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Contact:/Cysylltwch â: Gwasanaethau Democraataidd



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

Dydd Gwener, 29 Hydref 2021 Dydd Gwener, 29 Hydref 2021

Dear Sir/Madam

**PWLLGOR CYNLLUNIO, RHEOLEIDDIO A THRWDDEDU**

A meeting of the Pwllgor Cynllunio, Rheoleiddio a Thrwyddedu will be held in Siambr y Cyngor, Canolfan Ddinesig on Dydd Iau, 4ydd Tachwedd, 2021 at 2.00 pm.

Yours faithfully

Michelle Morris  
Managing Director

**AGENDA**

**Pages**

**1. CYFIEITHU AR Y PRYD**

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

**2. YMDDIHEURIADAU**

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

Derbyn ymddiheuriadau.

3. **DATGANIADAU BUDDIANT A GODDEFEBAU**

Ystyried unrhyw ddatganiadau buddiant a goddefebau a wnaed.

4. **ADRODDIAD CEISIADAU CYNLLUNIO** 5 - 64

Ystyried adroddiad y Rheolwr Tîm Rheoli Datblygu.

5. **CAIS: C/2020/0168 SITE: RHES YR YSGOL, 1 - 7 HEOL CWMCELYN, BLAENAU, NP13 3LT CYNNIG: CADW UN TŶ DEULAWR AR WAHÂN A CHWE TŶ PÂR DEULAWR (HEB EU CODI YN UNOL Â CHYMERADWYAETH CYNLLUNIO C/2014/0257)** 65 - 72

Ystyried adroddiad y Rheolwr Tîm Rheoli Datblygu.

6. **APELIADAU, YMGYNGHORIADAU A DIWEDDARIAD DNS TACHWEDD 2021** 73 - 74

Ystyried adroddiad y Rheolwr Gwasanaeth Datblygu a Stadau.

7. **RHESTR CEISIADAU A BENDERFYNWYD DAN BWERAU A DDIRPRWYWYD RHWNG 24 MEDI 2021 A 15 HYDREF 2021** 75 - 80

Ystyried adroddiad yr Uwch Swyddog Cymorth Busnes.

**EITEM EITHRIEDIG**

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

8. **ACHOSION GORFODAETH A GAFODD EU CAU RHWNG 29 MEDI 2021 A 20 HYDREF 2021** 81 - 84

Ystyried adroddiad y Rheolwr Gwasanaeth Datblygu.

To: D. Hancock (Cadeirydd)  
W. Hodgins (Is-gadeirydd)  
D. Bevan

G. L. Davies  
M. Day  
J. Hill  
C. Meredith  
K. Pritchard  
K. Rowson  
T. Smith  
B. Thomas  
G. Thomas  
D. Wilkshire  
B. Willis  
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>26<sup>th</sup> October 2021</b>
<b>Directorate</b>	<b>Regeneration &amp; Community Services</b>
<b>Date of meeting</b>	<b>4<sup>th</sup> November 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/2021/0209	53 Larch Lane, Bedwellty Gardens, Tredegar
C/2021/0246	86 Commercial Street, Tredegar, NP22 3DN
C/2021/0240	33 Park View, Tredegar, NP22 3NZ
C/2021/0205	Penuel Villas, 2 Harcourt Terrace, Tredegar, NP22 3QE
C/2021/0179	Glanyrafon Court and adjacent grounds, Site of former sheltered housing at Allotment Road, Ebbw Vale, NP23 5NS
C/2021/0150	Foundry House, Grahams Yard, Tredegar, NP22 4QP
<b>3. Recommendation/s for Consideration</b>	
Please refer to individual reports	

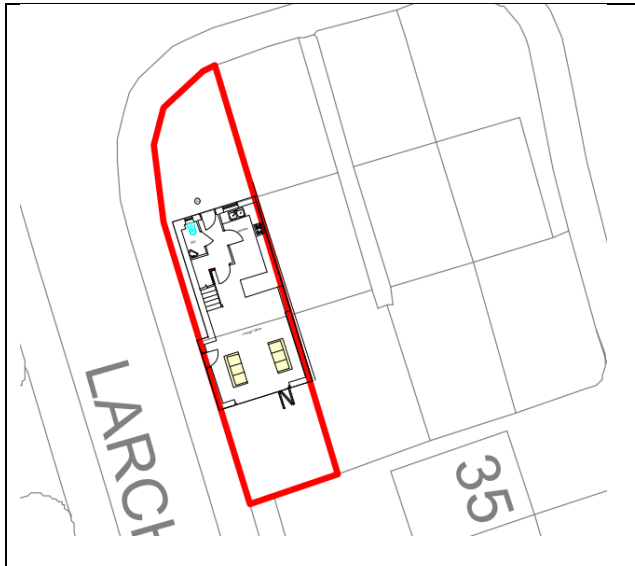
## Planning Report

<b>Application No:</b> C/2021/0209	<b>App Type:</b> Full
<b>Applicant:</b> Mr Liam Jenkins 53, Larch Lane Bedwellty Gardens Tredegar NP22 4FA	<b>Agent:</b> George and Co Mr Steven George 1st Floor Woodfired Studios 62 High Street, Merthyr Tydfil United Kingdom CF47 8DE
<b>Site Address:</b> 53 Larch Lane, Bedwellty Gardens, Tredegar	
<b>Development:</b> Proposed two storey rear extension.	
<b>Case Officer:</b>	Jane Engel



<b>1. Background, Development and Site Context</b>	
1.1	This application seeks planning permission for a two storey extension to the rear of 53 Larch Lane, Bedwellty Gardens, Tredegar.

1.2 The property is an end of link two storey house situated within the Bedwellty Gardens development site. It is located on a corner, which fronts onto the estate road which extends around the side boundary. The rear garden backs onto the side garden of no 35 Larch Lane.



1.3 The proposed extension projects 4.2m from the main back wall of the house and extends across the full width of the garden projecting 0.67m beyond the side elevation of the house. It will have a pitched roof and have a set of French doors at ground floor level and two windows at first floor serving the two bedrooms.

1.4 The extension would be finished in materials to match the main house.

1.5 Concerns were raised with the agent over the design of the proposed extension and he was requested to amend the development. He advised that he wished the application to proceed on the plans as submitted.

**2. Site History**

	Ref No	Details	Decision
2.1	C/2007/0400	Erection of 147 no. dwellings including garages, roads and associated works	Approved 04/08/2009

**3. Consultation and Other Relevant Information**

- 3.1 Internal BG Responses
- 3.2 Team Leader Building Control:  
Building Regulations required

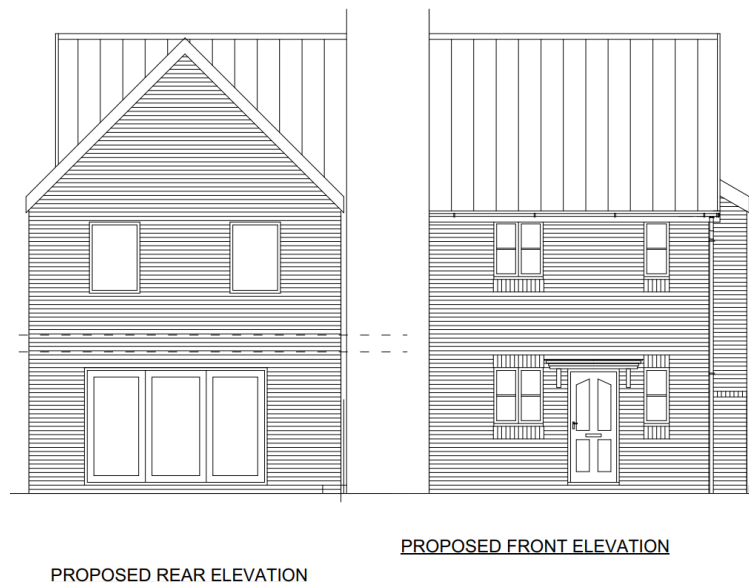
<p>3.3</p> <p>3.4</p> <p>3.5</p>	<p><b><u>External Consultation Responses</u></b></p> <p><u>Town / Community Council:</u> No objections</p> <p><u>Welsh Water</u> The applicant is advised that the proposed development site is crossed by a public sewer. No development will be permitted within the safety zone which is measured either side of the centre line.</p> <p><b><u>Public Consultation:</u></b></p> <ul style="list-style-type: none"> <li>• 2 letters to nearby houses</li> <li>• <del>site notice(s)</del></li> <li>• <del>press notice</del></li> <li>• website public register of applications</li> <li>• ward members by letter</li> <li>• all members via weekly list of applications received</li> <li>• <del>other</del></li> </ul> <p><u>Response:</u> No responses have been received as a result of the neighbour notifications. Ward Members have requested that the application be presented to Planning Committee as they consider that there are a mix of housing types, sizes and designs in the immediate area.</p>
<p><b>4. Planning Policy</b></p>	
<p>4.1</p>	<p><u>Team Manager Development Plans:</u></p> <p><u>LDP Policies:</u> DM1 New development DM2 Design and Placemaking</p> <p>Supplementary Planning Guidance: Householder Design Guidance Note 1</p>
<p><b>5. Planning Assessment</b></p>	
<p>5.1</p> <p>5.2</p>	<p>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 1: Extensions and Conservatories (SPG).</p> <p>The proposed extension meets the requirements of the SPG in relation to its size, finishes and roof design and remaining amenity space.</p>



5.3 The positioning of the extension is such that it will inevitably have some impact upon the immediate neighbouring property in terms of loss of light. However, I do not consider that any overshadowing would be significant enough to justify refusal of the application. I am also satisfied that the proposal would not have an overbearing impact upon the amenities of the occupiers. No windows are proposed in the side elevation therefore there are no concerns regarding loss of privacy.

5.4 The proposal will result in the windows on the first floor being brought closer to the garden of the property to the rear. However, this garden area is already overlooked and as such I do not consider the impact to be significant enough to justify refusal of the application. I also consider that the extension will be sited far enough away such that it will not have an overbearing or overshadowing impact upon this property. I therefore consider the proposal to be compliant with policy DM1 2c.

5.5 However, policy DM2 d specifies that extensions should “*reflect, complement, or enhance the form, siting .... of the original building, its curtilage and the wider area*”. Policy DM1 2b requires proposals to have no “unacceptable adverse visual impact on the townscape”. The SPG also advises that extensions on corner plots need to respect the streetscene.

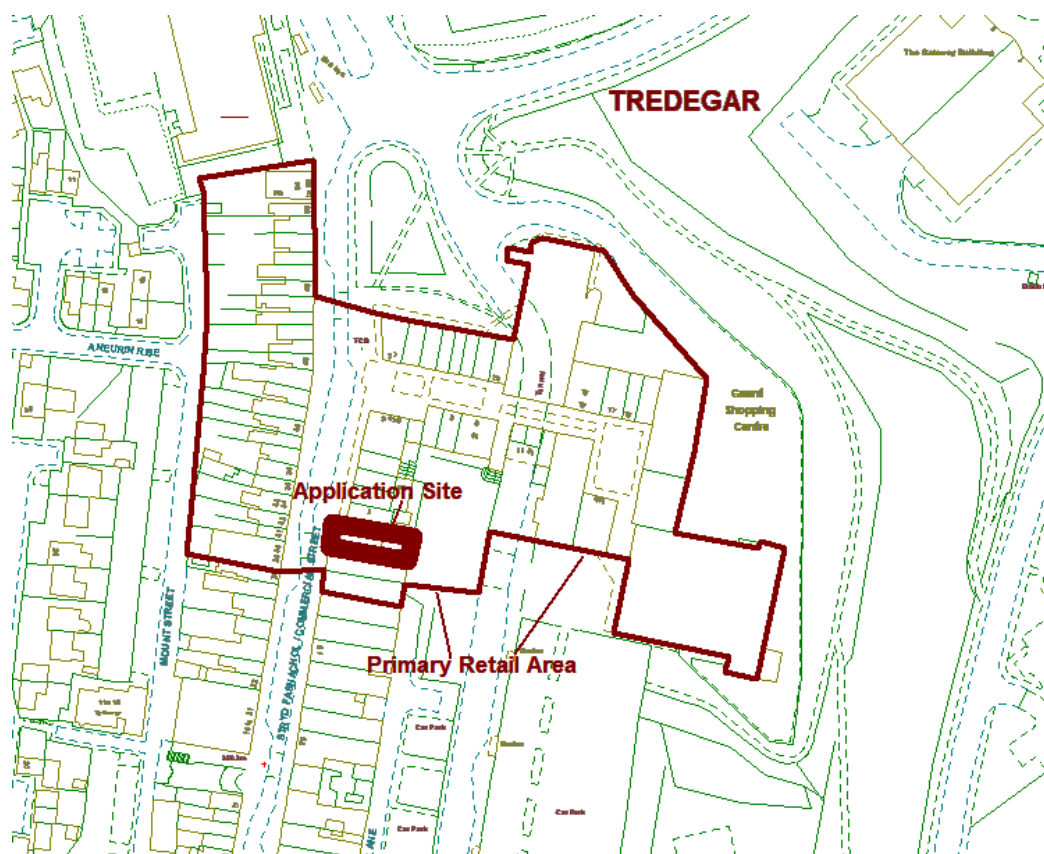


5.6 The proposed projection beyond the side elevation is considered poor design which fails to respect the main building and the design of dwellings in the wider area. The disruption of the building line would result in an incongruous feature as viewed from the surrounding area and as such consider contrary to both DM2 d and DM1 2b and the SPG.

