved details.</p> <p>Reason: In the interests of highway safety and sustainable transport.</p> <p>14. The dwelling of plot 39 as shown on External Works Layout Plan, Drawing No. EW-01 (Rev.C), stamped received 7<sup>th</sup> December 2020 shall not be</p>
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occupied until the existing brick wall adjacent to the western and southern curtilage boundary of the dwelling has been removed in its entirety.

Reason: In the interests of residential and visual amenity.

15. No development shall take place until details of the further intrusive site investigation works recommended in the Preliminary Coal Mining Risk Assessment – Northgate, Plot MU13, Ebbw Vale, Reference: 15991/CMRA (dated 31<sup>st</sup> March 2020), prepared by Terra Firma (Wales) Ltd have been submitted to and approved in writing by the Local Planning Authority. None of the dwellings hereby approved shall be occupied until the recommendations of any site investigation report which is approved by the Local Planning Authority are implemented and the Authority receives a validation report completed by a suitably qualified person that certifies that such measures and/or works have been fully implemented.

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

16. Notwithstanding the Ground Investigation Factual Report submitted in support of this application no development shall take place until an assessment of the nature and extent of contamination has been submitted to and approved in writing by the Local Planning Authority. Such an assessment shall include details of:-
  - a) the nature, extent and type of any contamination and their impacts on land and controlled waters, and details of potential source, pathway and receptor linkages;
  - b) the results of an intrusive site investigation report; and
  - c) any measures identified as necessary to treat/remove the contamination to ensure the site is fit for the proposed use.

The development hereby approved shall not be brought into use until all the measures identified as necessary to decontaminate the site, as contained in a report that is approved in writing by the Local Planning Authority, are implemented and the Authority is provided with a validation report signed by a suitably qualified person that confirms that such measures and/or works have been fully implemented.

Reason: The Local Planning Authority is advised that the site is affected by contamination and considers it appropriate to assess the significance of such contamination before development can proceed.

17. If, during the course of development, any contamination is found which has not been identified in the site investigation required by condition 16 additional measures for the remediation of this source of contamination in the form of a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate all approved additional measures and shall be completed before the development hereby approved is brought into beneficial use.

Reason: To ensure that any unexpected contamination issues are adequately addressed and that suitable mitigation measures are implemented.

18. If piling or any other foundation design using penetrative methods are to be used as part of the method for building construction, the construction of any dwellings hereby approved shall not commence until a foundation assessment that demonstrates there is no unacceptable risk to groundwater has been submitted to and approved in writing by the Local Planning Authority. The foundation works shall be carried out in full accordance with the approved details.

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

19. If infiltration of surface water into the ground is to be used as part of a sustainable drainage scheme for the development hereby approved, no development shall commence until details of the sustainable drainage scheme are submitted to and approved in writing by the Local Planning Authority. No dwellings hereby approved shall be brought into beneficial use until all sustainable drainage works relating to that dwelling and any related connection to the wider drainage network are completed in accordance with the approved details.

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

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



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

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

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

21. No dwelling hereby approved shall be occupied until detailed flood evacuation plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of:-
- 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 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 occupants of the development shall be 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.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking or re-enacting that Order with or without modification), no enlargements, improvements or other alterations to the dwelling(s) shall be constructed other than those expressly authorised by this permission.

Reason: In view of the restricted nature of the site and to enable the Local Planning Authority to appropriately consider the acceptability of any such proposals having regard to the specific character and design standards which are an inherent feature of the development site.

	<p>23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking or re-enacting that Order with or without modification), no garages or other outbuildings shall be erected other than those expressly authorised by this permission.</p> <p>Reason: In view of the restricted nature of the site and to enable the Local Planning Authority to appropriately consider the acceptability of any such proposals having regard to the specific character and design standards which are an inherent feature of the development site.</p> <p>24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking or re-enacting that Order with or without modification) no gates, fences, walls or other means of enclosure (other than those expressly authorised by this permission) shall be erected within the curtilage of the dwelling(s).</p> <p>Reason: To enable the Local Planning Authority to appropriately consider the acceptability of any such proposals having regard to the specific nature, character and design standards which are an inherent feature of the development site.</p> <p>25. The development shall begin not later than five years from the date of this decision notice.</p> <p>Reason: To comply with the requirements of Section 91 of The Town and Country Planning Act 1990.</p>
<b>8. Risk Implications</b>	
8.1	No risks identified.