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Contact:/Cysylltwch â: Democratic Services



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

8th October 2021

Dear Sir/Madam

**PLANNING, REGULATORY & GENERAL LICENSING COMMITTEE**

A meeting of the Planning, Regulatory & General Licensing Committee will be a Hybrid Meeting: Via MS Teams/Abraham Derby Room at the General Offices, Ebbw Vale - 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, 14th October, 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.

2. **APOLOGIES**
- To receive.
3. **DECLARATIONS OF INTEREST AND DISPENSATIONS**
- To consider any declarations of interest and dispensations made.
4. **PLANNING APPLICATIONS REPORT** 5 - 44
- To consider the report of the Team Manager Development Management.
5. **APPEALS, CONSULTATIONS AND DNS UPDATE OCTOBER 2021** 45 - 46
- To consider the report of the Service Manager – Development and Estates.
6. **PLANNING APPEAL UPDATE: MAES Y DDERWEN, CHARLES STREET, TREDEGAR REF.: C/2020/0282** 47 - 64
- To consider the report of the Planning Officer.
7. **APPLICATION: C/2021/0103 SITE: FORMER JOB CENTRE, TREDEGAR PROPOSAL: CONVERSION OF FORMER OFFICE INTO 11 ROOM BED AND BREAKFAST FACILITY WITH RESIDENTIAL UNIT, ASSOCIATED PARKING PROVISION WITH INTERNAL AND EXTERNAL ALTERATIONS AND DECKING** 65 - 86
- To consider the report of the Service Manager – Development and Estates.
8. **POTENTIAL DNS SCHEMES FOR WIND FARMS** 87 - 92
- To consider the report of the Team Manager Development Management.

9. **LIST OF APPLICATIONS DECIDED UNDER  
DELEGATED POWERS BETWEEN 23RD AUGUST  
2021 AND 24TH SEPTEMBER 2021**

93 - 102

To consider the report of the Senior Business Support Officer.

10. **EXEMPT ITEM**

To receive and consider the following report which in the opinion of the proper officer is/are an exempt item taking into account consideration of the public interest test and that the press and public should be excluded from the meeting (the reason for the decision for the exemption is available on a schedule maintained by the proper officer).

11. **ENFORCEMENT CLOSED CASES BETWEEN  
9<sup>TH</sup> JULY 2021 AND 30<sup>TH</sup> SEPTEMBER 2021**

103 - 108

To consider the report of the Service Manager Development.

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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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<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 Applications Report</b>
<b>Report Author</b>	<b>Team Manager Development Management</b>
<b>Report Date</b>	<b>24<sup>th</sup> September 2021</b>
<b>Directorate</b>	<b>Regeneration &amp; Community Services</b>
<b>Date of meeting</b>	<b>14<sup>th</sup> October 2021</b>

**Report Information Summary**

<b>1. Purpose of Report</b>	
To present planning applications for consideration and determination by Members of the Planning Committee.	
<b>2. Scope of the Report</b>	
Application No.	Address
C/2021/0243	Llys Bery, 28 Tanglewood Drive, Blaina, Abertillery, NP13 3JB
C/2021/0172	Ben Wards Field, Brynmawr, NP23 4GU
C/2021/0133	Plot, Land east of Whitworth Terrace, Tredegar
<b>3. Recommendation/s for Consideration</b>	
Please refer to individual reports	

## Planning Report

<b>Application No:</b> C/2021/0243	<b>App Type:</b> Full
<b>Applicant:</b> Mr Thomas Huw Llewelyn Llys Berry 28 Tanglewood Drive Abertillery NP13 3JB	<b>Agent:</b> Mr Thomas Huw Llewelyn Llys Berry 28 Tanglewood Drive Blaina Abertillery NP13 3JB
<b>Site Address:</b> Llys Bery, 28 Tanglewood Drive, Blaina, Abertillery, NP13 3JB	
<b>Development:</b> Retention & completion of decking area, walls, landscaping & enclosures.	
<b>Case Officer:</b>	<b>Sara Thomas</b>



### 1. Background, Development and Site Context

1.1 This application seeks permission to retain and complete a raised decking area within the front garden of a detached residential property. The dwelling is situated within the residential estate known commonly as 'Tanglewood' and is within the settlement of Blaina.

1.2 The site relates to a detached dwelling, which occupies a corner plot bound by highways to the front and side (west). The dwelling is situated at a significantly higher level than the road level to the front, with the garage being situated at a lower level than the ground floor of the dwelling. A three storey dwelling adjoins the north east of the site.

1.3 The decking area is situated to the front of the dwelling on the existing gable and extends to the side (south west) measuring 9.5 metres in width, by 2.9 metres in depth with a height of approximately 3.2 metres to the top of the balustrade (5.3 metres above road level).



Fig. 1.1 Decking to be retained along front boundary and extending to side

1.4 A glazed balustrading is proposed with a steel frame and posts. The application includes a stepped access from the decking area to the front garden. The decking is supported by a brick wall and screened with vegetation. Alterations are also proposed to the ground levels within the front garden, reducing the slope of the garden.

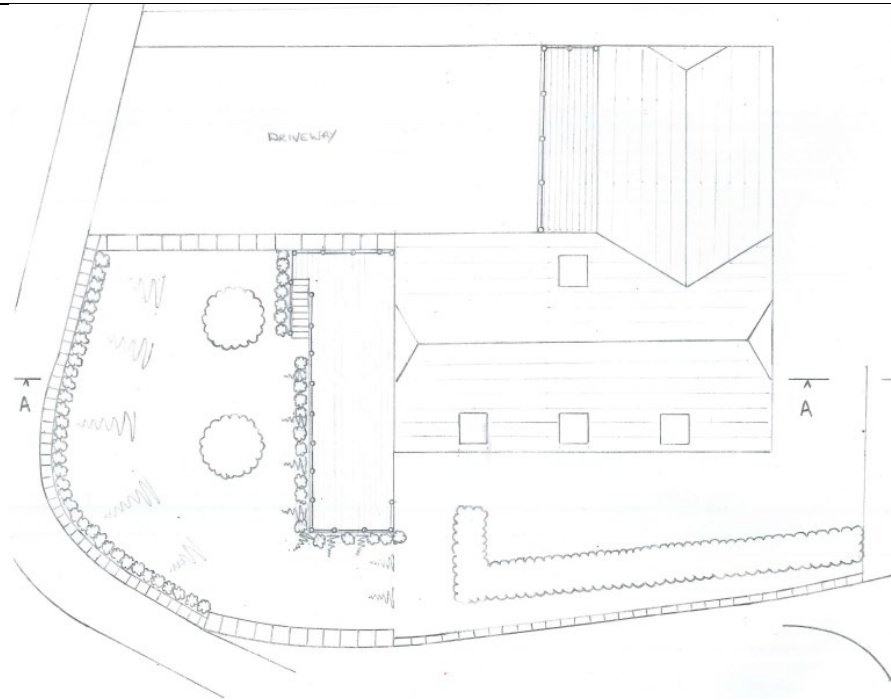


Fig. 1.2 Site Layout Plan

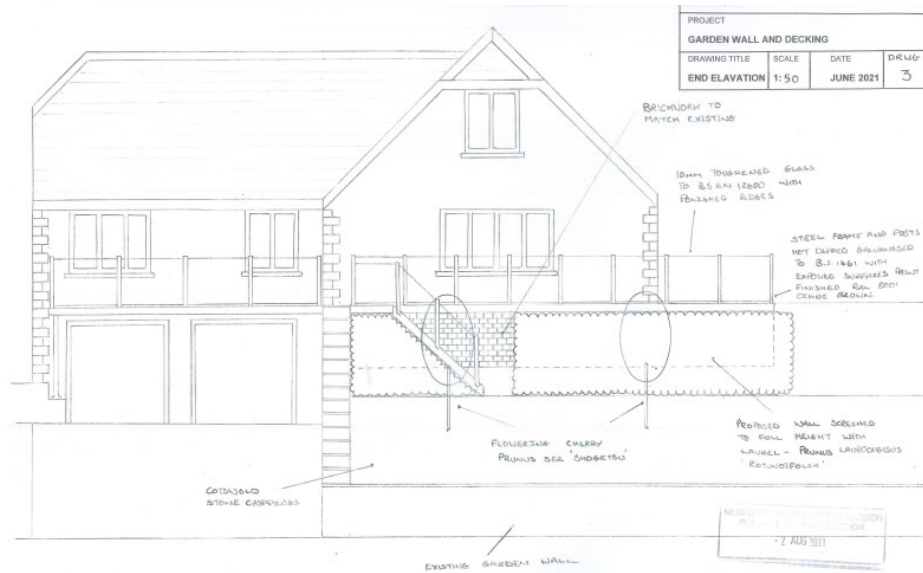


Fig. 1.3 Proposed Front Elevation



PROJECT			
GARDEN WALL AND DECKING			
DRAWING TITLE	SCALE	DATE	DRWG
SIDE ELEVATION	1:50	JUNE 2021	4

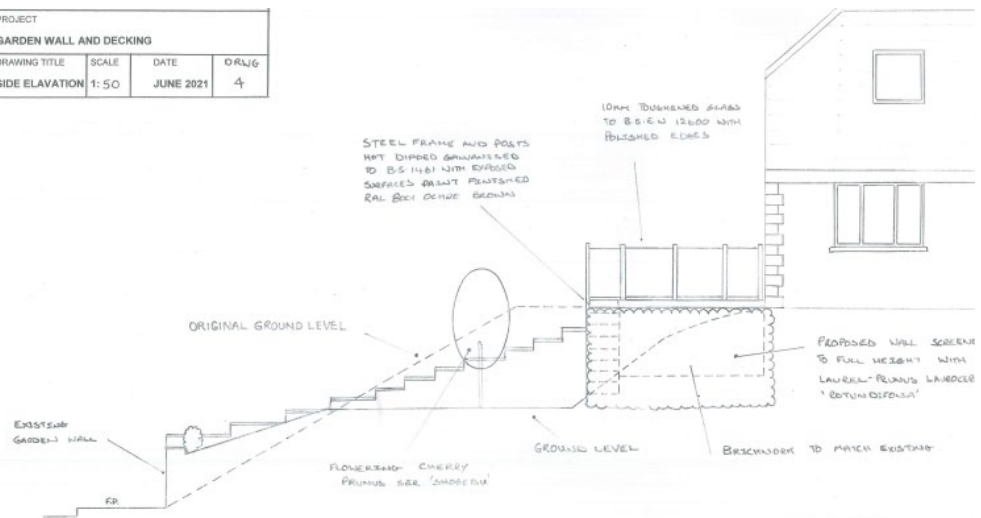


Fig. 1.4 Proposed Side Elevation

1.5 It is noted that works have already commenced at the site, however are yet to be completed. Whilst this is a retrospective application, Members must make a decision based on the merits of the case as if the decking had not yet been constructed.

## 2. Site History

	Ref No	Details	Decision
2.1	None relevant.		

## 3. Consultation and Other Relevant Information

- 3.1 **Internal BG Responses**
- 3.2 **Team Leader Building Control:**  
 Building regulations not required.
- 3.3 **Service Manager Infrastructure:**  
 Highways: No objection, applicant to note that no boundary planting is to impede the driveway vision splays.
- 3.4 **Ground Stability:** Structural calculations for the deck area are satisfactory.
- 3.5 **External Consultation Responses**  
**Town / Community Council:** No objection

3.6	<u>Welsh Water:</u> Request the applicant contact Dwr Cymru Welsh Water to establish the location and status of the sewer as the presence of such assets may affect the proposal.
3.7	<p><b><u>Public Consultation:</u></b></p> <ul style="list-style-type: none"> <li>• 4 letters to nearby houses</li> <li>• website public register of applications</li> <li>• ward members by letter</li> <li>• all members via weekly list of applications received</li> </ul>
3.8	<u>Response:</u>
3.9	No representations have been received.
3.10	A Ward Member has requested that this planning application go before Planning Committee for determination. The reason given is that the Member does not consider that the development will have a harmful effect on the street.
<b>4. Planning Policy</b>	
4.1	<p><u>LDP Policies:</u> DM1 – New Development DM2 – Design and Placemaking</p> <p>SPG Householder Design Guidance (February 2016) Note 7: Raised decks, balconies and retaining walls.</p>
<b>5. Planning Assessment</b>	
5.1	The proposal has been assessed against policies DM1 and DM2 of the adopted Local Development Plan (LDP) and the adopted Supplementary Planning Guidance for Householder development, Note 7 ‘Raised decks, balconies and retaining walls’ (February 2016).
5.2	LDP Policy DM2(a) states that development proposals should be appropriate to the local context in terms of type, form, scale and mix. Policy DM2(b) requires proposals to be of good design which reinforces local character and distinctiveness of the area or positively contribute to the area’s transformation. In the context of this site, the introduction of the raised decking area is an unsightly and very prominent addition within the street scene, contrary to LDP Policy DM2(a) and (b).
5.3	The development is situated to the front of the dwelling and therefore is highly visible within the street scene. The visibility of the development is also

increased due to the elevated position of the existing dwelling and its siting on a corner plot. The decking extends the width of the existing gable, however also projects further to the side of the dwelling. Consequently, taking into account the 2.9m projection of the decking and its extension which is wider than the existing gable, the development is particularly large in scale.



Fig. 1.5 Front Elevation

- 5.4 It is noted that there is an existing glazed balustrading above the garage. However, this balcony area, although situated at the same level as the proposed decking area, is significantly set back from the front elevation. As a result, views of the balcony area above the garage are screened by the gable projection of the existing dwelling when approaching the site from the west. It is also noted that there is an existing balcony/decking area at the adjoining dwelling, however this decking area is much smaller in scale and does not project beyond the front building line of the dwelling.
- 5.5 The street scene consists of dwellings which vary in terms of their scale and design, however the dwellings to the east and south are set at a higher level than the road level to the front. The proposal could therefore set a precedent for similar developments, which would have a detrimental impact on the character of the streetscape.
- 5.6 The materials enclosing the decking area are lightweight and match the existing balustrading. Nonetheless, taking into account the scale, design and siting of the decking area to the front elevation, the development is considered to be a dominant feature which adversely affects the character of the existing dwelling.

- 5.7 The existing dwelling is finished in brick, with a brick wall also proposed to support the decking. Whilst the use of brick is considered to be in keeping with the host dwelling and will also be screened by vegetation, it does not mitigate the harm caused by the scale and mass of the structure in this prominent location. It is acknowledged that the original level of the front garden is rather steep, resulting in amenity space which is not particularly useable. However, as discussed above, this does not justify the provision of raised decking approximately 5.3m above road level.
- 5.8 Supplementary Planning Guidance (SPG) Note 7 on 'Raised decks, balconies and retaining walls' recommends that the decking should complement the character of the existing dwelling and that the scale, massing and materials used should respect the appearance of the dwelling, neighbouring dwellings and the overall street scene. As noted above, it is considered that the decking will appear as a substantial and imposing structure when viewed from the street and wider area and will appear out of place in the context of its surroundings. Furthermore, it could set an undesirable precedent for similar developments within the street, contrary to LDP Policy DM1 and the recommendations within the SPG.
- 5.9 The SPG further advises that if decking is elevated above ground, the impact of the structure and safety fencing could increase the overbearing impact, cause overlooking of neighbouring dwellings and in some cases cause overshadowing. As a result of the decking area projecting to the front of the dwelling it will be visible from the neighbouring dwelling, albeit the neighbouring dwelling is set back from the application dwelling and considering the distance between the dwellings will not result in any significant overlooking. Furthermore, users of the decking area will have views towards the dwellings opposite and to the south west, albeit the distance is fairly substantial.



Fig. 1.6 View from decking



Fig. 1.7 View from decking

5.10 Members are reminded of a recent appeal decision relating to the retention of decking at Hawthorne Glade in Tanglewood (approximately 80m to the west of the site). In the appeal case, the decking is situated to the rear of the dwelling which adjoins the main access road into Tanglewood. As such the decking was highly visible within the surrounding area. An application to retain the decking was refused and an Enforcement Notice was served seeking the removal of the decking. An appeal was made against the Enforcement Notice, however the appeal was dismissed and the Notice upheld. The reasons for refusing the application were due to the adverse visual impact on the street scene and the overbearing impact and loss of privacy to neighbouring properties. Similar concerns in terms of the visual impact are raised to the current proposal.

5.11 In conclusion, the development will adversely affect the character and appearance of the existing dwelling and surrounding area. Moreover, it would set a precedent for similar developments within the surrounding area further eroding the character of the street scene contrary to LDP Policies DM1, DM2 and Supplementary Planning Guidance 'Householder Design Guidance'.

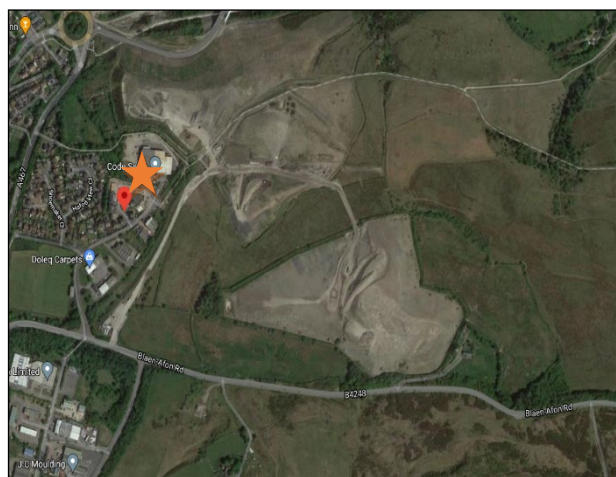
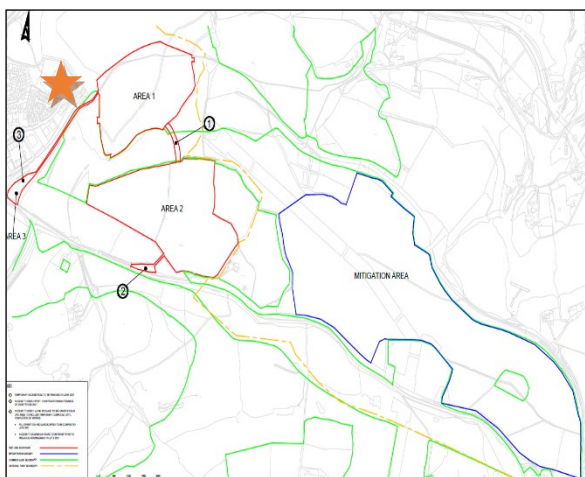
## 6. Legislative Obligations

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

6.2	<p>(Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.</p> <p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>
<b>7. Conclusion and Recommendation</b>	
7.1	<p>Planning permission be <b><u>REFUSED</u></b> for the following reason(s):</p> <p>By virtue of its scale, mass and siting, the raised decking is considered to be an unduly dominant feature that would have an adverse visual impact upon the street scene contrary to policies DM1(2)b and DM2(a),(b) of the Council's adopted Local Development Plan (2012) and the key principles set out in the adopted Supplementary Planning Guidance for Householders: Note 7 'Raised decking and balconies' (February 2016).</p>
<b>8. Risk Implications</b>	
8.1	<p>Granting planning permission contrary to the recommendation of this report undermines the principles of the adopted LDP policies and Supplementary Planning Guidance. Such a decision would demonstrate an inconsistent approach in the planning process and would set a precedent for excessive structures in the locality.</p>