5.7	Whilst the principle of a two storey extension is acceptable in principle, the projection beyond the side building line is not considered an acceptable form of development for the reasons outlined above.
5.8	Approval of the development would in my view set an unacceptable precedent for other such development within the estate.
<b>6. Legislative Obligations</b>	
6.1	The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.
6.2	The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.
<b>7. Conclusion and Recommendation</b>	
7.1	<p>In conclusion, I consider the proposed extension would have a detrimental impact upon the visual amenity of the area. The development is therefore contrary to LDP Policy DM1 2b and DM2 d and Supplementary Planning Guidance for Householders: Note 1</p> <p>Planning permission be <b><u>REFUSED</u></b> for the following reason(s):</p> <p>By virtue of its design the proposed extension would have an unacceptable impact upon the visual amenity of the area. The disruption of the building line results in an incongruous feature which will have an unacceptable impact upon the streetscene to the detriment of the character and appearance of the surrounding area contrary to Policy DM1 2d and DM1 2b and the Council's adopted Supplementary Planning Guidance "Householder Design Guidance", Note 1 Extensions and Conservatories.</p>
<b>8. Risk Implications</b>	
8.1	None

## Planning Report

<b>Application No:</b> C/2021/0246	<b>App Type:</b> Full
<b>Applicant:</b> Mr Stephen Gamgee Care In Wales Ltd. 13 High Street Barry CF62 7EA	<b>Agent:</b> CLC Construction Consultants Ltd C Lodge 19 Heol-Y-Deri Rhiwbina Cardiff CF14 6HA
<b>Site Address:</b> 86 Commercial Street, Tredegar, NP22 3DN	
<b>Development:</b> Change of Use from A1 to A2 Professional Services Ground Floor & B1 Office Use First and Second Floors	
<b>Case Officer:</b>	Jane Engel



<b>1. Background, Development and Site Context</b>			
1.1	This application seeks planning permission for the change of use of 86 Commercial Street Tredegar from an A1 retail use to an A2 professional services at ground floor and a B1 office use at the first and second floors.		
1.2	The submitted details indicate that there will be no changes to the internal layout or to the external elevations.		
1.3	The premises is currently part of a larger retail store selling surplus D.I.Y tools. The applicants are a care provider and the proposal will provide a base for the company within the town centre.		
1.4	The site is located within the Primary Retail Area of Tredegar District Town Centre.		
<b>2. Site History</b>			
	Ref No	Details	Decision
2.1	3468	Change of use of shop to building society	Approved 13.08.81
2.2	4667	Extension	Approved 4667
<b>3. Consultation and Other Relevant Information</b>			
3.1	<b><u>Internal BG Responses</u></b>		
3.2	<u>Team Leader Building Control:</u> Building Regulations required.		
3.3	<u>Service Manager Infrastructure:</u> Highways: No objections.		
3.4	<b><u>External Consultation Responses</u></b>		
3.5	<u>Town / Community Council:</u> No objections.		
3.6	<u>Welsh Water:</u> No objection to a foul only connection to the public sewer. Advises site crossed by a public sewer.		
3.7	<b><u>Public Consultation:</u></b>		
	<ul style="list-style-type: none"> <li>● 4 letters to nearby houses</li> <li>● <del>site notice(s)</del></li> </ul>		

3.8	<ul style="list-style-type: none"> <li>• <del>press notice</del></li> <li>• website public register of applications</li> <li>• ward members by letter</li> <li>• all members via weekly list of applications received</li> <li>• <del>other</del></li> </ul> <p><u>Response:</u> None received</p>
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#### 4. Planning Policy

4.1	<p><u>Team Manager Development Plans:</u></p> <p>In order to maintain a high proportion of A1 uses in the Primary Retail Area, Policy DM5 criterion (a) restricts changes of use within the primary retail area of district town centres, such as Tredegar, to A1 uses only. Therefore, the change of use of this proposal to A2 would conflict with the requirements of policy DM5, and accordingly an objection is raised to this proposal. It is also worth noting that the current use class attached to 86 Commercial Street is A1 therefore the proposal would result in the loss of an A1 use.</p>
4.2	<p>Notwithstanding this, PPW paragraph 4.3.36 states that <i>“planning authorities should assess retail and commercial centre performance and the effectiveness of development plan policies by monitoring their health. They should use the strategy in their development plan to manage change and take action where necessary to address this. Where economic decline is impacting on a retail and commercial centre, emphasis on retaining A1 uses in premises either in primary or secondary areas, which have been vacant for a period of time, may undermine a centre’s viability and vitality. In such circumstances planning authorities should consider how non-A1 uses may play a greater role to increasing diversity and reducing vacancy levels.”</i></p>
4.3	<p>The Blaenau Gwent Annual Monitoring Report (AMR) monitors the percentage of A1 uses in the primary retail area. The 2019-21 AMR shows that the percentage of A1 uses in the primary retail area declined by 26% between 2009 and 2020, and the primary retail area’s vacancy rate in 2020 was higher (28%) than that of the district town centre as a whole (19%). It is also worth noting that the primary retail area vacancy rate for Tredegar is significantly higher (nearly double) when compared to the other town centres.</p>
4.4	<p><b>Based on PPW and the AMR evidence, the case officer should therefore give due consideration to this evidence as a material planning consideration.</b></p>

4.5	<p><u>LDP Policies:</u></p> <ul style="list-style-type: none"> <li>- SP3 The retail hierarchy and vitality and viability of the Town Centre</li> <li>- DM1 New development</li> <li>- DM2 Design and Placemaking</li> <li>- DM5 Principal and District Town Centre Management</li> </ul>
4.6	<p><u>Supplementary Planning Guidance</u></p> <ul style="list-style-type: none"> <li>- Shopfronts and Advertisements</li> <li>- Access, Car Parking and Design (March 2014)</li> </ul>
4.7	<p><u>PPW &amp; TANs:</u></p> <ul style="list-style-type: none"> <li>- Planning Policy Wales Edition 11 (February 2021)</li> <li>- Future Wales: The National Development Plan for Wales (February 2021)</li> <li>- Technical Advice Note 4: Retail and Commercial Development (November 2016)</li> </ul>
<b>5. Planning Assessment</b>	
5.1	<p>The site lies within the District Town Centre and within the Primary Retail Area of Tredegar as defined by policy DM5 of the Blaenau Gwent Local Development Plan. Criterion (i) of policy DM5 restricts ground floor uses within the primary retail area to A1 retail uses). Accordingly, the proposed change of use of the ground floor to an A2 office use is contrary to adopted planning policy.</p>
5.2	<p>However, in assessing this application regard should also be given to National Planning Policy. As advised by the Team Manager Development Plans Paragraph 4.3.36 of Planning Policy Wales (PPW) Edition 11 states that <i>“planning authorities should assess retail and commercial centre performance and the effectiveness of development plan policies by monitoring their health.”</i> It further states that <i>“where economic decline is impacting on a retail and commercial centre, emphasis on retaining A1 uses in premises in primary and secondary areas, which have been vacant for a period of time may undermine a centre”</i></p>
5.3	<p>Future Wales: The National Development Plan for Wales also includes a town centre first approach policy (policy 6) for significant new commercial, retail, education, health; leisure and public service facilities. The plan refers to town centres being <i>“more than the extent of designated retail area”</i>.</p>
5.4	<p>The purpose of LDP policy DM5 is to protect the retail core of the main town centres and oppose development which may harm or undermine this function.</p>

	<p>However, these policies were written some time ago and whilst still supporting the approach in principle, PPW advises that consideration be given to the impact of such a policy, taking into account the situation on the ground. The Blaenau Gwent Annual Monitoring Report (AMR) which monitors the percentage of A1 uses in the primary areas identifies that the percentage of A1 uses within the primary retail area has declined by 26% between 2009 and 2020, and currently has a vacancy rate of 28%, which is nearly double that of the Borough's other town centres.</p>
5.5	<p>I note that this premises is not currently vacant, however given the evidence of the AMR and the Town Centre Surveys it is clear that the Tredegar Town Centre is in decline. The number of vacant units is increasing within the Primary Retail Area and the refusal of this application may contribute to this number.</p>
5.6	<p>This leaves the Council in a position of having to decide whether to refuse the current application on the basis of an LDP policy DM5(i) or adopting a more pragmatic approach and taking on board the advice contained in national policy which suggests that authorities can exercise a degree of flexibility by giving weight to considerations such as high vacancy rates which have been made evident in recent town centre survey work.</p>
5.7	<p>Members will appreciate that if they adopt for the latter approach i.e. support approval of the current application, they could be seen as setting aside the adopted LDP policy and setting a precedent with regard to the determination of further applications for such uses in the future, notably until the end of this year, or until future planning policies in relation to such development are further considered and adopted as part of the revised Blaenau Gwent Development Plan.</p>
5.8	<p>If Members support approval of this application, they may also need to be mindful that this property is not currently vacant hence arguments regarding longstanding vacancy of the property would not apply. Support for the development would therefore have to be based on the high vacancy rates for the Primary Retail area as a whole.</p>
5.9	<p>Furthermore, should Members be minded to approved this application it will need to advertised as a departure in line with statutory requirements prior to the decision being issued.</p>
5.10	<p>The proposal also includes the change of use of the upper floors to a B1 office use. I note that there are residential uses in the upper floors of the neighbouring property. However, I do not consider that the proposed use of</p>

<p>5.11 5.12</p>	<p>the building for office purposes would have a significant impact upon the amenity of neighbouring occupiers and is compliant with policy DM1 2b.</p> <p>There are no external changes proposed to be considered.</p> <p>The site is within the town centre and there are no concerns relating to the parking requirements for the proposal and is compliant with policy DM1 3.</p>
<p><b>6. Legislative Obligations</b></p>	
<p>6.1  6.2</p>	<p>The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.</p> <p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>
<p><b>7. Conclusion and Recommendation</b></p>	
<p>7.1</p>	<p>Planning permission be <b><u>GRANTED</u></b> subject to the following condition(s):</p> <ol style="list-style-type: none"> <li>1. The development shall be completed in full accordance with the following approved plans:  Proposed plans Drawing No. 2511/PA/03 Site location plan Drawing No. 2511/PA/01  Reason: To clearly define the scope of this permission</li> <li>2. The development shall begin no later than five years from the date of this permission.  Reason: To comply with the requirements of section 91 of the Town and Country Planning Act 1990.</li> </ol>
<p><b>8. Risk Implications</b></p>	
<p>8.1</p>	<p><b>None</b></p>



## Planning Report

<b>Application No:</b> C/2021/0240	<b>App Type:</b> Full
<b>Applicant:</b> Mrs Davies 33, Park View Tredegar NP22 3NZ	<b>Agent:</b> Mr Steven George George and Co 1st Floor, Woodfired Studios 62 High Street, Merthyr Tydfil CF47 8DE
<b>Site Address:</b> 33 Park View, Tredegar, NP22 3NZ	
<b>Development:</b> Proposed two storey rear extension	
<b>Case Officer:</b> Jane Engel	



<b>1. Background, Development and Site Context</b>	
1.1	Planning permission is sought for a two storey extension to the rear of 33 Park View, Tredegar. The property is a mid-terraced house with a small garden which backs onto the rear lane serving the properties in the terrace.

1.2	The property has an existing single storey extension measuring 3.2 metres long. The proposal is to replace this existing extension with a two storey extension measuring 6.3m long at ground floor and 4.9m at first floor. The works will provide an enlarged kitchen and lounge at ground floor and a bathroom and fourth bedroom at first floor level. The proposed extension would be finished to match the existing house.
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**2. Site History**

	Ref No	Details	Decision
2.1	None		

**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	<b><u>External Consultation Responses</u></b>
3.4	<u>Town / Community Council:</u> No objections
3.5	<u>Welsh Water:</u> Some public sewers and lateral drains may not be recorded on their maps. Advises the applicants to contact Welsh Water to establish the location and status of public sewers on the site which may affect the development.
3.6	<b><u>Public Consultation:</u></b> <del>Strikethrough to delete as appropriate</del> <ul style="list-style-type: none"> <li>• 2 letters to nearby houses</li> <li>• <del>site notice(s)</del></li> <li>• <del>press notice</del></li> <li>• website public register of applications</li> <li>• ward members by letter</li> <li>• all members via weekly list of applications received</li> <li>• <del>other</del></li> </ul>
3.7	<u>Response:</u> A ward member requested that the application be presented to planning committee as there are a number of extensions of different sizes in the row. The ward member believes the need of the extension is warranted due to the family size and that he doesn't believe the proposal would be obtrusive to the neighbours.

<b>4. Planning Policy</b>	
4.1	<p><u>Team Manager Development Plans:</u></p> <p><u>LDP Policies:</u> DM1 New Development DM2 Design and Placemaking</p> <p>Supplementary Planning Guidance Householder Design Guidance Note 1</p>
<b>5. Planning Assessment</b>	
5.1	<p>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 1: Extensions and Conservatories.</p>
5.2	<p>Policy DM1(2)c specifies that development will be permitted provided that there would be no unacceptable impact upon the amenities of neighbouring occupiers. This is supported by Note 1 of the Householder SPG which states that first floor extensions must not exceed 4.5m in length at first floor level as measured from the main back wall of the original house. The SPG further advises that only in exceptional circumstances extensions that project more than 4.5m, may be considered acceptable.</p>
5.3	<p>The site is a mid-terraced property with a modest rear garden. It is accepted that at ground floor level the impact of the proposed extension is minimised by the existence of single storey extensions on each of the neighbouring properties. However, I have concerns that the first floor extension which projects 5m into the rear garden will have an overbearing impact upon the users of the neighbouring gardens contrary to LDP Policy DM1 (2)c and Note 1 of the Householder SPG.</p>
5.4	<p>I note the Ward Members comments that there are other two storey extensions in the street of a similar length to that now proposed. There are two, 2-storey extensions in the same block as the application site. There is one at no. 41 which measures 4.2m long which was granted planning permission in 1983. The second one at 27 Park View measures approx. 5.5m long for which I can find no planning permission.</p>
5.5	<p>Aerial photography would suggest that it has been in place since at 1993. In my view this extension does not set a precedent for approving the current application.</p>

5.6	However, approval of this application would set an undesirable precedent for other similar sized extensions within this row of houses which would be difficult to resist.
5.7	I also note the Ward Members comments that the proposal is required due to the family size. I consider that an additional bedroom and upstairs bathroom could still be accommodated at the site albeit marginally smaller than currently proposed.

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

## 7. Conclusion and Recommendation

7.1	<p>In conclusion, I consider the proposed extension would have a detrimental impact upon the amenity of neighbouring property occupiers in terms of its overbearing impact. The development is therefore contrary to LDP Policy DM1 (2)c and Supplementary Planning Guidance for Householders: Note 1.</p> <p>Planning permission be <b><u>REFUSED</u></b> for the following reason:</p> <p>By virtue of its scale and mass the proposed extension would have an unacceptable impact upon the neighbouring amenity. Such a development would cause material harm to the amenity of neighbouring occupiers contrary to Policy DM1 (2)c of the adopted Blaenau Gwent County Borough Council Local Development Plan (2021) and the Council’s adopted Supplementary Planning Guidance entitled “Householder Design Guidance”, Note 1: Extension and Conservatories.</p>
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## 8. Risk Implications

8.1	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
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	approach in the planning process and would set a precedent for unacceptable extensions in the locality.
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## Planning Report

<b>Application No:</b> C/2021/0205	<b>App Type:</b> Full
<b>Applicant:</b> C & J Keeble 2 Penuel Villas Harcourt Terrace NP22 3QU	<b>Agent:</b> Mr Adrian Drew 14 Thornhill Close Brynmawr NP23 4SA
<b>Site Address:</b> Penuel Villas, 2 Harcourt Terrace, Tredegar, NP22 3QE	
<b>Development:</b> Construction of a first floor extension over an existing ground floor extension.	
<b>Case Officer:</b>	<b>Sara Thomas</b>





## 1. Background, Development and Site Context

- 1.1 This application seeks permission for the erection of a first floor extension over an existing ground floor extension to the rear of a mid-terraced property. The dwelling is situated within the residential street known as Penuel Villas and is within the settlement of Tredegar.
- 1.2 The dwelling is two storeys when viewed from the front and three storeys to the rear as a result of the topography of the area. The rear of the site overlooks vacant scrub land and beyond that is Upper Salisbury Street. The site is also within the Tredegar Conservation Area.



- 1.3 Planning permission is being sought for the erection of a first floor extension, which will extend an existing bedroom. The proposed development will extend the existing gable projection and meets the projection of the ground floor measuring approximately 3.6 metres in width, by 2.1 metres in depth. A window is proposed to the rear elevation. Proposed materials are render and pebble dash, with brown Marley roof tiles and white uPVC windows and doors.



