

DRAFT AGENDA

ID	2502
Committee	Pwyllgor Craffu Cynllunio
Date	08/09/2022
Attendees	<p>Cynghorwyr Lisa Winnett (Aelod Pwyllgor)</p> <p>Cynghorwyr Peter Baldwin (Aelod Pwyllgor)</p> <p>Cynghorwyr Derrick Bevan (Aelod Pwyllgor)</p> <p>Cynghorwyr Malcolm Day (Aelod Pwyllgor)</p> <p>Councillor Jules Gardner (Aelod Pwyllgor)</p> <p>Cynghorwyr John Hill (Aelod Pwyllgor)</p> <p>Cynghorwyr Wayne Hodgins (Aelod Pwyllgor)</p> <p>Councillor George Humphreys (Aelod Pwyllgor)</p> <p>Councillor Jen Morgan, J.P. (Aelod Pwyllgor)</p> <p>Councillor Jacqueline Thomas (Aelod Pwyllgor)</p> <p>Cynghorwyr David Wilkshire (Aelod Pwyllgor)</p> <p>Steve Smith (Swyddog)</p> <p>Steph Hopkins (Swyddog)</p> <p>Sally-Ann Evans (Swyddog)</p> <p>Jane Engel (Swyddog)</p> <p>Joanne Clare (Swyddog)</p> <p>Helen Hinton (Swyddog)</p> <p>Mark Hopkins (Swyddog)</p> <p>Paul Samuel (Swyddog)</p> <p>Steve Berry (Swyddog)</p> <p>Andrea Jones (Swyddog)</p> <p>Sean Scannell (Swyddog)</p> <p>Louise Bishop (Swyddog)</p> <p>Leeann Turner (Secretary)</p> <p>Michelle Hicks (Secretary)</p> <p>Gemma Wasley (Swyddog)</p> <p>Louise Rosser (Swyddog)</p> <p>Gwasanaethau Democraataidd (Notify)</p>

Item ID	6583
Item Title	Cyfieithu ar y Pryd
Summary	Mae croeso i chi ddefnyddio'r Gymraeg yn y cyfarfod, mae angen o leiaf 3 diwrnod gwaith o hysbysiad ymlaen llaw os dymunwch wneud hynny. Darperir gwasanaeth cyfieithu ar y pryd os gwneir cais.

Item ID	6584
Item Title	Datganiadau Buddiant a Goddefebau
Summary	Derbyn unrhyw ddatganiadau buddiant neu oddefebau..

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Item ID	6585
Item Title	Ymddiheuriadau
Summary	Derbyn unrhyw ymddiheuriadau am absenoldeb.

Item ID	6586
Item Title	Meysydd ar gyfer Sesiynau Gwybodaeth a Hyfforddiant Aelodau
Summary	Trafod unrhyw feysydd ar gyfer sesiynau gwybodaeth a hyfforddiant aelodau.

Item ID	6612
Item Title	Adroddiad Ceisiadau Cynllunio
Summary	Ystyried adroddiad y Rheolwr Tîm Rheoli Datblygu.

Item ID	6613
Item Title	Apeliadau, Ymgynghoriadau a Diweddariad DNS mis Medii 2022
Summary	Ystyried adroddiad y Rheolwr Gwasanaeth Datblygu a Stadau.

Item ID	6614
Item Title	Rhestr ceisiadau a benderfynwyd dan bwerau dirprwyedig rhwng 11 gorffennaf 2022 a 12 Awst 2022
Summary	Ystyried adroddiad y Swyddog Cymorth Busnes.

Item ID	6587
Item Title	Eitem Eithriedig
Comment	Derbyn ac ystyried yr adroddiad dilynol sydd ym marn y swyddog priodol yn eitem(au) eithriedig gan roi ystyriaeth i'r prawf budd cyhoeddus ac y dylai'r wasg a'r cyhoedd gael eu heithrio o'r cyfarfod (mae'r rheswm dros y penderfyniad am yr eithriad ar gael ar restr a gedwir gan y swyddog priodol).

Item ID	6615
Item Title	Achosion gorfodaeth a gafodd eu cau rhwng 31 Mai 2022 a 22

	Awst 2022
Summary	Ystyried adroddiad y Rheolwr Gwasanaeth Datblygu.

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BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	Planning Applications Report
Report Author	Team Manager Development Management
Report Date	19th August 2022
Directorate	Regeneration & Community Services
Date of meeting	8th September 2022

Report Information Summary

1. Purpose of Report	
To present planning applications for consideration and determination by Members of the Planning Committee.	
2. Scope of the Report	
Application No.	Address
C/2022/0103	Playground and Land adjacent to Chartist Way, Tredegar
C/2021/0329	Park Hill Road, Land Adjoining Park Hill, Tredegar
C/2021/0366	Former Quarry adjacent to Nantycroft, Rassau, Ebbw Vale NP23 5DA
C/2022/0164	Shoda Sauces, Units 19 and 20, Rising Sun Industrial Estate, Blaina. NP13 3JW
C/2022/0186	74A & Caleb Cottage King Street Brynmawr Ebbw Vale NP23 4RG
3. Recommendation/s for Consideration	
Please refer to individual reports	

Planning Report

Application No: C/2022/0103	App Type: Full
Applicant: Blaenau Gwent CBC General Offices Steel Works Rd Ebbw Vale NP23 8UW	Agent: Mr Paulo Santos Blaenau Gwent CBC General Offices Steel Works Rd Ebbw Vale NP23 8UW
Site Address: Playground and Land adjacent to Chartist Way, Tredegar	
Development: Proposed new welsh medium primary school, incorporating a new drop-off area facility, staff parking, bus turning including a multi-use games areas, and relocation of the existing playground	
Case Officer:	Joanne White



Image: Google

1. Background, Development and Site Context

- 1.1 Planning permission is sought to construct a new 210 place Welsh medium primary school with childcare and nursery facility on land at Chartist Way, Tredegar.
- 1.2 The proposed school will essentially be a seeding school whereby it will initially have an intake of early years and Reception pupils only, gradually expanding on a yearly basis as the children progress through the school years.
- 1.3 It is envisaged that the school building would be operational circa April 2024.
- 1.4 Site Context
The application site relates to a parcel of made-up brownfield land that was formerly used as grazing land and currently houses a small playground. The site measures approximately 2.28 hectares and gently slopes in a westerly direction before dropping steeply beyond the western boundary, down towards Sir Howy Ironworks and Dukestown Road. A Public Right of Way (footpath 339/122/2) runs through the adjacent land to the south but is not affected by this proposal.
- 1.5 The western and north-west boundary comprise of a dense band of trees. To the north is a steep embankment which leads down to Chartist Way and beyond that are communal parking areas serving the properties at Ystrad Deri. Residential Properties front the site along Chartist Way to the east, whilst land to the south is used for grazing.



Fig 1: View of site from Chartist Way looking north-west. Playground and Ystrad Deri in the background



Fig 2: View of the site and adjacent land looking south from Chartist Way.



Fig 3: View looking south. Properties at Chartist Way to the left, playground to the right.



Fig 4: Northern edge of the site (left), properties at Ystrad Deri (right)

1.6

Part of the application site is allocated in the LDP as formal leisure facilities under Policy L1.1 (yellow area shown on the map below in Fig 5 below) whilst

the southern end of the application site and adjacent land to the south is allocated for housing under policy H1.4 (brown area).



Yellow Area – Allocated for formal leisure use in LDP
Brown Area – Allocated for Housing in LDP
Black dotted line shows the application site

Fig 5: Plan showing LDP Allocations



Fig 6: View of the site from Chartist Way, looking west. This land forms part of the allocated 'play space'



Fig 7: Allocated 'play space' (Zone 1) overgrown and fenced off, beyond the playground.

1.7

The existing children's play area which sits within the application site is proposed to be re-located approximately 140m to the south.



Fig 8: (above) The existing playground
Fig 9: (below) Relocation of Playground



Existing Playground (orange) and Proposed New Playground Location (Pink). The proposed playground will be moved approximately 140m to the south of the existing playground.

1.8 In considering a suitable location for a Welsh Medium Primary School, a site assessment process was undertaken by the applicant which explored a number of sites in Tredegar. The application site was considered most suitable on the basis of its location to serve both Tredegar and Ebbw Vale and due to the limited site constraints.

1.9 The proposed school will offer a 3-11 Welsh Medium Primary which will incorporate a 30-place nursery together with a child day-care setting for up to 28 children aged 0-3. The Day Care element will offer development and play in preparation for transition to primary school and will provide wrap-around provision for older children.



Fig 10: Artist Impression of School as viewed from the south/south-east.

1.10 The proposals include the erection of a single storey building together with a multi-use games area (MUGA), service yard, car parking and bus/drop-off area. The MUGA is proposed to serve the school and would not be available for public use.

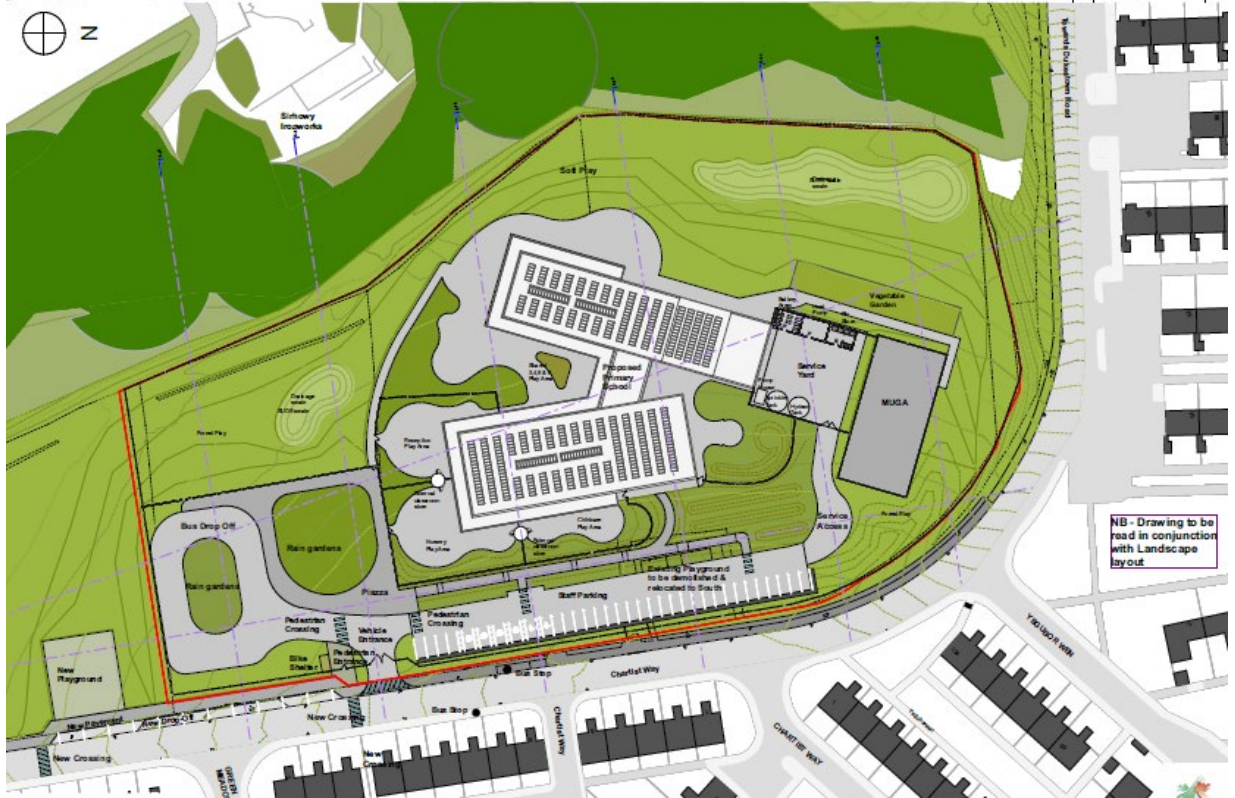


Fig 11: Proposed Site Layout

1.11 The building is split into 2 elements joined by a link corridor. The front element to the eastern side of the site, closest to Chartist Way, will accommodate the day care facility, nursery and reception class along with the Head teacher's office, caretaker and admin office. The rear element will provide for the primary classes, staff room, and hall.



Fig 12 (above): Floor Layout Plan

Fig 13 (below): Artist Impression, overlooking the site from north-east



- 1.12 The building is set well within the site, at least 44m away from properties at Chartist Way and is contemporary in design. Whilst the building is single storey the height ranges between 4.6m – 7m at its highest point where the roof of the hall is raised to feature skylights.
- 1.13 Materials will comprise of burned timber to the walls with aluminium louvre cladding to the higher levels, aluminium windows and doors with feature coloured glass panels and a combination of roof-mounted solar panels and 'green' roofs.
- 1.14 Access into the site will be via a new access off Chartist Way, to the north of the Green Meadow junction. A bus drop-off area will be provided within the site, to the southern boundary, with a staff car park and service drive located to the eastern boundary.
- 1.15 In total, 34 car parking spaces will be provided. The spaces will provide staff and visitor car parking; 31 spaces for school staff which includes provision for 2 dedicated disabled bays and 4 electrical charging points, plus 3 visitor spaces.
- 1.16 In addition, a 10-bay drop-off facility will be provided along Chartist Way. Pedestrian access routes will be provided off Chartist Way to extend beyond the drop-off facility and connect with the existing footpath and bus stops.