## Planning Report

<b>Application No:</b> C/2021/0172	<b>App Type:</b> Full
<b>Applicant:</b> Mr Mark Jenkins Costain Ltd A465 Section 2 Project Office, Clydach Village Hall, Quarry Rd Abergavenny NP7 0LR	<b>Agent:</b> RPS Group Mr Tim Perkins Lakesbury House Hiltingbury Road Hampshire United Kingdom SO53 5SS
<b>Site Address:</b> Ben Wards Field, Brynmawr, NP23 4GU	
<b>Development:</b> Retention of earthworks including importation of material, re-profiling of existing contours, temporary ancillary works including welfare facilities & parking areas with restoration to grass land with hedgerows & drainage features, for grazing and nature conservation & reinstatement of the rights of way, cycle routes and temporary access point.	
<b>Case Officer:</b>	Steph Hopkins



**Figure 1**

KEY	
①	TEMPORARY ACCESS ROAD TO BE REMOVED IN JUNE 2021
②	ACCESS TO AREA 2 POST- CONSTRUCTION MAINTENANCE OF VEGETATION ONLY
③	ACCESS TO AREA 1 (JUNE 2021) AND TO BEN WARD'S FIELD CPO AREA (TO INCLUDE TEMPORARY COMPOUND UNTIL COMPLETION OF WORKS)
	<ul style="list-style-type: none"> <li>• FILL OPERATION AND LANDSCAPING TO BE COMPLETED LATE 2021</li> <li>• ACCESS TO BLAENAVON ROAD TO BE REINSTATED TO PREVIOUS ARRANGEMENT IN LATE 2021</li> </ul>
	RED LINE BOUNDARY <span style="float: right;">—————</span> MITIGATION BOUNDARY <span style="float: right;">—————</span> COMMON LAND BOUNDARY <span style="float: right;">—————</span> NATIONAL PARK BOUNDARY <span style="float: right;">—————</span>

Orange Star – Techweld, Noble Square

## 1. Background, Development and Site Context

- 1.1 This application seeks planning for permission for the retention of earthworks at Ben Wards Field, Brynmawr. The works include; the importation of material, re-profiling of existing contours, temporary ancillary works including welfare facilities & parking areas, restoration to grass land with hedgerows and drainage features and the reinstatement of the rights of way, cycle route (NR 492) and temporary access point.
- 1.2 The works have been undertaken in conjunction with the current works being carried out for the Heads of the Valleys Road dualling project (HoV2) covering the area between Brynmawr and Gilwern that was consented under the Highways Act 1980 by Welsh Ministers. The material that has been deposited at Ben Wards field was surplus to the design requirements of the new highway.
- 1.3 Members may recall that planning permission was granted for the deposit of surplus material along with other ancillary works on Ben Wards Field in 2016 (C/2015/0382 refers). However, the scheme has now changed due to the need to deposit additional fill within the site, hence the submission of this retrospective application.
- 1.4 In addition to the 2016 permission, planning permission was also granted in 2017 (C/2017/0026 refers) for the temporary widening of the access road onto Blaenavon Road in order to enable safe access for delivering bridge beams and other materials for the construction of the Brynmawr Gateway Bridge. This planning permission included proposals for the reinstatement of the road with replacement hedge and tree planting by 31st November 2018. The reinstatement works have not yet been undertaken and have been added to this current application for consideration.
- 1.5 The 2016 planning permission allowed for the importation of 350,000m<sup>3</sup> of material to an average depth of 1.9m and a maximum depth of 6.5m where there are existing depressions in the land formation. This application seeks to retain the importation of 460,000m<sup>3</sup> with the average depths of material above the Original Ground level (OGL) being between 3.5m and a maximum depth of 16.9m. The areas where surplus material has been deposited are referred to as Area 1 and Area 2 shown in Figures 1 above and 2 below.
- 1.6 At the time of submitting this application, the applicant has substantially completed the earthworks operations and are now in the process of designing the permanent drainage infrastructure and restoring the landscape in line with landscaping proposals for the area. A small site compound in Area 3 will eventually be removed on completion of the works.



- 1.7 The agent confirmed the reasons for importing additional fill above what was granted planning permission in 2016 were:
- The suitability of rock that has been excavated was not as first expected and this has led to further excavation and replacement, resulting in an increase in surplus material.
  - The uncovering of previously unidentified “soft spots” and mine workings beneath some of the main structures have led to deeper excavation as part of the remediation measures prior to construction.
  - Changes to the construction programme have resulted in a change in priority for site won material and imported fill/material (i.e. imported stone was required in advance of when the site won material becoming available for processing into suitable fill on site).
  - The scope and types of retaining walls on the scheme have changed which has resulted in increased excavations in some areas, a reduction in area for deposition and less processed fill being required in the permanent works.
- 1.8 Figures 2-4 below, show the location of Areas 1 and 2 and where sections have been taken which show the original ground level (brown/orange land), the ground level granted permission in 2016 (blue dashed line) and the finished profile level (black line).

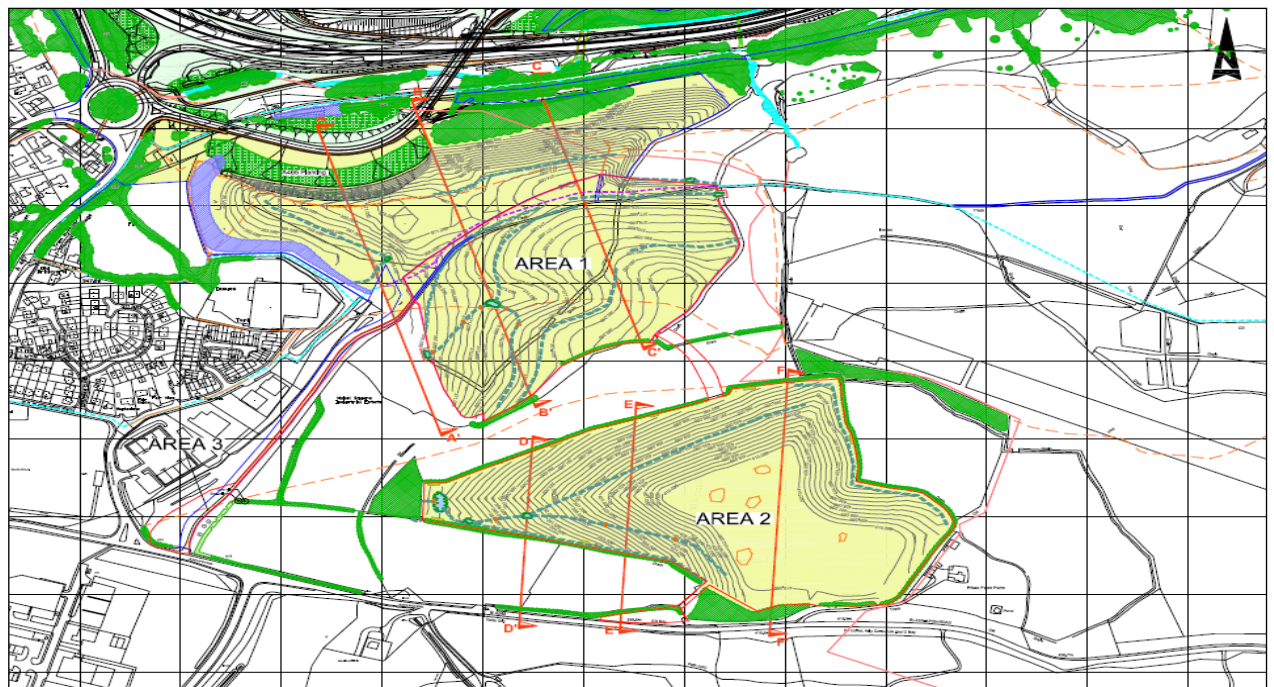


Figure 2 – Site Layout and Section Plan

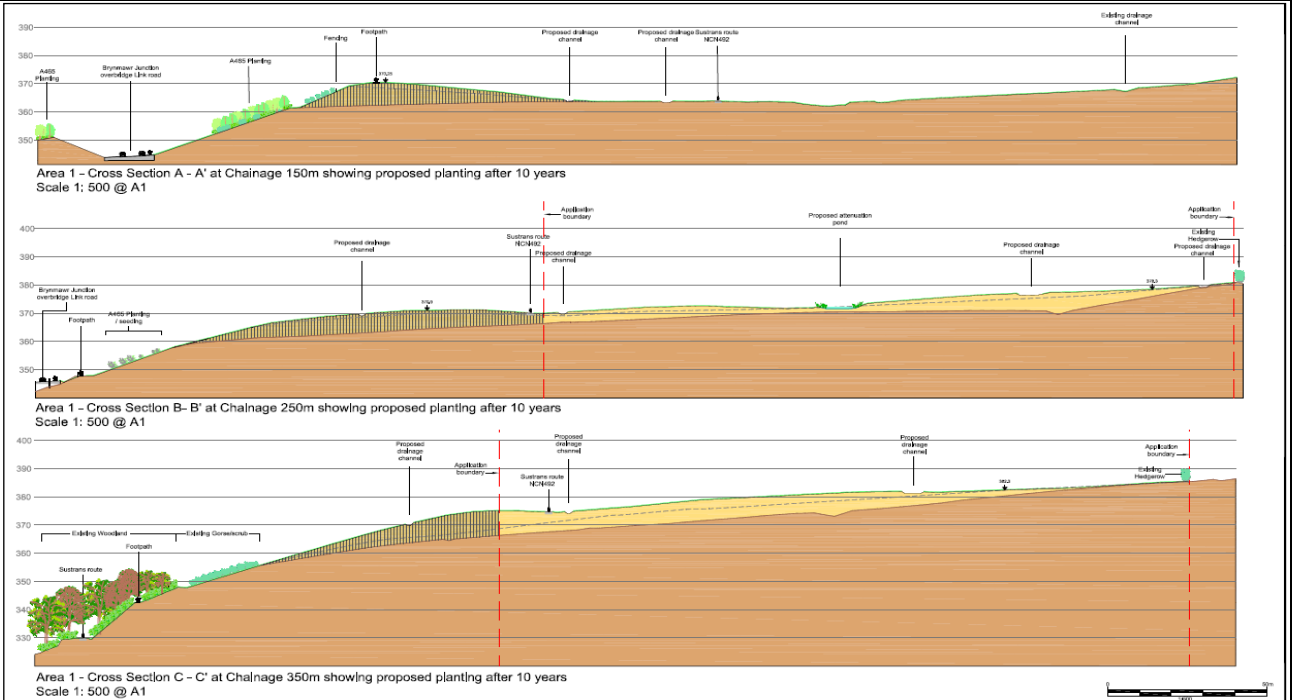


Figure 3 – Area 1 Sections AA-CC

1.9

As can be seen from Figure 3 the levels in Area 1 have been increased from between 1m and 8m in places. The biggest increase is shown in Section C-C where the levels have been increased to tie in with the land form approved under the Highway Consented scheme (hatched area of land outside the redline boundary).

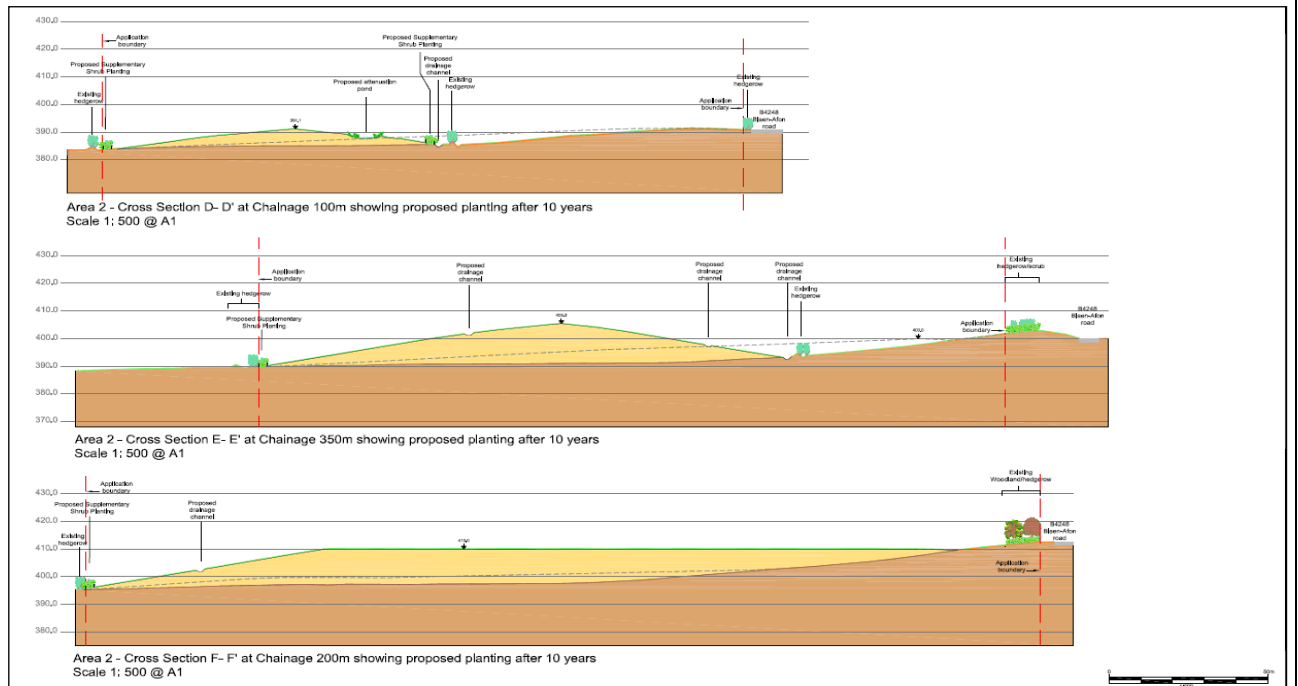


Figure 4 – Area 2 Sections DD - FF

1.10

Area 2 has seen the largest increase in ground levels at approximately 10m in some places.

<p>1.11</p>	<p>The re-profiled areas would be seeded with appropriate seed mix to marry-in with the existing contours and grassland tones of the adjacent land with the planting of new hedgerows and trees. An 8 year landscape and ecological management plan is also proposed. New drainage channels will also be formed together with a small number of ponds/basins.</p>
<p>1.12</p>	<p>The Right of Way running through the site has also been diverted and a new Cycle Way created (which sits adjacent to the location of the original Cycle Way).</p>
<p>1.13</p>	<p>Members will also note that Figure 1 shows an area of land outlined in blue annotated as 'Mitigation Area'. This land does not form part of the planning application, it was used for ecological mitigation measures for lapwing (and other species) during the construction phases as part of the 2016 planning permission. The land sits within the Brecon Beacons National Park boundary (BBNP) and the mitigation area was secured to the 2016 permission via a Unilateral Undertaking. The mitigation works undertaken were successful in increasing vertebrate and amphibian populations over the site but for various reasons had limited success for breeding of Lapwings. Now that the works within Areas 1 and 2 are virtually complete it is the applicant's intention to cease further mitigation works within the blue land and concentrate on ecological measures within Areas 1 and 2. It is anticipated that the topography and landscape features formed within these areas are far more likely to encourage the use and future breeding of lapwing than in the former mitigation area.</p>
<p>1.14</p>	<p>Ben Wards Field is located east of Brynmawr (rear of Techweld and to the north of Blaenavon Road), the application site is south of the Clydach Gorge and the A465. The area comprises in part, a former opencast mining site on higher land at the western end of Clydach Gorge which has been restored to flowing contours and seeded. The site is used for agricultural grazing and informal recreational activities with a public footpath and National Cycle Route (NCR) running through it. To the north of the site are consented works under the Highway Act that comprise of the deposit of material and reprofiling of contours. To the south of the application site lies Blaenavon Road at a slightly elevated level. To the west of Area 1 approximately 120m away is Noble Square Industrial Estate and Milfraen View residential area. The nearest residential property is Rhos Fawr Farm, Blaenavon Road approximately 33m away to the south-east of Area 2 at a similar level to the finished re-profiling works.</p>

1.15	The application has been accompanied by a suite of plans and relevant assessments to fully consider the proposal.
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## 2. Site History

	Ref No	Details	Decision
2.1	93/0268	Phase 1: clinic & administration base, Phase 2: Residential hospice (out)	Withdrawn 24.02.97
2.2	99/0300	Construction of a surfaced pedestrian & cycle path	Approved 11.11.99
2.3	C/2011/0213	Shared use community and cycle route	Approved 07.09.11
2.4	C/2015/0382	Earthworks including importation of material, re-profiling of existing contours, temporary ancillary works including crushing plant, rock processing area, welfare facilities & parking areas with restoration to grass land with hedgerows & drainage features, for grazing & nature conservation & reinstatement of the rights of way.	Approved 18.07.16
2.5	C/2017/0026	Temporary widening of access	Approved 31.3.17

## 3. Consultation and Other Relevant Information

3.1	<b>Internal BG Responses</b>
3.2	<u>Team Leader Building Control:</u> No response received.
3.3	<u>Service Manager Infrastructure:</u>
3.4	<u>Highways:</u> No objections. The applicant is to be advised to liaise with the Highway Authority for all necessary orders/licences for the permanent works.
3.5	<u>Drainage:</u> No objections.
3.6	<u>Ground Stability:</u> No objections.
3.7	<u>Landscape:</u> The landscape officer has had a meeting on site with the developer prior to the retrospective application being submitted and is of the opinion that the profiling has adopted a best fit within the surrounding landscape form and that there

	are no significant impacts on the local landscape characteristics. This is demonstrated by the submitted LVIA. Trying to reduce the additional material now on site would be unsustainable and financially prohibitive with negligible visual gain.
3.8	<p><b>Ecology:</b></p> <p>The altered profiles result in very limited changes in relation to ecology. The changes that this application proposes are positive and relate to the retention of grassland habitat and hedgerow which would have otherwise been lost as part of the 2016 permission. The revised scheme also has beneficial effect on priority and protected species such as bats, reptiles, and invertebrates and changes the focus for land management and mitigation to the earthworks area rather than the adjacent Lapwing Mitigation Area.</p>
3.9	The Landscape and Ecology Management Plan is acceptable as are the revised ecological reports.
3.10	<p><b>Rights of Way:</b></p> <p>Throughout the development a diversion route has been accommodated through the site and maintained for use by the public. The route is well used and fits well into the emerging landscape setting. Whilst its alignment does not follow the original route it would be illogical to require extensive re-profiling works to create the original alignment.</p>
3.11	<u>Service Manager Public Protection:</u>
3.12	No comments to make.
3.13	<b><u>External Consultation Responses</u></b>
3.14	<p><u>Town / Community Council:</u></p> <p>No response received.</p>
3.15	<p><u>Natural Resources Wales:</u></p> <p>The site lies adjacent to the Brecon Beacons National Park (BBNP) and is visible from parts of the park, notably to the north on the south facing slopes of Mynydd Llangatwg. The proposal lies within the setting of the National Park.</p>
3.16	The proposals are generally acceptable and should have no additional significant adverse visual effects on the National Park, over and above the consented scheme.
3.17	However, NRW have raised an objection regarding the removal of some of the hedgerow features which were part of the 2016 consented scheme. They have requested these be reinstated.