Fig. 1.2 Proposed Elevations

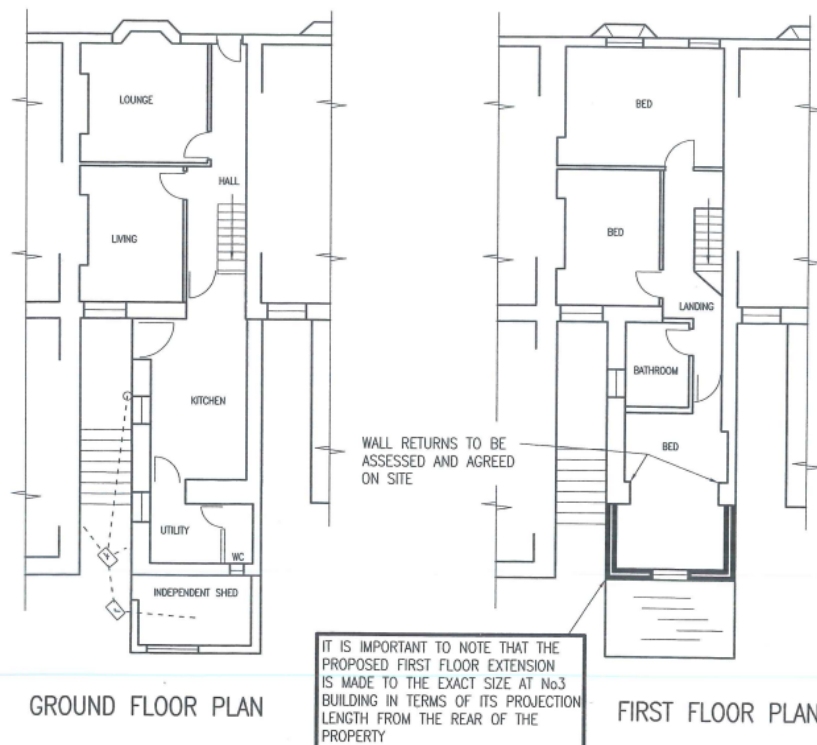


Fig. 1.3 Proposed Floor Plans

**2. Site History**

	Ref No	Details	Decision
2.1	None relevant.		

**3. Consultation and Other Relevant Information**

3.1	<b>Public Consultation:</b> <del>Strikethrough to delete as appropriate</del>		
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	<ul style="list-style-type: none"> <li>• 2 letters to nearby houses</li> <li>• site notice(s)</li> <li>• <del>press notice</del></li> <li>• website public register of applications</li> <li>• ward members by letter</li> <li>• all members via weekly list of applications received</li> <li>• <del>other</del></li> </ul> <p><u>Response:</u> No representations have been received.</p> <p>A Ward Member has requested that this planning application go before Planning Committee for determination. The reason given is that the Member considers the application to be in keeping with the neighbourhood, there are similar extensions in the locality and this extension would not interfere with others.</p>
<b>4. Planning Policy</b>	
4.1	<p><u>Team Manager Development Plans:</u></p> <p><u>LDP Policies:</u> DM1 – New Development DM2 – Design and Placemaking</p> <p>SPG Householder Design Guidance (February 2016) Note <a href="#">1</a> ‘Extensions and Conservatories</p>
<b>5. Planning Assessment</b>	
5.1	<p>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 1 ‘Extensions and Conservatories’.</p>
5.2	<p>The proposed extension is situated to the rear of the existing dwelling, with the rear of the site adjoining dwellings at Upper Salisbury Street. The extension will be the same width and height as the existing gable, which is significantly set down from the ridge of the existing dwelling resulting in the extension appearing subservient to the host dwelling. Whilst the depth of the proposed extension is relatively small in scale at 2.1m, the resultant gable projection will be 7m.</p>
5.3	<p>Supplementary Planning Guidance (SPG) for Householder Design Note 1: Extensions stipulates that ‘Extensions must not exceed 4.5m in length at first</p>

	<p>floor level when measured from the main back wall of the original house'. It further states that 'In exceptional circumstances extensions that project more than 4.5m from the main back wall of the house may be considered acceptable subject to site specific circumstances e.g. separation distance to neighbours, size of the site, ground levels etc'.</p>
5.4	<p>It is acknowledged that although the proposed extension will not appear out of character with the streetscene or detrimentally affect the character or appearance of the Tredegar Conservation Area, it is contrary to the recommendations set out within the SPG due to its overall length of 7m.</p>
5.5	<p>In regard to the impact on the neighbouring properties, the proposed extension will have a minimal impact upon 3 Penuel Villas, which already benefits from a long first floor extension. The proposed extension will not project beyond the rear building line of the neighbouring property and there are no windows on the neighbouring dwelling that will be affected by the development. Whilst it is acknowledged that no.3 already benefits from a large two storey extension, there doesn't appear to be any planning history for this extension which has been in place since at least 2001 (prior to the SPG).</p>
5.6	<p>In considering the impact upon no.1 Penuel Villas (to the north) it is noted that there is an existing window within the main back wall and to the first floor extension of this neighbouring property. Although the proposal is for a relatively small extension, when taking into account the total depth of the gable projection at 7m long, it is considered that the resultant gable will have a detrimental impact upon the residential amenity of the neighbouring occupants in terms of it being overbearing and overshadowing. This impact is exacerbated by the existing projection at 1 Penuel Villas, which creates a tunnelling effect.</p>
5.7	<p>It is recognised that there are no windows proposed to the side elevations of the extension and therefore there are no concerns raised in terms of overlooking.</p>
5.8	<p>In conclusion, the cumulative size of the first floor gable would have a detrimental impact upon the residential amenity of the neighbouring property in terms of being overbearing and overshadowing contrary to LDP Policy DM1(2)c.</p>
5.9	<p>Furthermore, Members should note that the existing extension already exceeds the 4.5 metres as set out in the SPG and therefore any further extensions would fail to comply with the principles set out in the SPG.</p>

<b>6. Legislative Obligations</b>	
6.1	The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.
6.2	The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.
<b>7. Conclusion and Recommendation</b>	
7.1	<p>Planning permission be <b><u>REFUSED</u></b> for the following reason:</p> <p>By the nature of its cumulative scale and siting, the proposed development would have an adverse impact on the residential amenity of the neighbouring dwelling in terms of being overbearing and overshadowing to the detriment of their residential amenity. The proposal is therefore contrary to policies DM1 and DM2 of the Council’s adopted Local Development Plan (2012) and the key principles set out in the adopted Supplementary Planning Guidance for Householders: Note 1 ‘Extensions and Conservatories’ (February 2016)</p>
<b>8. Risk Implications</b>	
8.1	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.

## Planning Report

<b>Application No:</b> C/2021/0179	<b>App Type:</b> Full
<b>Applicant:</b> Tai Calon Solis One Griffin Lane Rising Sun Industrial Estate Abertillery NP13 3JW	<b>Agent:</b> Mr Jonathan Pritchard Stride Treglown Treglown Court Dowlais Road Cardiff United Kingdom CF24 5LQ
<b>Site Address:</b> Glanyrafon Court and adjacent grounds, Site of former sheltered housing at Allotment Road, Ebbw Vale, NP23 5NS	
<b>Development:</b> Construction of 15 residential dwellings with a new road, car parking, gardens, hard and soft landscaped areas.	
<b>Case Officer:</b>	



## 1. Background, Development and Site Context

- 1.1 Full planning permission is sought for residential development on the site of the former Glan yr Afon Court housing site and an area of adjoining undeveloped grassland to the southeast. The developable area is limited to the land within the redline boundary. The proposed residential development would provide 15 affordable units and comprise of one and two storey buildings in the form of a mixture of flats, short terrace of bungalows and semi-detached houses. The proposed bungalows and ground floor flats would be designed to accommodate wheelchair access in order to meet the needs of potential residents with limited mobility. The number of house types are split as follows:
- 3no. 2 bedroom bungalows;
  - 4no. 1 bedroom flats;
  - 4no. 2 bedroom houses; and
  - 4no. 3 bedroom houses.
- 1.2 The proposed residential development has been orientated so that it primarily fronts on to the new internal access road. The proposed bungalows and semi-detached houses would be located on the south-western and north-eastern sides of the internal road respectively, while the proposed flats would be located at the south-eastern end adjacent to the new vehicular turning head. The existing footpath that links Cambridge Gardens and Ebbw View to Allotment Road would be redirected around the side and rear of the proposed flats, and the existing public green spaces to the sides and rear of the proposed residential buildings would be enhanced through tree, shrub and wildflower planting (see Figures 1, 2 and 3 below). The footpath will be open for public use.
- 1.3 The existing vehicular access which previously served the former sheltered housing at Glan yr Afon Court would be utilised as the main access into the residential development. A total of 22 off-street car parking spaces are proposed which are generally located to the front of the residential buildings.

1.4



Figure 1 – Proposed Site Layout

1.5



Figures 2 – Site Sections



1.6



Figure 3 – landscaping arrangement

1.7

The application site comprises of a broadly rectangular parcel of land measuring approximately 0.8ha in area. The north-western part of the site comprises of brownfield land which previously accommodated the former sheltered housing complex at Glan yr Afon Court. Whilst the latter has now been demolished, the tarmac surfaced car parking area on the northern part of the site remains in place along with some other minor infrastructure. From this upper part of the site, the land slopes gently down to a slightly lower area of amenity grassland with some trees along the fringes. This area of greenfield land predominantly characterises the central and south-eastern part of the site and is crossed by a number of footpaths.

1.8

Whilst the level changes within the main part of the site are not significant, the land does rise steeply to Allotment Road, which bounds the south-western boundary of the site. The land also slopes steeply down to the River Ebbw which bounds the north-eastern boundary. On the other side of the river lie the residential properties of Cambridge Gardens and Ebbw View. The north-eastern boundary of the site adjoins business and commercial uses, while the south-eastern boundary adjoins the remaining amenity grassland and footpath area which continues to follow the bank of the river down towards the residential area of Glanyrafon. The application site is also largely open to the surrounding area, with existing boundary treatments only evident in the northern corner of the site (metal palisade fencing) and along a section of the

<p>1.9</p> <p>1.10</p>	<p>north-eastern boundary (low brick wall) separating the former Glan yr Afon site and the bank of the River Ebbw.</p> <p>In addition to the detailed plans showing the proposed site layout and floor plans/elevations of the proposed houses, the applicant has submitted supporting information which includes hard and soft landscaping plans, a Planning, Design and Access Statement, a Tree Survey, an Arboricultural Impact Assessment, an Ecology Report and Ecology Update Letter, a Drainage Strategy and Flood Risk Assessment, an Intrusive Mining Risk Assessment Report, a Remediation Strategy Report and a Geotechnical Letter Report.</p> <p>The applicant also undertook statutory pre-application consultation prior to the submission of the planning application, which included publicising a draft of the proposed residential development and consultation with the community and specialist consultees, including ward members. A Pre-Application Consultation Report has been submitted with the planning application.</p>
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**2. Site History**

	Ref No	Details	Decision
<p>2.1</p>	<p>C/2019/0027</p>	<p>Prior notification of the proposed demolition of 1-29 Glan yr Afon Court</p>	<p>Confirmation of requirement for prior approval given on 29<sup>th</sup> February 2019</p>

**3. Consultation and Other Relevant Information**

<p>3.1</p> <p>3.2</p> <p>3.3</p>	<p><b><u>Internal BG Responses</u></b></p> <p><b><u>Team Leader Building Control:</u></b> Building regulations is required.</p> <p><b><u>Service Manager Infrastructure:</u></b> Highways: The Team Manager – Built Environment has confirmed that the proposed access road, footways, turning areas and off-street car parking provision are acceptable to the Highway Authority and no objection has been raised to the proposed residential development. He has also confirmed that the detailed requirements relating to these matters can be secured via the use of conditions.</p>
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3.4	<p><b>Drainage:</b> No response received from Council's Drainage Engineer.</p>
3.5	<p><b>Ground Stability:</b> No response received from Council's Geotechnical Engineer.</p>
3.6	<p><b>Landscape:</b> The Team Manager – Natural Environment has raised no objection to the proposed residential development, indicating that the detailed landscape strategy would more than compensate for the loss of any low value trees identified for removal. He also indicates that the trees to be removed are unmanaged or overgrown shrubs, or trees which are damaged, diseased or of low quality. As such, he has raised no objection to the proposed residential development subject to the erection of tree protection fencing around the root protection zone of those trees, and groups of trees, to be retained prior to any construction work.</p>
3.7	<p><b>Ecology:</b> The Council's Ecologist is satisfied with the findings of the initial Ecology Report and update survey, and has indicated that provided that the recommendations outlined within the reports are implemented there should be no long term negative impacts on local ecology. No objection to the proposed residential development has therefore been raised; however, a number of advisory notes have been recommended.</p>
3.8	<p><b><u>Service Manager Public Protection:</u></b> The Specialist Environmental Health Officer has raised no objection in principle to the proposed residential development, but has requested the imposition of a standard conditions relating to land contamination and a Construction Method Statement.</p>
3.9	<p><b><u>Team Leader Leisure</u></b> A commuted sum towards upgrading outdoor play facilities in line with the requirements of the adopted Planning Obligations Supplementary Planning Guidance has been requested. Glyncoed play area and ball court has been identified as the existing facility where the commuted sum would be spent.</p>
3.10	<p><b><u>External Consultation Responses</u></b></p>
3.11	<p><b><u>Natural Resources Wales (NRW):</u></b> NRW has raised no objection in principle to the proposed residential development, indicating that the proposal is adjacent to, but not within, a Zone C2 Flood Zone. Attention is also drawn to the potential need for a flood risk</p>

	<p>activity permit and relevant pollution prevention advice and guidance due to the application site's close proximity to the River Ebbw.</p>
<p>3.12</p>	<p><u>Welsh Water (WW):</u>          WW has indicated that the proposed development is crossed by a trunk/distribution watermain and no part of any building is permitted within the required easement of 3.85m either side of the centre line of the watermain. However, it may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991 and the cost of which will be charged to the developer. WW has also confirmed that capacity exists within the public sewerage network to only receive the domestic foul flows from the proposed development. Surface water must be dealt with via Sustainable Drainage Systems (SuDS).</p>
<p>3.13</p>	<p><u>Western Power &amp; W&amp;W Utilities:</u>          Approximate position of apparatus in the vicinity of the application site is highlighted.</p>
<p>3.14</p>	<p><b><u>Public Consultation:</u></b></p> <ul style="list-style-type: none"> <li>• 16 letters to nearby houses</li> <li>• 8 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>
<p>3.15</p>	<p><u>Response:</u>          As a result of the public consultation exercise, objections to the proposed residential development have been received from 28 individuals and a petition has been submitted containing 36 signatories. The objections received are summarised as follows:</p>
<p>3.16</p>	<ul style="list-style-type: none"> <li>• The application is being considered too quickly and more time should be allowed for proper public consultation (e.g. a public meeting) and further impact assessments to be undertaken.</li> </ul>
<p>3.17</p>	<ul style="list-style-type: none"> <li>• Approval of this development would set a dangerous precedent which could undermine the sustainability of parks and similar services throughout the whole of Blaenau Gwent.</li> </ul>
<p>3.18</p>	<ul style="list-style-type: none"> <li>• The park is well used and makes a significant contribution to the mental and physical health and wellbeing of all its users (both adults and</li> </ul>