Fig 14: Access and parking arrangements

- 1.17 Boundary Treatments consist of 2.2m high black railings to the perimeter of the site with native tree planting to provide screening from the main road.
- 1.18 Landscaping features include rain gardens, growing orchard, forest play area, woodland area, mounted land art as well as tree planting, wild flower meadows and sensory planting. Hard landscaping includes asphalt, permeable paving, concrete or natural stone flags and gabion baskets.

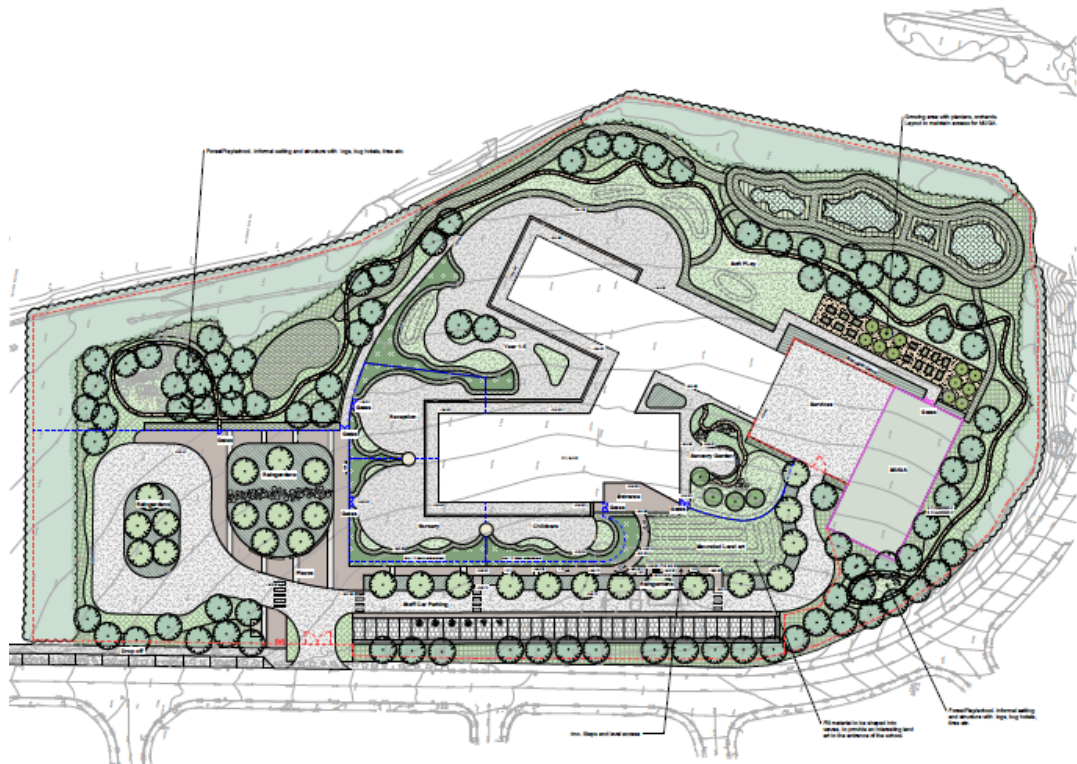


Fig 15: Landscape Layout Plan

1.19	In addition to the site layout, building floor and elevation plans, the applicant has submitted a suite of supporting documents which includes a Design and Access Statement, a Preliminary Ecological Appraisal, a Sustainable Drainage Strategy, a Travel Plan, a Travel Assessment, a Ground Investigation Report, Ground Stability Report, Air Quality Statement, Archaeological Desk Based Assessment and Sirhowy Ironworks Setting Assessment.
1.20	The applicant also undertook pre-application consultation prior to the submission of the planning application, which included publicising a draft of the proposed development and consultation with the community and specialist consultees, including ward members. A related Pre-Application Consultation Report has been submitted with the planning application.
1.21	The Local Planning Authority has adopted a screening opinion on the proposed development, indicating that whilst the proposal is considered to fall within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, it is unlikely to result in significant environmental impacts. As such, an Environmental Impact Assessment has not been requested as part of the planning application.

2. Site History

	Ref No	Details	Decision
2.1	None		

3. Consultation and Other Relevant Information

3.1	<u>Internal BG Responses</u>
3.2	<u>Team Leader Building Control</u> : Building Regulations Required.
3.3	<u>Service Manager Infrastructure</u> :
3.4	Highways: No objections subject to conditions requiring the highway improvement works as identified on the plans. Also confirmed parking provision is acceptable.
3.5	The improvement works to be conditioned include: <ul style="list-style-type: none"> • Widening the existing footpath along Chartist Way (fronting the school) to 2.5m; • Extend the western footway along Chartist Way by approximately 185m south of the vehicular access; • Provide 2 uncontrolled pedestrian crossing facilities (including dropped kerbs and tactile paving) along Chartist Way (located 10m and 80m south of the vehicular access); • Provision of dedicated drop-off parking layby on Chartist Way;

	<ul style="list-style-type: none"> • Installation of bollards on the footpath adjacent to the school entrance to prevent unauthorised/inconsiderate parking; • Implementation of any necessary Traffic Regulation Orders i.e. 20mph speed limit; • Travel Plan Co-ordinator to be confirmed for implementation of the Travel Plan; and • Bus drop-off areas, car parking and service areas to be fully constructed prior to the school opening and retained as such thereafter.
<p>3.6</p>	<p><u>Drainage:</u> No objection. The development is over 100 square metres in floor area and will therefore separate consent for surface water drainage will be required from the Sustainable Drainage Systems (SuDS) Approval Body (SAB).</p>
<p>3.7</p>	<p><u>Ground Stability:</u> No objections to the development in principle.</p>
<p>3.8</p>	<p>The developer should ensure that the recommendations made in the latest mining investigation report are undertaken and adhered to. Should any unknown or unexpected ground conditions arise during the excavations for the development, work should stop and advice should be sought. It is noted that shallow ground was recorded as unstable and that shoring or battering will be required for even shallow excavations.</p>
<p>3.9</p>	<p>It is recommended a watching brief is kept during all ground works.</p>
<p>3.10</p>	<p><u>Landscape:</u> Acknowledge and welcome the biodiversity benefits of the scheme and the use of natural materials that will blend with the broadleaf backdrop. However, the proposal will have a negative impact upon the aims of LDP strategic policies SP9 (Active and Healthy Communities) which seek to protect and improve existing open space, sport and leisure facilities and accessibility to natural greenspaces. Would also have an impact on DM12 (Provision of outdoor sport and play facilities) as the entire red line boundary area will be lost in an area where there is deficiency of such facilities.</p>
<p>3.11</p>	<p>As the allocated recreation space L1.1 will be lost, the Landscape Officer suggests that part of the blue line boundary H1.4 set out for housing to be set aside in the LDP for outdoor recreation.</p>
<p>3.12</p>	<p><u>Ecology:</u> As part of the application a Preliminary Ecological Assessment (PEA) has been submitted and is acceptable. No objections to the development subject</p>

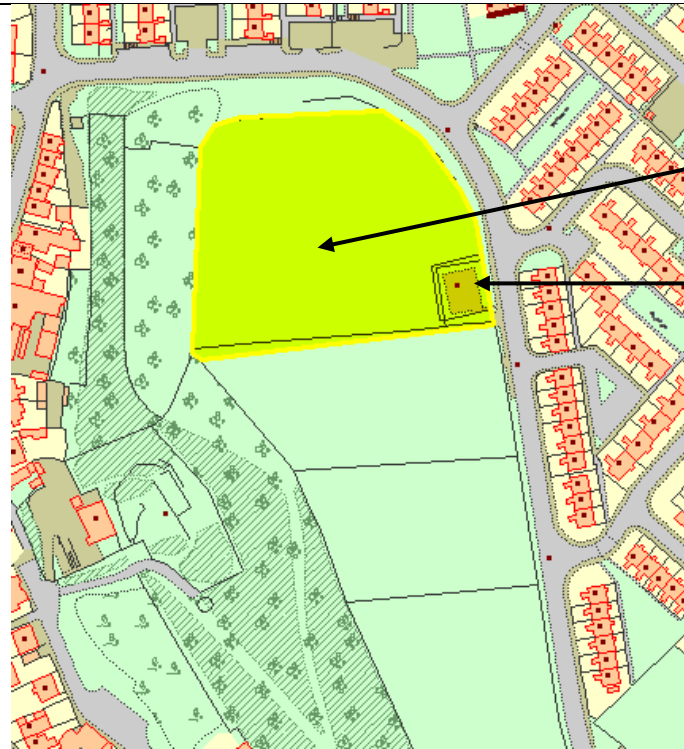
	to a condition requiring mitigation and recommendations to be carried out in accordance with the PEA.
3.13	<p><u>Trees:</u> No objection.</p> <p>The proposal does not appear to adversely impact upon existing broadleaf woodland plantation and specific mitigation will not be required.</p>
3.14	<p>However, to prevent any potential damage to the woodland, it must be fenced off from all development activities and protected in accordance with BS 5837:2012 Trees in relation to design, demolition and construction.</p>
3.15	<p><u>Rights of Way:</u> No objection.</p> <p>No Public Rights of Way cross the existing site. A Public Footpath known as 339/122 commences at Grahams Yard and proceeds in close proximity to the southern boundary of the red outline site border before meeting Chartist Way. Due to its existing exist near the proposed school entrance it is likely that increased pressure on this path can anticipated, which may necessitate improvement works. Opportunity may also exist to link the way more clearly with the school in order to encourage walking as a form of transport.</p>
3.16	<p><u>Service Manager Public Protection:</u></p> <p>The land the school will be built upon is overlain with made ground associated with historical industries in the area. The site was also historically used as part of the Sirhowy Iron Works.</p>
3.17	<p>Two site investigation reports have been submitted as supporting evidence for this application, Earth Science Partnership entitled land at Chartist Way, Tredegar proposed primary school exploratory investigation dated February 2022, report reference ESP.7777b.3543 and report by Tetra Tech, Chartist Way, Tredegar, dated August 2022.</p>
3.18	<p>Both reports have identified the need for gas protection measures at the school. No objections to the proposed development subject to a standard land contamination condition in the event of unforeseen contamination.</p>
3.19	<p>Also request a condition requiring submission of a construction and environmental management plan (detailing means of noise and dust mitigation) and construction hours prior to commencement of the development.</p>
3.20	<p><u>Air quality:</u></p> <p>The proposed development has been screened against the IAQM guidance Land Use Planning and Development Control: Planning for air quality and has</p>

	not triggered the criteria for the need for an air quality assessment to be carried out.
3.21	<p><u>Leisure Services Manager:</u> Community Services support the proposed land swap for the relocation of the children's static play area at Chartist Way Tredegar, from the northern end of the site to the southern end of the site as indicated on the planning application. This land is currently identified within the Local Development Plan (LDP) and allocated for housing and leisure development and this will continue to be the case.</p>
3.22	<p>Additionally, the LDP identifies the future development of a Multi-Use Games Area (MUGA) for public use in line with the Council's Play Strategy. This proposal will also now be accommodated on the southern end of the site, adjacent to the new play area and identified for potential future development.</p> <p>The land swap will allow for the development of a new Welsh Medium Primary school on the northern end of the site.</p>
3.23	<p><u>External Consultation Responses</u></p>
3.24	<p><u>Town / Community Council:</u> Members raised a number of concerns in respect of the proposed development, i.e. lack of / no public consultation with the residents in the immediate and surrounding areas (as Members understood that such consultation had to be undertaken by law), e.g. Dukestown Road, St. Luke's Road and Armoury Hill; relocation of the play area currently used by the local children; no traffic calming measures included within the planning application.</p>
3.25	<p><u>CADW</u> No objection to the proposed development in respect of scheduled monuments.</p>
3.26	<p><u>Welsh Water:</u> No objection. Identify a sewer line in the vicinity. No operational development to take place 3m either side of the sewer line. Request a condition requiring submission of a foul drainage scheme prior to any development.</p>
3.27	<p><u>Western Power:</u> Identified Assets in the vicinity</p>
3.28	<p><u>W&W Utilities:</u> Identified Assets in the vicinity</p>
3.29	<p><u>Gwent Police:</u> No Response.</p>

3.30	<u>GGAT</u> : No objection but subject to a condition requiring a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource.
3.31	<u>The Coal Authority</u> : No objection subject to conditions requiring an intrusive site investigation, associated remedial works where necessary and verification that such works have been carried out.
3.32	<u>Fire Authority</u> : No objection
3.33	<p><u>Public Consultation:</u></p> <ul style="list-style-type: none"> • 203 letters to nearby houses • 6 x site notices • press notice • website public register of applications • ward members by letter • all members via weekly list of applications received
3.34	<p><u>Response:</u></p> <p>1 Letter of objection has been received from a member of the public outlining the following issues:</p> <ul style="list-style-type: none"> • The proposed will remove the open spaces and local amenities. • The foot traffic and vehicle activity will increase exhaust emissions with stop start and idling. • I'm also concerned of vehicles parking outside my drive during the day i.e. Drop-off and pickup.
3.35	A former ward member requested that the application be presented to planning committee. However, given that the application is a 'Major' development it is required to be presented to Planning Committee by its very nature.
4. Planning Policy	
4.1	<u>Team Manager Development Plans:</u>
4.2	The proposal is strictly contrary to the Local Development Plan as the application site has been allocated in part for residential development (Policy H1.4) and entirely for a formal leisure facility (L1.1). However, planning policy have identified relevant material considerations which should be taken into account in determining the application.