3.18	The 'Landscape and Ecology Implementation and Aftercare Plan' is for 8 years, and whilst it is considered to be generally acceptable NRW advise that an ongoing management plan for the site is required to ensure the long-term management of the hedgerows and grassland. The 'Aftercare Plan' refers to the need to ensure appropriate grazing/hay cutting regimes, and in the opinion of NRW a longer-term management plan of 25 years is advised. If the Aftercare Plan is not extended to the suggested timescale, NRW would raise an objection in this regard.
3.19	If the construction works have not been completed, a Construction Environmental Management Plan should be submitted to manage the risks to the protection of groundwater and the surrounding environment.
3.20	<u>WAG – Transport Division</u> WG as Highway Authority for the A465 trunk road does not issue a direction in respect of this application.
3.21	<u>Welsh Water:</u> A drainage strategy for the site should be implemented in full and retained for the lifetime of the development.
3.22	<u>Western Power:</u> Indicate position of apparatus.
3.23	<u>W&amp;W Utilities:</u> Indicate position of apparatus.
3.24	<u>Coal Authority:</u> On the basis that the development has been undertaken in accordance with the approved Mitigation Strategy of the submitted Geo-tech Report, there are no objections.
3.25	<u>GGAT:</u> The Heritage Assessment concludes, 'the earthworks within the application site will not have any effect on the buried remains of any archaeological period. Almost all of the land within the application site has been subject to open-cast extraction and associated infrastructure which would have removed or substantially affected any remains of earlier activity. All of the elements associated with the industrial activity were subsequently removed or have been covered by spoil as part of the restoration of the land here and the subsequent placement of material under the 2016 consent.'

	<p>Therefore, it is unlikely that significant archaeological remains will be encountered during the course of the application. As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently GGAT have no objections to the positive determination of this application.</p>
3.26	<p><u>Brecon Beacons NP</u></p>
3.27	<p>The National Park Authority makes the following on the LVIA (Landscape and Visual Impact Assessment):</p> <ul style="list-style-type: none"> <li>• The study area and viewpoints selected are considered appropriate.</li> <li>• The Blaenavon Tips landscape character area would receive a slight adverse significance of effect as the scheme would be partly visible within views from this character area, whereas, with the consented scheme, it would not. However, after ten years, although there will be some residual effects upon this view and others within the BBNPA area they would not be significant.</li> <li>• The comments of NRW regarding hedgerows and length of management plan are supported.</li> </ul>
3.28	<p>Ecology:</p> <ul style="list-style-type: none"> <li>• There are a number of drainage ditches across the site and the land slopes down to the north and into the National Park. It will be important to ensure that water quality is appropriately protected.</li> <li>• It is also noted that the application site is within the River Usk SAC catchment and that NRW have advised that No Likely Significant Effects on the SAC are anticipated as a result of additional phosphorus in the catchment.</li> <li>• BBNP note that the application is retrospectively for the retention of works already undertaken. It is not entirely clear if the works are complete or if any further works are proposed. If further works are required, the requirement for a CEMP as recommended by NRW is supported.</li> <li>• Areas 1 and 2 are outside the National Park boundary and BBNP support the BG ecologist's comments that the information submitted (the Landscape and Ecology Implementation and Aftercare Plan) addresses the proposed restoration and management of the site.</li> </ul>
3.29	<ul style="list-style-type: none"> <li>• There is some uncertainty regarding the Mitigation Area and the former Unilateral Undertaking from 2016. This land is within the National Park and it will be important to ensure that habitats are appropriately managed, even if the focus on lapwing habitat has shifted due to issues with predators. BBNP seek additional clarification of what is now proposed in this area and how this is to be secured. <i>Clarification has</i></li> </ul>

	<p><i>since been provided to BBNP that the mitigation area is not being considered as part of this application, no further response has been received.</i></p> <ul style="list-style-type: none"> <li>• In summary, there is no ecological objection to the principle of the development proposals and the retention of the works undertaken along with the restoration and management of habitats as agreed with the BG Ecologist.</li> </ul>
3.30	<p><u>Torfaen CBC:</u> No objections.</p>
3.31	<p><u>Monmouth CBC:</u> No response received.</p>
3.32	<p><u>Sustrans:</u> No response received.</p>
3.33	<p><u>GWT:</u> No response received.</p>
3.34	<p><b><u>Public Consultation:</u></b></p> <ul style="list-style-type: none"> <li>• 41 letters to nearby houses</li> <li>• site notice(s)</li> <li>• 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>• other</li> </ul>
3.35	<p><u>Response:</u></p>
3.36	<p>One email was received which raised concerns regarding anti-social behaviour on the cycle route. The area specifically causing concern lies outside the development site boundary. A response has been sent in relation to the concerns raised.</p>
<p><b>4. Planning Policy</b></p>	
4.1	<p><u>Team Manager Development Plans:</u> Broadly support the proposal without prejudice to the following issues being taken into account: impact on Special Landscape Area and Site of Importance for Nature Conservation.</p>
4.2	<p><u>LDP Policies:</u></p>



4.3	SP6	Ensuring Accessibility
	SP9	Active and Healthy Communities
	DM1	New Development
	DM2	Design and Placemaking
	DM14	Biodiversity Protection and Enhancement
	DM15	Protection and Enhancement of the Green Infrastructure
	DM16	Trees, Woodlands and Hedgerow Protection
	ENV2	Special Landscape Area
	ENV3	Site of Importance for Nature Conservation
	M1	Safeguarding of Minerals
	M3	Areas where Coal Working will not be Acceptable
	SB1	Settlement Boundaries
<p><u>PPW &amp; TANs:</u>          Planning Policy Wales (PPW) (Edition 11, February 2021)          Future Wales The National Plan 2040</p>		
<b>5. Planning Assessment</b>		
5.1	<p>The Blaenau Gwent Local Development Plan indicates that the site lies outside the settlement boundary (Policy SB1); within the Special Landscape Area (SLA) (Policy ENV2); within a Coal Safeguarding Area (Policy M1); within an area where coal working is not allowed (Policy M3) and partly overlaps with a Site of Importance for Nature Conservation Policy ENV3.93 – Adjacent to Noble Square.</p>	
5.2	<p>The principle of depositing surplus material on Ben Wards field has already been established in the granting of the planning permission in 2016. What must now be given careful consideration is the additional importation of material and its associated impacts. The primary considerations being: the changed visual impact on the surrounding area and wider landscape and whether the proposal has resulted in any changes that would be considered unacceptable on ecology and biodiversity, environmental impacts, access, drainage, ground stability and impact on the historic environment. The potential impacts associated with this development are considered below.</p>	
5.3	<p><u>Landscape and Visual Impact</u>          The additional importation of material has inevitably increased the ground levels at Ben Wards field and accordingly the landform is now more visible from a number of vantage points including Mynydd Llangatwg, the upper slopes of the Clydach Gorge with limited views near Noble Square Industrial Estate/Milfraen View. The applicant has considered the existing local</p>	

landscape characteristics and provided visual information in the form of an LVIA to demonstrate that the material has been deposited and re-profiled in a manner that emulates the existing landscape features albeit at increased levels.

5.4 The land forms are now complete and can be seen in the images below:



Image 1 – Looking towards Brynmawr from near the Highest Point



Image 2 – From Brynmawr Cemetery



Image 3 – From Brynmawr Foundation School



Image 4 – Taken from above Blaenavon Road, facing toward Brynmawr Foundation School



Image 5 – Taken from cycle route between Areas 1 and 2

- 5.5 As can be seen from the images the re-profiled areas have been graded to smooth flowing contours to blend in with the existing slopes over adjoining areas to the application site. Concern was raised regarding the angular end profiles of Area 2 and works have subsequently been undertaken on site (and revised plans received) which have softened these contours.
- 5.6 New drainage channels will be formed together with a small number of ponds/basins. The landscape and environmental design proposals have taken into consideration both the need to integrate the new slopes with the existing profiles over Twyn Blaen-nant, whilst providing suitable habitat for Bats and Lapwings.
- 5.7 In terms of the visual impacts arising from the increased levels and new profiles, it is noted that the Service Manager Green Infrastructure, NRW and BBNP have raised no objections. I concur with their views set out in the Consultation Response section of this report that the proposals are generally acceptable from a visual perspective and should have no additional significant adverse effects on the surrounding landscape or National Park, over and above the consented scheme.
- 5.8 The re-profiled slopes will be seeded with an appropriate seed mix which should enable grasses and wildflowers within the local area to naturally regenerate and colonise the restored areas. The image below has been taken from the LVIA and gives an indication of how the site will look once the proposed landscaping has established. In my opinion this illustrates how the site will eventually blend into the surrounding landscape.



Image 6 – How the site would look when landscaped from Brynmawr Foundation School

- 5.9 The comments from NRW and BBNP regarding the provision of hedgerows are noted, they have requested their reinstatement to re-establish the previous field patterns. The original proposal (2016) included the removal of a significant amount of existing hedgerows in Area 2 and the provision throughout the site of new hedgerows as compensation. However, the agent has confirmed that due to the amendments made to the scheme, the length of existing hedgerows that required removal is now a lot less than that of the 2016 consented scheme and that there will also be supplementary native shrub planting around the periphery of Area 2 to mitigate the effects of hedgerow removal.
- 5.10 Whilst the main reason for the removal of hedgerows that were approved in the 2016 consented scheme is to maximise the habitat value for Lapwing, it has also been decided not to replace the hedgerow for landscape reasons. It is the applicant's opinion that the proposed landform and drainage design does not readily lend itself to the reinstatement of the previous field pattern. The agent has stated they could not reinstate the hedgerow along its previous alignment and, if they are to avoid the proposed hedgerows providing a future observation point for corvids overlooking the plateau within Area 2 (most notably Jackdaws which are predators to Lapwings), the hedgerow would need to be well below the plateau level of Area 2. This would mean that the size of at least one of the fields would be quite small. Gaps in the hedgerow would also be needed to accommodate the open ditches forming part of the drainage design for Area 2. As such, the hedgerows would not be continuous landscape features. For these reasons, from a landscape perspective, they consider Area 2 should remain as a single field or grazing compartment. It would still read as part of the enclosed landscape over Twyn Blaen-nant and contrast with the open landscape over the slopes to the north of the Blaenavon Road below Mulfran. New tree and hedgerow planting will also be implemented at the site access off the Blaen-afon Road when it is reinstated to its original form.

5.11	Neither the Councils Service Manager Green Infrastructure nor the Council's Ecologist have raised any issues in regards to hedgerows and both are very familiar with the features and qualities of the site. I share their view and understand the justification provided by the agent. Accordingly, I am satisfied the proposed landscape restoration scheme is acceptable.
5.12	The application submission states that the landscape and environmental design would be maintained for a period of 8 years following completion of the earthworks.
5.13	There have been differing views as to the duration of the Landscape Aftercare Plan in that the applicant has committed to 8 years which the Service Manager Green Infrastructure and Councils Ecologist have confirmed to be sufficient. Whereas NRW and BBNPA have requested a longer term plan for reasons outlined in their consultation response. The 2016 application raised the same issues and the agent agreed as part of a compromise to increase ongoing land management from 5 years following completion to 8 years. This duration of land management exceeds that of the consented Heads of the Valley consented scheme which is 5 years. I see no justification or change in circumstances to increase the duration of land management from that which was considered to be acceptable under the 2016 planning permission.
5.14	There are some residential properties in relatively close proximity to the site and the impact on their amenity from the increased ground levels must be carefully considered.
5.15	It is the earthworks undertaken within Area 1 that will be most visible to the residents within the Milfraen View are of Brynmawr. However, it is my opinion that due to the separation distance between these properties and intervening landforms, the increase in levels is not considered to have an unacceptable effect on the visual impact or amenity of the occupiers of these properties, particularly when viewed in context with the wider earthworks being undertaken as part of the A465 dualling scheme.
5.16	The nearest residential property to the site is Rhos Fawr Farm which bounds the eastern boundary of Area 2 within Ben Wards Field. The dwelling house itself is approximately 33m away from Area 2. Having visited Rhos Fawr Farm I noted that whilst Area 2 is in close proximity to the farm, the land forms have tied into existing landforms adjacent to the farm which are only marginally higher than the farm house curtilage. Furthermore, the two sites are separated and screened by established hedgerows and trees. There are also a number of outbuildings within the curtilage of the farm on the boundary with Ben Wards Field. I am satisfied that the site circumstances are such that there will be no

	unacceptable impact on the occupiers of Rhos Fawr Farm in terms of the profiles appearing overbearing or creating overshadowing.
5.17	Whilst the landforms are highly visible from a number of vantage points within Brynmawr, I am satisfied that the retention of the as-constructed profiles will not have an unacceptable impact on the surrounding landscape or visual impact on the occupiers of nearby residential/industrial properties and that the proposal complies with policies ENV2, DM15 and DM1 (2b and c).
5.18	<u>Ecology and Biodiversity</u> The application is accompanied by an Ecology Report which provides an appraisal of the ecology of the development site and addresses the proposed earthworks in terms of creating new habitat aimed at benefiting key species (Lapwing and Lesser Horseshoe Bat).
5.19	The restoration of the site has been carefully designed in order to enhance ecological habitats for Lapwing and Lesser Horseshoe Bats as well associated benefits for other species through creation of grassland, graded slopes, wet areas and native tree and shrub planting. The revised scheme footprint retains the hedgerow identified as a lesser horseshoe bat flightline through the deposition area, which now forms the southern boundary of the deposition area. Hedgerow creation increases the potential for bat flightlines across the area, while ensuring that the hedges do not provide “overview” sites for predatory bird species which can use hedges and tree-lines as observation positions in order to forage over wider areas of habitat, a particular concern with regard to lapwings.
5.20	It is noted that part of the site overlaps with a SINC. However, it is considered that the proposal complies with DM14(2a) in that the proposal maintains the ecological importance of the designation through mitigation.
5.21	Other than the issue raised by NRW and BBNPA regarding the duration of the Land Management Plan which has been addressed under ‘Landscape and Visual Impact’ there have been no objections received by regulatory consultees. In fact, it has been acknowledged by the Councils Ecologist that the proposal will in the long-term provide a gain in nature conservation.
5.22	I am satisfied that the landscape and ecological proposals will ensure that the impacts on ecology will be appropriately mitigated for and that the proposal complies with policy SP10(f), DM14 and ENV3.
5.23	<u>Environmental (noise, vibration, dust, light, water quality)</u>

	<p>This type of development inevitably has associated impacts in relation to noise, vibration, dust, water quality and occasionally necessitates the provision of artificial lighting. However, the construction works are substantially complete and it is anticipated that all dusty/noisy activities at the site will end in October 2021.</p>
5.24	<p>It is however noted that the site compound will remain in place until the development is fully completed. As such it is necessary to ensure the compound/works on site will not operate at unreasonable hours to protect the amenity of nearby residents. A condition can be imposed to control this.</p>
5.25	<p><u>Access</u></p>
	<p>The access to the site works area is via a temporary access from the B4248 Blaenavon Road which was widened by virtue of planning permission C2017/0226. This access is temporary and will be reinstated along with the associated site compound following completion of the works in 2021.</p>
5.23	<p>An additional access further east along the Blaen-afon Road is also included in the application. This will only be used to access the land for vegetation maintenance after the works are completed.</p>
5.24	<p>The vehicle movements associated with this development were considered to be acceptable as part of the 2016 application, there have been no changes on site which change this view. However, it should be noted that remaining vehicle movements will be minimal as the project is close to completion.</p>
5.25	<p>The Service Manager Infrastructure has confirmed that he has no objections to the proposal and that it complies with Policy DM1 3(a, b, c &amp; d). The restoration of the access points will be overseen/agreed by the Highway Authority.</p>
5.26	<p><u>Land Use and Recreation</u></p>
	<p>The Land Use and Recreation Technical Report submitted with the application considers the effects on areas of agricultural land and on land used by the community e.g. common land, use of public open space, public rights of way and cycle routes.</p>
5.27	<p>The applicant acknowledges that there has been a temporary loss of agricultural land during the earthworks. However, the effective restoration of this and aftercare proposals of the land should ensure that the land is returned to its former agricultural use where appropriate.</p>

5.28	A number of public rights of way (PRoW) cross Ben Wards Fields or link to it, as do two cycle routes which form part of the National Cycle Network (NR 46 and NR 492). There have been no effects on the use of public footpaths 49/41, 333/45/1 and 333/42/2 during the earthworks activity, although walkers would have been aware of the works over a two-year period.
5.29	NR 46 has been unaffected by the application proposals, however a section of NR 492 (approximately 390 metres in length) is located within the area of the additional earthworks. A temporary cycle route diversion was constructed in early 2017 to ensure the connectivity of NCR 492 and walkers and cyclists have been able to access this from March/April 2017 during the construction period. Under the original planning permission, a new permanent route for NCR 492 was proposed upon completion of the works, however, the alignment of the temporary diversion has been maintained and is to become the permanent route for NCR 492. This new section has been constructed in accordance with Sustran's specification for permanent cycleway provision.
5.30	It is noted that the Service Manger Green Infrastructure has raised no objections in relation to the Rights of Way or cycle route. However, details of replacement stiles/gates will be required by condition.
5.31	Sustran's have not responded in relation to this application however, the applicant has provided a copy of an email from Sustran's who confirmed they are happy with the alignment of the cycle route.
5.32	It is considered that the proposal has had due regard for pedestrians and cyclists and that temporary provisions have been made to ensure any travel through the site by foot or bicycle is still possible with minimum disruption. The development complies with DM1 (3b).
5.33	<p><u>Ground Stability</u></p> <p>A Coal Mining Risk Assessment has been provided within the Geotechnical Desk Study Report. The assessment reports that the site is within an area affected by shallow mining of coal and ironstone seams and surface workings. Numerous adits and shafts are also recorded. The assessment considers that the opencast workings would have removed these features from the site. The overall likelihood of encountering a mine entry or shallow workings is considered low. Given the end use the residual risk is considered low.</p>
5.34	The agent has confirmed that in preparation of this planning application the Geo-tech report has been reviewed by the original authors. It was concluded that the conclusions of the report remain valid for the new application. The report confirms that the development has been undertaken in accordance with



<p>5.35</p> <p>5.36</p> <p>5.37</p> <p>5.38</p> <p>5.39</p>	<p>the approved Mitigation Strategy of the submitted Geo-tech Report. Accordingly, the Service Manager Infrastructure and Coal Authority have confirmed they have no objections in respect of ground stability. I am satisfied that the proposal complies with policy DM1 2(i).</p> <p><u>Drainage</u> The development site is located within Flood Zone A, defined as at little to no risk of river flooding.</p> <p>The submitted details indicate that surface water runoff from the earthworks area is to be collected and transmitted to an outfall using a trapezoidal channels system with allowance for flow distribution into potential ecological, Lapwing and wetland areas. Ponds, scrapes, wetlands and sedimentation basins are to be provided in the flat areas of earthwork to reduce and prevent risk of flooding and pollution of existing drainage system and to enhance ecological environment. However, the agent has confirmed that minor revisions are currently being made to the scheme and therefore a condition will be necessary to ensure the final scheme is acceptable.</p> <p>I am satisfied that via the imposition of a suitably worded condition a suitable drainage system will be installed and that the proposal will comply with policy DM1 1(e) and DM2 (2e). It has been confirmed by the Councils SAB approval body (Caerphilly CBC) that SAB approval will not be required for this scheme.</p> <p><u>Historic Environment</u> A Heritage Assessment has been submitted as part of this application. The report concludes that the proposed earthworks will not affect the designated historic landscapes in the area, Clydach railroad, Hafod Arch, Bailey's Goviland tramroad, or Clydach coal levels but will have a slight effect on the Blaenavon Branch railway and bridge. However, it is noted that neither GGAT, NRW have objected to the development and that they concur with the conclusions of the heritage assessment.</p> <p>I am satisfied that the development proposal complies with policy SP11 which requires the protection and enhancement of the historic environment.</p>
<p><b>6. Legislative Obligations</b></p>	
<p>6.1</p>	<p>The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes</p>

6.2	<p>to improving the economic, social, environmental and cultural well-being of Wales.</p> <p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>
<b>7. Conclusion and Recommendation</b>	
7.1	<p>The principle of the retention of this development, its impact on landscape, ecological, environmental, drainage and highway factors has been carefully assessed. It is considered that the development is acceptable subject to proposed mitigation and ongoing land management. I recommended that planning permission be <b><u>GRANTED</u></b> subject to the imposition of the following conditions:</p> <ol style="list-style-type: none"> <li>1. Approved plans list</li> <li>2. Within 1 month of the date of this decision notice a final drainage plan and timescale for implementation shall be submitted for the written approval of the Local Planning Authority. The drainage shall be implemented in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority. Reason: In the interest of ensuring surface water drainage is adequately addressed.</li> <li>3. Within 1 month of the date of this decision notice details of the re-instatement of associated stiles/gates crossing the site and a timescale for implementation shall be submitted for written approval of the Local Planning Authority. The stiles/gates shall be re-instated in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority. Reason: In the interest of protecting the footway network.</li> <li>4. Operating hours during the works will be 07-30 – 19.00 Monday to Friday, 08.00 – 13.00 on Saturdays and 09:00 to 13:00 on Sundays for deliveries only. Reason: In the interests of protecting amenity.</li> </ol>
<b>8. Risk Implications</b>	
8.1	None. The proposal complies with planning policies in the LDP and national planning policy.