3.19	<p>children), particularly during the time of a pandemic when gyms and other facilities have been closed.</p> <ul style="list-style-type: none"> <li>• The park is unique and difficult to replace given its accessible riverbank setting.</li> </ul>
3.20	<ul style="list-style-type: none"> <li>• The park is already small in comparison to other parks in Blaenau Gwent and the development proposed will involve what appears to be over 25% of the current area available to park users.</li> </ul>
3.21	<ul style="list-style-type: none"> <li>• The proposed 15 dwellings would not have a significant positive impact on overall housing need, and such a substantial loss of parkland for such a limited increase in housing is too high a price for the local community.</li> </ul>
3.22	<ul style="list-style-type: none"> <li>• The proposed mitigation would not compensate for the loss of parkland and will definitely not enhance the existing facility.</li> </ul>
3.23	<ul style="list-style-type: none"> <li>• The development should be restricted to the existing footprint of the former sheltered housing scheme.</li> </ul>
3.24	<ul style="list-style-type: none"> <li>• The loss of any of the limited parkland we have in the area is not justifiable and approving the development would contradict the Local Development Plan (LDP) and detailed planning policies which presume against a reduction in parkland and open/amenity space. As a result, the decision could be referred to the Public Services Ombudsman for Wales.</li> </ul>
3.25	<ul style="list-style-type: none"> <li>• The proposed development exceeds the footprint of the previously developed land and the LDP Review 2017 shows that the Council is falling short of the target of 2.4 hectares per 1000 people for amenity land. As such, the loss of any amenity land will be contrary to the aim of increasing provision.</li> </ul>
3.26	<ul style="list-style-type: none"> <li>• The site is not allocated for the proposed development in the LDP.</li> </ul>
3.27	<ul style="list-style-type: none"> <li>• Any previous precedents of planning applications for housing refused on the basis of an unacceptable loss of open amenity/recreational space to the local community should be applied in this case.</li> </ul>
3.28	<ul style="list-style-type: none"> <li>• The submitted geotechnical remediation strategy report indicates the presence of contamination on the site.</li> </ul>
3.29	<ul style="list-style-type: none"> <li>• Natural Resources Wales' Flood Risk Map indicates that the site sits in a Zone B Flood Zone (areas known to have flooded in the past) and part of the park has flooded on a number of occasions in the past.</li> </ul>
3.30	<ul style="list-style-type: none"> <li>• The justification tests for the location of residential development in Technical Advice Note 15: Development and Flood Risk will not be met.</li> </ul>
3.31	<ul style="list-style-type: none"> <li>• Flooding risk may have implications for home insurance.</li> </ul>
3.32	<ul style="list-style-type: none"> <li>• The existing footpath which has been in place for more than 20 years will be substantially diverted.</li> </ul>
3.33	<ul style="list-style-type: none"> <li>• There are issues in respect of ground stability with the adjacent pavement and roadway showing signs of land slippage.</li> </ul>

3.34	<ul style="list-style-type: none"> <li>• Since the park has been transferred to Tai Calon, there has been a noticeable decline in the maintenance of the grounds, particularly grass cutting.</li> </ul>
3.35	<ul style="list-style-type: none"> <li>• The development will damage trees and destroy an area used by all manner of wildlife.</li> </ul>
3.36	<ul style="list-style-type: none"> <li>• The submitted studies need to be updated and extended to cover the application site. More specifically, the timing of the survey by Sturgess Ecology (dated 26th April 2021) means that NRW may not have received up to date information in respect of the presence of otters.</li> </ul>
3.37	<ul style="list-style-type: none"> <li>• The development will add traffic to the area and cause disruption.</li> </ul>
3.38	<ul style="list-style-type: none"> <li>• There are other more suitable sites for development elsewhere in the area.</li> </ul>
3.39	<ul style="list-style-type: none"> <li>• The development appears to extend further into the park than what was proposed during the statutory pre-application consultation.</li> </ul>
3.40	<ul style="list-style-type: none"> <li>• There are concerns that this could be a ‘tip of the iceberg development’ and the landowner may seek future approvals to develop further areas within the remainder of the park.</li> </ul>
3.41	<p>The Local Member of the Senedd, Alun Davies, has reiterated a number of local residents’ concerns and objections specifically in relation to the loss of the well-used parkland/green space, the failure of mitigation measures to overcome the loss, the impact on local biodiversity/wildlife, conflict with LDP policies and inadequate public consultation during the pandemic. He has also stated that he is agreement with these objections.</p>
3.42	<p>Ward members from an adjoining ward have also queried the extent of the developable area and whether the diverted footpaths will be enclosed.</p>

**4. Planning Policy**

4.1	<p><u>Team Manager Development Plans:</u> The Team Manager – Development Plans has indicated that the type of open space within the application site was not included in the open space assessment that informed the adopted LDP and is satisfied that the proposed development would not result in an unacceptable loss of open space. As such, no objection has been raised in principle to the proposed residential development.</p>
4.2	<p>In terms of development viability, the Team Manager – Development Plans has also confirmed that the proposed development for affordable housing would be unviable if planning obligations were to be sought as part of the current planning application.</p>

4.3	<p><u>LDP Policies:</u></p> <ul style="list-style-type: none"> <li>• SP4 Delivering Quality Housing;</li> <li>• SP5 Spatial Distribution of Housing Sites;</li> <li>• SP7 Climate Change;</li> <li>• SP9 Active and Healthy Communities;</li> <li>• SP10 Protection and Enhancement of the Natural Environment;</li> <li>• DM1 New Development;</li> <li>• DM2 Design and Placemaking;</li> <li>• DM3 Infrastructure Provision;</li> <li>• DM7 Affordable Housing;</li> <li>• DM12 Provision of Outdoor Sport and Play Facilities;</li> <li>• DM13 Protection of Open Space;</li> <li>• DM14 Biodiversity Protection and Enhancement;</li> <li>• DM16 Trees, Woodlands and Hedgerow Protection;</li> <li>• ENV3 Sites of Importance for Nature Conservation; and</li> <li>• SB1 Settlement Boundaries</li> </ul>
4.4	<p><u>Future Wales</u></p> <ul style="list-style-type: none"> <li>• Policy 2 – Shaping Urban Growth and Regeneration – Strategic Placemaking;</li> <li>• Policy 7 – Delivering Affordable Homes;</li> <li>• Policy 9 – Resilient Ecological Networks and Green Infrastructure; and</li> <li>• Policy 12 – Regional Connectivity.</li> </ul>
4.5	<p><u>Supplementary Planning Guidance</u></p> <ul style="list-style-type: none"> <li>• Access, Car Parking and Design (March 2014);</li> <li>• A Model Design Guide for Wales – Residential Development (March 2005); and</li> <li>• Planning Obligations – Note 7 (September 2011).</li> </ul>
4.6	<p><u>PPW &amp; TANs:</u></p> <ul style="list-style-type: none"> <li>• Planning Policy Wales (Edition 11, February 2021);</li> <li>• Technical Advice Note 12: Design (March 2016); and</li> <li>• Technical Advice Note 15: Development and Flood Risk (July 2004).</li> </ul>
<p><b>5. Planning Assessment</b></p>	
5.1	<p><u>Principle of Development</u></p> <p>The Blaenau Gwent LDP indicates that the application site lies within the settlement boundary within which development is normally permitted subject to other policies within the plan and relevant material considerations (Policy</p>

	<p>SB1). The site is not covered by any development allocations or designations according to the LDP proposals map. The Ebbw River Site of Importance for Nature Conservation (SINC) does, however, adjoin the site’s north eastern boundary.</p>
<p>5.2</p>	<p>As indicated in Section 1 above, the north-western part of the site comprises of brownfield land which previously accommodated the former sheltered housing complex at Glan yr Afon Court. As such, the principle of a residential use on this part of the site has previously been established and I am satisfied that the proposed residential development is compatible with the neighbouring commercial/employment uses located immediately to the north of the site. I am also of the view that residential development on the more central and south-eastern (greenfield) part of the site would be compatible with neighbouring land uses which primarily comprises of a mixture of residential and recreational type uses. As such, the proposed residential development meets the requirements of LDP Policy DM1 (criterion 2a) in respect of neighbouring land use compatibility.</p>
<p>5.3</p>	<p>The central and south-eastern part of the site is arguably best described as a type of amenity greenspace<sup>1</sup> and whilst this area of land is not covered by any LDP allocations or designations, development management policy DM13 does seek to protect existing open space from development proposals. Local residents are clearly of the view that this area of land is a valuable recreational resource which serves the local community. I also note that the written justification associated with LDP Policy DM13 provides a very broad definition of “open space” indicating that it includes all land that is available for use by the public for informal and formal recreational and leisure use (paragraph 7.74). Given these factors, I am of the view that LDP Policy DM13 is applicable in this instance and as such, the proposed residential development should be assessed against the relevant policy criteria. Firstly, it must be demonstrated that the site has no significant amenity, recreational or nature conservation value (criterion a). If this criterion is met, there is a further requirement to demonstrate that one of following criteria are also met: there is a surplus of such facilities in locality (criterion b), the loss can be replaced with an equivalent or greater provision in the immediate locality (criterion c), or the development enhances an existing facility (criterion d).</p>
<p>5.4</p>	<p>With regards to whether or not the site has significant value, the Team Manager – Development Plans has indicated that this type of informal open space was not included in the open space assessment which informed the allocations and policies of the adopted LDP and is satisfied that the proposed</p>

<sup>1</sup> Informal recreation spaces, communal spaces in and around housing

	<p>residential development would not result in an unacceptable loss of open space. It is therefore clear that this type of open space is not considered to be significant at a strategic or county borough level in respect of its recreational or amenity value. If it were otherwise, it would have previously been assessed and informed the preparation of the LDP. In terms of nature conservation value, the submitted Ecology Report (August 2019) and Ecology Update Survey Letter (April 2021) indicate that whilst the Ebbw River SINC adjoining the application site is significant in ecological terms, the application site itself is not considered to be of significant ecological value in respect of invertebrates, amphibians, reptiles, birds or mammals (see below for further details). I am therefore satisfied that the site does not have significant amenity, nature conservation or recreational value. Accordingly, the proposed residential development would meet the requirements of LDP Policy DM13 (criterion a).</p>
<p>5.5</p>	<p>As no quantitative assessment has been undertaken of this type of informal open space, it is difficult to reach a judgement on whether there is a surplus of such facilities in the locality (criterion b). However, on the basis that there is no surplus of other types formally assessed open space within the ward and given that the site has some unique characteristics, such as a riverside location, in my view it is not unreasonable to reach the judgment that there is not a surplus of such facilities in the locality. Moreover, there are no proposals as part of this residential development to replace the amenity greenspace that would be lost (criterion c) and whilst I acknowledge that the proposed landscaping scheme would make some improvements to the local area, it is not considered to be a significant enhancement to the immediate locality (criterion d). As such, the proposed residential development would not meet the requirements of criteria b, c or d of LDP Policy DM13 and accordingly, would not meet the overall requirements of this policy.</p>
<p>5.6</p>	<p>Notwithstanding the conflict with Policy DM13, it remains necessary to consider the proposed residential development against the requirements of the adopted LDP as a whole and the loss of open space needs to be balanced against the provision of affordable housing. Among other things, LDP Policy SP4 seeks to ensure that local housing need is met and a mix of dwelling types, sizes and tenures are delivered, including at least 335 affordable dwellings. The Policy's associated written justification does, however, clarify that the 335 affordable housing target is anticipated to be met through planning obligations and affordable housing exception dwellings (paragraph 6.33). Moreover, this target also forms part of a wider target total of 1,000 affordable housing units which it is estimated could be provided during the plan period (2006-2021) using all delivery mechanisms (paragraph 6.34). Policy SP5 also</p>

	<p>indicates that “windfall sites”<sup>2</sup> are expected to make a contribution to the housing targets across the County Borough (criterion b) and Policy 7 of Future Wales states that, among other things, planning authorities should explore all opportunities to increase the supply of affordable housing.</p>
5.7	<p>The most recent LDP Annual Monitoring was published in September 2019 and covers the period between 1<sup>st</sup> April 2018 and 31<sup>st</sup> March 2019. In terms of affordable housing delivery, it states that by 31<sup>st</sup> March 2019 only 507 affordable housing units had been completed within the County Borough and even when taking into account sites with planning permission or under construction the total is only anticipated to increase to 643 (page 33). As such, the target of delivering 1,000 by the end of 2021 will be missed by a significant extent and I afford significant weight to the proposed delivery of affordable housing to help address this shortfall.</p>
5.8	<p>The proposed development would provide 15 affordable housing units, comprising of mixture of bungalows, flats, and 2/3 bedroom houses. Five of the units would also be designed to accommodate wheelchair access in order to meet the needs of potential residents with limited mobility. The proposal would therefore make a modest but necessary contribution to the delivery of affordable housing in the County Borough in accordance with the requirements of LDP Policies SP4 and SP4 and Policy 7 of Future Wales.</p>
5.9	<p>Whilst I acknowledge that the existing amenity greenspace would be negatively impacted by the proposed residential development, an appreciable amount of amenity greenspace would remain available to the local community as a recreational resource and some, albeit small, improvements to the amenity of the remaining area would be gained as a result of the proposed soft landscaping scheme. In my opinion, the demonstrable need for additional affordable housing outweighs the loss of the amenity greenspace and, on balance, the proposed residential development is acceptable in land use terms.</p>
5.10	<p><u>Flooding</u> According to Natural Resources Wales (NRW) development advice map, the application site predominantly falls within a flood zone B. Whilst the land adjoining the eastern boundary falls within a flood zone C2 (high risk flood area), this area of land is adjacent to the river and is at a lower land level than the development site.</p>

<sup>2</sup> Sites with the capacity for 10 or more units that have not been allocated in the LDP.



5.11	<p>Technical Advice Note 15: Development and Flood Risk (TAN15) describes a flood zone B as an area known to have flooded in the past evidenced by sedimentary deposits, and advises that it is used as precautionary approach to indicate where site levels should be checked against the extreme (0.1%) flood level (see page 5 of TAN15). If site levels are greater than the flood levels used to define adjacent extreme flood outline, there is no need to consider flood risk further.</p>
5.12	<p>As indicated above, the application site is at higher land level than the adjacent high risk flood zone C2 and the submitted Drainage Strategy and Flood Risk Assessment (DSFRA) confirms that no development, including gardens or storage of materials, would be located within this area at risk of flooding. Moreover, NRW has raised no objection in principle to the proposed residential development and has simply highlighted the need for a flood risk activity permit if development occurs within 8 metres of the River Ebbw. The DSFRA confirms that this permit has already been applied for.</p>
5.13	<p>I am therefore satisfied that the risk of flooding is not significant in relation to the location of the proposed development and as such, the application of the justification test and flood consequence assessment (sections 6 and 7 of TAN15) are not necessary in this instance. Accordingly, the proposed development meets the requirements of LDP Policy SP7 in respect of flood risk.</p>
5.14	<p><u>Site Layout, Scale and Appearance</u></p> <p>All residential developments should respond to the character and local distinctiveness of the area within which they are located. The surrounding area of the application site is characterised by a mixture of uses, such as commercial/employment buildings and residential properties. The type and design of surrounding residential buildings is also varied, but are predominantly two storey semi-detached properties with some two storey detached properties and bungalows also present. The nearest residential area to the application site is Cambridge Gardens which does have a distinctive building format and appearance. However, the application site is somewhat self-contained given its location on the opposite side of the river to Cambridge Gardens and, in my view, the emphasis should be on creating a development that complements the general character of the surrounding area, rather than directly referencing existing built forms or design features.</p>
5.15	<p>The proposed residential development has been orientated so that it primarily fronts on to the new internal access road. Whilst this creates a development that largely focusses in on itself rather, the difference in levels to allotment road to the southwest and the proximity of the Ebbw River to the northeast,</p>