4.3	It is also noted that the existing play facility and future development of a Multi-Use Games Area (MUGA) will be accommodated on land to the south.
4.4	<p><u>LDP Policies:</u></p> <p>SB1 Settlement Boundaries</p> <p>SP6 Ensuring Accessibility</p> <p>SP8 Sustainable Economic Growth</p> <p>SP9 Active and Healthy Communities</p> <p>SP11 Protection and Enhancement of the Historic Environment</p> <p>DM1 New Development</p> <p>DM2 Design and Placemaking</p> <p>DM4 Low and Zero Carbon Energy</p> <p>DM13 Protection of Open Spaces</p> <p>DM14 Biodiversity Protection and Enhancement</p> <p>H1.4 Housing Allocation</p> <p>L1.1 Formal Leisure Facilities</p>
4.5	<p><u>Supplementary Planning Guidance</u></p> <p>Access, Car Parking and Design (March 2014)</p>
4.6	<p><u>PPW & TANs:</u></p> <p>Planning Policy Wales Edition 11 (February 2021)</p> <p>Future Wales The National Plan 2040</p> <p>Development Plans Manual 3, March 2020</p>
4.7	<p>Under the provisions of the 2015 Planning (Wales) Act, any development plan adopted prior to 4 January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. Therefore, the Blaenau Gwent County Borough Council Local Development Plan up to 2021, which was adopted on November 2012, remains the extant statutory development plan for the area beyond the specified 2021 plan period.</p>
5. Planning Assessment	
5.1	<p><u>Principle of Development</u></p>
5.2	<p>The development site lies within the settlement boundary (Policy SB1) within which development is normally permitted subject to other policies in the Local Development Plan (LDP) and material planning considerations.</p>
5.3	<p>The LDP allocates part of the land for residential development under policy H1.4 and the remainder of the application site for a formal leisure facility under policy L1.1. The proposal is therefore contrary to the current LDP and has been advertised as a departure. However as set out below Members are</p>

	<p>advised that there are material considerations that should be taken into account in the determination of this application.</p>
5.4	<p>Housing Allocation H1.4: As part of the preparation of the Replacement Local Development Plan (RLDP) review, Planning Policy Wales Edition 11 requires that “the de-allocation of under-used and underperforming sites must be considered through the development plan process (paragraph 4.2.17). This is further emphasised in the Development Plans Manual 3, March 2020 (page 9) where it states that “<i>sites unlikely to be delivered should be de-allocated and not ‘rolled forward’ from the previous plan.</i>”</p>
5.5	<p>Consequently, Planning Policy have already identified that this site should be considered for an alternative use from residential to education use, based on the above rationale and the fact that there has been no interest in the development of the land at Chartist Way during the LDP plan period (which was adopted in 2012). The site has also not been put forward as a candidate site as part of the RLDP process, indicating the limited intention of the site to be developed for residential use.</p>
5.6	<p>Leisure Allocation L1.1: The LDP allocates land required by Leisure Services at Chartist Way for the provision of outdoor recreational facilities. The land is allocated for informal play space with provision for future development of a Multi-Use Games Area (MUGA) for public use adjacent to the existing play area.</p>
5.7	<p>LDP Policy DM13 ‘Protection of Open Space’ allows development which affects existing open space provided set criteria are met. 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>
5.8	<p>There are two elements of open space within the development site. The first relates to the static play area and the second is the remainder of the leisure allocation which has been designated as informal play space in the Council’s Open Space Assessment.</p>



'Informal Play Space'

Static Play Area
(Playground)

5.9 Firstly, in considering whether the existing static play area has significant recreational value it is important to note that an independent inspection is undertaken every year of the play equipment in the Borough. The 2022 report identifies the play area as having a low play value with limited use due to the condition of the equipment and insufficient space for additional items. Whilst the estimated life expectancy of the equipment is until 2027, the maintenance and repairs required in that period are considerable. As such, the Neighbourhood Services Department have confirmed that it would be uneconomical and would not add play value to the site that is already deemed to have very low play value and thus, the recommended action for the site is potential development of land and no investment until confirmation of future plans. It could therefore be argued that the recreational value of the play area is limited and meets the requirements of criterion (a) of policy DM13.

5.10 In accepting the play area has no significant recreational value, it must then be demonstrated that the proposal meets either criterion b,c or d. The application proposes a new play area, including new equipment, on land immediately adjacent to the site (approximately 140m to the south of the existing play area). It is therefore considered that the play area satisfies criterion c of policy DM13.

5.11 In respect of the allocation for a MUGA (for public use) this has not been delivered on site to date and such it has no tangible value to assess. Nevertheless, as per the new play area, it is proposed that any future MUGA

	<p>could be located immediately south of the site, which is supported by the Planning Policy team.</p>
5.12	<p>In addition, in assessing the remainder of the informal play area allocation, the Neighbourhood Services Department have confirmed that the site isn't public open space as it is fenced off with no public access. Furthermore, the site sits within the Estates portfolio and has been rented out for the grazing of horses since 2001. It is therefore considered that the site has no significant amenity or recreational value.</p>
5.13	<p>In terms of nature conservation value, the submitted Preliminary Ecology Appraisal (April 2021) indicates that the site has the potential to support a range of birds and mammals, with limited suitable habitat for reptiles. However, the report concludes that as the site has been subject to intense grazing management and disturbance, and the species on site are common and widespread, it is of generally low ecological value at a local level. The Council's ecologist agrees with the findings of the report.</p>
5.14	<p>As such, I am satisfied that the informal play space has no significant amenity, nature conservation or recreational value and accords with policy DM13 criterion a.</p>
5.15	<p>In terms of satisfying either criterion b, c or d, it is considered that criterion b and d would not be met. In considering criterion c, I acknowledge that the application does not provide for an equivalent or greater provision of open space to mitigate for the loss of the allocated open play space. Nevertheless, Members are reminded that the existing allocated 'open space' is fenced off and has been used for grazing horses since 2001. It could therefore be argued that there would be no tangible loss of open space.</p>
5.16	<p>I note that the Landscape Officer has requested that part of the blue line boundary currently allocated for housing is set aside in the RLDP for outdoor recreation. Planning Policy have confirmed that as part of the open space assessment review, the Council are looking to designate and protect public open spaces and the southern end of Chartist Way will be considered as part of the review. This could therefore potentially mitigate for any loss of open space as a result of the development.</p>
5.17	<p>It is also necessary to consider the proposed development against the requirements of the adopted LDP as a whole and the loss, or re-location of recreational space needs to be balanced against the provision of a modern Welsh medium primary school to serve the communities of Tredegar and Ebbw Vale. Amongst other things, LDP Policy SP8 – Sustainable Economic</p>

	<p>Growth seeks to increase economic activity, diversify the economy and ensure that residents of Blaenau Gwent maximise their economic potential. This is to be achieved through the provision of a first class learning infrastructure being put in place to ensure that residents gain the skills they require. As such, it is considered that the proposed school, as part of the 21st Century Schools Programme, will form part of this first class learning infrastructure.</p>
5.18	<p>In terms of neighbouring land uses, I consider that provision of a school would be compatible with neighbouring land uses which primarily comprise of residential uses. As such, the development complies with LDP Policy DM1(2)a.</p>
5.19	<p>Future Wales - the National Plan 2040 was published on the 24th February, and therefore is relevant to this application as it now forms part of the Development Plan. The specific purpose of Future Wales is to ensure the planning system at all levels is consistent with, and supports the delivery of, Welsh Government strategic aims and policies. The relevant policies in relation to this development are Policies 1 and 2. Policy 1 promotes continued growth and regeneration in the area. Policy 2 supports a rich mix of residential, commercial and community uses within close proximity to each other and to create activity throughout the day to enable people to walk and cycle rather than being reliant on travelling by car. Being mindful of the nature of the proposal and its location, the application is considered compliant with these policies.</p>
5.20	<p>This is supported by PPW 11 (February 2021). The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales as required by the Well-being of Future Generations (Wales) Act 2015. In particular, PPW identifies that community facilities, such as schools, contribute to a sense of place which is important to the health, well-being and amenity of local communities and their existence is often a key element in creating viable and sustainable places.</p>
5.21	<p>Similarly, PPW also identifies that “Recreational spaces are vital for our health, well-being and amenity, and can contribute to an area’s green infrastructure” and that “networks of high quality, accessible green spaces and recreation spaces will also promote nature conservation, biodiversity and provide enjoyable opportunities for residents and visitors to participate in a wide range of physical activities”. As discussed above, the allocated ‘informal play space’ is neither high quality or accessible and has low nature conservation value and as such, the development would not be contrary to PPW 11.</p>

	<p><u>Layout, Scale and Appearance</u></p>
5.22	<p>The proposed scheme was submitted by the agent following consultation with the school, community and local authority.</p>
5.23	<p>The scheme aims to provide the most efficient use of space in terms of providing a building design fit for purpose, informal and formal play space, parking provision, minimising the effect of traffic congestion and providing new pedestrian access points. Having considered the proposed layout, I consider these aims have been met and is acceptable given the constraints of the site.</p>
5.24	<p>The, position, scale and design of the building is such that it will respect the surrounding area with tree/hedgerow planting to the perimeter of the site to soften the visual impact of the development.</p>
5.25	<p>The proposed building is located centrally within the site and is in excess of 44m from the nearest properties at Chartist Way and 88m from properties at Ystrad Deri. The scale and mass is minimised by its single storey form (with only the school hall element towards the rear of the site extending in height). It is also worth noting that the building will sit at a lower level to Chartist Way and will be partially screened by the tree planting along the site frontage. As such, there are no concerns of any unacceptable overbearing, overshadowing or overlooking impact upon these properties in compliance with LDP Policy DM1(2)c. Materials have been carefully selected to respect the natural surroundings and include burned timber cladding green roofs and solar panels. Given that the building will be visible from residential properties off Chartist Way, the green roof will assist in softening the visual impact of the building whilst providing biodiversity benefits.</p>
5.26	<p>I consider that the scale, layout and appearance of the proposed development, subject to conditions, is acceptable and complies with the relevant criteria contained in DM1 and DM2.</p>
5.27	<p><u>Access and Parking</u></p> <p>Policy DM1(3) requires proposals to have regard for the safe, effective and efficient use of the transportation network, prioritises pedestrians, cyclists and public transport before the car, has appropriate provision for people with special access and mobility requirements, has adequate parking, servicing and operational space and in developments of this scale demonstrate that there will be no adverse impact on trip generation and travel demand.</p> <p>The Transport Assessment has been completed by an independent consultant which has concluded that <i>“the site, by virtue of its location and the opportunities for access by a variety of means of transport, is accessible, sustainable and in accordance with national, regional and local policy. The</i></p>

	<p><i>development proposal will result in a negligible uplift in vehicle trips which can be accommodated on the local highway network. It is therefore concluded that the proposed development is acceptable in terms of highways and transport”</i>. The Team Manager Built Environment agrees with the conclusion of the Transport Assessment and raises no objection to the development subject to conditions requiring footpath widening and extension, provision of pedestrian crossings at Chartist Way, drop-off parking layby, installation of bollards to prevent inconsiderate parking and implementation of any necessary Traffic Orders i.e. a 20mph speed limit. I also agree with the conclusion of the Transport Assessment and that the conditions suggested by the Team Manager are necessary to ensure the proposal complies with policy DM1(3).</p> <p>5.28 The Team Manager Built Environment has confirmed that the parking provision complies with the Councils ‘Access, Car Parking and Design’ SPG. In addition, the proposals include an on-site bus pick up/drop-off area which will facilitate a dedicated school bus service whereby six 15m coaches will be able to park and turn, which is welcomed to alleviate on-street congestion/parking at drop off and pick up times. A Swept path analysis also shows that a 15m coach can enter and exit the proposed new access junction and can turn within the bus turning area.</p> <p>5.29 I acknowledge the comments raised by an objector in terms of potential congestion, inconsiderate parking and exhaust emissions particularly at peak drop-off/pick up times. In response to those comments the Highway Authority have raised no concerns in relation to the development in terms of both vehicular movements or parking provision. As discussed above conditions are proposed in terms of introducing a 20mph speed limit which will assist in reducing emissions and the Transport Assessment identifies that the majority of the pupils attending the school are anticipated to be transported by bus. The proposals also include improved pedestrian access and cycle parking which will encourage trips via foot and cycle.</p> <p>5.30 Moreover, Members should also note that the increase in vehicular movements will be gradual given that the school will initially only accommodate pupils up to Reception class (0-5 years). At full capacity, it is anticipated that the majority of children will be bused to the school, thus minimising parking issues and car vehicular movements to and from the site.</p> <p>Bollards and a 10-bay drop-off layby should limit inconsiderate parking. Nevertheless, inconsiderate/illegal parking is a matter for the Police and cannot be controlled via the planning system.</p>
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5.31	Having taken the above into consideration, subject to conditions to provide the identified highway improvement works and provision of a Travel Plan Co-ordinator, I am satisfied that the access, parking and servicing provisions, are acceptable and the development complies with LDP Policy DM 1 (3 a, b, c, d & e).
5.32	<p><u>Ground Conditions</u></p> <p>The development will require some cut and fill (lowering ground levels to each and using the material to raise the ground levels to the west). Specific site levels have not been provided at this stage and as such a condition would be required to provide site and finished floor levels prior to development.</p>
5.33	The Coal Authority confirm that there are five recorded mine entries (adits and shaft) within, or within close proximity of the application site. The site has also been subject to recorded underground mining at shallow depth and is likely to have been subject to unrecorded underground mining at shallow depth. Thick coal seams also outcropped across the site.
5.34	Two Ground Investigation Reports have been submitted with the application which identifies that coalmining legacy potentially poses a risk to the proposed development. The reports confirm that intrusive site investigation works in the form of probe drilling will be undertaken to locate the mine adits. If it is identified that the adits correspond with the building footprint they will be 'grubbed out' and treated with the building footprint by grouting. Geo grid reinforcement will be utilised in areas where there is road infrastructure, parking, play areas and general circulatory areas and that the identified shallow workings will be consolidated where they underlie the building
5.35	Consequently, the Coal Authority have confirmed that they concur with the findings of the two ground investigation reports and have no objection to the development subject to conditions requiring the intrusive site investigation and verification report being submitted.
5.36	In respect of contamination, the Council's Environmental Health Officer has confirmed he is satisfied with the findings of the two ground investigation reports which confirms that the levels of soil contamination are not considered to pose a risk to future site users. However, gas protection measures will be required. Such measures are common to many developments in the Borough. I am therefore satisfied that subject to conditions requiring compliance with the recommendations of the report (with a verification report confirming the works have been carried out) and a standard condition in respect of land contamination that the development complies with policies DM1(2)i and j.