## Planning Report

<b>Application No:</b> C/2021/0133	<b>App Type:</b> Full
<b>Applicant:</b> Mr & Mrs Neil Parry 36 Commercial Street Tredegar NP22 3DJ	<b>Agent:</b> FTAA Ltd Mr Roger Field 6 High Street Crickhowell NP8 1BW
<b>Site Address:</b> Plot, Land east of Whitworth Terrace, Tredegar	
<b>Development:</b> New detached dwelling (replacement for previous approval C/2016/0225)	
<b>Case Officer:</b> Jane Engel	



### 1. Background, Development and Site Context

1.1 This is a full planning application which seeks consent to erect a detached 4-bedroom house on land situated to the east of Whitworth Terrace, Tredegar. The land is accessed off Whitworth Terrace via a track which currently runs between two blocks of stables/storage sheds

1.2 The application site measures approximately 0.15 hectare and is a long narrow plateau which is partly surfaced in hardcore. The site measures at its maximum approximately 20 x 75 metres, which slopes from south to north. The proposal is to erect a dwelling at an oblique angle north east of the existing stable/storage buildings which would face north west over the wooded valley slopes to the north which are also owned by the applicant.

1.3 The southern boundary of the site is delineated in part by a block retaining wall supporting land at a higher level which serves as an access route to two detached dwellings know as Forest Edge and Cae Gwylt. To the east and north of the site lie wooded sloping banks which fall down to a nearby watercourse. The land to the west accommodates two rows of stables and storage sheds which were the subject of planning application for retention of refurbishment and extension works (as detailed in Section 2 below). The same planning application approved the retention of ground re-profiling works on the application site.



Block Plan Figure 1

1.4 The wooded area to the north west of the site is protected by a Tree Preservation Order (BG No 134). The same Order also protects an individual tree situated on the northern boundary.

1.5 The block plan submitted as part of the application indicates that most of the area to the west of the property would be surfaced in tarmac and serve as the

1.6	<p>parking and turning areas for the development. The ridge height would be just above the ground level of the elevated plateau to the south of the site. The block plan also shows that the site would be enclosed with a post and rail fence and hedgerow planting.</p> <p>The details indicate that the main house would be rendered and the annex wings would be constructed in face brickwork and have a slate roof. In terms of design the main house is a two storey gable ended property and would feature a large two storey gable projection on the front.</p>
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## 2. Site History

	Ref No	Details	Decision
2.1	10367	Erection of stable to replace existing	Approved 29.9.93
2.2	96/0008	Extra stable and convert existing stable to game fowl house	Approved 14.3.96
2.3	2014/0202	Retention of ground reprofiling works and proposed extension of 2 no stable blocks for storage purposes	Approved 23.9.14
2.3	2015/0015	Discharge of conditions:	Partially discharged 26.6.15
	2015/0266	Variation of condition 1 of planning permission C/2014/0202 to include details of the construction of a block stone retaining wall to the southern boundary	Approved 14.9.15
2.4	C/2016/0225	New detached house	1.12.2016
2.5	C/2021/0277	Discharge of conditions 4,5,6,7,8,9 and 10 of Planning permission C/2016/0225	Pending

## 3. Consultation and Other Relevant Information

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

3.4	<p><b>Drainage:</b> The application was received after 7<sup>th</sup> January 2019 and is over 100m<sup>2</sup>. SAB approval will therefore be required.</p>
3.5	<p><b>Ground Stability:</b> There are no objections to the proposal in principle, however, the developer must ensure there is adequate drainage at the top and bottom of the slope, and also ensure that it is well maintained and unobstructed to avoid a build-up of water in the slope, which could lead to slope failure.</p>
3.6	<p>If the embankment's slope sections have changed since the slope stability assessment was undertaken in 2014 (Terrafirma), then a new analysis is required.</p>
3.7	<p><b>Structures:</b> No objections</p>
3.8	<p><b>Landscape:</b> No objection subject to an agreed landscape strategy</p>
3.9	<p><b>Ecology:</b> No Objections</p>
3.10	<p><b>Rights of Way:</b> No objections</p>
3.11	<p><b>Arboriculture:</b> No objection subject to the implementation of the Arboricultural report</p>
3.12	<p><b><u>Service Manager Public Protection:</u></b> No objection subject to a condition restricting the hours within which development can be carried out.</p>
3.13	<p><b><u>External Consultation Responses</u></b> <b><u>Town / Community Council:</u></b> No objections</p>
3.14	<p><b><u>Welsh Water:</u></b> Confirm sewerage capacity within the public sewerage system</p>
3.15	<p><b><u>Western Power:</u></b> Standard advice applies</p>

3.16	<p><u>W&amp;W Utilities:</u>          Standard advice applies</p>
3.17	<p><b><u>Public Consultation:</u></b></p> <ul style="list-style-type: none"> <li>• 3 letters to nearby houses</li> <li>• website public register of applications</li> <li>• ward members by letter</li> <li>• all members via weekly list of applications received</li> </ul> <p><u>Response:</u>          No response received as a result of neighbour notification.</p>
3.18	<p>A Ward Member requested the application be reported to Committee on the basis that there are a number of dwellings in the area of various designs and finishes.</p>

**4. Planning Policy**

4.1	<p><u>Team Manager Development Plans:</u></p> <p><u>LDP Policies:</u>          SB1 Settlement Boundaries          DM1 New Development          DM2 Design and Placemaking          DM14 Biodiversity Protection and Enhancement          DM15 Protection and Enhancement of Green Infrastructure          DM16 Trees, Woodlands and Hedgerow Protection          ENV2 Special Landscape Areas</p> <p><u>PPW &amp; TANs:</u>          Planning Policy Wales Edition 11 (February 2021) chapter 3 para 3.9 and 3.10          Future Wales: 2040</p>
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**5. Planning Assessment**

5.1	<p>Members will be aware that in line with the provisions of legislation and national planning policy as contained in Planning Policy Wales (PPW) there is a duty placed upon Local Planning Authorities to determine planning applications in accordance with the approved or adopted development plan for the area unless material considerations indicate otherwise. Material considerations could include current circumstances, policies in an emerging development plan, and planning policies of the Welsh Government. Policy 1 of Future Wales Plan 2040 (FW.2040) supports sustainable growth in all parts of</p>
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	<p>Wales. The Valleys is identified as one of three National Growth Areas where there will be growth in employment and housing opportunities.</p>
5.2	<p>In such a context the primary consideration in assessing this proposal is whether the application site falls within the settlement boundary as identified in the adopted Blaenau Gwent Local Development Plan (LDP). If the site falls outside such a clearly defined area whether there are any exceptions in national or local planning policies or special circumstances in relation to the application that may justify a decision contrary to national policy or approved development plan polices.</p>
5.3	<p>Policy SB1 of the LDP clearly identifies the settlement boundaries in the Borough. The application site lies outside of the existing settlement boundary and is therefore considered to be within the open countryside. Such a location would not be considered sustainable and as such is not considered compliant with the requirements of FFW:2040.</p>
5.4	<p>However, Members may be aware that planning permission for a dwelling on this site was approved by Planning Committee in December 2016 contrary to officer recommendation (ref C/2016/0225). This earlier permission is extant and there is a current application with the Authority to discharge the conditions pursuant to this earlier approval.</p>
5.5	<p>On the basis that a dwelling could be erected under this earlier permission, the principle of the development on this site is considered to be a justifiable circumstance where development contrary to national and local policy is acceptable.</p>
5.6	<p>In accepting the principle of the development consideration should then be given to other matters as required by relevant polices contained within the LDP.</p>
5.7	<p><u>Residential amenity</u> The site sits at a lower level than the properties to the south and as such there are no concerns relating to overlooking, loss of privacy or overshadowing.</p>
5.8	<p><u>Highways</u> Three car parking spaces are provided within the site and no objections have been received from the Highway Authority.</p>



5.9

Trees

The site is bound by a belt of trees within which there are protected trees. Information submitted has demonstrated an acceptable tree protection methodology and the Natural Environment Team Manager has confirmed that there are no objections subject to the tree protection system being installed prior to development being undertaken.

5.10

Ecology

The Council's Ecologist has advised that as the site has the potential for reptiles, hedgehogs and bats. She has therefore requested a number of informatives and conditions relating to boundary treatments and lighting.

5.11

Design

Policy DM2 of the LDP requires development to be of a good design which reinforces local character and is appropriate to the local context in terms of type, form, scale and mix.



Figure 2

5.12

The scale of the proposed dwelling is significantly larger than the two detached neighbouring properties to the south. In fact, the footprint spans the full width of the plot at approximately 19.4m and is significantly larger than that previously approved for the site (this was a modest dwelling at 9.2m x 8.3m) see figures 3 & 4 below for comparison.

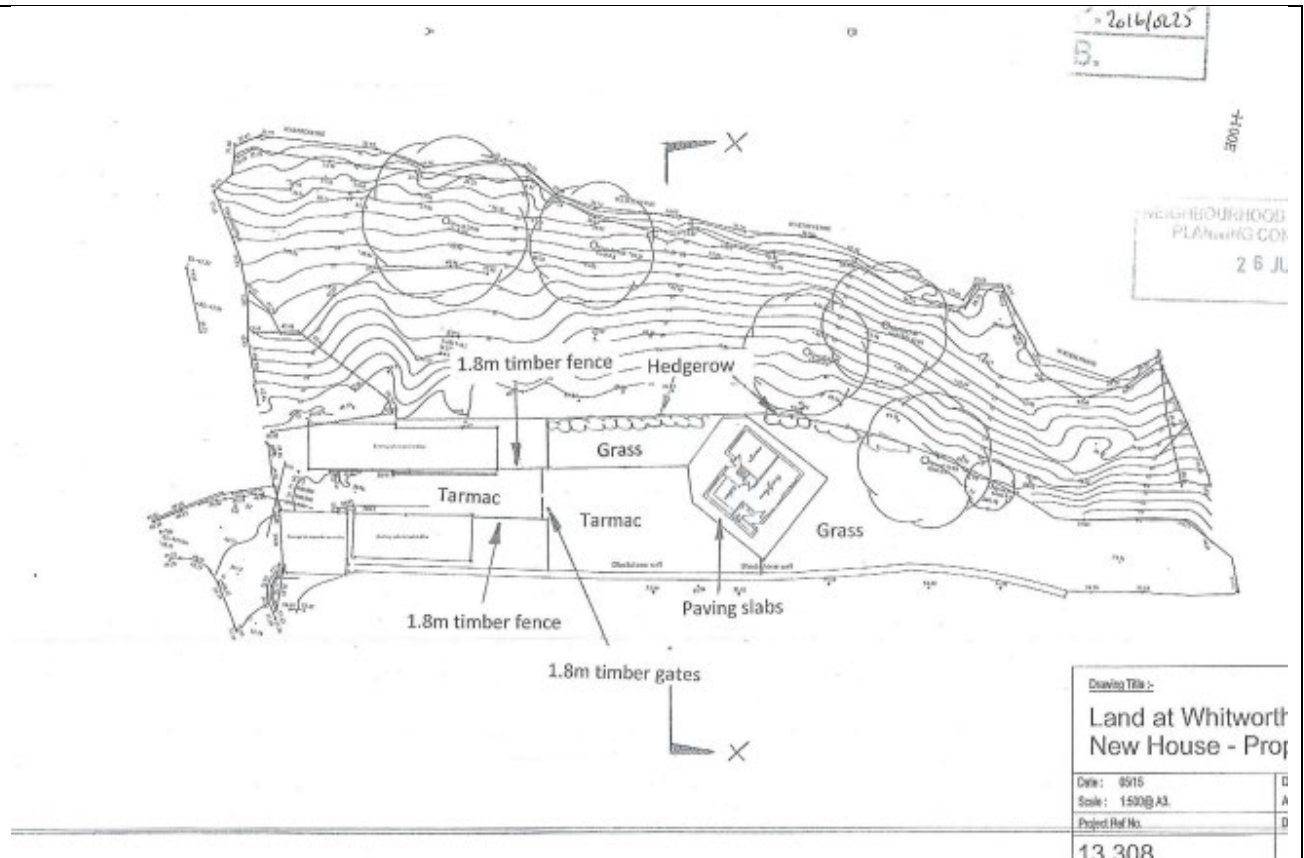


Figure 3 Previously Approved Site Layout



Figure 4 Proposed layout

5.13

Whilst the topography reduces any overbearing impact upon the neighbouring properties, the scale and design of the dwelling will appear out of context with the surrounding area. In particular, the large two storey front gable projection,

5.14	<p>which measures approximately 6.6m wide with a 11m projection, is considered an over dominant feature which fails to respect the form and scale of the main house. Furthermore, when entering the site, the main house will be concealed behind this projection. Incidentally, the front gable projection alone is only marginally smaller in footprint than the <u>whole dwelling</u> previously approved on the site. Members are reminded that this site sits within the open countryside. Whilst the principle of development has been accepted, the sheer scale and design of the dwelling fails to respect the character of the surrounding area.</p> <p>I note the comments of the Ward member and accept that the dwellings built to the south of the site are different in design to each other however both houses are of a smaller scale and are more traditional in style than the one currently proposed.</p>
5.15	<p><u>Conclusion</u></p> <p>Having had regard to all relevant matters I consider the scale and design of the proposed house (particularly with regards to the front projection) is unacceptable in this location and will appear out of context with the surrounding area. I therefore consider the development fails to comply with policies DM2 a and b of the LDP and recommend the application is refused.</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>
<b>7. Conclusion and Recommendation</b>	
7.1	<p>Planning permission be <b><u>REFUSED</u></b> for the following reason(s):</p> <p>The proposed development by the nature of its scale and design is considered to be out of character with the surrounding area. In particular, the proposed front projection of the dwelling is an over dominant feature that is considered poor design. As a consequence, the proposed development would fail to</p>

	respect the character of the adjacent properties and wider area contrary to Policy DM(2)b and DM2(a) of the adopted Local Development Plan.
<b>8. Risk Implications</b>	
8.1	None

<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 October 2021</b>
<b>Report Author</b>	<b>Service Manager Development &amp; Estates</b>
<b>Report Date</b>	<b>5<sup>th</sup> October 2021</b>
<b>Directorate</b>	<b>Regeneration &amp; Community Services</b>
<b>Date of meeting</b>	<b>14<sup>th</sup> October 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/2020/0282 APP/X6910/A/21/3276988 Jane Engel	Maes y Dderwen Charles Street Tredegar	5 Bedroom supported living unit and associated works	Refusal of planning permission  Written Reps	Decision received <b>Appeal Dismissed</b>  Refer to separate report on this agenda
2	C/2020/0227 APP/X6910/A/21/3278965 Les Taylor	Land adjoining Coed Cae Farm House, Rassau, Ebbw Vale	Outline for a single detached dwelling with parking	Refusal of planning permission  Written Reps	Officer response to third party representations and list of recommended planning conditions submitted
3	C/2021/0182 APP/X6910/A/21/3281080 Les Taylor	Land adjoining Waun Dew, Beaufort Hill, Beaufort, Ebbw Vale	Proposed construction of 2 no. new houses with associated external works	Refusal of planning permission  Written reps	Appeal questionnaire submitted followed by officer's comments on grounds of appeal and supporting statement. List of recommended planning conditions submitted

<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: Maes Y Dderwen, Charles Street, Tredegar</b>  <b>Ref.: C/2020/0282</b>
<b>Report Author</b>	<b>Jane Engel</b>
<b>Directorate</b>	<b>Regeneration and Community Services</b>
<b>Date of meeting</b>	<b>14<sup>th</sup> October 2021</b>
<b>Date Signed off by Monitoring Officer</b>	

### **Report Information**

<b>1.</b>	<b>Purpose of Report</b>
1.1	<p>To advise Members of the decision of the Planning Inspectorate in respect of a planning appeal against the refusal of planning permission ref: C/2020/0282 for the construction of a 5 bedroom supported living unit and associated works at Maes Y Dderwen Charles Street Tredegar.</p> <p>The application was refused at Planning Committee on the 19<sup>th</sup> April 2021.</p>
<b>2</b>	<b>Scope of the Report</b>
2.1	The planning application was refused contrary to officer recommendation. Members had a number of concerns relating to the development and the application was refused. The reasons

	<p>for refusal related to parking issues, suitability of location and loss of amenity space. The applicant appealed this decision on the grounds that planning permission should have been granted.</p>
2.2	<p>An application for an award of costs was also made.</p>
2.3	<p>The Inspector's decision was received on 16th September 2021 (the decision letters for both the appeal and costs award are attached for Members Information). In summary, the Inspector allowed the appeal and awarded costs.</p>
	<p><b><u>Parking</u></b></p>
2.5	<p>The Inspector was of the view that the addition of one 5 bedroom unit would result in a relatively limited addition to the existing care facility and would be unlikely to generate significant additional parking demand beyond that catered for. He also considered that there is no reason to suppose that significant additional delivery traffic will be generated.</p>
2.6	<p>The Inspector concluded that the proposed parking arrangements are sufficient and would not lead to a significant adverse effect on the safe and convenient use of the highway network in the area. Consequently, the proposal would comply with LDP policy DM1. It would also meet the parking space requirements detailed in the relevant SPG.</p>
	<p><b><u>Suitability of location</u></b></p>
2.7	<p>The Inspector noted that the existing facility is already situated adjacent to the public house, albeit separated from it by the car park. He understood that the current situation is considered acceptable by the relevant regulatory body and that no substantive evidence has been presented to show that any significant harm has been caused to residents of the existing facility as a result of its proximity to the public house.</p>
2.8	<p>He further advised that he considered that the position of the unit to the public house would not result in significant harm to residents of the unit, users of the public house or residents of the area.</p>
2.9	<p>He concluded that the proposed development would be in an acceptable location, including with regard to the living conditions of future residents. It would comply with LDP policy DM2, which</p>