	<p>makes it difficult to integrate with adjacent street and surrounding area. The proposed site layout and orientation of the residential buildings is therefore considered to be the most appropriate in the local context. Moreover, the proposed residential buildings create active frontages within the site and opportunities have been taken to create dual aspect elevations on certain corner plots, such as plot 8, that would provide natural surveillance to both the street and adjacent footpath passing through the amenity greenspace. First floor habitable room windows proposed in the rear elevation of the flat building (plots 14/15) would also overlook the amenity greenspace and re-routed footpath to the south, again providing a degree of natural surveillance.</p>
<p>5.16</p>	<p>The proposed development's off-street car parking is predominately located to the front of proposed buildings, which is not generally encouraged. However, I am of the view that alternative tandem parking to the sides of buildings serving would be difficult to achieve on the application site without reducing the number of dwellings proposed. I am also satisfied that the proposed hard and soft landscaping would help break up and soften the visual impact of the proposed car parking areas.</p>
<p>5.17</p>	<p>In terms of scale and design, I am of the opinion that the proposed one and two storey buildings would be appropriate within the local context. The mix of house types in the form of bungalows, semi-detached houses and flats would also ensure a diverse housing stock and visually interesting street scene. The proposed residential buildings are a more contemporary design, and in order to break up the facades of the buildings and provide architectural interest, a mix of materials and textures are proposed. The proposed materials comprise predominantly of buff colour brick with dark grey bricks around front doors and brick projecting header detail. The roofs would be finished in grey reconstituted roof slates, the doors would be timber effect with a dark grey aluminium clad flat roof canopy and the window frames would also comprise of dark grey aluminium clad timber. Whilst I consider this design approach to be acceptable in principle, I recommend that a condition is imposed requiring the submission of sample materials.</p>
<p>5.18</p>	<p>Overall, I am of the opinion that the proposed residential development would be of an appropriate design that would be in keeping with the character and appearance of the street scene and surrounding area. As such, the proposal is considered to be in accordance with requirements of Policies DM1 and DM2 in terms of design and placemaking.</p>
<p>5.19</p>	<p><u>Highways and Car Parking</u> In terms of vehicular access, the proposed residential development would utilise the existing vehicular access at the northern end of the site and a new</p>

	<p>internal access road would serve all new dwellings. A turning head for the internal access road would be located at the south-eastern end of site and the existing east-west footpath, which links allotment road to the residential areas of Cambridge Gardens and Ebbw View, would be re-positioned to the south of the proposed flats. Whilst the existing footpath may have been in place for over 20 years, the diverted route is considered to be acceptable.</p>
<p>5.20</p>	<p>The Team Manager – Built Environment has raised no objection to the proposed vehicular access, internal access road, new footways or replacement footpath nor has he raised any concern in terms of increased traffic movements in the area. He has, however, requested the imposition of a number of conditions that control the construction of the highways (roads and footways), the stopping up of the existing footway and its replacement and street lighting. I agree that such conditions would satisfy the relevant tests and should be imposed.</p>
<p>5.21</p>	<p>In respect of car parking provision, the proposed residential development would be served by 22 off-street car parking spaces which has been reduced from the standard requirement based on the sustainability credentials of the application site. In accordance with the requirements of the adopted Access, Car Parking and Design SPG, a minimum of 1 car parking space for each one and two bed dwelling would be provided and each three bed dwelling would be served by 2 car parking spaces.</p>
<p>5.22</p>	<p>The Team Manager – Built Environment has confirmed that the proposed level of car parking has been justified via the application of a sustainability assessment and is appropriate to meet the needs of the proposed residential development. He has also requested that the off-street parking areas for each plot are fully constructed prior to the occupation of each dwelling and retained thereafter. I am satisfied that this requirement can be achieved through the imposition of a suitably worded condition.</p>
<p>5.23</p>	<p>I therefore of the opinion that the proposed residential development would meet the requirements of LDP Policy DM1 in respect of highways, access and parking matters and the requirements of the Access, Car Parking and Design SPG.</p>
<p>5.24</p>	<p><u>Landscaping and Trees</u>  The submitted Tree Report (TR) indicates that a small number of trees would be removed as part of the proposed residential development. The Council's Arboricultural Officer has confirmed that the trees to be removed are unmanaged or overgrown shrubs, or trees which are damaged, diseased or of low quality. As such, he has raised no objection to the proposed residential</p>

	<p>development subject to the erection of tree protection fencing around the root protection zone of those trees, and groups of trees, to be retained prior to any construction work. The latter can be secured via an appropriately worded condition.</p>
<p>5.25</p>	<p>The Team Manager – Natural Environment has also raised no objection to the proposed residential development and confirmed that the landscaping proposals would more than compensate for the loss of any low value trees identified for removal. I am also satisfied that the proposed landscaping and planting would enable the proposed residential development to integrate effectively into the surrounding area. Moreover, I am of the view that the proposal would incorporate an appropriate mix of boundary walls, fences, railings and various forms of paving to hard landscape areas that would adequately define private, semi-private and public spaces. Whilst detailed soft landscaping proposals have already been provided, final detailed design and samples of the hard landscaping scheme and boundary treatments can be secured via condition.</p>
<p>5.26</p>	<p>I am therefore of the view that the proposed soft and hard landscaping schemes would provide an appropriate visual setting for the proposed residential development and accordingly, the proposal would meet the requirements of Policy DM2 in respect of hard and soft landscaping matters.</p>
<p>5.27</p>	<p><u>Residential Amenity</u>  The separation distance between the curtilages of the proposed semi-detached building at plot 8 and the existing residential properties at Ebbw View would be approximately 25m, while the separation distance between the curtilages of the proposed flats building at plot 14/15 and the nearest residential properties at Cambridge Gardens would be over 30m. There is also substantial landscape screening along much of the Ebbw River corridor and I am satisfied that the proposed residential development would not have an unacceptable impact on the amenity of the occupiers of surrounding residential properties by means of overlooking, overshadowing or overbearing. I am also satisfied that the proposed residential development would not have an unacceptable impact on the amenity or operations of the existing commercial/employment buildings to the north of the application site.</p>
<p>5.28</p>	<p>With regards to the residential amenity of the future occupiers of the development, I am of the view that the proposed layout, building orientations and window arrangements would prevent any direct overlooking between the habitable room windows of the proposed houses, bungalows and flats. I am also satisfied that the future occupiers of the houses would not experience</p>

	<p>unacceptable levels of overbearing or overshadowing from any neighbouring buildings.</p>
<p>5.29</p>	<p>All of the proposed houses, bungalows and flats would be provided with adequate private garden space, and whilst I note that the first floor flats would only have access to balconies as private outdoor amenity space, the immediate amenity greenspace would also be readily accessible to future occupiers.</p>
<p>5.30</p>	<p>Overall, I am of the opinion that the proposed residential development would not have an unacceptable impact on the residential amenity of the occupiers of surrounding properties or the future occupiers of the site. As such, the proposal is considered to be in accordance with Policy DM1 in respect of this matter.</p>
<p>5.31</p>	<p><u>Ecology</u>          The submitted Ecology Report (August 2019) indicates that the most significant habitat for biodiversity is located in the north-eastern margin of the site, which forms part of the River Ebbw Site of Importance for Nature Conservation (SINC). The dense vegetation and steep sides mean that the bank is relatively undisturbed, providing habitat for a range of wildlife and acting as corridor for the movement of wildlife through this part of Ebbw Vale. In particular, the river and its banks have a potential to support invertebrates, birds and mammals (such as bats and otters). The Ecology Update Survey Letter (April 2021) also confirms the presence of otters along the River Ebbw after otter spraints were found at three separate locations.</p>
<p>5.32</p>	<p>The remainder of the site was found mostly to support mown amenity grassland with standard parkland trees. These are generally considered to be common urban habitats which are not considered to be important in a county context. The Ecology Report (August 2019) indicates that this part of the site is not considered to be of significant ecological value in terms of invertebrates, amphibians, reptiles, birds or mammals.</p>
<p>5.33</p>	<p>In terms of overall ecological constraints, the Ecology Report (August 2019) indicates that:</p> <ul style="list-style-type: none"> <li>• impacts on any habitat in the river and up to the top of the bank of the River Ebbw SINC should be avoided;</li> <li>• the clearance of any trees/shrubs should be undertaken outside of the bird nesting season;</li> <li>• a pre-construction re-check for bats roosting in trees should be undertaken if several years lapse before development commences;</li> </ul>

	<ul style="list-style-type: none"> <li>• if the development were to affect the dense riverside scrub, further checks should be carried out for otters; and</li> <li>• non-native invasive species should be removed, where necessary.</li> </ul>
5.34	<p>The Ecology Update Survey Letter (April 2021) confirms the above constraints continue to apply and in particular, reiterates the need for a licence from NRW if any works were to disturb otters or affect an otter resting or breeding site, which might include the riverside scrub or rock armouring.</p>
5.35	<p>Natural Resources Wales (NRW) has been consulted on both the initial ecology report and update survey and raised no objection to the proposed residential development. Attention has been drawn to relevant pollution prevention advice and guidance, due to the application site's close proximity to the River Ebbw. I am satisfied that these requirements can be brought to the applicant's attention via a suitably worded informative.</p>
5.36	<p>The Council's Ecologist has also raised no objection to the proposed residential development and supports the recommendations set out within the Ecology Report and update survey. I am satisfied that specific matters raised by the Ecologist, such as the incorporation of hedgehog passes in boundary treatments, the potential need for an otter licence, the removal of invasive alien species of plant and the precautionary approach required during the bird breeding season can be addressed via appropriately worded informatives. Moreover, I am of the view that the submitted landscape strategy incorporates a number of native plant and tree species that would ensure no long term negative biodiversity impacts and I recommend that a construction method statement condition is imposed to minimise any impacts on the adjacent SINC.</p>
5.37	<p>I am therefore of the opinion that, subject the conditions and informatives highlighted above, the proposed residential development would not have an unacceptable impact on the ecological interests of the site or the surrounding area. Accordingly, the proposal is considered to be in accordance with LDP Policies SP10, DM1 and DM14 in respect of biodiversity related matters.</p>
5.38	<p><u>Ground Conditions</u>          In respect of ground stability, an Intrusive Mining Risk Assessment Report (IMRAR) has been submitted with the application, indicating that an intrusive ground investigation comprising of a series of rotary probe holes has been undertaken across the proposed development area. The IMRAR confirms that there is no recorded shallow coal mining beneath the site and as such, there is not deemed to be a risk from unrecorded coal mining. Moreover, whilst a desk top assessment had identified a potential risk from unrecorded ironstone</p>

	<p>mining, no evidence of any workings within the ironstones was identified as part of the intrusive ground investigation. As such, the IMRAR confirms that the proposed residential development is not at risk from past shallow mining and no special precautionary measures or foundation design are required as part of the proposed development. I am therefore satisfied that the application site is capable of support the proposed residential development without risk of damage to buildings on the site or adjoining land. Accordingly, the proposed development would meet the requirements of LDP Policy DM1 in respect of this matter.</p> <p>5.39 With regard to ground contamination, the submitted Remediation Strategy Report (RSR), indicates that a contaminant was identified in one of the soil samples. As a consequence, the RSR recommends that the following mitigation and remedial measures are implemented:</p> <ul style="list-style-type: none"> <li>• Protection of construction workers during site development through good level of PPE and hygiene;</li> <li>• Capping of the front and rear gardens of Plots 1-8 with 600mm of imported clean soils;</li> <li>• Validation of all imported soils/aggregate;</li> <li>• Installation of appropriate water supply pipes; and</li> <li>• Installation of gas protection.</li> </ul> <p>5.40 The RSR also recommends the submission of further details of proposed water pipes, ground gas protection measures and soil/aggregate verification.</p> <p>5.41 The Council’s Specialist Environmental Health Officer has reviewed the RSR and raised no objection to the proposed residential development subject to the imposition of a standard land contamination condition securing a detailed remediation strategy and remediation validation/verification reports. Attention has also been drawn to the need to install a geo-textile membrane in the garden areas at a depth of 600mm to act as do not dig below barrier. I am satisfied that a suitability worded informative is sufficient to advise the applicant/agent that this additional precautionary measure should form part of the detailed remediation strategy that will be secured via condition.</p> <p>5.42 I am therefore of the opinion that, subject to appropriate mitigation and remediation measures being secured via the condition identified above, the land contamination on the site would be adequately controlled and contained. Accordingly, the proposal would meet the requirements of LDP Policy DM1 in respect of this matter.</p>
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5.43	<p><u>Drainage</u></p> <p>The proposed residential development would seek to connect foul water drainage to the main public sewerage network and Welsh Water (WW) has confirmed that spare capacity exists within the sewerage network to receive foul flows. I am satisfied that the details of a foul water drainage scheme for the proposal can be secured by an appropriately worded condition.</p>
5.44	<p>WW has also indicated that the proposed development is crossed by a trunk/distribution watermain and no part of any building is permitted within the required easement of 3.85m either side of the centre line of the watermain. Whilst it appears that some of the proposed residential buildings would conflict with this requirement, WW has also indicated that it may be possible for this watermain to be diverted at the expense of the developer. Given that WW has not objected to the proposed residential development and there appears to be solution to overcome this constraint, I am satisfied that the presence of the watermain is not an insurmountable constraint to the proposed development and the matter can be left to WW and the applicant/developer to resolve.</p>
5.45	<p>In terms of surface water management, indicative Sustainable Drainage System (SuDS) details have been submitted with the application, indicating that the proposed residential development would incorporate green roofs on the proposed bungalows, bio-retention areas within gardens and permeable paved driveways that would connect to a detention basin proposed between house plot 8 and the re-routed footpath. As the proposed residential development is for more than one dwelling, these SuDS details will require a separate consent from the SuDS Approval Body. The applicant has confirmed that discussions with the SuDS Approval Body are being undertaken separately to this planning application.</p>
5.46	<p><u>Planning Obligations</u></p> <p>Policy DM3 requires new development to meet the infrastructure needs that it generates, including the improvement or provision of infrastructure, services and community facilities. Policy DM12 also seeks to secure the provision of outdoor sport and play facilities with all new residential developments of 10 or more units.</p>
5.47	<p>As indicated in Section 3 above, a request has been made for a commuted sum towards upgrading outdoor play facilities in line with the requirements of the adopted Planning Obligations Supplementary Planning Guidance. Glyncoed play area and ball court has been identified as the existing facility where the commuted sum would be spent. The requirement to provide this type of planning obligation is, however, subject to development viability and the applicant has submitted a viability assessment which indicates that the</p>



	<p>proposed residential development would not be financially viable if this leisure contribution was sought. The Team Manager – Development Plans has reviewed the submitted viability assessment and confirmed that the proposed development for affordable housing would be unviable if any planning obligations were to be sought as part of the current planning application.</p>
<p>5.48</p>	<p>Whilst I am also satisfied that sufficient evidence has been submitted to demonstrate that the proposed development would be unviable if the aforementioned planning obligation was provided, it must be recognised that without the planning obligation, the proposal would not fully meet its infrastructure needs and as such, would have some negative impact on local community facilities. However, this impact needs to be balanced against the benefits of delivering much needed affordable housing. In my opinion, any negative impact on local community facilities would not be significant enough to outweigh the benefits of the proposal.</p>
<p>5.49</p>	<p><u>Other Matters</u> The majority of issues raised by objectors have been addressed above. In terms of other matters raised I would provide the following comment:</p>
<p>5.50</p>	<ul style="list-style-type: none"> <li>• <i>The application is being determined too quickly and further consultation should be carried out with the public for further impacts to be assessed.</i> The statutory consultation requirements have been complied with both at pre-application stage and the planning application stage. This report has run over the statutory time period for determination to ensure all material planning considerations are satisfactorily addressed.</li> </ul>
<p>5.51</p>	<ul style="list-style-type: none"> <li>• <i>More suitable sites should be found</i> The Council is duty bound to consider the scheme as submitted. The suitability of the site has been considered in some detail above.</li> </ul>
<p>5.52</p>	<ul style="list-style-type: none"> <li>• <i>Decline in maintenance since Tai Calon took ownership of site / site extends further than at PAC stage / concerns the site may expand in the future</i> These are not material planning consideration in the determination of this application.</li> </ul>
<p>5.53</p>	<p><u>Conclusion</u> In summary, I am of the view that, on balance, the proposed residential development is acceptable in land use terms and would not have a detrimental impact on residential amenity, local biodiversity or the character and appearance of the surrounding area. Moreover, the proposal is considered</p>

	acceptable in terms of vehicular and pedestrian access and car parking provision.
<b>6. Legislative Obligations</b>	
6.1	The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.
6.2	The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.
<b>7. Conclusion and Recommendation</b>	
7.1	<p>Planning permission be <b><u>GRANTED</u></b> subject to the following condition(s):</p> <ol style="list-style-type: none"> <li>The development shall begin not later than five years from the date of this decision notice. Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1980.</li> <li>The development shall not be carried out expect in complete accordance with the details of the following approved plans and documents, except where amended by conditions attached to this planning permission:</li> </ol> <p><u>Documents</u></p> <ul style="list-style-type: none"> <li>BS5837 2012 Tree Information (Treecare Consulting, 08.2019)</li> <li>Remediation Strategy Report (Terra Firma, March 2021)</li> <li>Recommendations in Ecology Report (Aug 2019) and Update Survey (April 2021) (Sturgess Ecology)</li> </ul> <p><u>Plans</u></p> <ul style="list-style-type: none"> <li>- 151604-STL-XX-XX-DR-A-XXXX-01010-PL07-SITE LOCATION PLAN</li> <li>- 151604-STL-XX-XX-DR-A-XXXX-01011-PL07-EXISTING SITE PLAN</li> <li>- 151604-STL-XX-XX-DR-A-XXXX-01012-PL07-PROPOSED SITE PLAN</li> </ul>