<p>5.37</p>	<p><u>Archaeology & Historic Assets</u> The application is accompanied by a setting assessment. The assessment identifies a number of archaeological features within the proposed site and assesses the likely impact upon them. The features assessed include the Scheduled Ancient Monument (SAM) of Sirhowy Ironworks, Tredegar Ironworks Cholera Cemetery, Trefil Tramroad, Twyn Bryn March round cairn and Afon Sirhowy hut circle. Whilst the assessment has shown that the area has been remediated, the extent of this is not known and it is likely that damage or destruction will have occurred, particularly to the shallower remains such as rail and tramways. As such, there is the potential for encountering archaeologically significant remains during the proposal.</p>
<p>5.38</p>	<p>GGAT have confirmed they no objections to the development subject to a condition requiring the submission a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource. CADW also have no objections and have confirmed that there will be a neutral effect on the settings of the scheduled monuments.</p>
<p>5.39</p>	<p>I am therefore satisfied that subject to conditions, the development will have a negligible impact upon the historic environment.</p>
<p>5.40</p>	<p><u>Drainage</u> It is noted that the landscape strategy incorporates measures such as rain gardens, green roofs and swales to assist with surface water drainage. Nevertheless, since 7th January 2019 any development proposals that have a hard surface area exceeding 100m² require separate SAB approval to deal with surface water drainage. This development exceeds that threshold and accordingly will require approval of Sustainable Drainage Systems (SuDS). An informative note will be added to ensure the developer is aware of their responsibility to obtain the necessary SAB consents to deal with surface water drainage.</p>
<p>5.41</p>	<p>In terms of foul drainage, no details have been submitted. A condition will be added requiring submission of a foul drainage scheme prior to commencement.</p>
<p>5.42</p>	<p><u>Landscaping/Ecology</u> A landscaping scheme has been submitted with the application which includes provision for rain gardens, growing orchard, forest play area, woodland area, bug hotels mounted land art as well as tree planting, wild flower meadows and sensory planting.</p>

5.43	<p>Future Wales 2040, Policy 9 seeks to maintain and enhance biodiversity and to maximise the provision of green infrastructure. The Landscape Officer confirms that the proposal incorporates measures that will provide maximum benefits for biodiversity. A condition is however required to secure a detailed planting specification and a 5-year management plan.</p> <p>I concur with the officer's comments and am satisfied the development complies with Future Wales Policy 9 and LDP Policy DM14.</p>
5.44	<p>As stated earlier in the report the site has been intensively managed and is considered to be of low ecological value at a local level with the potential for common species and low population of reptiles. Subject to a condition requiring mitigation to be carried out in accordance with the recommendations of the Preliminary Ecological Assessment, there will be no adverse long term effects on ecology.</p>
5.45	<p>There will also be no negative impacts upon the woodland and scattered trees which fall outside the red line boundary.</p>
5.46	<p><u>Other Matters</u></p> <p>In response to comments regarding public consultation, as mentioned in Section 1 of this report, a Pre-Application Consultation (PAC) report has been submitted by the applicant which confirms that consultation was carried out with a large number of nearby streets including (but not limited to) Dukestown Road, St. Luke's Road and Armoury Hill. As part of the application process 6 site notices were erected, 203 letters sent to nearby residents and a Press Notice was issued alongside the standard weekly list and consultation of Ward Members. Whilst the original consultation was to the previous Ward Members, re-consultation was carried out in June 2022 which included the newly appointed Ward Members. I am therefore satisfied that sufficient publicity has been carried out.</p>
5.47	<p><u>Net Zero Carbon</u></p> <p>Members may be aware of the announcement by Welsh Government in November 2021 requiring new school buildings to be net zero carbon from 1st January 2022 as part of the 21st Century Schools Programme. Net Zero Carbon means producing zero or negative carbon emissions as part of their operational energy. However, the 1st January target does not relate to existing 21st Century schemes, which includes this proposal.</p>
5.48	<p>Nevertheless, the submitted Design and Access statement gives due consideration to renewable energy and states that the building will use clean energy with heat and power generated by solar panels and air source heat</p>

5.49	<p>pumps, reducing greenhouse gas emissions and built as close as possible to a net zero carbon model.</p> <p>As such, the development has due regard to Policy DM4 of the LDP.</p>
6. Legislative Obligations	
6.1	<p>The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.</p>
6.2	<p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>
7. Conclusion and Recommendation	
7.1	<p><u>Conclusion</u></p>
7.2	<p>In conclusion, it is acknowledged that the proposal is a departure from the LDP (and has been advertised as such).</p>
7.3	<p>Members must weigh up the land use allocation against the provision of a Welsh-medium primary school with childcare facility to serve the community of Tredegar and Ebbw Vale.</p>
7.4	<p>The housing allocation within the current LDP is not proposed to be carried forward in the Replacement LDP whilst the existing leisure allocation is not considered to be of significant amenity, nature conservation or recreational value. Indeed, the land has been fenced off and used for grazing horses for a number of years and has low ecological value. The existing playground is of low play value due to its condition and is proposed to be relocated with new equipment on land to the south of the site with future provision of a MUGA for public use. Thus, the immediate area would still provide formal recreational provision in line with the Play Strategy for the area.</p>
7.5	<p>The proposed Welsh-medium primary school with childcare facility will provide a contemporary low carbon building as part of the 21 Century Schools Programme to serve the communities of Tredegar and Ebbw Vale. The proposal would not have an unacceptable impact upon the character and appearance of the surrounding area nor have an adverse impact upon the neighbouring amenity or highway network.</p>

7.6	On balance it is considered that the development proposal is acceptable and subject to the land allocation matter and the imposition of conditions complies with both Local and National planning policies.
7.7	Planning permission be GRANTED subject to the following condition(s):
7.8	<ol style="list-style-type: none"> 1. Condition listing approved plans and documents. 2. SAB not approved as part of application. 3. Condition requiring details of foul drainage scheme 4. Condition requiring compliance with recommendations of ground investigation report and verification report confirming gas protection measures have been carried out prior to occupation of the building. 5. Condition requiring existing and proposed site levels and finished floor levels. 6. Condition requiring intrusive site investigation and any remediation to be carried out with a verification report submitted prior to occupation of the building. 7. Standard condition in the event of unforeseen contamination. 8. No surface water to drain directly or indirectly to public sewerage system. 9. Condition requiring construction management plan, including hours of operation (08:00-18:00 Monday – Friday, 08:00- 13:00 Saturdays). 10. Condition requiring location and details of proposed MUGA for public use and new replacement play area on adjacent land to be provided prior to commencement. 11. Condition requiring a written scheme of historic environment mitigation (archaeology) 12. Condition requiring full details/samples of external finishes/materials 13. Condition requiring detailed planting specification and 5-year maintenance/management plan 14. Woodland to be fenced off from development works during construction work 15. Details of on-site and off-site highway improvement works to be submitted and provision of Travel Plan Coordinator. 16. Condition requiring parking and service areas to be provided prior to beneficial use of the building. 17. Condition requiring ecological mitigation to be carried out in accordance with the Preliminary Ecological Assessment 18. Standard Time Limit (Full Application)

	<p>Informatives:</p> <ol style="list-style-type: none">1. Obligations to erect a major site notice2. Requirements of SAB3. Dwr Cymru Welsh Water information4. Wildlife legislation obligations5. Provision of adequate water supplies6. Archaeology works to be undertaken by suitably qualified Archaeologist
8. Risk Implications	
8.1	None

Planning Report

Application No: C/2021/0329	App Type: Full
Applicant: ARhyd Development School House Llanellen Abergavenny NP7 9HT	Agent: Planning Consultancy Ltd 71 Heol Trecastel Caerphilly CF83 1AF
Site Address: Park Hill Road, Land Adjoining Park Hill, Tredegar	
Development: Construction of three new detached dwellings served by new shared driveway with parking provision for 2 cars on each plot; including landscaping, services & off site highway improvement works.	
Case Officer:	Jane Engel



1. Background, Development and Site Context

1.1 The site has a long history of planning applications the most recent of which C/2017/0193 refused planning permission for the construction of 4 dwellings on the site. The reason for refusal related to the concerns that the construction of 4 dwellings of the size and in the positions proposed would constitute overdevelopment of the site. A subsequent appeal to the Planning Inspectorate was dismissed.

1.2 The current application before Members seeks to overcome this concern and proposes the construction of three detached houses.

1.3 The application site is a roughly rectangular shaped parcel of vacant greenfield land, containing grassland and scrub, sandwiched between residential properties on Cefn Parc to the east and Park Hill Garage and residential properties at Park Hill to the west. The boundaries of the site are defined by a combination of chain mesh, timber fencing and maintained domestic hedges.



1.4 The plans show 3 houses arranged along a private driveway, two of which are sited east of the access and one to the southern end of the site. Vehicular access is gained via the existing rear lane to the north of the site serving properties on Park Hill and Morgan Terrace.

1.5 The proposed dwellings are three bedroomed units with two of the bedrooms located within the roof space. The plans indicate that the properties will have a slate roof and a painted render finish. Two car parking spaces will be provided

	within each plot. Details have also been submitted indicating how the site will be landscaped.
1.6	Offsite highway improvement works have been identified to the adopted highway approaching the site and a turning head will be provided to the at the northern edge of the site.
1.7	The application is supported by a noise survey and a preliminary ecological assessment and a reptile survey.
1.8	The site is located in a high risk coal mining area as defined on the constraints map.

2. Site History

	Ref No	Details	Decision
2.1	9718	Residential development	Refused 16.6.92
2.2	2004/0240	2 new dwellings	Approved 9.9.04
2.3	2007/0458	Renewal of outline	Approved 4.10.2007
2.4	2010/0338	Renewal of outline	Approved 4.11.10
2.5	2015/0401	Renewal of outline	Refused 27.01.16
2.6	C/2017/0193	Construction of 4 no. new detached dwellings with associated parking, landscaping and off site highway improvement works	Refused 24.11.2020 Appeal Dismissed

3. Consultation and Other Relevant Information

3.1	Internal BG Responses
3.2	<u>Team Leader Building Control:</u> Building Regulations are required
3.3	<u>Service Manager Infrastructure:</u> Highways: No objections

3.4	<p>Drainage: A separate consent for surface water drainage will be required from the Sustainable Drainage Systems (SuDS) Approval Body (SAB).</p>
3.5	<p>Ground Stability: Confirmed that previous comments apply:</p> <p>There are no objections to the proposed development in principle. The developer must demonstrate by way of a site investigation report that the ground is suitable for the intended development from a geotechnical and geo-environmental perspective.</p> <p>Slope stability assessment be required to confirm the development will not have an adverse effect upon the stability of the site.</p>
3.6	<p>Ecology: No objection subject to the recommendations and mitigation measures set out in section 5 of the submitted Preliminary Ecological Assessment being implemented</p>
3.7	<p>Arborist: Request replacement trees are planted to mitigate for the loss.</p>
3.8	<p><u>Service Manager Public Protection:</u> The land the houses will be built upon is directly adjacent to a commercial garage that has a spray booth. We have historically received odour complaints but no nuisance has been established.</p> <p>Advise that provisions for the charging of electric vehicle at the property be made.</p> <p>Following an update to the submitted noise report – no objections to the proposal from a noise aspect.</p> <p>Recommend a condition requiring submission of a construction and environmental management plan.</p>
3.9	<p><u>External Consultation Responses</u></p>
3.10	<p><u>Town / Community Council:</u> Inkerman Terrace adjoins a narrow strip of land this would cause highway issues with the loss of the turning area currently in place. Members could not envisage</p>

	<p>a viable solution that would work in respect of congestion and highway issues. There is also a possible issue in respect of over-development.</p>
3.11	<p><u>Welsh Water:</u> Confirm capacity exists within the public sewerage system. Advises that the development may require approval of Sustainable Drainage Systems (SuDS) and that no surface water from any increase in the roof area of the building/or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.</p>
3.12	<p><u>Western Power:</u> Identify apparatus in the vicinity</p>
3.13	<p><u>Wales and West Utilities:</u> Identify apparatus in the vicinity of the site</p>
3.14	<p><u>Coal Authority</u> No objections</p>
3.15	<p><u>Public Consultation:</u></p> <ul style="list-style-type: none"> • 50 letters to nearby houses • site notice • press notice • website public register of applications • ward members by letter • all members via weekly list of applications received
3.16	<p><u>Response:</u></p> <p>Objection letters have been received from 8 households objecting to the proposal on the following grounds:</p> <ul style="list-style-type: none"> • Loss of privacy – the development will overlook outside living area, conservatory and living room. • Increased overlooking of properties on Park Hill. • Block views from rear garden. • Increased overshadowing. • Impact on right of access to the adopted highway access to the back of properties for maintenance. • Overdevelopment. • Design of houses not in keeping with others in the area.