	<p>requires development to be of a type appropriate to its local context, and national policy, as expressed within Planning Policy Wales, which requires a full range of housing types to meet the identified needs of communities.</p>
2.10	<p><b><u>Loss of amenity space</u></b></p> <p>The Inspector considered the impact of the loss of space to residents of Maes y Dderwen and of residents along Charles Street. He was of the view that the site appears to be of limited value as an outdoor space or garden area for residents of the existing facility. He also considered that as the appeal site is private land and the grassed area is not likely to be of any significant benefit to neighbouring residents.</p>
2.11	<p>He concluded that the proposed development would not harm the living conditions of residents of the adjacent facility or other residents in the area, with regard to loss of outdoor space. The proposal would comply with criterion 2c of LDP policy DM 1, as it would not result in an unacceptable impact on the amenities of neighbouring occupiers.</p>
2.12	<p><b><u>Other Matters</u></b></p> <p>The reason for refusal that the 'proposed development is not in the best interests of the community surrounding the development' was also considered by the Inspector. However, he noted there is no explanation provided to identify the nature of the alleged adverse effect on the surrounding community, beyond the issues already dealt with above. On this basis he gave limited weight to that reason for refusal in his consideration of the appeal.</p>
2.13	<p>Other matters raised by local residents were also considered by the Inspector, these related to the operation and nature of the existing facility at Maes y Dderwen, alleged loss of privacy, light, obstruction of views, alleged anti-social or criminal behaviour, effects on property values in the area and questioning the need for the existing facility to be expanded. He concluded that these matters are not directly relevant to the proposal; are not relevant planning issues; can be addressed by appropriate conditions; are not persuasively evidenced; or are not of sufficient individual or cumulative significance to lead me to alter his decision.</p> <p><b><u>Award of Costs</u></b></p>

2.14	The inspector found that unreasonable behaviour resulting in unnecessary expense (to the applicant) has been demonstrated and considered that a full award of costs is justified.
2.15	He invited the applicant to submit details of these costs to the Council with a view to reaching an agreement as to the amount.
2.16	The Inspector was satisfied that subject to the imposition of conditions the development was acceptable. Accordingly, he <b>ALLOWED</b> the appeal and planning permission was granted for the development.
<b>3. Recommendation/s for Consideration</b>	
1.	2. That Members note for information the appeal decision for planning application C/2020/0282 as attached at <b>Appendix A.</b>



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## Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 03/08/21

gan **J P Tudor BA (Hons), Cyfreithiwr  
(ddim yn ymarfer)**

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 16.09.2021

## Appeal Decision

Site visit made on 03/08/21

by **J P Tudor BA (Hons), Solicitor (non-  
practising)**

an Inspector appointed by the Welsh Ministers

Date: 16.09.2021

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**Appeal Ref: APP/X6910/A/21/3276988**

**Site address: Maes y Dderwen, Charles Street, Tredegar NP22 4AF**

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

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr Dean Richards (Shaw Healthcare) against the decision of Blaenau Gwent County Borough Council.
  - The application Ref: C/2020/0282, dated 20 November 2020, was refused by notice dated 19 April 2021.
  - The development proposed is 5 bedroom supported living unit and associated works.
- 

### Decision

1. The appeal is allowed and planning permission is granted for a 5 bedroom supported living unit and associated works at Maes y Dderwen, Charles Street, Tredegar NP22 4AF in accordance with the terms of the application, Ref: C/2020/0282, dated 20 November 2020 subject to the conditions set out in the attached schedule.

### Application for Costs

2. An application for costs was made by Mr Dean Richards (Shaw Healthcare) against Blaenau Gwent County Borough Council. This application is the subject of a separate Decision.

### Preliminary Matter

3. Council Officers recommended that the proposal should be approved but the Council's Planning, Regulatory and General Licensing Committee (the Planning Committee) took a different view and decided, as they are entitled to do, to refuse planning permission. The refusal has led to this appeal. The Council has not submitted a Statement of Case but has supplied copies of Officers' Reports and minutes of the relevant Planning Committee meetings, which I have considered<sup>1</sup>.

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<sup>1</sup> Reports and Minutes relating to Planning Committee meetings of 4 March and 15 April 2021.

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## Main Issues

4. The main issues are:

- the effect of the proposed parking arrangements on the safe and convenient use of the highway network in the area;
- whether the development would be in an acceptable location, with particular regard to the living conditions of future residents; and,
- the effect on the living conditions of residents of the existing care facility, with regard to outdoor space.

## Reasons

5. The appeal site comprises a grassed area adjacent to a private car park serving a 24-bed care home at Maes y Dderwen. It is situated on the southern side of Charles Street, a long straight road consisting mainly of residential housing of various types, styles and ages.
6. It is proposed to construct a detached, 5 bedroom, two-storey supported living unit, which would, effectively, be an extension to the existing care home operated by the appellant. The ground floor of the new building would accommodate a shared living room, kitchen/dining room, a utility room and a staff room while 5 bedrooms with WCs and a shared bathroom would be provided at first floor level.

### *Highway safety*

7. The Council and local residents have expressed concern about the proposed parking arrangements, suggesting that the scheme would generate additional parking demand which would adversely affect highway safety along Charles Street. I note that Charles Street is on a bus route and that the road is narrowed if vehicles are parked on both sides of the street.
8. Three off-street parking spaces would be provided as part of the scheme to the rear of the new building. They would be accessed via the existing car park serving Maes y Dderwen. It is understood that residents of the unit would not have access to private motor vehicles and that the three new parking spaces would be for use by two members of staff with the other space available for visitors. The development will not involve the loss of any car parking spaces within the existing car park.
9. With regard to new development, Policy DM1 of the Council's Local Development Plan up to 2021 (LDP)<sup>2</sup> indicates that proposals will be permitted where, among other things, parking, appropriate servicing and operational spaces have been provided. Parking requirements are set out in the Council's adopted Access, Car Parking and Design Supplementary Planning Guidance (SPG)<sup>3</sup>. Council Officers have advised in reports to the Planning Committee<sup>4</sup> that the proposed parking provision meets the highway authority's requirements, as set out in the SPG. The highway authority has also confirmed that it has no objection to the proposed development, subject to a condition requiring that the three new parking spaces would be constructed prior to occupation of the building.

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<sup>2</sup> Adopted November 2012

<sup>3</sup> March 2014

<sup>4</sup> Officer Report for Committee Meeting of 4 March 2021 and Officer Report for Committee Meeting of 15 April 2021

10. The Council and local residents refer to general parking problems in the area and suggest that the car park serving the existing facility is often full, with vehicles parked outside marked bays and overflow parking by staff and visitors along Charles Street.
11. Photographs submitted by a local resident taken at 9am<sup>5</sup> show the car park as full and few spaces available along the part of Charles Street opposite the site. However, photographs from similar vantage points supplied by the appellant, also taken at 9am<sup>6</sup>, appear to show a parking space available in the car park and several spaces along the relevant part of Charles Street. Such photographs represent only snapshots in time and the situation may vary from day-to-day. While that equally applies to my site visit, when I visited on a Tuesday afternoon<sup>7</sup> there were several spaces available in the car park, some spaces on Charles Street opposite the site and further spaces on other parts of the street.
12. As I observed, semi-detached houses to the north-west of the appeal site benefit from off-street parking on private driveways, with many also having side garages. Some of the terraced houses opposite the site and further to the southwest appeared to have garages to the rear. There were also cars parked in an area between the Coach & Horses public house, adjacent to the appeal site, and a hairdressers. Residential units at Bill Harry Court further along Charles Street also benefit from parking spaces for tenants to the rear. Parking along Charles Street does not appear to be subject to parking restrictions, aside from double yellow lines mostly near corners or entrances.
13. While I note the views expressed by the Council and a number of local residents about the severity of parking problems in the area, that view is not supported by the Highway Authority (HA) or Council Officers. Moreover, there is no clear or persuasive evidence before me to demonstrate that Charles Street or nearby streets are subject to particular parking stress, over and above that of other residential streets, especially given that many of the houses along it appear to benefit from off-street parking. It has not been shown that the existing parking arrangements at Maes y Dderwen have led to a significant level of road accidents and the highway authority has not expressed concerns about parking or highway safety. There is limited persuasive evidence to show that local residents are significantly inconvenienced or unable to find parking spaces within a reasonable distance of their homes.
14. Even if on-street parking is difficult in the area at certain times of the day, in providing 3 new parking spaces the proposed development appears to satisfy the SPG parking requirements. Moreover, one 5 bedroom unit is a relatively limited addition to the existing care facility, especially given that the residents will not have access to motor vehicles. Therefore, it is unlikely to generate significant additional parking demand beyond that catered for by the new spaces. The HA considers that any additional on-street demand could be safely accommodated by available on-street parking spaces and I see no clear reason to disagree with that view.
15. In terms of additional traffic generation resulting from deliveries, the appellant advises that food deliveries to the existing Maes y Dderwen facility take place three times a week with refuse collections, as for other properties along Charles Street, on Wednesdays. The appellant advises that those existing deliveries will also cater for the proposed additional 5 bedroom unit. Therefore, there is no reason to suppose that significant additional delivery traffic will be generated. While concerns have been

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<sup>5</sup> Date/day unspecified

<sup>6</sup> On Thursday 29 July 2021

<sup>7</sup> At about 1425 hours

expressed about the ability of existing delivery vehicles to safely access and exit the existing car park, the entrance appears wide enough to enable larger vehicles to reverse in, if necessary. Such vehicles would only be onsite for temporary periods.

16. Many of the local concerns expressed about parking appear to relate to the existing Maes y Dderwen care home. However, I understand that planning permission was granted for that facility and its car park some thirty years ago and it is not the subject of this appeal. Although the appeal proposal would effectively extend that facility, as it would add just 5 bedrooms it is limited in scale. Moreover, there is no compelling evidence before me to show that it would have a significant effect on parking in the area or jeopardise highway safety.
17. The relevance of a historical reference, within the Council's first reason for refusal, to a rescinded closure of Charles Street at the time that the Tredegar bypass was constructed, is unclear and unexplained.
18. I conclude, therefore, that the proposed parking arrangements are sufficient and would not lead to a significant adverse effect on the safe and convenient use of the highway network in the area. Consequently, the proposal would comply with LDP policy DM1. It would also meet the parking space requirements detailed in the relevant SPG.

#### *Acceptability of location*

19. The Council's second and fifth reasons for refusal both relate to the proposed location of the new unit next to a public house.
20. The second reason for refusal describes the public house as busy and says that its customers sometimes smoke outside. It suggests that the location of the unit would put residents, presumably referring to residents of the unit, in '*a potentially dangerous position*' and that they would be '*in close proximity to potential[ly] harmful situations such as those outlined by residents who live in the area*'. The fifth reason for refusal refers to the proposed development's Class C3 use and the public house. It then asserts that: '*These uses should not be located next to each other*'. Similarly, the minutes of the relevant Council Planning Committee meeting refer to the proximity of the unit to the public house as a '*serious problem in itself*'.
21. While those expressions of concern are noted, there is no clear explanation in the reasons for refusal or in the Planning Committee meeting minutes of the precise nature of the harm that it is alleged would result, or that it would be significant. Similarly, representations from local residents do not provide persuasive or objective evidence of identifiable or significant harm arising from proximity to the public house. Furthermore, the existing approved Maes y Dderwen care facility, which the 5 bedroom unit would form part of, is already situated adjacent to the public house, albeit separated from it by the car park and a small, grassed area. I understand that the current situation is considered acceptable by the relevant regulatory body, the Care Inspectorate Wales, and no substantive evidence has been presented to show that any significant harm has been caused to residents of the existing facility as a result of its proximity to the public house.
22. Although it would be closer to the public house, I understand that the new unit would be staffed at all times for the protection of its residents. Moreover, bedrooms would be on the first floor and there are no residents' habitable room windows within the side elevation adjacent to the public house. Therefore, the privacy of residents of the unit would be protected and the limited intervisibility should reduce the potential for interaction between unit residents and pub-goers. Given those factors, I am not

persuaded that the position of the unit next to the public house would result in significant harm to residents of the unit, users of the public house or other residents of the area.

23. Concern has also been expressed about effects on a public right of way which runs, between the appeal site and the public house, to residential housing at Martindale Close to the rear of the site. It is suggested that the building would further enclose the lane, which is said to be already used for drug dealing and by people dumping rubbish. Although the new building adjacent to the pub would enclose part of the lane there would still be views down the lane from Charles Street. Furthermore, the unit would incorporate a window to a staffroom at ground floor level which would increase natural surveillance at close quarters over the lane. Such natural surveillance is generally accepted as discouraging criminal or antisocial behaviour. I note that Gwent Police and the Neighbourhood Policing Team have no objections to the proposal and also refer to the importance of natural surveillance in relation to the rear access to the building<sup>8</sup>.
24. The proposed development would fall within the C3 residential use class and be located within a predominately residential area, where the presence of public houses would not be considered unusual. I am also conscious that LDP policy SP4 supports the delivery of quality housing and a mix of dwelling types, sizes and tenures to meet the housing needs of Blaenau Gwent's current and future population. The development would provide a supported living unit that would meet the needs of a particular client group.
25. The Council's submissions do not identify the nature of the alleged harm with any clarity or suggest that the proposed location would be in conflict with the LDP.
26. Therefore, I conclude that the proposed development would be in an acceptable location, including with regard to the living conditions of future residents. It would comply with LDP policy DM2, which requires development to be of a type appropriate to its local context, and national policy, as expressed within Planning Policy Wales, which requires a full range of housing types to meet the identified needs of communities<sup>9</sup>.

*Living conditions of existing residents with regard to outdoor space*

27. The Council's third reason for refusal indicates that the proposal would reduce the amenity space currently enjoyed by existing residents and would impact on their well-being. The Council has not elaborated on the reason for refusal or explained whether it refers to existing residents of the adjacent care facility or other neighbouring residents along Charles Street. Given the lack of clarity, I will consider both.
28. While the appeal site would use a grassed area, it is adjacent to an existing car park and bin store and appears to be of limited value as an outdoor space or garden area for residents of the existing facility. Moreover, it is understood that those residents have access to a private garden to the rear of the main building. Future residents of the unit would have access to a modest garden to the rear of the new building and, as I understand it, to the garden at the existing facility.

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<sup>8</sup> Email from Gwent Police dated 3 March 2021

<sup>9</sup> Edition 11 including paragraph 4.2.12

29. Given that the appeal site is private land, the grassed area is not likely to be of any significant benefit to neighbouring residents along the street, with regard to outdoor space.
30. Accordingly, I conclude that the proposed development would not harm the living conditions of residents of the adjacent facility or other residents in the area, with regard to loss of outdoor space. Again the Council's reason for refusal does not cite conflict with any LDP policy. In any event, the proposal would comply with criterion 2c of LDP policy DM 1, as it would not result in an unacceptable impact on the amenities of neighbouring occupiers.

### **Other Matters**

31. The Council's fourth reason for refusal states that the '*proposed development is not in the best interests of the community surrounding the development.*' However, there is no explanation within the Council's submissions, including the minutes of the relevant Planning Committee meetings, to identify the nature of the alleged adverse effect on the surrounding community, beyond the issues already dealt with above. Therefore, it amounts to a vague, generalised assertion. I note that the Council Officer's Report to Committee<sup>10</sup> makes a similar point regarding the ambiguity of the then proposed reason for refusal and the need for any alleged negative impacts to be identified and to be relevant planning considerations. Therefore, in the absence of any further explanation or clarification, I have given limited weight to that reason for refusal in my consideration of the appeal.
32. In addition to the matters dealt with above, local residents have raised a range of other matters, many of which appear to relate to the operation and nature of the existing facility at Maes y Dderwen. They include alleged loss of privacy, light, obstruction of views, alleged anti-social or criminal behaviour, effects on property values in the area and questioning the need for the existing facility to be expanded. While I have carefully considered all the representations made at both the application and appeal stages, they have either been satisfactorily addressed in the Council Officer's Report<sup>11</sup>; are not directly relevant to the proposal; are not relevant planning issues; can be addressed by appropriate conditions; are not persuasively evidenced; or are not of sufficient individual or cumulative significance to lead me to alter my decision.
33. Any effects or disruption during the construction period would be short-term and could be mitigated by careful construction management.

### **Conditions**

34. The Council has suggested conditions in the event that the appeal were allowed, which I have considered, making minor alterations, if necessary, for simplicity and clarity, and having regard to the advice in Welsh Government Circular 016/2014: *The Use of Planning Conditions for Development Management* (October 2014). Condition 5 is a pre-commencement condition, suggested by the Council, relating to contamination. It is necessary because the Council advises that the site may be affected by contamination. The appellant has had the opportunity to comment on the suggested conditions and has not raised any objections to them.

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<sup>10</sup> For the Committee Meeting of 15 April 2021

<sup>11</sup> For the Committee Meeting of 4 March 2021 – paragraphs 5.13-5.23



## Conclusion

35. I appreciate that some members of the local community will be disappointed by my decision. However, planning law requires that proposals for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise<sup>12</sup>. Overall, I have not found that the proposed development would cause significant identifiable harm or be contrary to the LDP. Although I have considered a range of matters raised, including in relation to the nature and operation of the existing neighbouring care facility, none are of sufficient significance to justify a decision other than in accordance with the development plan.
36. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.
37. 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 ('the Act'). I consider that this decision is in accord with the Act's sustainable development principle through its contribution towards one or more of the Welsh Minister's well-being objectives as required by section 8 of the Act.

*JP Tudor*

INSPECTOR

### Schedule of Conditions

- 1) The development shall begin not later than five years from the date of this decision.

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

- 2) The development shall be carried out in accordance with the following approved plans: -

Site Location Plan 3935-PEN-ZZ-ZZ-DR-A-1001 S4 P5  
Site Plan 3935-PEN-ZZ-00-DR-A-1003 S4 P7  
Building Elevations 3935-PEN-ZZ-ZZ-DR-A-2040 S4 P3  
Elevations A & B 3935-PEN-ZZ-ZZ-DR-A-2000 S4 P5  
Elevations C & D 3935-PEN-ZZ-ZZ-DR-A-2020 S4 P5  
Roof Plan 3935-PEN-ZZ-ZZ-ZZ-A-1002 S4 P6  
Floor Plans 3935-PEN-ZZ-ZZ-DR-A-1004 S4 P6

**Reason:** To ensure that the development is carried out in accordance with the approved plans.

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

**Reason:** To ensure that the development hereby permitted does not have a detrimental impact on the character and appearance of the area in accordance with policy DM1 of the Blaenau Gwent County Borough Council Local Development Plan up to 2021.

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<sup>12</sup> s.38(6) Planning and Compulsory Purchase Act 2004 and s.70(2) Town and Country Planning Act 1990

- 4) The dwelling hereby approved shall not be occupied until the parking areas as indicated on the approved plans are constructed and surfaced in a permeable/porous material. The areas provided shall be retained and maintained for parking for the lifetime of the development.

**Reason:** To ensure the parking needs of the development are adequately met and to ensure highway safety in accordance with policy DM1 of the Blaenau Gwent County Borough Council Local Development Plan up to 2021.

- 5) No development shall commence until an assessment of the nature and extent of any site contamination is undertaken in accordance with a methodology which must first be submitted to and approved in writing by the local planning authority. Such an assessment shall include details of: -

- the nature, extent and type of any contamination and the impacts on land and controlled waters, and details of all potential source, pathway and receptor linkages;
- in instances where a desk top assessment has demonstrated it to be necessary, the results of an intrusive site investigation report; and
- 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 local planning 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:** To protect future users of the land, neighbouring land, controlled waters, property and ecological systems.

- 6) All tree protection measures as identified in the submitted Arboricultural Report (prepared by ArbTS Ltd and dated 1 December 2020) shall be installed prior to development commencing on site. Such measures shall be retained in place during the course of the development.

**Reason:** To ensure that appropriate measures are in place to protect the retained trees on site in accordance with policies SP10, DM14, DM15 and DM16 of the Blaenau Gwent County Borough Council Local Development Plan up to 2021.