- 151604-STL-XX-XX-DR-A-XXXX-01013-PL07-PROPOSED SITE ROOF PLAN
- 151604-STL-XX-XX-DR-A-XXXX-01014-PL07-PROPOSED SITE CONTEXT PLAN
- 151604-STL-XX-XX-DR-A-XXXX-21000-PL07-SITE ELEVATIONS
- 151604-STL-01-ZZ-DR-A-XXXX-00301-PL07-HOUSE TYPE 01 - 1B2P FLATS PLANS - VERSION 03
- 151604-STL-01-ZZ-DR-A-XXXX-00302-PL07-HOUSE TYPE 01 - 1B2P FLATS - VERSION 03
- 151604-STL-02-ZZ-DR-A-XXXX-00101-PL07-HOUSE TYPE 02 - 2B3P BUNGALOW PLAN
- 151604-STL-02-ZZ-DR-A-XXXX-00102-PL07-HOUSE TYPE 02 - 2B3P BUNGALOW
- 151604-STL-03-ZZ-DR-A-XXXX-00101-PL07-HOUSE TYPE 03 - 2B4P HOUSE PLANS
- 151604-STL-03-ZZ-DR-A-XXXX-00102-PL07-HOUSE TYPE 03 - 2B4P HOUSE
- 151604-STL-04-ZZ-DR-A-XXXX-00101-PL07-HOUSE TYPE 04 - 2B4P HOUSE (CORNER)
- 151604-STL-05-ZZ-DR-A-XXXX-00101-PL07-HOUSE TYPE 05 - 3B5P HOUSE PLANS
- 151604-STL-05-ZZ-DR-A-XXXX-00102-PL07-HOUSE TYPE 05 - 3B5P HOUSE
- 151604-STL-00-XX-DR-L-09001- PL\_PL07 Landscape General Arrangement
- 151604-STL-00-XX-DR-L-09101- PL\_PL07 Tree Protection, Retention and Removal Plan
- 151604-STL-00-XX-DR-L-09141 PL\_PL11 Soft Landscape Plan received on 28.09.21
- 151604-STL-00-XX-DR-L-09142-Planting Schedules
- 151604-STL-00-XX-DR-L-09161- PL\_PL07 Hard Landscape Plan
- 151604-STL-00-XX-DR-L-09181- PL\_PL08 Boundary Treatment Plan
- 151604-STL-00-XX-DR-L-09410 - PL\_PL10 Tree Pit Detail received on 09.08.21
- IR18102 101 P5 EXTERNAL WORKS GA
- IR18102 201 P4 DRAINAGE GA received on 09.08.21
- IR18102 203 P2 DRAINAGE LONGSECTION & DETAILS received on 09.08.21
- IR18102 204 P1 DETENTION BASIN SECTION received on 09.08.21
- IR18102 110 P1 REFUSE VEHICLE SWEPT PATH

Reason: For the avoidance of doubt and to ensure compliance with the approved plans and documents.

3. Prior to commencement of development the development shall not begin until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of TAN 2 or any future guidance that replaces it. The scheme shall include:

- i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 10% of housing units/bed spaces;
- ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii) the management of the affordable housing;
- iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing

Reason: To ensure affordable housing is provided in accordance with policy DM7 of the adopted Blaenau Gwent Local Development Plan.

4. No development shall commence on site until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall include details of:

- practical measures (both physical measures and sensitive practices) to avoid or reduce impacts on the Ebbw River Site of Importance for Nature Conservation during construction;
- hours of working;
- site access and the parking of vehicles of site operatives and visitors;
- wheel washing facilities;
- storage of plant and materials used during construction works;
- the erection and maintenance of security hoardings;
- measures to control noise and the emissions of dust and dirt during construction works;
- details of a scheme for the recycling/disposing of waste resulting from construction works; and
- siting and details of any required construction compound.

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

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

5. Tree protection measures shown on 151604-STL-00-XX-DR-L-09101-PL07-Tree Protection Retention and Removal Plan shall be implemented prior to the commencement of development and maintained as necessary for the duration of the construction period.

Reason: To ensure protection of any trees and safeguard the visual amenities of the area.

6. The external surfaces of the building(s) and hard landscaping materials shall be constructed of the materials specified on the following plans:

- 151604-STL-01-ZZ-DR-A-XXXX-00302-PL07-HOUSE TYPE 01 - 1B2P FLATS - VERSION 03

- 151604-STL-02-ZZ-DR-A-XXXX-00102-PL07-HOUSE TYPE 02 - 2B3P BUNGALOW

- 151604-STL-03-ZZ-DR-A-XXXX-00102-PL07-HOUSE TYPE 03 - 2B4P HOUSE

- 151604-STL-04-ZZ-DR-A-XXXX-00101-PL07-HOUSE TYPE 04 - 2B4P HOUSE (CORNER)

- 151604-STL-05-ZZ-DR-A-XXXX-00102-PL07-HOUSE TYPE 05 - 3B5P HOUSE

- 151604-STL-00-XX-DR-L-09161- PL\_PL07 Hard Landscape Plan

Reason: To ensure an acceptable form of development.

7. The boundary enclosures indicated on the approved plans shall be provided in full accordance with the approved details before the dwelling(s) to which it relates is occupied.

Reason: To protect the privacy and amenities of the occupants of the application property, the occupiers of neighbouring properties and the visual amenities of the area.

8. Notwithstanding any details indicated on the approved plans, before works commence on site details shall be submitted to and approved in writing by the Local Planning Authority of any retaining walls/structures or works required in association with the construction of the development hereby approved. Any details of retaining walls/structures or works that will exceed 1.5m in height must also include a certificate signed by a

suitably qualified engineer that shall verify the structural integrity of the proposed works. All works shall be undertaken and completed in full accordance with such details and specifications as may be approved before the dwellings to which they relate are brought into use.

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

9. No dwelling hereby approved shall be occupied until the access, driveway and parking areas relating to that dwelling are constructed in accordance as indicated on the approved plans. The parking areas provided shall be retained for their designated purpose at all times.

Reason: To ensure the parking needs of the development are adequately met and to safeguard highway interests.

10. No approved dwelling shall be occupied until the roads and footways serving that dwelling have been laid out and constructed to a minimum of binder course level and any street lighting to be provided has been erected and energised in full accordance with details to be submitted and approved in writing by the Local Planning Authority before works commence on the construction of the dwellings.

Reason: To ensure suitable vehicle and pedestrian access to the site and to safeguard highway and pedestrian safety.

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

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

12. The foul drainage scheme shown on IR18102 201 P4 DRAINAGE GA shall be implemented prior to the occupation of the development.

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

13. The development hereby approved shall not be brought into use until all the measures identified as necessary to decontaminate the site, as contained in the Remediation Strategy Report (Terra Firma, March 2021), are implemented and the Authority is provided with a validation report signed by a suitably qualified person that confirms that such measures and/or works have been fully implemented.  
Reason: To ensure that the development is implemented in a manner that gives due regard to contamination issues.
14. If, during the course of development, any contamination is found which has not been previously identified, additional measures for the remediation of this source of contamination in the form of a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate all approved additional measures and shall be completed before the development hereby approved is occupied.  
Reason: To ensure that any unexpected contamination issues are adequately addressed and that suitable mitigation measures are implemented.
15. If during the course of development, any unexpected land instability issues are found which were not previously identified, additional measures for their remediation in the form of a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority. The remediation of the site shall incorporate the approved additional measures which shall be completed before the development hereby approved is occupied.  
Reason: To ensure that any unexpected land stability issues are adequately dealt with and that ground stability issues are appropriately addressed.
16. Unless otherwise approved in writing, the existing adopted public footpath proposed to be relocated as part of the development shall be maintained until the replacement footpath, as shown on 151604-STL-XX-XX-DR-A-XXXX-01012-PL07-PROPOSED SITE PLAN has been completed in full accordance with the approved details.  
Reason: To ensure access to the public footpath is maintained at all times.
17. Prior to the installation of any bin stores, sheds or other minor structures, details must be submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with such details as may be approved.

Reason: To ensure an acceptable form of development.

Informatives

1. The applicant/developer is reminded of his/her obligation under the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 to give notification of commencement of development to the Local Planning Authority and to display a notice at all times when the development is being carried out.
2. The applicant/developer is advised that the new access roads and footways serving the development should be designed and constructed in accordance with Blaenau Gwent's 'Residential, Industrial and Commercial Estate Roads' Design Guide. Further advice on this matter can be sought from the Highway Authority on 01495 355411.
3. The Council's Service Manager Infrastructure has advised that the development for which full planning permission has been granted is one that requires SUSTAINABLE DRAINAGE APPROVAL BEFORE WORKS COMMENCE ON SITE. This is a separate legislative requirement introduced by Schedule 3 of the Flood and Water Management Act 2010 which came into effect in Wales on 7th January 2019. Applications for sustainable drainage approval relating to developments in Blaenau Gwent are being processed by Caerphilly County Borough Council. Further information in relation to this requirement can be found at <https://www.blaenau-gwent.gov.uk/en/resident/planning/how-to-apply-for-planning-permission/permission-for-drainage/>
4. The applicant/developer is advised that Japanese Knotweed, Indian Balsam, Montbretia, Himalayan Cotoneaster and Hollyberry Cotoneaster are located either on the site or the surrounding area. All are listed as alien invasive species in Schedule 9 Part II of the Wildlife and Countryside Act 1981 (as amended). It is an offence to spread or cause to grow wild such alien invasive species and will need to be eradicated from the site prior to the commencement of development works.
5. All British birds, their nests and eggs (with certain limited exceptions) are protected under Part 1 of the Wildlife and Countryside Act 1981 (as amended). This makes it an offence to intentionally or recklessly kill, injure or take any wild bird, damage or destroy the nest of any wild bird whilst it is in use or being built or take or destroy the egg of any wild bird. To avoid any unlawful act, all works should be carried out between the months of September and February (inclusive). If it is unavoidable that clearance



	<p>works have to be undertaken during the nesting season, a pre-commencement check will be required by a suitable qualified ecologist.</p> <p>6. The applicant/developer is advised that hedgehog passes should be incorporated into boundary treatments and between gardens.</p> <p>7. The applicant/developer is advised that the presence of otter has been confirmed along the river. A licence from NRW may be required for any work that may disturb otters or affect an otter resting or breeding place, which might include the riverside scrub or rock-armouring. Otters are protected under the Conservation of Habitats and Species Regulations 2017 (as amended), known as the ‘Habitats Regulations’. Further advice on protected species licences should be sought from NRW (email - <a href="mailto:specieslicence@naturalresourceswales.gov.uk">specieslicence@naturalresourceswales.gov.uk</a>).</p> <p>8. All British bat species are protected under the Conservation of Habitats and Species Regulations 2010 (as amended) known as the ‘Habitats Regulations’. Under the ‘Habitats Regulations’ it is an offence to:</p> <ul style="list-style-type: none"> <li>• Deliberately capture, injure or kill any wild animal of European Protected Species;</li> <li>• Deliberately disturb wild animals of any such species; or</li> <li>• Damage or destroy a breeding site or resting place of such an animal.</li> </ul> <p>9. The applicant/developer is strongly advised to adhere to the following guidance to prevent any pollution to the River Ebbw during construction works: “Works and maintenance in or near water: GPP5” (Version 1.2, February 2018) and “Working at construction and demolition sites: GPP6”. The guidance can be accessed at <a href="https://www.netregs.org.uk/environmental-topics/guidance-for-pollution-prevention-gpp-documents/guidance-for-pollution-prevention-gpps-full-list/">https://www.netregs.org.uk/environmental-topics/guidance-for-pollution-prevention-gpp-documents/guidance-for-pollution-prevention-gpps-full-list/</a></p> <p>10. The applicant/developer is advised that the submission of the detailed remediation strategy and remediation validation/verification reports should include the additional precautionary measure of installing a geotextile membrane in the garden areas at a depth of 600mm to act as do not dig below barrier.</p>
<p><b>8. Risk Implications</b></p>	
<p>8.1</p>	<p>None.</p>

## Planning Report

<b>Application No:</b> C/2021/0150	<b>App Type:</b> Full
<b>Applicant:</b> Mr D Morgan Foundry House Grahams Yard Tredegar NP22 4QP	<b>Agent:</b> D Morgan C/O 8 Beech Grove Victoria Ebbw Vale
<b>Site Address:</b> Foundry House, Grahams Yard, Tredegar, NP22 4QP	
<b>Development:</b> Two storey extension & porch to the front elevation.	
<b>Case Officer:</b>	<b><u>Sara Thomas</u></b>



### 1. Background, Development and Site Context

- 1.1 This application seeks permission for the erection of a two storey extension and porch to the front elevation of a detached residential property. The dwelling is within the area of Grahams Yard and is within the settlement of Tredegar.

- 1.2 The site relates to a two storey, detached dwelling with accommodation provided in the roof slope through a rooflight and two pitched roof dormers to the front elevation and two rooflights to the rear elevation. Off-street car parking is provided to the front of the dwelling and an existing garage is situated to the rear gaining access from the rear of the site. The existing dwelling is finished in red brick, with yellow brick quoins.



Fig. 1.1 Front Elevation of Existing Dwelling

- 1.3 Planning permission is being sought for the erection of a double storey extension and porch to be sited to the front of the existing dwelling. The proposed extension will be used as a family/dining room at ground floor level and a bedroom at first floor level measuring approximately 3.6 metres in depth.