	<ul style="list-style-type: none"> • Height of access land and turning head and impact upon privacy. • Subsidence. • Impact on boundary wall to rear of objector’s property. • Water and drainage issues – land has previously been flooded due to a blocked culvert. • Concerns relating to the position of soakaways. • Concerns over additional foul sewage and position of connection to foul sewage. • Responsibility of drainage matters. • Requests details of SUDS drainage. • Distance to existing stream. • Plans state that there are no trees or hedges on the site. • Impact on wildlife/biodiversity value of the site/ newts/ badgers on site. • Traffic problems in the area is getting worse and the development of the health centre is often causing gridlock and road closures. • Park Hill is impossible to pull onto safely. • Parking is a huge problem in Parkville, Inkerman Terrace, Morgan Terrace, Cefn Parc and on Park Hill. • The proposed turning head was landscaped as part of a flood prevention scheme on the 1980’s. This area has been maintained by residents of Cefn Parc. • Inkerman Terrace is narrow and refuse lorries cannot go further than No. 18. • Query on landownerships matters. • Loss of value to existing properties. • Lane used by children to play. • Queries as to the description of the existing use of the site. • Description of boundary fences. • Houses not needed. • Disturbance during construction/dust. • Human Rights Act states that a person has a right to the peaceful enjoyment of all their possessions which includes their home and other land.
<p>3.17</p>	<p>An email has been received from the Ward Members objecting to the proposal. They concur with the residents who have raised issues related to historic flooding in the area and advised that the source of the floodwater came from the Park Hill area, which includes the development site.</p>
<p>3.18</p>	<p>They have also advised that they strongly disagree that the complaints relating to Park Hill Garage are historical. They advise that they have been dealing with substantial issues for months and have shared photographs with the police</p>

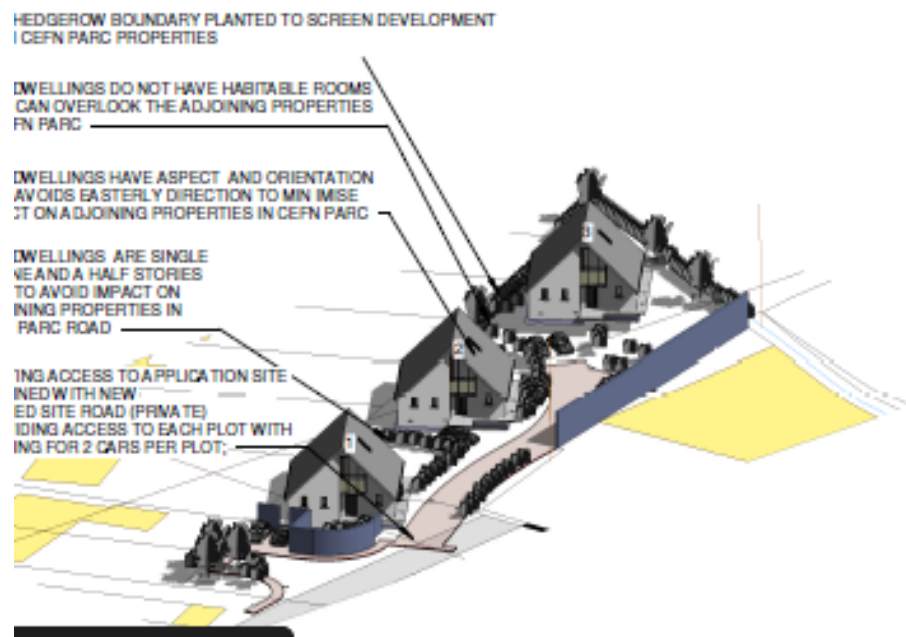
	<p>relating to dangerous parking. They further advise that Environmental Health have been involved in recent months with issues of noise and behaviour.</p>
<p>4. Planning Policy</p>	
<p>4.1</p>	<p><u>Team Manager Development Plans:</u></p> <p>Under the provisions of the 2015 Planning (Wales) Act, any development plan adopted prior to 4 January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. Therefore, the Blaenau Gwent County Borough Council Local Development Plan up to 2021, which was adopted on November 2012, remains the extant statutory development plan for the area beyond the specified 2021 plan period.</p> <p><u>Local Development Plan Policies:</u></p> <ul style="list-style-type: none"> • SP1 Northern Strategy Area- Sustainable Growth and Regeneration • SP4 Delivering Quality Housing • SP5 Spatial Distribution of Housing Sites • SP7 Climate Change • SP10 Protection and Enhancement of the Natural Environment • DM1 New Development • DM2 Design and Placemaking • DM14 Biodiversity Protection and Enhancement • DM15 Protection and Enhancement of the Green Infrastructure • DM16 Trees Woodlands and Hedgerow Protection • SB1 Settlement Boundary <p><u>Supplementary Planning Guidance</u></p> <ul style="list-style-type: none"> • Access, Car Parking and Design (March 2014) <p><u>National Planning Policy</u></p> <ul style="list-style-type: none"> • Planning Policy Wales (Edition 11, February 2021) • Future Wales: The national plan 2040 • Technical advice note (TAN) 5: Nature Conversation and Planning • Technical advice note (TAN) 12: design
<p>5. Planning Assessment</p>	
<p>5.1</p>	<p><u>Principle of development</u></p>
<p>5.2</p>	<p>Future Wales - the National Plan 2040 was published on the 24th February, and therefore is relevant to this application as it now forms part of the Development Plan. Policies 1 and 33 support sustainable growth in all parts of Wales with</p>

	<p>Cardiff, Newport and the Valleys identified as one of three National Growth Areas. Emphasis is given to supporting opportunities and growth.</p>
5.3	<p>Policy 2 seeks to support a rich mix of residential (providing a variety of housing types and tenures) commercial and community uses within close proximity to each, to create activity and sustainable development. Policy 7 encourages the planning system to facilitate the provision of additional market and affordable housing.</p>
5.4	<p>Being mindful of the nature of the proposal and its location, the application is considered compliant with these policies.</p>
5.5	<p>Chapter 4.2.2 of Planning Policy Wales, (PPW) (ed 11 February 2021) specifies that Local Authorities should seek to enable the provision of a range of well-designed, energy efficient, good quality market and affordable housing that will contribute to the creation of sustainable places. Chapter 5 advocates Local Authorities to support developments that demonstrate integral sustainable building design principles to reduce energy demand and improve efficiency. Given the nature and form of the proposal, the application is considered compliant with the relevant sections of PPW.</p>
5.6	<p>The adopted Blaenau Gwent Local Development Plan (LDP) indicates that the site lies within the settlement boundary within which development is normally permitted, subject to polices within the plan and other material planning considerations.</p>
5.7	<p>The site lies within a primarily residential area and is considered to be compatible in land use terms in accord with LDP Policy DM1 (2) a.</p>
5.8	<p>LDP Policy SP4 Para 6.33 states that a mix of dwelling types, sizes and tenures will need to be delivered to meet the local housing needs of the population whilst SP5 identifies an allowance for completions to date, windfall contributions, small sites, conversions and demolitions totalling 826 dwellings across the borough. The development proposes three 3 bed houses and would contribute to the housing requirements under polices SP4 and SP5.</p>
5.9	<p>Given the position and context of the site, the principle of residential development is considered acceptable and compliant with the relevant LDP policies.</p>

5.10 Site Layout, Scale and Appearance

5.11 Policy DM2 requires development to be appropriate to the local context in terms of type, form, scale and mix.

5.12 The properties in the immediate vicinity of the site on Cefn Parc and Park Hill are a mix of two and single storey units typified by generous curtilages. The current proposal for two storey dwellings is considered acceptable in this regard. It is accepted that the design of the properties is non-traditional, however, the use of render and slate finishes are considered appropriate.



5.13 The previous refusal (and subsequent appeal) relating to 4 houses concluded that the proposed dwellings would have had restricted garden areas and appear cramped. The current proposal has addressed this issue by reducing the number of dwellings, providing each with a more generous rear garden and parking areas to the front.

5.14 Based on the plans submitted it is considered that the application represents an acceptable level of development and the proposal has overcome the previous reasons for refusal.

5.15 Access/Parking

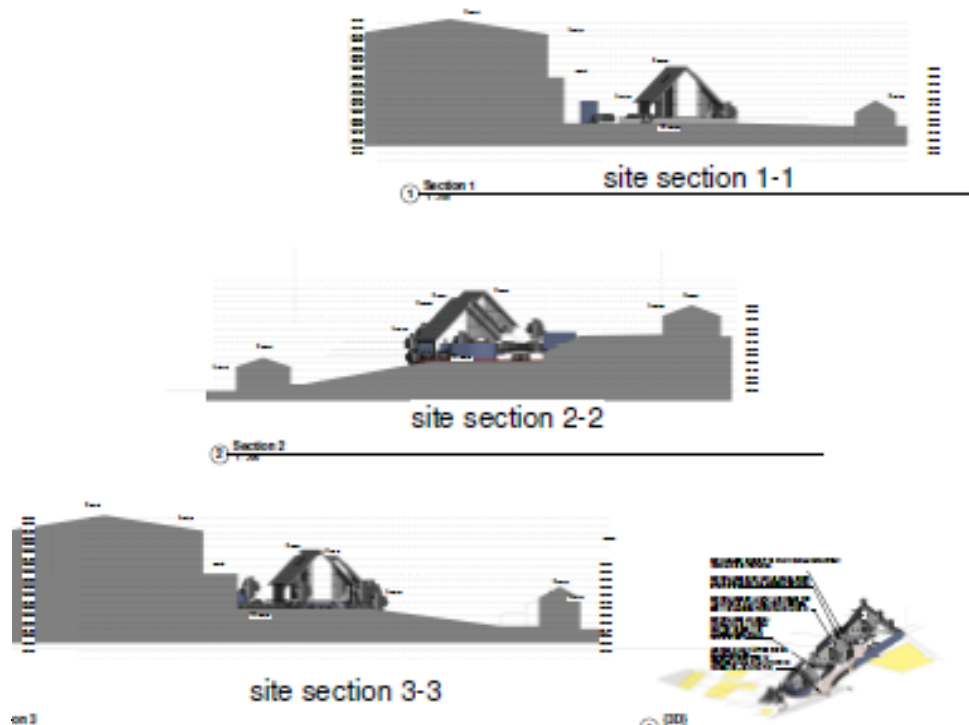
5.16 Access to the site will be off Park Hill via the rear lane serving properties on Morgan Terrace, Inkerman Terrace and Park Hill. The submitted details indicate that off-site improvement works to the public highway leading to the site will widen the existing access road and provide a 1.2m wide site footpath. The Team

	Leader Built Infrastructure has confirmed that he has no objections to this proposal subject to the off-site works being undertaken.
5.17	I note the concerns of objectors in relation to the access to the site, highway safety etc. However, as stated above the Team Leader Built Infrastructure has confirmed that he has no objections to the proposal in this regard. The proposed properties each have dedicated parking within their plot and the highway authority has confirmed that the development meets the requirements of the Council's Supplementary Planning Guidance Access and Parking Design Guide. An objector has also advised that Park Hill has been adopted as a gosafe area by the police. The Team Leader Built Environment has confirmed this and advised that the initiative is to encourage road users to adhere to the speed limit on Park Hill.
5.18	Objectors have advised that there is a right of access across the site to their properties. This matter is a civil matter between the parties involved and is not material to the consideration of this application.
5.19	<u>Neighbouring Amenity</u>
5.20	The plots back onto the gardens of properties on Cefn Parc. However, the proposed houses have been sited at an angle relative to the rear boundaries. The design of the dwellings is such that there is no direct overlooking of these properties. Although some overlooking of the gardens may occur this would be no worse than that currently experienced from neighbouring properties. Additionally, the distance between the proposed houses and the properties on Cefn Parc is considered sufficient to prevent any significant overshadowing of these gardens or overbearing impact. The proposed properties are at least 16m away from the rear elevations of the properties directly behind them on Cefn Parc. It is noted that the proposed dwelling on plot 1 is approximately 10.8m away from the rear elevation of a garden room at 6 Cefn Parc. However, the proposed dwelling is sited south west of the existing property and its impact is not considered significant enough to justify refusal of the application.
5.21	Queries have also been raised with regards to the level of the proposed turning head and access road and the impact this would have on privacy. The plans indicate that there will be no increase in level of the land required for the turning head or access road to the site.
5.22	Objectors have raised concerns with regards to loss of privacy. Given the proximity of the properties to the boundaries of properties on Cefn Parc I consider this to be a legitimate concern. However, the design and siting of the dwellings is such that there are no windows proposed in the eastern elevations

that would overlook the existing dwellings. Furthermore, proposed hedgerow planting along this eastern boundary would also serve to limit any overlooking between the gardens.