- 7) The development hereby approved shall not progress beyond slab level until a detailed landscape plan has been submitted to and approved in writing by the local planning authority. The submitted scheme shall include:

- details of ground preparation, number and details of species;
- maintenance details for a minimum period of 5 years; and
- a phased timetable of implementation.

**Reason:** To ensure appropriate landscaping of the site in accordance with policy DM2 of the Blaenau Gwent County Borough Council Local Development Plan up to 2021.

- 8) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following occupation of the building or the completion of the development (whichever is the sooner), or any alternative timescale that may be approved 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 or similar species and size in the next available planting season.

**Reason:** To ensure timely implementation and maintenance of an appropriate landscaping scheme in accordance with policy DM2 of the Blaenau Gwent County Borough Council Local Development Plan up to 2021.

**End of Schedule**

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## Penderfyniad ar gostau

Ymweliad â safle a wnaed ar 03/08/21

gan **J P Tudor BA (Hons), Cyfreithiwr  
(ddim yn ymarfer)**

Arolygydd a benodir gan Weinidogion Cymru  
Dyddiad: 16.09.2021

## Costs Decision

Site visit made on 03/08/21

by **J P Tudor BA (Hons), Solicitor (non-  
practising)**

an Inspector appointed by the Welsh Ministers  
Date: 16.09.2021

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**Costs application in relation to Appeal Ref: APP/X6910/A/21/3276988**

**Site address: Maes y Dderwen, Charles Street, Tredegar NP22 4AF**

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

- The application is made under the Town and Country Planning Act 1990, sections 78, 322C and Schedule 6.
  - The application is made by Mr Dean Richards (Shaw Healthcare) for a full award of costs against Blaenau Gwent County Borough Council.
  - The appeal was against the refusal of planning permission for 5 bedroom supported living unit and associated works.
- 

### Decision

1. The application for an award of costs is allowed in the terms set out below.

### The Submissions

2. The applicant's submission was made in writing. The Council has not provided a response to the costs application.

### Procedural Matter

3. As advised in the main appeal decision, Council Officers recommended approval of the proposed development but the Council's Planning, Regulatory and General Licensing Committee (the Planning Committee) took a different view, deciding to refuse planning permission. The Council Officer's Report<sup>1</sup> to the Planning Committee prior to its final decision advised, among other things, that a refusal of planning permission in this case would lead to a realistic prospect of an award of costs against the Council, unless substantive evidence to support the reasons for refusing planning permission was provided. It also indicated that it would not be possible for Council Officers to defend the decision if it was appealed.

### Reasons

4. The Welsh Government's Development Management Manual - Section 12 Annex: Award of Costs (the Annex) states that an appellant or applicant is not awarded costs

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<sup>1</sup> Officer Report for Committee Meeting 15 April 2021

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simply because their appeal succeeds. An award of costs may only be made where one party has behaved unreasonably and that unreasonable behaviour has led other parties to incur unnecessary or wasted expense<sup>2</sup>.

5. Referring to examples of unreasonable behaviour by local planning authorities given in the Annex, the applicant alleges that the Council has failed to produce evidence to substantiate the impact of the proposal, or each reason, or proposed reason for refusal (i.e. taking a decision contrary to professional or technical advice without there being reasonable planning grounds to do so)<sup>3</sup>. The applicant also maintains that the Council has acted contrary to, or not followed well-established case law<sup>4</sup>.
6. The crux of the applicant's case is that, despite the professional advice of Council Officers that the development should be approved and was in accordance with the development plan, the Council refused the application for reasons not supported by evidence and which do not represent sound planning considerations.
7. The Council gave 5 reasons for refusal in its decision notice. Further detail of my assessment of those reasons is contained within the main appeal decision. The first related to concerns about parking. However, it had been made clear to the Planning Committee by Council Officers that in providing 3 new parking spaces, the proposal complied with relevant parking requirements set out in the Council's Access, Car Parking and Design Supplementary Planning Guidance (SPG)<sup>5</sup>. Furthermore, the highway authority (HA) did not object to the proposal. Although the Council, through its Planning Committee, decided to disagree with the advice of its Officers and the HA, it did not provide any substantive evidence to justify its assertion that there were major parking problems in the area or explain how the development would add to parking demand or jeopardise highway safety.
8. The second and fifth reasons for refusal both referred to the proposed location of the unit next to a public house but provided no clear explanation of the nature of any alleged harm. Instead, the decision notice referred vaguely to customers smoking outside the public house and potentially '*harmful situations outlined by residents who live in the area*'. The Council's appeal submissions do not elaborate on those concerns while representations from local residents did not provide persuasive or objective evidence of likely harm arising from the proximity of the unit to the public house. The applicant had provided reasonably comprehensive information prior to the relevant Planning Committee meetings to address concerns that had been expressed by members of the committee. It confirmed, for example, that the relevant regulatory body, the Care Inspectorate Wales, had no concerns about the location of the existing facility adjacent to the public house. Case law has established that it is not appropriate for Councils to stray into areas covered by other legislation, such as the regulation of care facilities, when considering a planning proposal.
9. The third reason for refusal characterised the grassed area next to the car park on which the new unit would be built as an 'amenity space' and appeared to suggest that its loss would harm the well-being of existing residents of the care facility. However, given its location on the far side of the car park away from the care home building, it is unlikely that it would be used by existing residents of the facility who, in any case, had access to a larger private rear garden. Therefore, the reasoning is flawed and unsupported by evidence.

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<sup>2</sup> Paragraph 1.2 Development Management Manual - Section 12 Annex: Award of Costs: May 2017

<sup>3</sup> Paragraph 3.11(b)

<sup>4</sup> Paragraph 3.11(d)

<sup>5</sup> March 2014

10. The remaining reason for refusal simply asserted that the development would not be in the best interests of the surrounding community, but failed to explain why or in what way. Although the Council's reasons for refusal appear to allude to or reflect concerns expressed by some local residents, those had already been assessed in the Officer Reports, which concluded that they did not form relevant or sound planning reasons for refusing the proposed development.
11. Planning law requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. It is significant that none of the Council's five reasons for refusal allege conflict with policies within its Local Development Plan up to 2021 (LDP)<sup>6</sup>.
12. The Annex advises that: *'Local planning authorities are not bound to adopt the professional or technical advice given by their own officers or received from statutory consultees. However, they are expected to show that they had reasonable planning grounds for taking a decision contrary to such advice and that they are able to produce relevant evidence to support their decision. If they fail to do so, costs may be awarded against the authority.'*<sup>7</sup>
13. The Council's Planning Committee was advised by Officers that the proposed reasons for refusal lacked substance or supporting evidence. Nevertheless, it proceeded to refuse the application without showing reasonable planning grounds for taking a decision contrary to the professional and technical advice given by Officers and the HA. Given the above factors and in the absence of evidence to substantiate the reasons given for refusal, the only conclusion that can legitimately be drawn is that the Council has behaved unreasonably in refusing the proposal. That has led directly to unnecessary expense for the applicant in having to appeal. My findings here are consistent with those in the main appeal which I allowed.

## **Conclusion**

14. I therefore find that unreasonable behaviour resulting in unnecessary expense, as described in the Annex, has been demonstrated and that a full award of costs is justified.

## **Costs Order**

15. In exercise of the powers under section 322C and Schedule 6 of the Town and Country Planning Act 1990 as amended, and all other enabling powers in that behalf, IT IS HEREBY ORDERED that Blaenau Gwent County Borough Council shall pay to Mr Dean Richards (Shaw Healthcare) the costs of the appeal proceedings described in the heading of this decision such costs to be assessed in the Senior Courts Costs Office if not agreed.
16. The applicant is now invited to submit to Blaenau Gwent County Borough Council, to whom a copy of this decision has been sent, details of those costs with a view to reaching agreement as to the amount.

*JP Tudor*

INSPECTOR

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<sup>6</sup> Adopted November 2012

<sup>7</sup> Paragraph 3.9

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<b>BLAENAU GWENT COUNTY BOROUGH COUNCIL</b>	
<b>Report to:</b>	Planning, Regulatory & General Licensing Committee
<b>Report Subject:</b>	<p><i>Application: C/2021/0103</i></p> <p><i>Site: Former Job Centre, Tredegar</i></p> <p><i>Proposal: Conversion of former office into 11 room bed and breakfast facility with residential unit, associated parking provision with internal and external alterations and decking</i></p>
<b>Report Author:</b>	Service Manager Development & Estates
<b>Directorate:</b>	Regeneration and Community Services
<b>Date of meeting:</b>	14 <sup>th</sup> October 2021

<b>1.0</b>	<b>Purpose of Report</b>
1.1	At the September meeting of this Committee, Members considered a report for the conversion of the Former Job Centre in Tredegar to an 11 room bed and breakfast unit with associated parking provision, internal and external alterations.
1.2	The officer recommendation was that planning permission be granted subject to conditions. This was based on the fact that the location of the proposed facility is considered acceptable and that there were no substantive matters raised by consultees that could not be addressed by the imposition of suitably worded planning conditions.
1.3	Following a vote, the Planning Committee resolved to defer the application for a further report to consider the issues raised by Members and to seek responses from Gwent Police, South

	Wales Fire Service and Tredegar Town Council relative to the application.
<b>2.0</b>	<b>Background &amp; Context</b>
2.1	Members raised a number of concerns in relation to the application which are summarised and considered below:
2.2	<b><u>Lack of responses from third parties</u></b>
2.3	No comments were received from Gwent Police, South Wales Fire Service and Tredegar Town Council following initial consultation of the application. At the Members request further consultations were carried out with these organisations and the responses have been attached as appendices to this report. The matters raised in the responses are dealt with below.
2.4	<b><u>Concerns regarding Parking/Highway safety</u></b>
2.5	Concerns were raised at Committee that there is insufficient parking for the proposed development and that it may result in on-street parking and the subsequent obstruction of the fire station.
2.6	Parking restrictions are in place along the frontage of the fire station which can be enforced by the Police. There is no reason to believe that the use of the premises as a Bed and breakfast would result in any obstruction. I also note that the fire service has not objected to the proposal.
2.7	In addition to the 8 car parking spaces proposed within the application site there is a large public car park the rear of the building. The Highway Authority have confirmed that the development meets the Council's adopted parking standards and has not objected to the application. I do not consider that refusing the application on the grounds of lack of parking could be justified.
2.8	<b><u>Location issues</u></b>
2.9	Concerns were raised that the proximity of the site next to a fire station would have an unacceptable effect upon the amenity of residents/visitors. It is not unusual for Fire Stations to be located with residential areas, I do not consider this to be a justifiable reason for refusal. Furthermore, it would be the choice of the customer whether they wish to stay at the property.

2.10	<b><u>Problems experienced from similar nearby establishments</u></b>
2.11	I note the concerns raised by Members, Gwent Police and Tredegar Town Council which refer to problems experienced at two “similar” businesses in the Town Centre. The Police response refers to both of these properties as bed and breakfast. However, from a planning perspective this is not the case.
2.12	The Chambers has planning permission for a hostel (which falls within a sui generis use). Recent investigations by the Planning Compliance Officer have confirmed that the premises are being run in accordance with its planning permission.
2.13	The Punch House Flats received planning permission in 1988 for conversion of the building to flats. There have been no subsequent permissions relating to the use of building. If as suggested by the police, the building is operating as a guest house then this can be investigated by the Planning Compliance Officer.
2.14	In terms of the perceived use, I must reiterate that the application before Members is for a <u>Bed and Breakfast facility only</u> which falls within a Class C1 use. Any subsequent change of use of the premises to a hostel would require planning permission. However, in acknowledgement to the Members concerns conditions can be added to the permission restricting its use and to restrict the number of nights’ residents can occupy the premises.
2.15	As outlined above the two premises referred to are different in nature to the current proposal and any issues or problems resulting from the operation of these other facilities are not material planning considerations in the determination of this application.
2.16	Concerns were also raised at the meeting that there were problems being experienced in another borough in a property owned/operated by the applicant. This is not a material planning consideration.
2.17	<b><u>Impact on the Conservation Area and detrimental to the Tredegar Heritage Initiative</u></b>
2.18	I am unclear as how the proposal would have a detrimental impact upon the area. It is acknowledged that the building has

	<p>no architectural merit. However, it is an existing building within the Conservation Area the reuse and improvement of the visual appearance should be welcomed. The application needs to be determined as submitted.</p>
2.19	<p><b><u>Community Impact and impact on businesses</u></b></p>
2.20	<p>Concerns were raised by Members that the proposal would have a negative impact upon the community and on businesses. However, no explanation was given as to how. If it was based on the behaviour of future occupiers of the business this would be extremely difficult to justify a reason for refusal in planning terms. Any reason for refusal on these grounds would need to be specific in nature and related to planning matters.</p>
2.21	<p><b><u>Clarification of use</u></b></p>
2.22	<p>In my initial report to the Planning Committee I advised Members that any future use of the guest house as a hostel would require planning permission. This was reiterated verbally during the meeting by the Team Manager Development Management.</p>
2.23	<p>To provide some additional context, there is no definition of a hostel in planning law. However, it is accepted as a wide ranging term meaning, a residential establishment where unrelated people live together for various purposes, mainly arising from a need for shelter or rehabilitation. Such a use is a sui generis use which sits in a class of its own.</p>
2.24	<p>The proposed Bed and Breakfast falls within a Class C1 use. Circular 03/2005 defines a C1 use as a premises which provide a room as a temporary accommodation on a commercial fee paying basis where meals can be provided but where residential care is not.</p>
2.25	<p>Whilst the term temporary may be open to interpretation Bed and Breakfasts are not normally used as a resident's main residence, whereas a hostel may well be the residents only place of abode.</p> <p>These subtle but distinct differences ensure that there is control over any future use of the premises.</p>

2.26	<b><u>Conclusion</u></b>
2.27	<p>If planning permission is refused, then Members must be mindful of important issues and consequences:</p> <ol style="list-style-type: none"><li>1. Consideration of the merits of the application must be limited to relevant planning matters. That is a legal requirement.</li><li>2. If planning permission is refused, the reason(s) must be clear and unambiguous.</li><li>3. The reason(s) for refusal must be capable of being defended at an appeal. This will require evidence.</li><li>4. Each reason for refusal must stand on its own merit. The case is not made stronger by virtue of the number of reasons given. It is preferable to use one defensible reason where evidence can be produced rather than multiple reasons of questionable validity. Failure to justify each and every reason is important at an appeal; costs can be awarded in respect of an unjustified reason(s) even if the appeal itself were to be dismissed.</li></ol>
2.28	<p>This Council has been the subject of a number of costs awards in recent times for refusing planning permission where Planning Committee has been unable to defend that decision with evidence. These costs awards are mounting up and are significant. There is no budget to meet this expenditure.</p>
2.29	<p>I must place on record my concern that an unsustainable refusal of this application again places the Council in a position where a costs award is a realistic prospect. Reliance on anecdotal evidence or “local knowledge” is insufficient.</p>
2.30	<p>Democracy is built into the system in that Planning Committee is comprised of elected representatives. However, Planning Committee does not decide applications by way of a “referendum”. A Member of Planning Committee must represent the wider public interest. In doing this they must have regard to planning policy, relevant planning matters and the advice of the planning officer and other consultees.</p>

2.31	The fact that there are objectors to a planning application is itself a material consideration. However, it is not determinative. Members should have regard to the volume of correspondence and in my view, more importantly the matters raised and attach weight as they see fit. Placing undue weight on any one consideration (including the views of the public) amounts to flawed decision making.
<b>3.0</b>	<b>Recommendation</b>
.	<p>My recommendation to Committee remains the same as my previous report, that planning permission should be <b>GRANTED</b> subject to conditions.</p> <p>To address Member's concerns relating to the use of the premises it is proposed to add additional conditions (see conditions 3, 4 &amp; 5 below). In my view these conditions will build in additional controls and restrictions which address the Members concerns over control over any future use of the building:</p> <ol style="list-style-type: none"> <li>1. The development hereby permitted shall be completed in accordance with the following approved plans: <ul style="list-style-type: none"> <li>• Proposed block plan: Plan 2 of 3 dated March 2021</li> <li>• Proposed elevations: Plan no 3 of 3 dated March 2021</li> <li>• Site Location Plan</li> </ul> <p>Unless otherwise specified or required by any conditions listed below, Reason: To define the scope of this permission</p> </li> <li>2. Notwithstanding the details on the approved plan prior to their application details of the proposed finishes shall be submitted for the approval of the Local Planning Authority. All works subsequently implemented shall be undertaken in full accordance with approved details before the use hereby approved is implemented. Reason: In the interests of visual amenity</li> <li>3. The premises shall be used as a Bed and Breakfast with staff accommodation only and for no other use including any other use in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 [or in any provision</li> </ol>

	<p>equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or without modification].</p> <p>Reason: To ensure that no alternative use is made of the premises that may cause harm to amenity.</p> <p>4. The development (with the exception of the staff accommodation) shall be occupied as short term accommodation only and shall not be occupied as a person's sole or main residence or by any persons exceeding a period of 28 days in any calendar year. Reason: To ensure that no alternative use is made of the premises that may cause harm to amenity</p> <p>5. An up-to-date register containing details of the names, main home address, dates of arrival and departure of occupants using accommodation shall be made available for inspection by the Local Planning Authority upon request. Reason: To ensure the accommodation is used as short term accommodation only.</p> <p>6. The parking areas as indicated on the approved plan shall be provided prior to the development hereby approved being brought into beneficial use and shall be retained in perpetuity. Reason: To ensure the parking needs of the development are met.</p> <p>7. Notwithstanding the details on the approved plans a detailed landscape plan showing replacement planting shall be submitted for the approval of the LPA prior to the occupation of the building. Such details shall include:</p> <ul style="list-style-type: none"><li>• Details of ground preparation, planting plans, numbers and details of species</li><li>• Maintenance details for a minimum of 5 years, and</li><li>• A phased timescale of implementation</li></ul> <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>8. Prior to occupation of the building details and positioning of the proposed bird bricks and bat boxes shall be submitted for the approval of the Local Planning Authority. The</p>
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development shall be completed in accordance with such details as approved.

Reason: In the interest of biodiversity enhancements

9. Notwithstanding the details on the approved plans the surface water proposals are not hereby approved

Reason: To define the scope of this permission.

10. The development shall begin no later than five years from the date of this decision notice.

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

Informative Advice

The applicant should note that the development hereby approved also requires SuDs approval before work commence in relation to the construction of any hard surfaced areas. Further guidance in relation to such requirements can be found at: [Blaenau Gwent CBC: Permission for Drainage \(blaenau-gwent.gov.uk\)](http://blaenau-gwent.gov.uk)

On such basis any surface water drainage details submitted as part of your application have not been considered. Should it be necessary to amend your development to meet the requirements of the SAB (SuDS Approval Body) you should seek further advice from the Local Planning Authority

\*\*\*\*\*





Blaenau Gwent County Borough  
Council  
Planning Department  
Council Offices  
High Street  
Blaina  
NP13 3XD  
[planning@blaenau-gwent.gov.uk](mailto:planning@blaenau-gwent.gov.uk)

Our Ref: SMA/27-15090 (BR13)  
Your Ref: C/2021/0133  
Date: 15 September 2021  
Contact: Watch Manager S. Marshall  
Tel:  
E-mail: [firesafety@southwales-fire.gov.uk](mailto:firesafety@southwales-fire.gov.uk)

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990  
PROPOSAL: THE CHANGE OF USE OF FORMER JOB CENTRE TO A BED AND  
BREAKFAST  
LOCATION: FORMER JOB CENTRE CORONATION STREET TREDEGAR  
NP22 3RJ**

I acknowledge receipt of the notification to the South Wales Fire and Rescue Authority in relation to the above application.