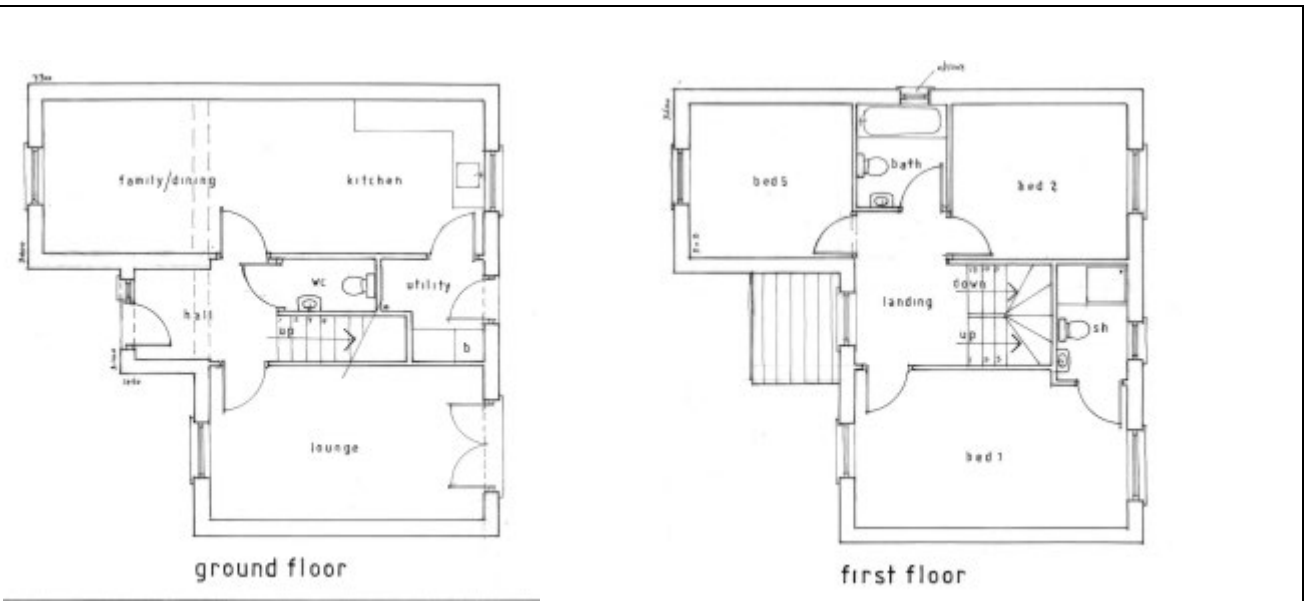


Fig. 1.2 Proposed Floor Plans

1.4 The extension consists of a gable projection to the front elevation, with a ridge which is significantly set down from the ridge of the existing dwelling and will replace the existing pitched roof dormer. A window is proposed to the front elevation at ground and first floor level. Proposed materials are render painted in cream, with quoins and a slate roof to match the existing dwelling. The proposed porch consists of a monopitch roof and a window and door to the front elevation. Proposed materials of the porch are red facing brickwork, with a slate roof. Two new windows are also proposed to the side (west) elevation at first and second floor level. The first floor window will serve a bathroom and is to be obscurely glazed. The second floor window will serve a bedroom.

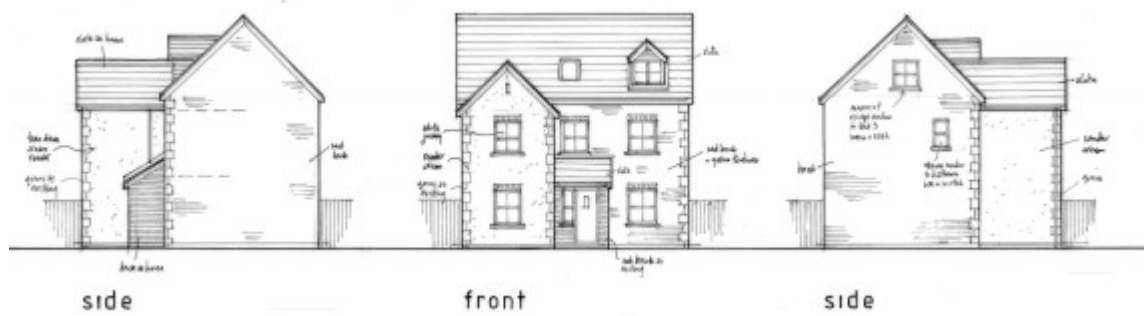


Fig. 1.3 Proposed Elevations

**2. Site History**

	Ref No	Details	Decision
2.1	None relevant.		

<b>3. Consultation and Other Relevant Information</b>	
3.1	<b><u>Internal BG Responses</u></b>
3.2	<u>Service Manager Public Protection:</u> No objection, however there could be unforeseen land contamination.
3.3	<b><u>Public Consultation:</u></b> <ul style="list-style-type: none"> <li>• 1 letter to nearby houses</li> <li>• <del>Site notice(s)</del></li> <li>• <del>press notice</del></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>
3.4	<u>Response:</u>
3.5	A Ward Member has requested that this planning application go before Planning Committee for determination. The reason given is that the Member considers that having done some research it would appear that similar alterations have been made to other properties within the Borough. Therefore, he believes that this application should go before committee and hopefully an agreement could be achieved or possibly a site meeting arranged. It would appear that the alterations to the front elevation is acceptable but some adjustments are required for the actual final design.
<b>4. Planning Policy</b>	
4.1	<u>Team Manager Development Plans:</u>  <u>LDP Policies:</u> DM1 – New Development DM2 – Design and Placemaking  SPG Householder Design Guidance (February 2016) Note 1:Extensions and Conservatories
<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 1 ‘Extensions and Conservatories’ (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.
	<u>Two storey front extension</u>
5.3	The existing dwelling is highly visible when approaching the front of the site due to its siting and limited screening along the boundaries. Whilst the proposed extension is significantly set down from the ridge of the existing dwelling and proposes a width which is less than 50% of the width of the existing dwelling, by virtue of its projection (3.6m) off the front elevation, the extension would appear an overly dominant feature and would not be viewed as a subservient addition to the dwelling.
5.4	The Supplementary Planning Guidance (SPG) Note on extensions advises that <i>'Front extensions (including conservatories) will not be acceptable except in exceptional circumstances. These circumstances might be that front extensions are already a characteristic feature of your street'</i> . It is noted that the neighbouring property consists of a gable projection to the front of the dwelling, however this gable is central, does not project as far as the proposed extension, and as this is the only neighbouring property, it is not considered that front extensions are characteristic of the streetscene. Furthermore, the design of the existing dwelling is fairly symmetrical and the removal of the dormer and its replacement with the proposed extension will unbalance the existing dwelling resulting in a loss of this symmetry.
5.5	The extension proposes a render finish and whilst it is noted that the neighbouring dwelling is of a brick construction with a rendered gable, a render finish is not inkeeping with the brick construction of the existing dwelling and therefore is also contrary to the SPG. This could however be addressed by a suitably worded condition.
5.6	The agent was advised that a two-storey, centralised extension of a reduced length, which allowed for the dormer roof window to be retained may be considered more favourably, however the agent has confirmed they wish for the application to be determined as submitted.
5.7	In the context of this site, the introduction of a two storey extension as proposed is considered contrary to the SPG and policy DM2 and would in my opinion will detrimentally affect the character of the existing dwelling and streetscene and the visual amenities of the surrounding area.

<p>5.8</p>	<p>The dwelling most likely to be affected by the proposed development is 'The Old Stables' due to its siting. The proposal does result in a further projection to the front of the dwelling, however considering the separation distance from the neighbouring dwelling, it is not considered that the extension will have an overbearing impact on the occupants of the neighbouring dwelling. The window which currently serves the bathroom to the front of the dwelling is to be relocated to the side elevation at first floor level. A new window is also proposed to the side elevation at second floor level. The first floor window is to be obscurely glazed, the second floor window will serve a bedroom and will replace the dormer to the front. There will be partial views from this window towards the 'The Old Stables' although it is noted that no objections have been received from the neighbouring property. Residential amenity will therefore not be detrimentally affected by the proposed development.</p>
<p>5.9</p>	<p><u>Porch</u> In terms of the proposed porch, this element of the application is considered acceptable in terms of its scale and design and reflects the materials of the existing dwelling.</p>
<p>5.10</p>	<p><u>Conclusion</u> In conclusion, the proposed 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 streetscene contrary to LDP Policies DM1, DM2 and Supplementary Planning Guidance 'Householder Design Guidance'.</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 to improving the economic, social, environmental and cultural well-being of Wales.</p>
<p>6.2</p>	<p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>

<b>7. Conclusion and Recommendation</b>	
7.1	<p>Planning permission be <b><u>REFUSED</u></b> for the following reason(s):</p> <ol style="list-style-type: none"> <li>1. By the nature of the siting of the two storey extension to the front elevation and its proposed length, it is considered to be a prominent, overly dominant addition, which would also unbalance the existing symmetrical features of the dwelling. It is considered that the proposed two storey extension would have an adverse visual impact on the character of the existing dwelling and the visual amenities of the surrounding area, contrary to policies DM2(a and 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 1 'Extensions and Conservatories' (February 2016).</li> </ol>
<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>



<b>BLAENAU GWENT COUNTY BOROUGH COUNCIL</b>	
<b>Report to:</b>	Planning, Regulatory & General Licensing Committee
<b>Report Subject:</b>	<p><i>Application:</i> C/2020/0168</p> <p><i>Site:</i> Rhes Yr Ysgol, 1 - 7 Cwmcelyn Road, Blaina, NP13 3LT</p> <p><i>Proposal:</i> Retention of one detached and six semi-detached 2 storey houses (not constructed in accordance with planning approval C/2014/0257)</p>
<b>Report Author:</b>	Team Manager Development Management
<b>Directorate:</b>	Regeneration and Community Services
<b>Date of meeting:</b>	4 <sup>th</sup> November 2021



<b>1.0</b>	<b>Purpose of Report</b>
1.1	At the July meeting of this Committee, Members considered a report for the retention of the above development.
1.2	The officer recommendation was that planning permission be refused based on highway safety grounds relating to unacceptable visibility splays and driveway gradients.
1.3	Following a vote, the Planning Committee resolved to defer the application for the agent to explore measures to overcome the highway safety concerns and to submit plans to the Council for further consideration.
<b>2.0</b>	<b>Background &amp; Context</b>
2.1	The planning application seeks permission to <u>retain</u> seven houses erected on the former Cwmcelyn School site located off Cwmcelyn Road, Blaina. Planning permission had been granted for the development on appeal in April 2015 subject to 12 conditions (C/2014/257 refers).
2.2	Members were advised that the development as implemented did not comply with the details submitted as part of the initial planning application nor with details subsequently submitted and approved pursuant to Discharge of Conditions applications. The current application had been submitted by the site developers with view to regularising the discrepancies that had been identified between the approved details and the development as implemented on site. The seven houses in question had been purchased by third parties and formal notices of the submission of the application had been served on relevant owners in July 2020 as part of the planning application process.
2.3	The previous officer's report to Committee in July identified any failures to comply with planning conditions, the discrepancies between the approved and 'as built' schemes and the implications of such discrepancies.
2.4	Members may recall that in the concluding section of the officer's report in July Members were advised that....
2.5	<i>Of all the identified issues it is concluded that the development as implemented does not raise any significant</i>

	<p><i>visual, landscape, drainage, geotechnical nor infrastructure concerns. Whilst there are highway improvement works outstanding (the provision of a tactile pedestrian crossing point on Cwmcelyn Road) I am satisfied that this issue could be addressed by a suitably worded planning condition. I am also satisfied that the imposition of conditions that would ensure that two parking/garage spaces within the curtilage of each property would secure a level of parking provision that would be acceptable for this development.</i></p>
2.6	<p>Notwithstanding the above <u>there remained two substantive highway related issues - the gradients of the driveways and the inadequate visibility splays at the vehicular access/egress points.</u> Members were advised that the Highway Authority was of the opinion that:</p>
2.7	<p>i) the 'as built' driveway gradients far exceeded current standards and that there would be a high risk of vehicles sliding off the drives in icy/inclement weather; and</p>
2.8	<p>ii) that the lack of adequate visibility splays at the point of access onto the public highway was of significant concern and would constitute a danger to highway users, particularly pedestrians that might be walking along the footpath.</p>
2.9	<p>Following presentations from the agent, a resident (understood to be speaking on behalf of the of the owners of the properties) and a lengthy and considered debate of the issues, Planning Committee resolved that the application be deferred '<i>to allow dialogue with the contractor and relevant officers in respect of the works to be undertaken at the site to alleviate the highways concerns</i>'.</p>
2.10	<p>Following the Committee meeting the agent submitted revised plans on 9<sup>th</sup> August 2021. Further revised plans relating to changes to front boundary treatments and garden areas were also received on 4<sup>th</sup> October 2021. Consultation has been carried out with the owners/occupiers of all 7 properties following submission of both sets of plans.</p>
2.11	<p>The submitted revisions indicate how the frontage boundary treatment of four of the seven properties could be reduced (and</p>

some level alterations to front gardens) in such a manner as to provide improved visibility at the point of access onto the public highway.

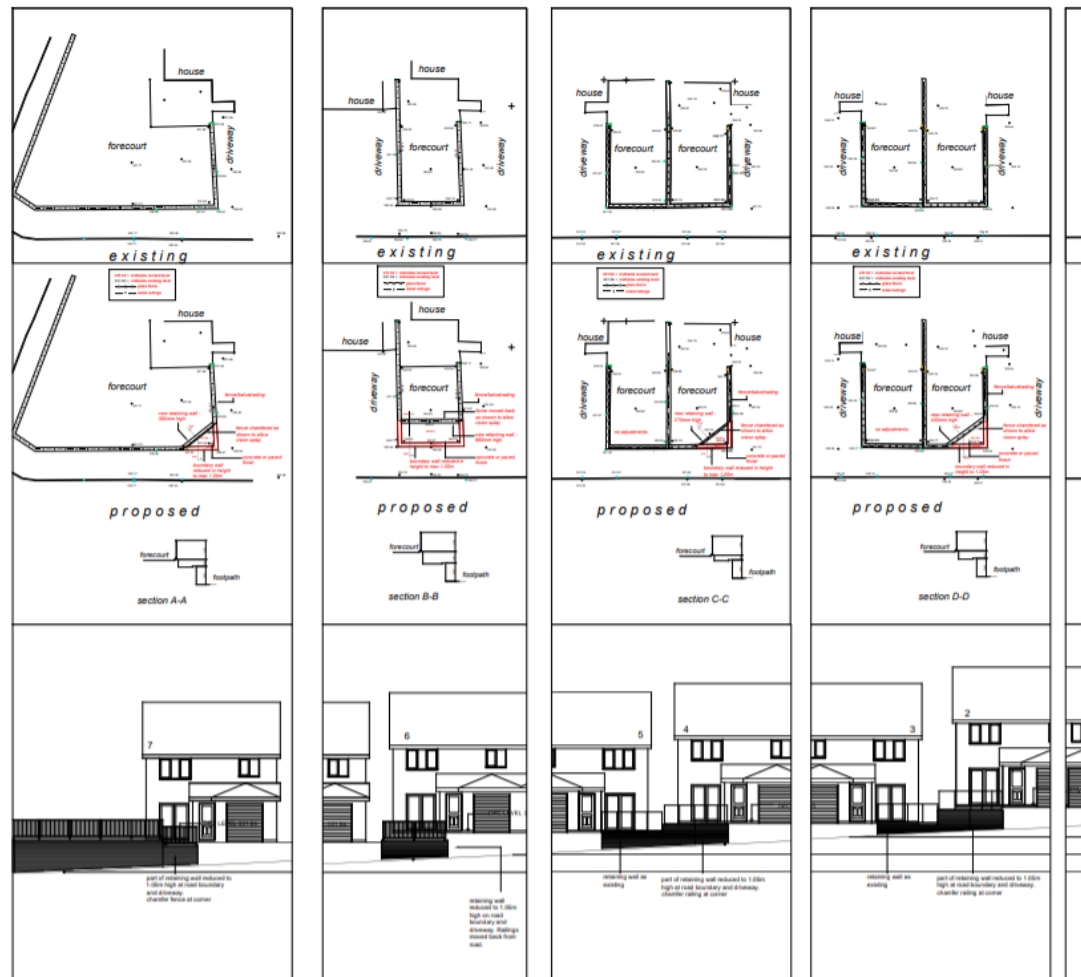


Fig 1 Street elevation showing changes to the frontage enclosures to properties annotated on this plan as No's 7, 6, 4 and 2

2.12 The details provided also included revised proposals for the tactile pedestrian crossing point required on Cwmcelyn Road. Members may recall that the crossing details provided previously were unacceptable to the Highway Authority. The previous officer's report had advised that this was a matter that could be addressed by the imposition of a suitably worded condition. However, there are obvious benefits in having this matter resolved without the need for a condition.