5.23 Concerns have also been raised about the potential for overshadowing and loss of light. Although the site is elevated above the gardens to the east, I am satisfied that the siting of the dwellings and the maintenance of over 10m distance between the houses would prevent any significant overshadowing.

5.24 Objections have also been received from occupiers of properties fronting Park Hill relating to loss of privacy, view and that the properties would result in overshadowing of their rear garden areas. Whilst it is accepted that the proposal would be visible from the nearest properties on Park Hill, a distance in excess of 20m between the proposed house on plot 1 and the rear of these houses is such that any impact would not be considered significant enough to justify refusal of the application.



5.25 Following consultation, Environmental Health raised concerns about the proximity of the site to Park Hill Garage and the potential impact that the garage operation could have on the residential amenity of the occupants of the new dwellings in terms of odour and noise. I have discussed these concerns with colleagues in Environmental Health who have confirmed that the complaints they have referred to, regarding such matters are historical rather than current. As

	such I would consider it difficult to justify refusal of this application on such grounds.
5.26	The applicant has also submitted a noise survey which Environmental Health has confirmed is satisfactory. As a result, they have confirmed that they do not object to the development subject to the imposition of a condition which will require the submission and approval of a Construction Management Plan before works can commence on site.
5.27	Following receipt of the objection from ward Members I have discussed the matter further with colleagues from Environmental Health who have reiterated their previous comments and advised that older complaints with regards to noise have not been corroborated with any evidence.
5.28	Objections have also been received relating to disturbance during the construction phase of the development. The required Construction Management Plan will ensure that such disturbance is kept to a minimum.
5.29	<u>Ground Conditions/Stability/Subsidence</u>
5.30	The Coal Authority have raised no objections to the development and are satisfied with the conclusions of the submitted Coal Mining Risk Assessment. The Council's geologist has requested the submission of a site investigation to determine the foundation type. However, this matter will be dealt with by Building Regulations, I note the request for a slope stability assessment. Should this application be approved I propose that a condition could be imposed that would require such assessment to be submitted for approval.
5.31	Concerns have also been raised about the stability of the retaining wall to the adjoining garage and the potential for the development to cause subsidence to adjoining properties. It is the developer's responsibility to ensure that the site is developed in a safe manner. Should any development of this site cause damage to a third party's property this would be the developer's responsibility and the subject of civil proceedings.
5.32	<u>Drainage/Flooding</u>
5.33	The Council drainage engineer has previously advised that the flooding issues encountered on this site were caused by open ditch culverts in the field to the south of the site and that these issues have now been resolved,
5.34	The surface water drainage for the site will be subject to a separate application for SuDs application to the SAB Authority should this application be approved.

5.35	Welsh Water have confirmed that they have no objections in relation to the capacity of the sewerage system in the area. The plans indicate that the foul sewage will be connected to an adopted sewer in the highway.
5.36	<u>Ecology/Trees</u>
5.37	Whilst it is acknowledged that the works will result in the loss of habitat types that are considered to have local value to wildlife, the proposed details submitted propose a range of measures to mitigate and where possible provide enhancement. It is noted that the form states that there are no trees on the site however, a tree survey has been submitted with the application which identifies the trees on site and advises that 6 trees and a group of goat willow and part of the hedgerow on the boundary of the site will need to be removed to accommodate the development. The tree survey has identified that these trees are C category trees of minor value. The submitted landscape plan proposes the planting of a hedgerow along the eastern, western and southern boundaries, with additional hedgerow planting between the plots. In addition, 7 rowan and birch trees will be provided along with a number of fruit trees. The borough arborist has not objected to the proposal provided the replacement planting is secured.
5.38	The plans also indicate that a bird and bat boxes will be provided within the development.
5.39	The Council's Ecologist has confirmed that she is satisfied with the ecology surveys submitted and has raised no objections to the proposal subject to the mitigation measures identified within the submitted preliminary ecological assessment (PEA). It is alleged that newts/badgers have been seen on site. The submitted PEA found no evidence of either, however the borough ecologist has advised that a precautionary approach should be taken and if any are found during the course of development that works should stop and further advice sought. I propose a condition to ensure the mitigation measures and the landscaping scheme are provided and an informative note to advise the developer of his responsibilities should any newts/badgers be found during the course of development.
5.40	<u>Landownership</u>
5.41	The agent for the application has confirmed that all land within the redline boundary falls within the ownership/control of the applicant. Should this not be the case then this would be civil matter between the relevant parties. Should the application be approved I would add an informative advice note to this effect.

5.42	<u>Other matters</u>
5.43	I note that one of the objectors alleges that approval of the application would constitute a breach of human rights, referring specifically to a person's right to the peaceful enjoyment of all their possession which includes their home and other land.
5.44	Concerns have been raised that the development does not allow access for residents to maintain their rear boundaries. This would be a civil matter between the two parties. Similarly, loss of value to the objector's house is not a material planning consideration.
5.45	It is accepted that there may be disruption during the construction of the dwellings in the short term but this is not a justifiable reason for refusal. I propose a condition requiring the submission of a construction management plan to minimise the impact of such disturbance. I am satisfied that in assessing the merits of this application that due consideration has been given to material planning consideration including the relevant Local Development Plan policies and those matters covered by other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and the Human Rights Act.
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><u>Conclusion</u></p> <p>The proposed residential development is considered to be acceptable in land use terms and would not have an unacceptable impact upon the character and appearance of the surrounding area nor have an adverse impact upon the neighbouring amenity of highway network.</p>

It is considered that the proposal has overcome the previous reasons for refusal, is acceptable subject to conditions and complies with relevant policies contained within the LDP.

Accordingly, my recommendation is that planning permission be GRANTED subject to the following conditions:

1	Standard time condition
2	<p>The development shall be completed in full accordance with the following approved plans and documents</p> <ul style="list-style-type: none"> • Proposed site layout Drawing No 1425/PLN01 Rev B dated 20/9/21 November 2019 • Proposed site landscaping layout Drawing No 1425/PLN/002 dated 20/08/2021 • Proposed off site highway layout Rev A dated 18/01/22 • Proposed house type 1 plot 1 floor plans 1425(2)PLN/005 dated 20/8/21 • Proposed house type 1 plot 1 elevations 1425(2)PLN/006 dated 20/8/21 • Proposed house type 1 plot 1 floor plans 1425(2)PLN/007 dated 20/8/21 • Proposed house type 1 plot 1 elevations 1425(2)PLN/008 dated 20/8/21 • Proposed house type 1 plot 1 floor plans 1425(2)PLN/009 dated 20/8/21 • Proposed house type 1 plot 1 elevations 1425(2)PLN/0010 dated 20/8/21 • Proposed site highway and drainage layout Drawing No 1425/PLN/03 dated 20/08/2021 • Preliminary Ecological Assessment and Reptile Survey (Ecological Services Ltd) dated 17th July 2020 • Existing site layout Drawing No 1425/S/01 Revision B received 26th November 2019 • Environmental Noise Assessment 4623/ENS1(Hunter Acoustics) received 29th October 2020 <p>unless otherwise specified or required by conditions listed below.</p> <p>Reason: To clearly define the scope of this permission.</p>

<p>3</p>	<p>No development shall commence on site until a Construction Method Statement has been submitted to and approved in writing by The Local Planning Authority. The Statement shall provide details of for:</p> <ul style="list-style-type: none"> • hours of working; • the parking of vehicles of site operatives and visitors; • delivery of materials; • wheel washing facilities; • storage of plant and materials used during construction; • the erection and maintenance of security hoarding; • measures to control the emissions of dust and dirt during construction; • a scheme for the recycling/disposing of waste resulting from the construction works; and • the siting and details of any construction compound; Such details and measures as contained in a Statement that is approved in writing by the Local Planning Authority shall be adhered to throughout the construction period. <p>Reason: To safeguard local amenity interests and to ensure that the impacts of the construction phase of the development are appropriately and adequately addressed.</p>
<p>4</p>	<p>Notwithstanding the details on the approved plans the surface water drainage is not hereby approved.</p> <p>Reason: To define the scope of this permission</p>
<p>5</p>	<p>The proposed off site highway improvement works are to be fully completed prior to the occupation of the dwellings hereby approved.</p> <p>Reason: In the interests of highway safety</p>
<p>6</p>	<p>No development shall take place until a slope stability assessment has been carried out in accordance with a methodology which must first be submitted to and approved in writing by the Local Planning Authority. The results of such an assessment shall be submitted to the Local Planning Authority before works commence on site. The development shall not be brought into use until all measures identified as necessary are implemented and the Local Planning Authority is provided with a validation report signed by a suitably qualified person that confirms that such measures and/or works have been fully implemented.</p>

	Reason: The Local Planning Authority is aware that the site may be affected by land instability and considers that this should be addressed prior to development
7	<p>Notwithstanding the details on the approved plans, no development shall commence on site until details are submitted to and approved in writing by the Local Planning Authority of a scheme for the comprehensive and integrated drainage of the site showing how foul water will be dealt with. The dwellings hereby approved shall not be occupied until all drainage works relating to that property and any connection to the wider drainage network are completed in full accordance with the approved plans.</p> <p>Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.</p>
8	<p>Notwithstanding the details on the approved plans a detailed planting plan and specification for the hedgerow on the eastern boundary of the site shall be submitted for the approval of the Local Planning Authority prior to the laying of the first slab. The development shall only proceed in accordance with the approved details, shall be implemented prior to the occupation of the dwellings hereby approved and maintained as such thereafter.</p> <p>Reason: In the interest of residential amenity.</p>
9	<p>The recommendations and mitigation measures identifies at para 5.in the submitted Preliminary Ecological Assessment (Ecological Services Ltd) shall be implemented in full.</p> <p>Reason: In the interest of biodiversity.</p>
10	<p>The proposed off site highway improvement works are to be fully completed prior to the occupation of the dwellings hereby approved.</p> <p>Reason: In the interests of highway safety</p>
11	<p>The parking areas allocated for each dwelling and the private driveway are to be fully constructed and surfaced prior to occupation of each respective dwelling and retained for their designated purpose in perpetuity.</p>

	Reason: To ensure the parking needs of the development are adequately met and to safeguard highway interests
12	The new vehicle turning facility is to be fully constructed prior to occupation of the dwellings. Reason: In the interests of highway safety
13	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking or re-enacting that Order with or without modification), no enlargements, improvements or other alterations to the dwelling shall be constructed other than those expressly authorised by this permission. Reason: In view of the restricted nature of the site and the need to retain effective planning control of the site in the interest of visual and residential amenity considerations.
14	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking or re-enacting that Order with or without modification), no garages or other outbuildings shall be erected other than those expressly authorised by this permission. Reason: In view of the restricted nature of the site and the need to retain effective planning control of the site in the interests of amenity

Informative advice

1.The applicant is advised that the application has been determined on the basis of the ownership certificate submitted.

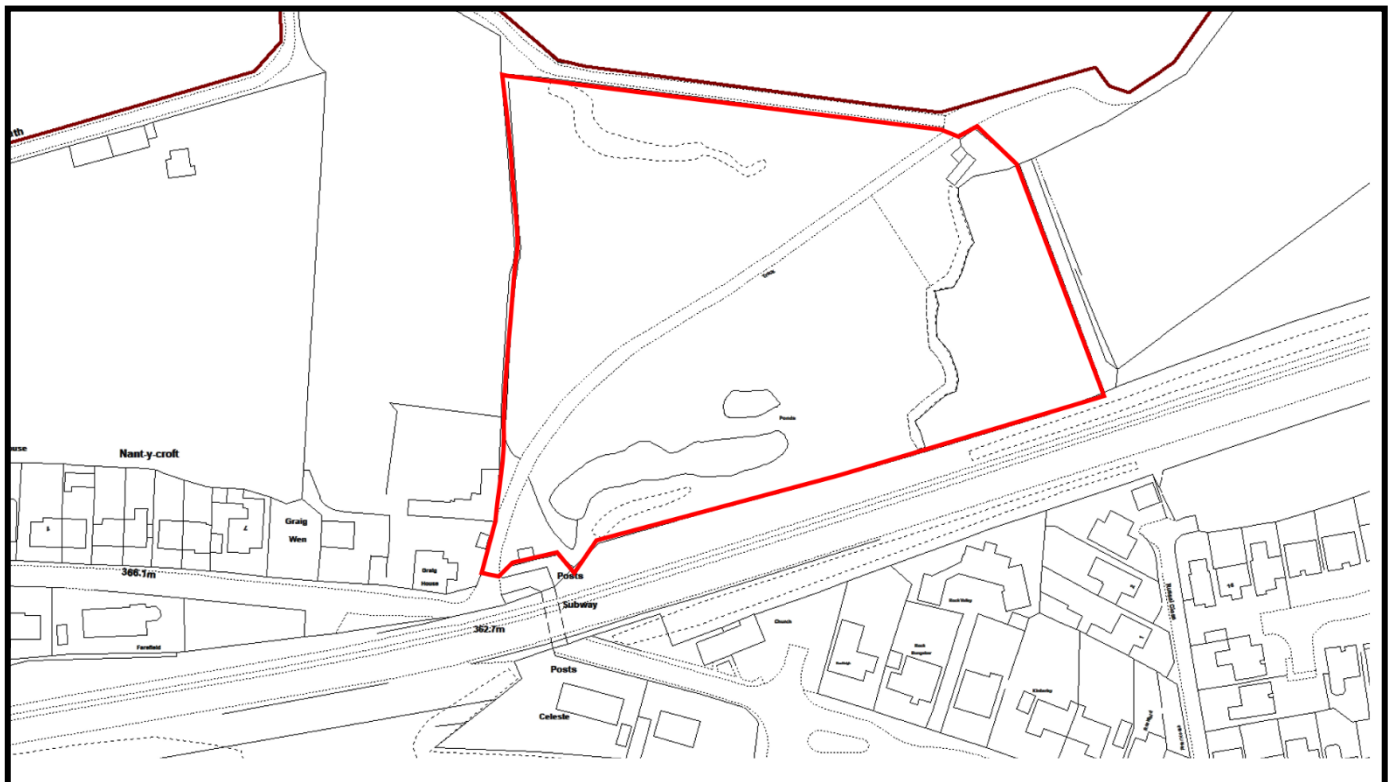
2.The applicant/developer should note that the development hereby approved also requires SuDS approval before work commence. Further guidance can be found at <https://www.blaenau-gwent.gov.uk/en/resident/planning/how-to-apply-for-planning-permission/permission-for-drainage/>

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

	3. The developer is advised that during the course of development should any evidence of newt/ badgers be found works should cease and advise taken from an appropriately qualified ecologist,
8. Risk Implications	
8.1	No risks identified.