The proposed site plan in relation to the above has been examined and the Fire and Rescue Authority wish the following comments to be brought to the attention of the committee/applicant. It is important that these matters are dealt with in the early stages of any proposed development.

The developer should consider the need for the provision of:-

- a. adequate water supplies on the site for firefighting purposes; and
- b. access for emergency firefighting appliances.

Should the applicant require further information in relation to these matters they should contact the above named fire safety officer.

Yours faithfully,

**Duly signed and authorised by**

**for Assistant Chief Fire Officer**

Enc: BR13 Appendix

Pencadlys Gwasanaeth Tân ac Achub De Cymru,  
Parc Busnes Forest View, Llantrisant, Pont-y-clun, CF72 8LX.

Ffôn 01443 232000 • Ffacs 01443 232180  
[www.decymru-tan.gov.uk](http://www.decymru-tan.gov.uk)

Rydym yn croesawu gohebiaeth yn y gymraeg a'r saesneg - byddwn yn  
ymateb yn gyfartal i'r ddau ac yn ateb yn eich dewis iaith heb oedi.

South Wales Fire and Rescue Service Headquarters,  
Forest View Business Park, Llantrisant, Pontyclun, CF72 8LX.

Telephone 01443 232000 • Fax 01443 232180  
[www.southwales-fire.gov.uk](http://www.southwales-fire.gov.uk)

We welcome correspondence in Welsh and English - we will respond  
equally to both and will reply in your language of choice without delay.

## Appendix

### 1.0 Access For Fire Appliances

Typical vehicle access route requirements:

Appliance Type	Min Width Road	Min Width Gate	Min Turning Circle between Kerb
Pump	3.7m	3.1m	16.8m
Aerial Appliance	3.7m	3.1m	26.9m
Min Turning between Wall	Min Height Clearance	Min Capacity Tonnes	
19.2	3.7m	12.5	
29.0	4.0m	23	

#### Pedestrian Priority

Pedestrian schemes must take into account the need for permanent and unobstructed access for firefighting appliances. The siting of ornamental structures such as flower beds, must take account, not only of the access requirements of the fire appliances but the need to be able to site them in strategic positions; in particular, account must be taken of the working space requirements for aerial appliances. Consultation must take place with the Fire Authority during the earliest planning stages of any development to ensure adequate access for fire appliances, their siting and use.

### 2.0 Water Supplies for Firefighting

The existing output of the statutory water supply network may need to be upgraded in certain parts of the local plan area to cater for firefighting needs of new developments. It is recommended that this provision be a condition of planning consent.

#### Access to Open Water Supplies

Where development of water front sites takes place, the need for permanent and unobstructed access for firefighting appliances to the water should be made a condition of any planning consent.

Consultation must take place with the Fire Authority during the earliest planning stages of any development to ensure access for fire pumping appliances is satisfactory.

## 2.1 **Housing**

Minimum main size 100mm. Housing developments with units of detached or semi-detached houses of not more than two floors should have a water supply capable of delivering a minimum of eight litres per second through any hydrant on the development.

Housing developments with units of more than two floors should have a water supply capable of delivering a minimum of 20 to 35 litres per second through any hydrant on the development.

## 2.2 **Transportation**

Lorry/Coach Parks - Multi-Storey Car Parks-Service Stations

Minimum main size 100mm. All of these amenities should have a water supply capable of delivering a minimum of 25 litres per second through any hydrant on the development or within a vehicular distance of 90 metres from the complex.

## 2.3 **Industry**

In order that an adequate supply of water is available for use by the Fire Authority in case of fire, it is recommended that the water supply infrastructure to any Industrial estate is as follows:

Light Industrial

Minimum Main Size 100mm  
Up to one hectare, 20 litres per second

Commercial/Industrial

Up to two hectares, 35 litres per second - Minimum Main Size 150mm

High Risk Industrial

Two to three hectares 50 litres per second - Minimum Main Size 150mm.  
Over three hectares, 75 litres per second.

In rural areas it may not be possible to provide sufficient mains water. To overcome this, static or river supplies would be considered on site at the above flow rates for at least one hour.

The Fire Authority should be consulted at the outline planning stage of any proposed projects to ascertain the exact requirements, as high risk units may require a greater flow.

## 2.4 Shopping, Health and Community Facilities

### Village Halls

Should have a water supply capable of delivering a minimum of 15 litres per second through any hydrant on the development or within a vehicular distance of 100 metres from the complex.

### Primary Schools and single storey Health Centres

Should have a water supply capable of delivering a minimum of 20 litres per second through any hydrant on the development or within a vehicular distance of 70 metres from the complex.

### Secondary Schools, Colleges, Large Health and Community Facilities

Should have a water supply capable of delivering a minimum of 35 litres per second through any hydrant on the development or within a vehicular distance of 70 metres from the complex.

## 2.6 Distances Between Fire Hydrants

The distance between fire hydrants should not exceed the following:

Residential areas	-	200 metres
Industrial Estates (Subject to operational needs)	-	150 metres
Town centre areas	-	90 metres
Commercial (Offices & Shops)	-	100 metres
Residential Hotels	-	Adjacent to access
Hotels	-	Adjacent to access
Institutional (Hospitals & Old Persons Homes)	-	Adjacent to access
Old Persons Homes	-	Adjacent to access
Educational (Schools & Colleges)	-	Adjacent to access

## 2.7 Conclusion

Developers should hold joint discussion with Dwr Cymru - Welsh Water or the National Rivers Authority and the Fire Authority to ensure that adequate water supplies are available in case of fire. the Fire Authority reserve the right to ask for static water supplies for firefighting on site as a condition of planning consent, if the supply infrastructure is inadequate for any given risk.

**From:** [Town Clerk](#)  
**To:** [Engel, Jane](#)  
**Subject:** Re: C/2021/0103 - Former Job Centre  
**Date:** 16 September 2021 12:42:24  
**Attachments:** [image001.jpg](#)

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Good afternoon Jane

On presenting your correspondence to the Ordinary Meeting of Tredegar Town Council, I would like to provide the feedback / observations of Members, as follows:

- As statutory consultees, Tredegar Town Council has received written objections from the public via social media
- Object on grounds of impact on the community - wish to support the objections submitted by the Police, as the police force have needed to apply for increasing the number of Officers due to issues at a similar development in Morgan Street, and the main factor being the impact on the Little Theatre located directly opposite
- Members required sight of the Business Case; and
- Parking - there are car parks located in the surrounding area, but concern was expressed should on-street parking occur, as located in the vicinity of the Fire Station.

Thank you.

**Clare Aherne**  
**Town Clerk**

Keep safe and healthy

*Tredegar Town Council, Bedwellty House & Park, Tredegar, Blaenau Gwent NP22 3XN*  
*Tel: 01495 722352 [www.tredegartowncouncil.co.uk](http://www.tredegartowncouncil.co.uk)*

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---

**From:** Engel, Jane  
**Sent:** 07 September 2021 11:39  
**To:** Town Clerk  
**Subject:** RE: C/2021/0103 - Former Job Centre

Hi Clare

The application was reported to planning committee on Thursday last week. Members have deferred the application until October Committee so if the Town Council wish to make comments I will need them by 21<sup>st</sup> September.

Many thanks

Jane

---

**From:** Town Clerk  
**Sent:** 07 July 2021 09:56  
**To:** Engel, Jane  
**Subject:** Fw: C/2021/0103 - Former Job Centre

Morning Jane

I have again reminded Members that I need their observations on the planning application - I

do not wish to hold up your report-writing but is there a deadline today?

Many thanks

Clare

Keep safe and healthy ♥

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---

**From:** Town Clerk <[tredegartc@btconnect.com](mailto:tredegartc@btconnect.com)>

**Sent:** 07 July 2021 09:52

**To:** alyson <[alysonrefil@gmail.com](mailto:alysonrefil@gmail.com)>; David Jones <[jonesdtred@gmail.com](mailto:jonesdtred@gmail.com)>

**Cc:** davidhowells2321@gmail.com <[davidhowells2321@gmail.com](mailto:davidhowells2321@gmail.com)>; gaynorcaj34@gmail.com <[gaynorcaj34@gmail.com](mailto:gaynorcaj34@gmail.com)>; jacqueestar@aol.com <[jacqueestar@aol.com](mailto:jacqueestar@aol.com)>; sharonhaydn@aol.com [sharonhaydn@aol.com] <[sharonhaydn@aol.com](mailto:sharonhaydn@aol.com)>; sharon trollope <[sharontrollepe@hotmail.com](mailto:sharontrollepe@hotmail.com)>; Pasty <[pastyturner@aol.com](mailto:pastyturner@aol.com)>

**Subject:** Fw: C/2021/0103 - Former Job Centre

Morning both

On some Members visiting the office to view the planning application, I have yet to receive any comments in respect of the same. The Officer is compiling the report and needs the observations of Town Council asap. (Below - extract of Minute when presented to Council.)

Clare

C/2021/0103

Mr. A. Rahman  
Maes-y-coed Guest  
Pontmorlais West  
Merthyr Tydfil

Conversion of former offices to 11 room bed & breakfast facility with residential unit, associated parking provision, internal and external alterations and decking – Former Job Centre, Coronation Street.

**Observations:** a Member considered this a 'loaded' topic, judging by comments made on social media, and he therefore sought the views of his Colleagues. Following a brief discussion, whereby Members' concerns were aired, the Clerk emphasised that Council could only respond to the details outlined in the application, and could not pre-empt any alternative use, and cite only associated Planning Conditions to the application presented.

**Deferred for further consideration.**

*Tredegartown Council, Bedwellty House & Park, Tredegartown, Blaenau Gwent NP22 3XN*  
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---

**From:** Engel, Jane <[Jane.Engel@blaenau-gwent.gov.uk](mailto:Jane.Engel@blaenau-gwent.gov.uk)>

**Sent:** 06 July 2021 07:14

**To:** Town Clerk <[tredegartc@btconnect.com](mailto:tredegartc@btconnect.com)>

**Subject:** RE: C/2021/0103 - Former Job Centre

Hi Clare

I am preparing my report on this application for next committee and do not seem to have received a response from the Town Council.

I apologise if one has been sent through and would be grateful if you could send it to me again.

Many thanks

Jane

---

**From:** Town Clerk <[tredegartc@btconnect.com](mailto:tredegartc@btconnect.com)>  
**Sent:** 07 June 2021 15:14  
**To:** BGCBC - Planning <[Planning.bgcbc@blaenau-gwent.gov.uk](mailto:Planning.bgcbc@blaenau-gwent.gov.uk)>  
**Cc:** Engel, Jane <[Jane.Engel@blaenau-gwent.gov.uk](mailto:Jane.Engel@blaenau-gwent.gov.uk)>  
**Subject:** Re: C/2021/0103 - Former Job Centre

Ok, thanks

*Tredegartown Council, Bedwellty House & Park, Tredegar, Blaenau Gwent NP22 3XN*  
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**From:** BGCBC - Planning <[Planning.bgcbc@blaenau-gwent.gov.uk](mailto:Planning.bgcbc@blaenau-gwent.gov.uk)>  
**Sent:** 07 June 2021 14:09  
**To:** Town Clerk <[tredegartc@btconnect.com](mailto:tredegartc@btconnect.com)>  
**Cc:** Engel, Jane <[Jane.Engel@blaenau-gwent.gov.uk](mailto:Jane.Engel@blaenau-gwent.gov.uk)>  
**Subject:** RE: C/2021/0103 - Former Job Centre

Hi Clare,

Application C/2021/0103 is at the Delegated stage. All consultations were issued 23/04/2021. I have copied in the Planning Officer for info.

*Kind Regards*

**Business Support | Planning Section**



Phone / Ffon: (01495) 355555

Email: [Planning.bgcbc@blaenau-gwent.gov.uk](mailto:Planning.bgcbc@blaenau-gwent.gov.uk)

Website: <http://www.blaenau-gwent.gov.uk>

Blaenau Gwent County Borough Council, Municipal Offices, Civic Centre, Ebbw Vale, NP23 6XB

---

**From:** Town Clerk <[tredegartc@btconnect.com](mailto:tredegartc@btconnect.com)>  
**Sent:** 07 June 2021 12:39  
**To:** BGCBC - Planning <[Planning.bgcbc@blaenau-gwent.gov.uk](mailto:Planning.bgcbc@blaenau-gwent.gov.uk)>  
**Subject:** C/2021/0103

Hiya, could you please tell me at what stage of the process is planning application C/2021/0103 - I cannot see it on the agenda for June under Planning Report or Delegated Items?

Thanks and best wishes,

**Clare**

*Tredegartown Council, Bedwellty House & Park, Tredegar, Blaenau Gwent NP22 3XN*  
*Tel: 01495 722352 Mobile: 07434 654732 [www.tredegartowncouncil.co.uk](http://www.tredegartowncouncil.co.uk)*

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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.

Mae'r Cyngor yn croesawu gohebiaeth yn Gymraeg, Saesneg neu yn y ddwy iaith. Byddwn yn cyfathrebu â chi yn ôl eich dewis. Ni fydd gohebu yn Gymraeg yn arwain at oedi.

Mae'r neges ebost hon, ynghyd ag unrhyw ffeiliau sydd ynghlwm wrthi, yn gyfrinachol ac at

ddefnydd yr unigolyn neu sefydliad y cyfeiriwyd hi ato. Pe dderbynioch y neges hon mewn camgymeriad, byddwch mor garedig a rhoi gwybod i'r rheolwr system. Mae'r nodyn hwn hefyd yn cadarnhau bod y neges ebost hon wedi cael ei archwilio am bresenoldeb feirws cyfrifiadurol.

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**From:** [Underwood, Shane](#)  
**To:** [Engel, Jane](#)  
**Cc:**  
**Subject:** RE: planning applicat former Job Centre Coronation Street Tredegar C/2021/0133  
**Date:** 14 September 2021 14:19:19  
**Attachments:** [image019.png](#)  
[image020.jpg](#)  
[image021.jpg](#)  
[image022.jpg](#)  
[image023.jpg](#)  
[image024.jpg](#)  
[image001.png](#)  
[image002.jpg](#)  
[image003.jpg](#)  
[image004.jpg](#)  
[image005.jpg](#)  
[image006.jpg](#)  
[01.App Form-0103-Redacted.pdf](#)  
[03.Site Location-0103.jpg](#)  
[0103-DRW-job\\_centre\\_no.\\_2.pdf](#)  
**Importance:** High

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Dear Jane,

Thank you for the opportunity to express my concerns in my capacity as the Local Policing Area Inspector for Blaenau Gwent relating to the above proposed planning application.

Whilst I fully understand the requirement for more single person affordable accommodation within Blaenau Gwent as a whole, I have to object to this application based on the grounds of increased crime and localised disorder. From policing data and experience, we currently have two other premise, which house numerous individuals in each, that are classified as bed and breakfasts (that in effect have bypassed the status of 'Houses of Multi Occupancy' which affords authorities tighter restrictions and sanctions), which are also located in the immediate vicinity of Tredegar Town Centre, these being, Punch House Flats and The Chambers. Since the establishment of these two premises there has been an increase of crime and disorder associated with each premises, and individuals who either reside or frequent those premises. The factors that have contributed to this include:

1. Individuals being housed there have personal issues, often including substance misuse and many are known to the police linked to criminality, including violence.
2. Individuals with the same complex needs/issues as per point 1, being housed together in the same building (irrespective of individual rooms) is a toxic mix which unfortunately promotes the opportunity for crime and disorder to flourish.
3. The control of who is housed at each premise is not sufficient and therefore this allows persons with significant history with the police, not previously associated with Blaenau Gwent being allowed to move into the locality. Due to having no other family/associates in the vicinity these individuals therefore form relationships with their fellow B&B residents, which directly impacts upon point 1 and 2 as above.

As previously stated these already established premises have had a negative effect on crime, localised disorder, community cohesion and quality of life/comfort for those living/working and visiting the locality. I therefore have serious concerns regarding an additional premises offering the same type of accommodation within such a small area. Furthermore, any further increase of such premise at that location will further compromise the regeneration plans of the town centre that are being proposed and may lead to potential investment in the area being lost.

In terms of some data to reinforce the above:

Chambers

- 9 police calls logged in 2021 including damage, assaults, burglary, racial abuse and homophobic abuse all linked to occupants.
- It should be noted that no calls of this nature prior to it becoming a HMO which now requires security.
- It has/currently houses offenders under Multi Agency Public Protection Arrangements from outside of borough
- All calls logged occurred at the property

Punch House Flats

- 29 calls in 2021 of crime related incidents/offenders.
- Crimes recorded in 2021 are Burglaries, Kidnap, theft, assaults, drugs, ASB, Damage, Sexual offences.....all linked to occupants
- 3 x crimes of ASB, disorder and assault recorded in street linked to occupants of the above
- Occupants also linked to shoplifting, assaults, public order in town centre and surrounding areas

I would be grateful if you could sent a receipt of confirmation.

Many thanks

Shane

Cofion gorau | Kind regards

**Shane  
Underwood**



Arolygydd / Inspector  
Tim Plismona Cymdogaeth Blaenau Gwent / Blaenau Gwent Neighbourhood Policing Team  
Heddlu Gwent Police  
Heddlu Gwent Police, Blaenau-Gwent  
Gorsaf Heddlu Tredegar/Tredegar Police Station  
Sgwâr Spencer, Tredegar / Spencer Square, Tredegar  
Tredegar  
NP22 3YD



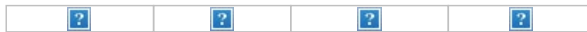
Rydym yn croesawu gohebiaeth yn Gymraeg ac yn Saesneg.  
Byddwn yn ymateb yn brydlon ac yn gydradd a byddwn yn ymateb yn eich iaith o ddewis.  
We welcome correspondence in Welsh and English.  
We will respond in a timely and equal way to both and will reply in your language of choice.

**From:** Pigeon, Neil  
**Sent:** 08 September 2021 14:54  
**To:** Underwood, Shane  
**Subject:** FW: planning application former Job Centre Coronation Street Tredegar C/2021/0133

**PS 687 Neil Pigeon**



**Rhingyll / Sergeant**  
Tim Plismona Cymdogaeth Blaenau Gwent / Blaenau Gwent Neighbourhood  
Policing Team  
Heddlu Gwent Police  
Gorsaf Heddlu Glyn Ebwy / Ebbw Vale Police Station  
Stryd Bethcar / Bethcar Street  
Glyn Ebwy / Ebbw Vale  
NP23 6UY



*Rydym yn croesawu gohebiaeth yn Gymraeg ac yn Saesneg.  
Byddwn yn ymateb yn brydlon ac yn gydradd a byddwn yn ymateb yn eich iaith o ddewis.  
We welcome correspondence in Welsh and English.  
We will respond in a timely and equal way to both and will reply in your language of choice.*

**From:** Engel, Jane <[Jane.Engel@blaenau-gwent.gov.uk](mailto:Jane.Engel@blaenau-gwent.gov.uk)>  
**Sent:** 08 September 2021 14:33  
**To:** [gwent.police.uk](mailto:gwent.police.uk)  
**Subject:** FW: planning application former Job Centre Coronation Street Tredegar C/2021/0133

Dear Sirs

I am currently dealing with a planning application for the change of use of the above building to a bed and breakfast. The application was reported to Planning Committee last week and Members deferred the application. The Members wished further consultation to be undertaken and the views of the [police](#) in any capacity be sought in relation to the proposed change of use.