2.13

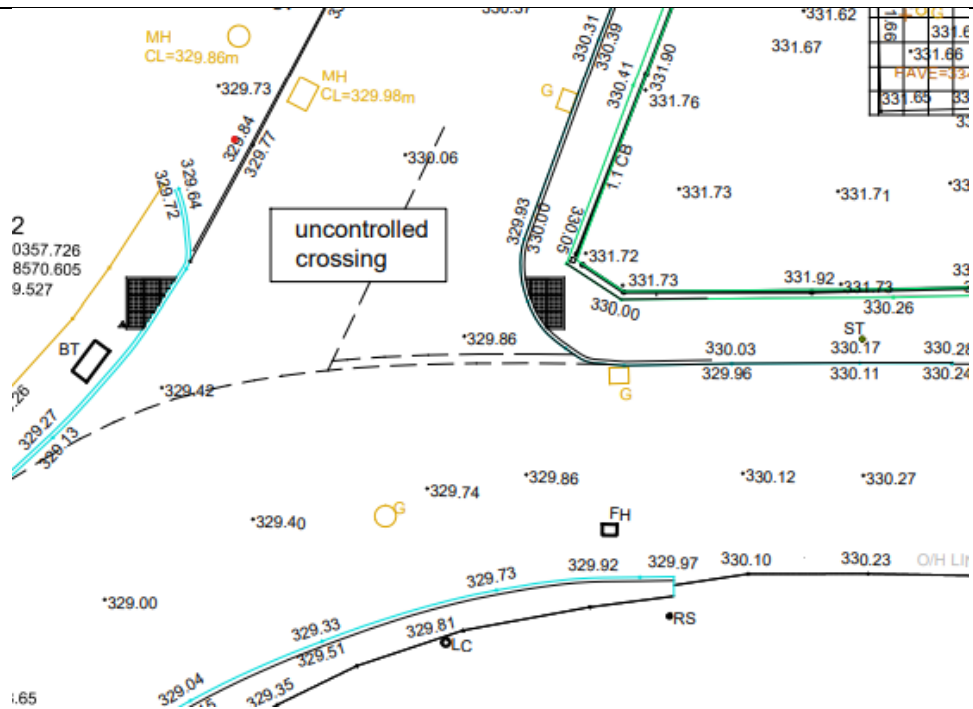


Fig 2: Details provided of tactile crossing to be provided at junction north of 1 Rhes yr Ysgol

2.14

The submitted details were forwarded to the highway authority who were specifically requested to advise on the acceptability of the details and a suitable timescale for implementation of such works. The Team Manager Built Environment advised as follows:

2.15

*Visibility splays: I can confirm that the submitted proposals to reduce the height of frontage boundary treatments is acceptable and addresses the highway authority objections in respect of driveway vision splays.*

2.16

*Uncontrolled pedestrian crossing: I can confirm that the submitted revised details are acceptable to the highway authority and satisfactorily addresses previously identified highway authority concerns.*

2.17

*Gradient of driveways: There has been no proposals submitted to address the previously identified highway safety concerns in respect of the as-constructed gradients of the driveways serving the dwellings.*

2.18

*Private drives should have a maximum gradient of 1:6. This is not the case with this application, with gradients*

	<p><i>exceeding 1 in 6 for the majority of driveways as clearly demonstrated by the as-built topographical survey. The highway authority has concerns as to the high risk of vehicles sliding off the drives in icy/inclement weather. It is also difficult to envisage that the garages for several plots are even accessible by a vehicle without grounding.)</i></p>
2.19	<p><i>It is the opinion of the highway authority that the driveway gradient issue has still not been resolved and remains a potential hazard to the public highway. It is therefore the recommendation of the highway authority that this application does not comply with Policy DM 1 (3 a, c &amp; d), and be refused planning permission.</i></p>
2.20	<p><i>However should this planning application be approved, I would suggest that the proposed works to the boundary walls and new pedestrian crossing facility be completed as soon as practically possible.</i></p>
2.21	<p>When the revised details were received, on both occasions, it was deemed prudent to inform the seven property owners of the receipt of the revised plans. This was seen as a suitable means of informing and providing an opportunity for the current occupiers/owners to confirm (or otherwise) whether they were agreeable to the implementation of the proposed works. One of the letters (from the initial consultation of the revised plans) sent was initially returned by the Post Office however a further letter has since been sent to the owner of that property in an effort to ensure that all occupiers/owners are made aware of the current position. At the time of preparing this report only one response has been received which has requested clarification of the process so far, and moving forward in terms of decision making. A response has been sent.</p>
2.22	<p>In terms of acceptability, Members must now decide whether the revisions that have been proposed are sufficient to overcome the reasons for refusal as set out in the original recommendation to Committee in July 2021.</p>
2.23	<p>Members will recall that in the report presented in July it was recommended that the application be refused for the following reason:-</p>

2.24	<p><i>‘The application to retain the seven dwellings erected on the former Cwmcelyn School site is unacceptable on the basis that the development ‘as built’ fails to meet the requirements of Policy DM1.3 a and c. of the Adopted Blaenau Gwent Local Development Plan. The steep gradient of the driveways which provide parking for the dwellings and the inadequate visibility splays at the point of access/egress from the driveways fall significantly below recognised standards. Their continued use could cause significant dangers to users of the adopted highway’.</i></p>
2.25	<p>As outlined above the reason for refusal refers to two substantive highway related issues</p> <ul style="list-style-type: none"> <li>- the gradients of the driveways; and</li> <li>- the inadequate visibility splays at the vehicular access/egress points.</li> </ul>
2.26	<p>It is clear from the advice recently received from the Highway Authority that the implementation of the revisions now proposed would overcome concerns regarding inadequate visibility. The revised tactile crossing point details provided are also acceptable. I can also confirm that I am satisfied with the suggested revisions from a visual perspective.</p>
2.27	<p>However, a key point is the developer’s ability to implement the works as proposed. The agent has provided no information to confirm that his client has secured the agreement of all affected parties to undertake the required works.</p>
2.28	<p>Notwithstanding the above Highway Authority have reiterated their concerns regarding the steepness of the driveways that provided parking for the dwellings. No changes have been offered by the applicant that would address such concerns.</p>
<b>3.0</b>	<b>Recommendation</b>
3.1	<p>In summary, this Committee is faced with three options.</p>
3.2	<p><u>Option 1 – the favoured option.</u> The advice of the Highway Authority is clear. The situation on site with the steepness of driveways presents a danger to users of the public highway. I have not been presented with any evidence to the contrary or any</p>

	<p>mitigating works by the developer. I cannot legitimately set such concerns aside. In my view, the application should be refused for the following highway safety reason.</p> <p><i>The application to retain the seven dwellings erected on the former Cwmcelyn School site is unacceptable on the basis that the development 'as built' fails to meet the requirements of Policy DM1.3 a and c. of the Adopted Blaenau Gwent Local Development Plan. The steep gradient of the driveways which provide parking for the dwellings fall significantly below recognised standards. Their continued use could cause significant dangers to users of the adopted highway.</i></p>
3.3	<p><u>Option 2</u> – having regard to the amendments made since the last Planning Committee, grant planning permission to secure the changes to the crossing and the important changes to the front gardens that address some of the Highway Authority concerns.</p> <p>If Members opt for this course of action, I would make two important points. Firstly, these works must be carried out in a timely manner given the concerns of the Highway Authority. I would suggest a deadline of 2 months.</p> <p>Secondly, in the event of non-compliance, enforcement action will be necessary. I make this point as there remain doubts over the developer's ability to comply with this condition. The applicant has not provided any reassurance that he has the homeowner's agreement to execute the works. The responsibility for compliance may well now rest with the property owners and action may need to include them as the current land owners.</p>
3.4	<p><u>Option 3</u> – it remains an option to approve the scheme as built. However, in this scenario I reiterate the position of the Highway Authority as it pertains to the safety of users of the public highway.</p>



*Report Date:*

*Report Author:*

<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 November 2021</b>
<b>Report Author</b>	<b>Service Manager Development &amp; Estates</b>
<b>Report Date</b>	<b>26<sup>th</sup> October 2021</b>
<b>Directorate</b>	<b>Regeneration &amp; Community Services</b>
<b>Date of meeting</b>	<b>4<sup>th</sup> November 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/2020/0227 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	Response to third party representations and list of recommended planning conditions submitted. Planning Inspectors site visit scheduled for week commencing 27/09/2021
2	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	Response to grounds of appeal and supporting statement submitted together with list of recommended planning conditions.

# Agenda Item 7

Report Date: 20 October 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 24<sup>th</sup> September 2021 and 15<sup>th</sup> October 2021</b>
<b>Report Author</b>	<b>Senior Business Support Officer</b>
<b>Report Date</b>	<b>20<sup>th</sup> October 2021</b>
<b>Directorate</b>	<b>Regeneration &amp; Community Services</b>
<b>Date of meeting</b>	<b>4<sup>th</sup> November 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 24 <sup>th</sup> September 2021 and 15 <sup>th</sup> October 2021.
<b>3.0 Recommendation/s for Consideration</b>
3.1 The report lists decisions that have already been made and is for information only.

Application No.	Address	Proposal	Valid Date Decision Date
C/2021/0227	Isaf Farm, Gerrig Bicca, Tredegar	Application for prior notification of 'agricultural' development. Proposed portal traditional steel frame building. Length= 35 metres, height to eaves= 2.6 metres, height to ridge= 4.3 metres. Walls consist of green steel sheet and the roof consists of black steel sheet.	07/09/21 06/10/21 Approved
C/2021/0203	Former Doctors Surgery 21 Queen Street, Nantyglo, Ebbw Vale	Change of use from a Health Centre into a single dwelling.	02/07/21 07/10/21 Approved
C/2021/0255	25 Fitzroy Street, Brynmawr, Ebbw Vale	First floor rear extension.	10/08/21 08/10/21 Approved
C/2021/0265	Land at Waun y Pound Road and College Road Ebbw Vale	Application for Non-Material Amendment for the amendment of brick material, bin collection points to private drives and retaining wall to TT Pump/PRI kiosk. Reptile hibernacula added to production plan in line with ecology requirements of planning permission C/2019/0005 (Residential development of 277 units, including associated works).	10/09/21 08/10/21 Approved

C/2021/0095	Pochin Villas, Newport Road, Tredegar	Proposed detached motorcycle store and playroom.	13/04/21 07/10/21 Refused
C/2021/0194	15 Cromwell Street, Abertillery	A two storey and single storey rear extension.	23/06/21 12/10/21 Approved
C/2021/0281	Soar House (Former Soar Chapel) Baptist Place, Beaufort, Ebbw Vale	Application for Discharge of Condition 4 (cycle parking stands) of planning permission C/2021/0080 (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))	07/09/21 06/10/21 Approved
C/2021/0219	1 Park Place, Waunlwyd, Ebbw Vale	Change of use of post office and living accommodation to fish & chip shop (ground floor) and self-contained flat (first floor), demolition of external store and construction of single storey flat roof extension with access to hardstand (including external stairs).	21/07/21 12/10/21 Approved
C/2021/0174	Regain Building & Basement Gardens Mill Lane, Victoria, Ebbw Vale	Application for Discharge of Conditions: '3' - Highways, '5' - Foul water, '12' - Ground stability measures (partial discharge only), '13' - Imported material validation report & '14' - Construction method statement in relation to application C/2020/0027 (Two storey building (B1 use) linked to a Regain Building with associated infilling of basement garden, access, parking and other infrastructure, and additional parking areas and service access to the Regain Building).	12/05/21 11/10/21 Condition Discharged

C/2021/0256	31 High Street, Six Bells, Abertillery	Proposed two storey extension at rear of dwelling and access walkway to the garden from the first floor.	23/08/21 07/10/21 Approved
C/2021/0235	The Walpole, Former Rugby Club, Commercial Road, Llanhilleth, Abertillery	Application for Discharge of Condition 2 (Drainage scheme) of planning permission C/2021/0052 (Change of use form former Rugby Club to six flats with associated alterations to windows/doors & demolition of single storey side extension)	23/07/21 04/10/21 Condition Discharged
C/2021/0220	Cwm Tysswg Farm, Cym Tysswg, Tredegar	Single storey pitched roof kitchen/sun room extension.	21/07/21 05/10/21 Approved
C/2021/0248	41 / 41A Church Street Town Centre, Ebbw Vale	Proposed change of use of the ground floor, from a storage area into a ground floor 1 bedroom flat.	27/08/21 04/10/21 Approved
C/2021/0221	101 Cwmcelyn Road, Blaina	Revised rear 2-storey extension	22/07/21 08/10/21 Approved
C/2021/0250	37 Church Street, Ebbw Vale	Conversion of existing mid terrace mixed use property into 4 no. residential units, replace existing shop front with new pedestrian access, replacement windows, replacement extension to rear and light well to basement level.	25/08/21 15/10/21 Refused

C/2021/0245	Land at Louvain Terrace, Newtown, Ebbw Vale	GDO Application for prior notification of proposed development by telecommunications code system operators - Proposed 15.0m Phase 8 Monopole C/W wraparound cabinet at base and associated ancillary works.	17/08/21 01/10/21 Approved
C/2021/0244	Land At Park Road, Ebbw Vale	Application for prior notification of proposed development by telecommunications code system operators - Proposed 15.0m Phase 8 Monopole C/W wraparound, cabinet at base & associated ancillary works.	17/08/21 12/10/21 Approved
C/2021/0238	22 Club Row, Blaina, Abertillery	Proposed two storey extension at the rear of dwelling with single storey element.	11/08/21 29/09/21 Approved
C/2021/0215	98 Bailey Street, Brynmawr	Change of Use from ground floor shop to residential to create a single dwelling together with associated external works including a first floor balcony.	19/07/21 28/09/21 Approved
C/2021/0232	10 Charles Street, Tredegar	Arboricultural works to ash tree (T1) covered by TPO No.115, comprising of a crown reduction by 3-4m (re-shaping to remove additional crown growth) and a reduction in weight of lower branches.	11/08/21 06/10/21 Approved

C/2021/0211	Sirhowy Ironworks, Grahams Yard, Sirhowy, Tredegar	Openable noticeboard, supported on metal legs.	15/07/21 29/09/21 Approved
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C/2021/0279	Former NMC Site, 2-4 Lakeside, Blaina Road, Brynmawr	Application for Non-material amendment of planning permission C/2019/0272 (Application for variation of Condition 6 (extension of delivery hours) of planning permission C/2019/0035 (Full planning application for the provision of 3 retail units (unit 2 Class A1 convenience food store, Unit 3 Class A1 comparison and flexible use for Unit 4 Classes A1/A2/A3) and associated works) for the alteration of finishes and hard landscaping at Unit 2.	28/09/21 30/09/21 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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