Planning Report

Application No: C/2021/0366	App Type: Reserved Matters
Applicant: Wisniewski Carlton House Holland Street Ebbw Vale NP23 6HX	Agent: C W Architects Ltd Mr Chris Waterworth Grosvenor House 8 Park Grove Cardiff CF10 3BN
Site Address: Former Quarry adjacent to Nantycroft, Rassau, Ebbw Vale. NP23 5DA	
Development: Submission of Reserved Matters for approval in relation to layout (47 no. units), appearance, scale, landscaping and associated works pursuant to outline planning permission C/2018/0205.	
Case Officer:	Helen Hinton



1. Background, Development and Site Context	
1.1	This application seeks reserved matters consent for layout, appearance, scale, landscaping for 47 dwellings and associated works on land known as the former Thornton's Quarry, Nant-y-Croft Road, Rassau.
1.2	The application is submitted pursuant to outline planning permission C/2018/0205 for the development of up to 50 dwellings. The outline permission was granted at appeal on 26 th March 2019. The appeal decision was subject to a Unilateral Undertaking to provide an education contribution and a condition requiring the provision of at least 10% of the units being secured as affordable housing.
1.3	The proposals map of the Blaenau Gwent County Borough Council Local Development Plan identifies that the site is unallocated but located within the settlement development boundary of Rassau.
1.4	The plans submitted detail the provision of 47 dwellings comprising a mix of 1 bedroom flats, 2 and 4 bedroom detached and semi-detached dwellings each benefitting from areas of amenity space and off-street parking, some of which would be within detached garages. The buildings would be two and two and half storey in form, finished externally with a mix of Bradstone cladding or similar, dark grey colour fibre cement cladding, calico and dark grey through colour render, hanging tile details and cement fibre roof slates. The windows and doors would have dark coloured frames with dark grey colour painted timber entrance doors, black powder coated metal balustrade and black upvc rainwater goods, soffits and fascias.
1.5	Five of the dwellings proposed (10%) are allocated as affordable homes and comprise four No. one-bedroom 'walk up' flats, and one No. two-bedroom detached house. The private houses consist of 18 (38%) two-bedroom houses (plus study) and 24 (51%) four-bedroom houses.
1.6	Vehicular access would be gained solely from a new junction with the A4281 in the southern eastern part of the site, which is currently being considered as part of a Section 278, Highways Act 1980 Agreement. The A4281 is the former A465 which has been de-trunked since the construction of the new Heads of the Valleys Road. Access was a matter considered as part of the outline application with the principle positively established by the appeal decision.
1.7	The primary road would cross the site in a north-westerly direction before descending south and terminating in a cul-de-sac with private drive ways

leading to the west and east. Pedestrian link pathways to Nant-y-Croft and the underpass leading to Rassau Road and the land to the north would be provided in the south-western corner and along the western boundary of the site.

- 1.8 A swale with adjacent footpath link would be positioned in the centre of the site, leading to an attenuation basin to be provided adjacent to the southern boundary. A modest amenity area would be provided to the west of the attenuation basin. Parcels of landscaping and rain gardens would be provided throughout the development.



Figure 1- Proposed site layout.

- 1.9 The application site comprises an irregularly shaped parcel of land with an area of approximately 1.43 hectares, previously used as a quarry and then grazing. The site is positioned on the northern-western side of the A4281 and to the north-east of a residential no through highway, known as Nant-y-Croft Road. Although the site benefits from a gated access in the south-western corner leading from Nant-y-Croft, the appeal decision positivity established the principle of an access to the site being gained from the A4281.

1.10	The boundaries of the site are defined by a combination of post and rail and post and wire fencing and some stone walls. The developer has confirmed they intend to enclose the site with a boarded fence in the near future. A band of trees lie adjacent to the northern boundary of the site that act as a buffer to the Rassau Industrial Estate with a Site of Importance for Nature Conservation (SINC) (ENV3.19 Land to the rear of Glyndwr Road) to the east and a mixture of housing, agricultural buildings and grassland to the west. The land generally rises from south to north, but is uneven with what appears to be previous quarry benches and/or mounds, that have now blended into the landscape, dispersed throughout the site.
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2. Site History

	Ref No	Details	Decision
2.1	C/2018/0205	Outline application for residential development with all matters reserved except for access from A4281	Refused 07/09/2018 Appeal allowed 26.03.2019
2.2	C/1999/0228	Residential development on the former Thornton's Quarry	Withdrawn

3. Consultation and Other Relevant Information

3.1	<u>Internal BG Responses</u> <u>Team Leader Building Control:</u> Building regulations are required.
3.2	<u>Service Manager Infrastructure:</u>
3.3	Highways: Original plans – additional information and details requested. Amended plans- No objection subject to conditions requiring the off-street car parking areas are to be fully constructed prior to occupation, and retained there-after and All roads, footways and footpaths being constructed to a minimum of Binder Course level and the street lighting energised prior to occupation of any dwelling.

3.4	<p>Drainage: A separate consent for surface water drainage will be required from the Sustainable Drainage Systems (SuDS) Approval Body (SAB).</p>
3.5	<p>Ground Stability: The site is outside the High Development Risk area and therefore a Coal Mining Risk Assessment is not required. The developer will need to ensure that the site's ground conditions are suitable for the proposed development.</p>
3.6	<p>Ecology: Original plans: Additional information requested with regards to biodiversity enhancements and landscaping.</p> <p>Amended plans: Further to the original Preliminary Ecological Appraisal, further survey work has been carried out in relation to the recommendations made i.e. reptile survey (which concluded likely absence) and breeding birds.</p> <p>Concerns are raised regarding the loss of the wetland area within the site and lack of information with regards to the protection of the adjacent SINC during construction.</p>
3.7	<p>Landscaping: Many of the plots have individual specimen trees with selected trees species suitable for location. Native hedges as boundaries are also proposed on a number of plots along with native blocks of trees to western and southern boundaries. Additional proposed landscape features such as rain gardens, wildflower areas, pond, swales and use of native species will go some way in assisting connectivity of the proposed development with the existing landscape and provide mitigation measures against the loss of biodiversity. The proposal connects internal pedestrian footways to existing foot and cycle networks.</p> <p>The planting specification is generally acceptable in terms of species but tree planting specifications (12-14, 14-16cm) are too lightweight. The 5 trees on street/rain garden should be substituted with species which can ultimately achieve more physical impact.</p>

<p>3.8</p>	<p><u>Service Manager Public Protection:</u> The geotechnical & geo environmental site investigation report did not identify any contamination above acceptable levels. Provision should be made for the charging of electric vehicles at the properties. Conditions recommended regarding hours of operation. Concerns reiterated (from 2018 outline application) regarding the importation of soil into the site.</p>
<p>3.9</p>	<p><u>External Consultation Responses</u></p>
<p>3.10</p>	<p><u>Welsh Government Highways:</u> No objection.</p>
<p>3.11</p>	<p><u>Welsh Water:</u> No objection. Subject to compliance with the conditions secured by the appeal decision. There is capacity within the public sewerage network to receive the domestic foul only flows from the proposed development site. No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.</p>
<p>3.12</p>	<p><u>Western Power:</u> Advice provided regarding the location of apparatus within the vicinity of the site. High voltage cables and pylons are located to the north-west within Rassau industrial Estate.</p>
<p>3.13</p>	<p><u>Wales & West Utilities:</u> Advice provided regarding the location of apparatus within the vicinity of the site. A low pressure gas pipeline follows the route of Nant-y-Croft Road to the south-west of the site.</p>
<p>3.14</p>	<p><u>Public Consultation:</u></p> <ul style="list-style-type: none"> • 16 No. letters to nearby houses • 3 site notice(s) for both the original and amended plans • website public register of applications • ward members by letter • all members via weekly list of applications received
<p>3.15</p>	<p><u>Response:</u> 6 letters of representation and one petition containing 32 signatures have been received and are summarised as follows:</p>

<p>3.16</p>	<ul style="list-style-type: none"> • Clarification sought regarding the determination of the application • The mains sewer beneath Nant-y-Croft is antiquated and experiences frequent blockages. These would become more regular, posing a health hazard. Have drainage feasibility studies/risk assessments been carried out? • Clarification sought with regards to the intended method of removing the rock substrate and monitoring methods. • Detrimental impact of rock removal on vibration damage, dwelling stability/ integrity • Noise generation of rock removal having a detrimental impact on residential amenity and working environments given the increase in home working. • Clarification sought regarding access to the site for deliveries • Additional traffic on roads. • There have been 3 accidents along this particular stretch of highway • The design / layout of the houses facing the road will directly overlook the houses over the road on Rassau Road contrary to any privacy rules. • Concerns regarding the capacity of the proposed lake / pond at bottom of site to take on excess water. The field already has a natural pond which is causing problems on the supporting wall around the subway with water seeping through the concrete. • Detrimental environmental impacts on newts, birds and flora. <p>The petition raises the following objections:</p> <ul style="list-style-type: none"> • Increased levels of traffic pollution; • Highway safety and increased accidents • Loss of grassland for wildlife
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4. Planning Policy

<p>4.1</p>	<p><u>Team Manager Development Plans:</u></p> <p>Under the provisions of the 2015 Planning (Wales) Act, any development plan adopted prior to 4 January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. Therefore, the Blaenau Gwent County Borough Council Local Development Plan up to 2021, which was adopted on November 2012, remains the extant statutory development plan for the area beyond the specified 2021 plan period.</p> <p><u>LDP Policies:</u></p> <ul style="list-style-type: none"> • SP1 Northern Strategy Area – Sustainable Growth and Regeneration • SP4 Delivering Quality Housing
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	<ul style="list-style-type: none"> • SP5 Spatial Distribution of Housing Sites • SP7 Climate Change • SP9 Active and Healthy Communities • SP10 Protection and Enhancement of the Natural Environment • DM1 New Development • DM2 Design and Placemaking • DM3 Infrastructure Provision • DM4 Low and Zero Carbon Energy • DM7 Affordable Housing • DM14 Biodiversity and Protection Enhancement • DM15 Protection and Enhancement of Green Infrastructure • DM16 Trees, Woodlands and Hedgerow Protection • SB1 Settlement Boundaries • ENV3 Sites of Importance for Nature Conservation <p><u>Supplementary Planning Guidance:</u></p> <ul style="list-style-type: none"> • Access, Car Parking and Design (March 2014) • Nature Conservation Planning Guidance <p><u>National Planning Policy:</u></p> <ul style="list-style-type: none"> • Future Wales: The National Plan 2040 • Planning Policy Wales (Edition 11, February 2021) • Technical advice note (TAN) 5: nature conservation and planning • Technical advice note (TAN) 12: design • Technical advice note (TAN) 23: economic development
5. Planning Assessment	
5.1	<u>Principle of Development</u>
5.2	Future Wales - the National Plan 2040 was published on the 24th February, and therefore is relevant to this application as it now forms part of the Development Plan. Policies 1 and 33 support sustainable growth in all parts of Wales with Cardiff, Newport and the Valleys identified as one of three National Growth Areas. Opportunities and growth in strategic economic and housing growth; essential services and facilities; advanced manufacturing; transport and digital infrastructure will be supported.
5.3	Policy 2 seeks to support a rich mix of residential (providing a variety of housing types and tenures) commercial and community uses within close proximity to each, to create activity and sustainable development. Policy 7 encourages the planning system to facilitate the provision of additional market and affordable housing with policy 12 supporting regional connectivity with