I would be grateful if you reply by the 22<sup>nd</sup> October 2021.

I have attached the details of the application for your information.

Many thanks

Jane Engel

Planning Officer

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.

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Mae'r neges eboost hon, ynghyd ag unrhyw ffeiliau sydd ynghlwm wrthi, yn gyfrinachol ac at ddefnydd yr unigolyn neu sefydliad y cyfeiriwyd hi ato. Pe dderbynioch y neges hon mewn camgymeriad, byddwch mor garedig a rhoi gwybod i'r rheolwr system. Mae'r nodyn hwn hefyd yn cadarnhau bod y neges eboost hon wedi cael ei archwilio am bresenoldeb feirws cyfrifiadurol.

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Rydym yn croesawu gohebiaeth yn y Gymraeg a byddwn yn ateb yn y Gymraeg. Os hoffech dderbyn gohebiaeth o hyn ymlaen yn y Gymraeg neu os ydych wedi cael eich gwahodd i gyfweiliad neu gyfarfod a hoffwch ddefnyddio'r Gymraeg, danfonwch e-bost at: [cymraeg@gwent.police.uk](mailto:cymraeg@gwent.police.uk). Darperir gwasanaethau cyfieithu. We welcome correspondence in Welsh and will reply in Welsh. If you would like to receive future correspondence in Welsh or if you have been invited to an interview or meeting and would like to use the Welsh Language, please email: [welsh@gwent.police.uk](mailto:welsh@gwent.police.uk). Translation services are available. Heddlu Gwent. Mae'r wybodaeth yn yr ohebiaeth hon ar gyfer yr unigolyn neu'r sefydliad y'i cyfeiriwyd ato. Os derbyniwch hwn mewn camgymeriad, dywedwch wrthym a'i ddifa. Gall datgelu neu ddefnyddio gwybodaeth o'r fath fod yn weithred anaddas, ac yn groes i ddeddfwriaeth neu gyfrinachedd. Gwent Police. The information contained in this

correspondence is intended only for the named person or organisation to whom it is addressed. If you have received it in error please notify us and destroy it. Unauthorised disclosure or use of such information may be inappropriate, in breach of legislation or confidentiality.

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<b>BLAENAU GWENT COUNTY BOROUGH COUNCIL</b>	
<b>Report to:</b>	Planning, Regulatory & General Licensing Committee
<b>Report Subject:</b>	Potential DNS Schemes for Wind Farms
<b>Report Author:</b>	Team Manager Development Management
<b>Directorate:</b>	Regeneration and Community Services
<b>Date of meeting:</b>	12 <sup>th</sup> October 2021

## **1.0 Purpose of Report**

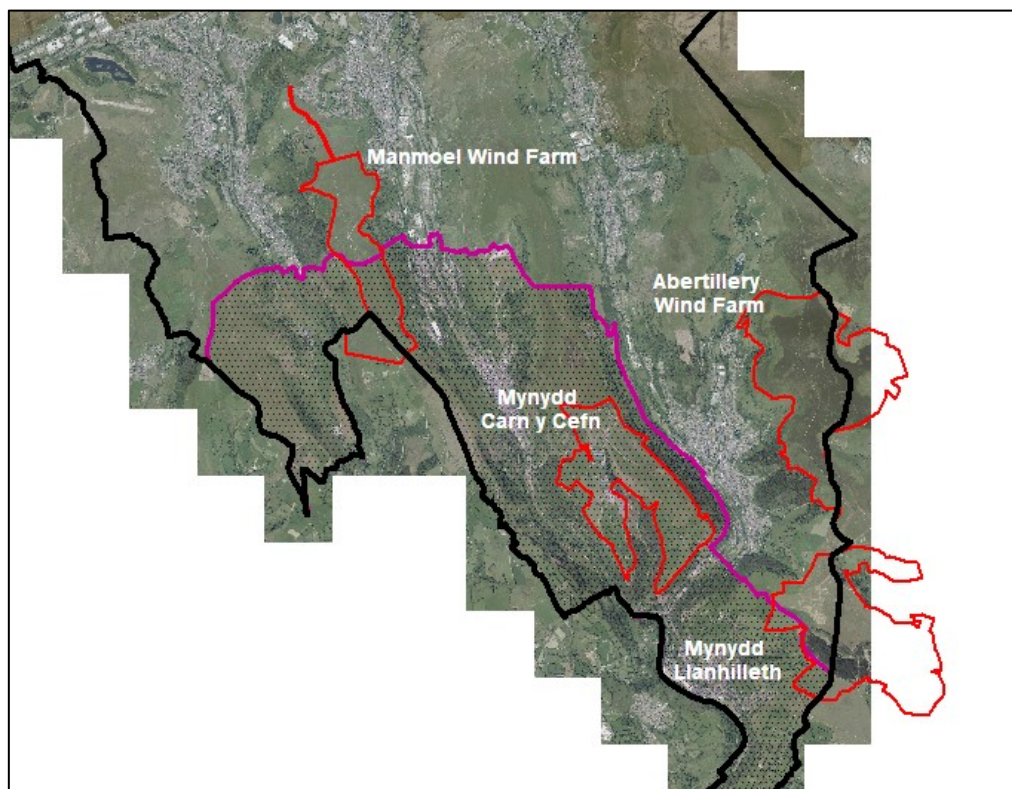
- 1.1 Members may be aware of that The Council has recently been consulted by Welsh Government (via The Planning Inspectorate) in respect of four Scoping Directions which have been submitted to them in relation to wind farms at:
- Mynydd Carn-y-Cefn (DNS/3272424)
  - Mynydd Llanhilleth (DNS/3273368)
  - Maenmoel (DNS/3239181); and
  - Abertillery (DNS/3278009).
- 1.2 Details of the Scoping Request can be found at <https://dns.planninginspectorate.gov.uk/projects/>. A request for a Scoping Direction is not a planning application, it is a process whereby it is formally agreed what information will be included in an Environmental Impact Assessment which will accompany any future planning applications submitted to the Welsh Government.
- 1.3 The Council is not the developer nor is it the landowner. We have no part in the development of any of these projects nor are we a partner.

- 1.4 It is important to note that not all planning applications are submitted to the Council. Any scheme for renewable energy that generates above 10 Megawatts is called a 'Development of National Significance (DNS)'. These schemes are submitted to Welsh Government to be decided by an independent Planning Inspector. All of these schemes as currently presented to Welsh Government will be DNS so the deciding body will not be Blaenau Gwent. However the Council will be formally consulted on any subsequent planning applications.
- 1.5 This report is to make Members aware of the locations and scale of each project that the Council may be formally consulted on in the near future. It will also enable Members to answer any queries from constituents as these schemes are public.

## 2.0 Background & Context

- 2.1 Below is a map which identifies the location of each site, a brief description of each site and what the proposal may include.

2.2



- 2.3 Manmoel Wind Farm  
The site is situated mostly within the Blaenau Gwent County Borough Council (BGCBC) area, although its south-western corner lies within the Caerphilly County Borough Council (CCBC)



local authority boundary. The southern half of the site is in one of the Future Wales - Pre-assessed Areas (FWPAA). The site lies within registered Commons Land.

The draft proposal includes:

- up to 5 turbines of up to 180m maximum tip height and associated crane hardstandings;
- transformers housed adjacent to or in turbines;
- onsite access tracks plus underground cable runs alongside;
- an onsite sub-station building;
- construction compound(s); borrow pits; and
- access into the site boundary.

#### Mynydd Carn y Cefn

2.4 The site lies within the Blaenau Gwent County Borough Council administrative area and its boundary is located approximately 500m from the western edge of Abertillery. The eastern section of the site is separated from the town's western boundary by a 200-300m buffer of mature trees. The Site is accessed from a forestry haul road which is taken off the A4046 Aberbeeg Road.

The proposed development site comprises a mix of semi-improved and unimproved grassland which forms the southern end of a forked upland ridge between the Ebbw Fawr valley and the Ebbw Fach valley. The site is split by a forestry haul road, woodland and an operational solar farm.

The draft proposal includes:

- up to eight wind turbines with heights to blade tip in a range of between 170-180m and a combined maximum rated output of up to 48MW of electrical power;
- substation and transformer housing;
- temporary construction compound;
- temporary site offices;
- crane pads and cabling; and
- access track construction.

#### Abertillery Wind Farm

2.5 The proposed wind farm site is located between the valley towns of Abertillery and Abersychan to the immediate west and east of

the site. The site covers approximately 385 ha and is largely comprised of dry heath and is grazed by sheep. The site is registered as common land and incorporates parts of Common Land Unit 16 Gwastad Common and Common Land Unit 17 Llanhilleth Common. A number of public rights of way (PRoW) including footpaths and bridleways cross the site. The site is also classified as Open Access Land under the Countryside and Rights of Way Act 2005.

The draft proposal includes:

- Up to seven wind turbines up to a maximum tip height of 180m, and associated infrastructure including transformers, foundations, crane pads and laydown/storage areas;
- Underground cables;
- Onsite substation/control building;
- Energy storage equipment;
- Site entrance and access track from the main road;
- Internal access roads;
- Permanent anemometer mast;
- Borrow pits (where technically feasible);
- Habitat Management Area;
- One or more temporary construction compounds; and
- Off-site works to facilitate the transport of abnormal loads

### Mynydd Llanhilleth

2.6 The site is located to the south-east of Abertillery and to the east of Llanhilleth and has a *developable* site area of approximately 193 hectares. The site spans across two Local Planning Authorities with the majority falling within Torfaen County Borough (TCBC) and the remainder of the site (to the west) being located within Blaenau Gwent. Access into the site is proposed from the existing road through the common coming from a north westerly direction from Talywain.

The draft proposal includes:

- Up to 12 wind turbines, anticipated to be 4–6MW each with an indicative height of up to 180m to tip together with external transformer housing;
- Turbine foundations, crane pads and laydown areas;
- An electrical substation and control building;

- Underground power cables linking the turbines and the on-site substation;
- Construction of access tracks off main access corridor;
- Permanent anemometer mast for wind turbine performance monitoring;
- Construction enabling works; and
- A temporary construction and storage compound

### **3.0 Recommendation**

3.1 Members note the content of this report.

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# Agenda Item 9

Report Date: 24 September 2021

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 23<sup>rd</sup> August 2021 and 24<sup>th</sup> September 2021</b>
<b>Report Author</b>	<b>Senior Business Support Officer</b>
<b>Report Date</b>	<b>24<sup>th</sup> September 2021</b>
<b>Directorate</b>	<b>Regeneration &amp; Community Services</b>
<b>Date of meeting</b>	<b>14<sup>th</sup> October 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 23 <sup>rd</sup> August 2021 and 24 <sup>th</sup> September 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.

<b>Application No.</b>	<b>Address</b>	<b>Proposal</b>	<b>Valid Date Decision Date</b>
C/2021/0154	52 Tynewydd, Nantylwch, Tredegar	Proposed hardstanding with associated retaining walls and railings.	19/05/21 16/09/21 Approved
C/2021/0202	Tyr Gelli House, Tyr Gelli Farm, Bryn Maeon Access Road, Blaina, Abertillery	Barn Conversion, new front porch, demolition of existing structures; and new single storey side & rear extension.	01/07/21 10/09/21 Approved
C/2021/0157	14 Rhyd Clydach, Brynmawr	First floor side extension, single storey side extension, two storey gable extension and provision of two porches.	20/05/21 22/09/21 Refused
C/2021/0121	Tredegar General Hospital Tredegar Health Centre, Park Row, Tredegar	Application for Discharge of Condition '4': Car park phasing and Condition '9': Landscaping of approved reserved matters (C/2020/0095) relating to planning permission C/2020/0037 which is demolition of Tredegar Health Centre, partial demolition of Tredegar General Hospital and an erection of a new Class D1 Health & Wellbeing Centre.	22/04/21 13/09/21 Condition Discharged
C/2021/0080	Soar House (Former Soar Chapel) Baptist Place, Ebbw Vale	Proposed change of use of bed and breakfast hotel (C1) to two self-contained residential units (C3a) and a large house in multiple occupation including care (sui generis)	11/05/21 25/08/21 Approved

C/2021/0261	Former NMC Site Units 1-4 Lakeside Blaina Road, Brynmawr	Application for Discharge of condition F7 (Travel Plan) of planning permission C/2017/0019 (Outline application for: - Retail unit 2 (Unit 2 Class A1 Convenience food store 1,392sq m retail) - Retail unit 3 (Class A1 Comparison 1631 sq m) - Unit 4 flexible use (Classes A1/A2/A3 121 sq m); A full application for restaurant (Unit 1 Class A3 McDonald's 415sqm)	09/09/21 14/09/21 Condition Discharged
C/2021/0084	Brentwood Place, Willowtown, Ebbw Vale	Variation of conditions: '1' - To introduce phasing of submission of reserved matters, and '12' - Extend the life of the permission of planning permission / ref. C/2015/0437, outline residential permission for 6 plots.	01/04/21 31/08/21 Approved
C/2021/0083	Tredeggar Health Centre & Bedwellty Park, Park Row, Tredeggar	Application for Discharge of Conditions: 9 (foul water scheme), 11 (method statement for drilling & grouting (partial discharge only)) & 13 (construction method statement) of planning permission C/2020/0037 (Demolition of Tredeggar Health Centre, partial demolition of Tredeggar General Hospital and erection of a new Class D1 health and wellbeing centre including revised access, car parking, landscaping and ancillary works).	01/04/21 16/09/21 Condition Discharged

C/2021/0127	22-23 Hilltop Shopping Centre, Willowtown, Ebbw Vale	Retention of retractable awnings over shop fronts	05/05/21 23/08/21 Approved
C/2021/0124	Ty Pak, Surgery Road, Blaina, Abertillery	Replacement double garage with new access, boundary treatment and retaining wall.	29/04/21 23/08/21 Approved
C/2021/0153	3 Intermediate Road, Brynmawr	Crown reduction (high pollard) to sycamore tree (T1 covered by TPO No. BG31) to 300mm above previous pollard points.	20/05/21 24/08/21 Approved
C/2021/0148	Bethel Church Site, Beaufort Hill, Ebbw Vale	Construction of a new dwelling and detached garage.	18/05/21 14/09/21 Approved
C/2021/0225	8 Graig Ebbw, Rassau, Ebbw Vale	Application to vary condition 1 of planning permission C/2020/0298 (erection of dwelling) for re-location of dwelling & reduction of slab levels.	29/07/21 22/09/21 Approved
C/2021/0145	Shoda Sauces, Units 19 & 20 Rising Sun Industrial Estate, Blaina, Abertillery	Erection of a new detached ancillary storage building over an existing hard standing area, replacement parking area and associated works.	17/05/21 17/09/21 Approved



C/2021/0166	34 Waengron, Cwmcelyn, Blaina, Abertillery	Two storey extension to the side of property.	18/05/21 23/08/21 Approved
C/2021/0212	154 Gainsborough Road, Cefn Golau, Tredegar	Proposed shed	16/07/21 14/09/21 Refused
C/2021/0217	Min y Coed, Merthyr Road, Tafarnaubach, Tredegar	First floor extension	19/07/21 15/09/21 Approved
C/2021/0230	Graig Cottage, Aberbeeg, Abertillery	Proposed single storey extension at front of property	09/08/21 23/09/21 Approved
C/2021/0239	Garnlydan Junior & Infant School, Commonwealth Road, Garnlydan, Ebbw Vale	Application for prior notification of proposed demolition of school buildings.	20/08/21 17/09/21 Prior Approval Required
C/2021/0218	84 Tillery Street, Abertillery		

		Variation of condition 8 - To extend the time condition of planning permission C/2018/0176 (Detached house on vacant land).	23/07/21 23/09/21 Approved
C/2021/0144	3 Intermediate Road, Brynmawr	Felling of a Sycamore tree (T1) covered by TPO No.BG31.	30/04/21 26/08/21 Refused
C/2021/0223	3 Harford Gardens, Sirhowy, Tredegar	Two storey rear extension	27/07/21 08/09/21 Approved
C/2021/0139	51 Ty Newydd, Nantybwch, Tredegar	Proposed hardstanding with associated retaining walls & railings.	13/05/21 20/09/21 Approved
C/2021/0207	Bailey Arms, School Terrace, Cwm, Ebbw Vale	Conversion of part of the 1st floor to x1 bedsit & x1 flat; and second floor to x1 flat and relocated staff accommodation.	07/07/21 15/09/21 Approved
C/2021/0200	Woodland Terrace & East of Gardeners Cottage Nantyglo, Ebbw Vale	Various works to trees covered by TPO No. 118, including felling; crown reduction, retrenchment & cleaning; targeted pollarding; and targeted pruning to remove epicormic growth and provide 5.4m to	28/06/21 22/09/21 Approved

6m clearance above ground level of vehicular access track.

C/2021/0214	Underhill Bungalow, Hawthorn Road, Beaufort, Ebbw Vale	Front / side ground floor extension and dormer roof conversion with demolition of garage.	15/07/21 14/09/21 Approved
C/2021/0228	Bryn Bach Park, Merthyr Road, Tafarnaubach, Tredegar	Application for Discharge of Condition No. '7' (Landscaping Scheme, to ensure the development is appropriately screened) relating to planning permission C/2021/0062, THE CO WORKING OFFICE HUB. The materials for approval is for Beech / Hornbeam shrubs planted into ground, kept trim - no higher than 3 feet.	23/08/21 01/09/21 Condition Discharged
C/2021/0252	Plot 1 adjoining Ty Croeso Whitworth Terrace, Lower Georgetown, Tredegar	Application for Non-material amendment to Plot 1 dwelling modified to have shell size reduced from 12m x 10m to 6m x 12m with 4no. floor levels and roof ridge height retained but fenestration modified to match the new internal layouts within the new shell size, of planning permission C/2020/0121 (2 no. detached dwellings with detached garages, new access and associated works)	20/08/21 16/09/21 Refused
C/2021/0231	The Badminton Pub, Beaufort Terrace, Ebbw Vale	Application for Discharge of Condition No. 2 (Site investigation) of planning permission C/2021/0212 (To retain the change of use from club to PH (A3)).	29/07/21 13/09/21

Demolition of the existing entrance lobby and toilets with construction of a new three storey annexe comprising entrance lobby, toilets (ground floor), kitchen, toilets (1st floor) and 3rd storey function room).

Condition  
Discharged

C/2021/0224	Former Tech Board Building & site Rassau Industrial Estate Main, Spine Road North, Rassau	Discharge of condition application to discharge condition 5 - external surface finishes to the site (hard surfacing including car parking and landscaping) of planning permission C/2020/0071) Demolition of ancillary buildings, tower, re-cladding & repair of exiting elevations, new canopy & curtain walling to front elevation, new canopy to rear elevation & ancillary works).	28/07/21 16/09/21 Condition Discharged
C/2020/0160	Endsleigh, 1 Alma Terrace, Brynmawr	30% reduction of crown of sycamore tree (T1) covered by TPO No. BG120	20/07/20 31/08/21 Refused
C/2020/0196	Land adjacent to Fairfield, Tredegar	Construction of 2 pairs of two-storey semi-detached houses and one two storey detached house.	10/06/21 07/09/21 Approved
C/2020/0279		Complete demolition and rebuilding of a dwelling, together with replacement garage and hardstand	

*Report Date: 24 September 2021*

*Report Author: Kath Rees*

The Bungalow,  
Roseheyworth Road,  
Abertillery

27/11/20

22/09/21

Approved

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

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