	Local Authorities identifying opportunities for higher density developments that reduce levels of car parking in urban areas and encourage and support active travel connections. Being mindful of the nature of the proposal and its location, the application is considered compliant with these policies.
5.4	Paragraph 4.2.2 of Planning Policy Wales, (ed 11 February 2021) specifies that Local Authorities must seek to enable the provision of a range of well-designed, energy efficient, good quality market and affordable housing that will contribute to the creation of sustainable places. Whilst chapter 5 advocates Local Authorities to support developments that demonstrate integral sustainable building design principles to reduce energy demand and improve efficiency. Given the location and nature of the application, the proposal is considered compliant with the relevant sections of PPW.
5.5	As specified above, the current proposal is a reserved matters application submitted pursuant to the granting of outline planning permission at appeal in 2019. As a result, the principle of developing the site for residential purposes has been deemed to be compliant with the relevant policies of the Local Development Plan (LDP) and has been positively established.
5.6	However, the following summary of the relevant LDP policies is provided:
5.7	The application site is located within the settlement boundary (Policy SB1) within which development is normally permitted, subject to other policies in the LDP and material planning considerations. The site is not subject to any land allocations, designations or constraints and whilst there is a mix of uses in the vicinity, including residential, industrial and grazing land, the proposed residential use is considered to be a compatible use with the area in compliance with Policy DM1 2a.
5.8	Policy SP4 provides a framework for the delivery of 3,500 new dwellings in Blaenau Gwent over the plan period. This proposal would contribute towards such delivery.
5.9	Policy SP5 criterion b is also applicable to this proposal as it identifies the anticipated contribution of windfall developments, small sites, conversions and demolitions to the overall housing requirement. When combined with previous completions, an allowance of 826 dwellings is made across the County Borough. The proposal represents a windfall development that would contribute to the housing requirements.
5.10	Policy SP7 states that the Council will seek to address climate change and reduce energy demand to improve the sustainability of the valley communities

	<p>in Blaenau Gwent by promoting efficient use of land through giving preference to brownfield land and development at higher densities on sites located close to transport corridors. The site is deemed to be brownfield land given its former quarry status and is positioned immediately to the north of the A4281. The proposal would provide a density of 32.8 dwellings per hectare. Although this would be a lesser density than that sought for sites allocated for residential development under the LDP, given the constraints associated with the underlying ground conditions, topography, access, and the need to provide appropriate sustainable surface water disposal, the provision is considered acceptable in this instance.</p>
5.11	<p>Policy DM7 requires the provision of 10% affordable housing on major development. With regard to social housing the Common Housing Register indicates a high need/demand for one bed homes and walk up flats and one two beds and four bedroom dwellings. Two and four bed homes open market homes are also in demand. The plans submitted detail the provision of 5 affordable units comprising four No. 1 bed walk up flats and one two bed detached dwelling. This equates to a 10.6% provision with the mechanisms for securing and delivering the properties conditioned as part of the appeal decision. The mix of property types, both affordable and open market, is considered to be compliant with the identified housing need of the area.</p>
5.12	<p>Being mindful that the principle of residential development of the site has been positively established, the proposal is considered to be acceptable in land use terms and housing need, subject to detailed proposals also satisfying other material planning considerations which are set out below.</p>
5.13	<p>As the proposal is submitted pursuant to the outline permission, the application falls to be determined on the grounds of the previously reserved matters, namely- layout, appearance, scale and landscaping.</p>
5.14	<p><u>Layout</u></p>
5.15	<p>In order to gain consent, all new developments must enhance and respect their surroundings and contribute towards the local identity. Developments must be of an appropriate type, form, scale and mix, for their location or positively contribute to the area's transformation and raise density as the Council is committed to raising the standard of design on all new development.</p>
5.16	<p>The layout plans submitted detail the provision of a cul-de-sac estate arrangement containing a mix of one, two and four bedroom dwellings that would achieve a density 32.8 dwellings per hectare. Whilst the density is less than that sought by the LDP for allocated residential sites, given the lower</p>

density of development evident to the south and west it is considered that the proposal represents an acceptable compromise that makes efficient use of the land. Please see figure 1.

5.17 Although no renewable energy systems are proposed the applicant has chosen to proceed with a fabric first approach which seeks to minimise energy use through good daylight and insulation levels, maximising opportunities for passive solar gain, providing robust air-tight construction details and by providing a layout that promotes ease of vehicular and pedestrian movement and sustainable drainage.

5.18 It is considered that the application proposes an acceptable mix of house sizes and types with all dwellings served with amenity space and on plot parking. The properties have been orientated to provide active elevations that front and address the principle highways- both the internal estate plus the A4281 to the south. It is considered that the site layout as a whole would provide adequate private and public space although the latter would be combined with SUDS feature as opposed to being dedicated purely for public use. There was no requirement to provide local areas of play or equipped play facilities as part of the outline permission. Although the development would be highly visible from the A4281 and would be raised relative to the dwellings to the west and south, given its close positioning to the A4281, it is considered that the proposal would replicate the linear form of development either side of the highway, evident to the east.

5.19 Residential Amenity

5.20 The development of the site for residential purposes in comparison to the existing use will inevitably have an impact on the amenity of those living closest to the site. However, based on the plans submitted it is noted that the minimum distance of 31m would be maintained between the proposed properties and the nearest neighbouring dwellings to the south. Furthermore, the dwellings closest to the A4281 would be orientated side on, rather than providing a direct front to rear elevation arrangement.

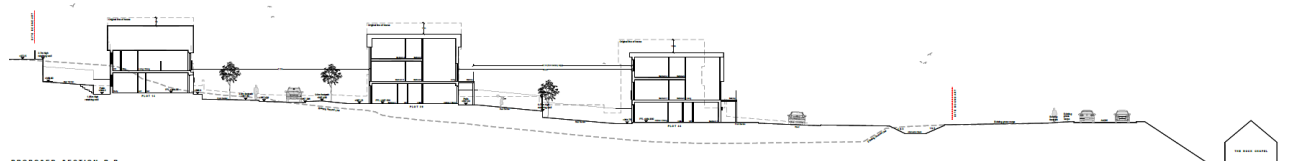


Figure 2- North to south section showing development relative to The Rock Chapel

5.21 With regards to the dwellings to the west, it is noted that the proposal would be sited approximately 36m to the north-east of the nearest dwelling, Graig House.

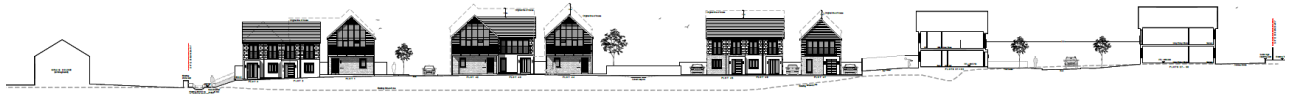


Figure 3- West to east section showing development relative to Graig House

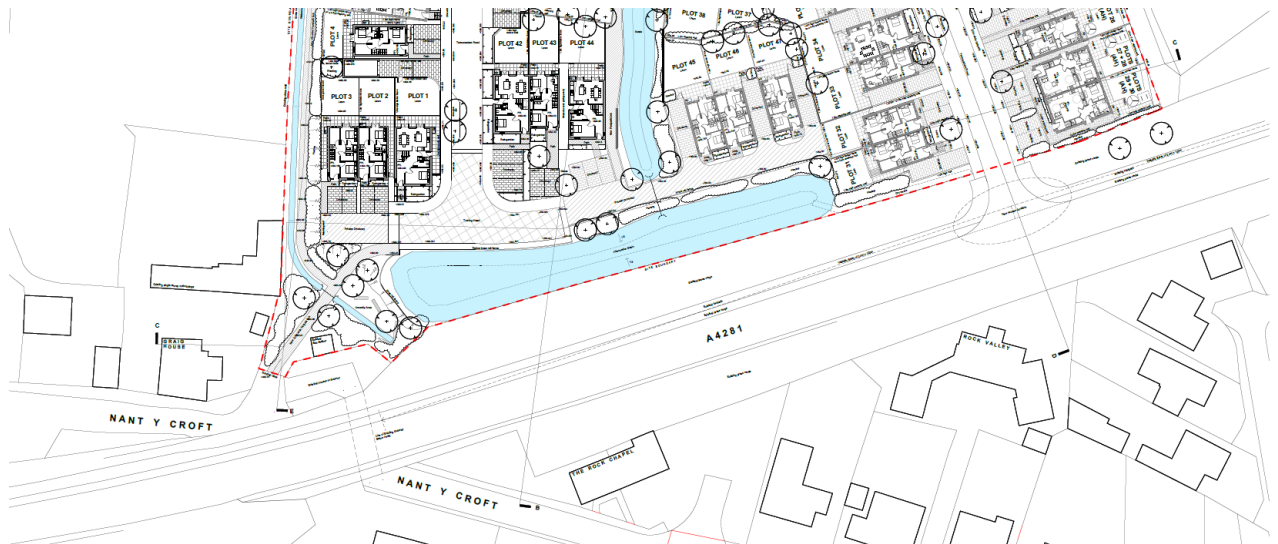


Figure 4- positioning of the development relative to dwellings along Rassau Road to the south and Graig House to the south-west.

5.22 Although positioned on higher and climbing land relative to the dwellings to the west and south, given the distances and boundary structures maintained between, it is considered that the proposal would not be significantly overbearing or have an unacceptable impact on privacy and light.

5.23 As a result of the underlying rock substrate, the site will require extensive elements of cut and fill. An isopachyte analysis of such requirements has been submitted in support of the application. This confirms that the northern and eastern parts of the site will need to be excavated with the central parts of the site filled with excavated and imported material.

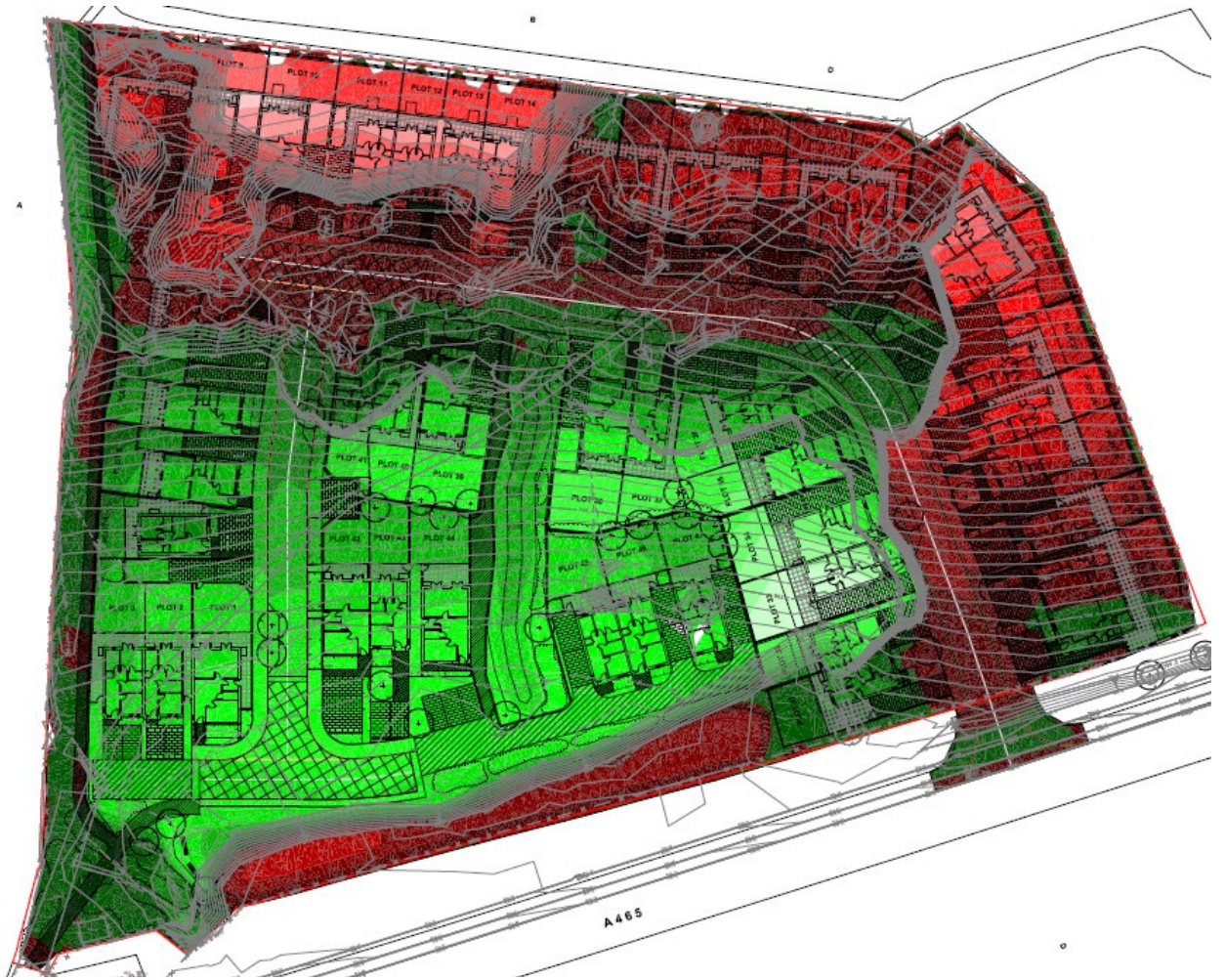


Figure 5- cut and fill analysis

- 5.24 The sections indicate cuts of up to 3.5m on the northern edges of the site and 2m depth fills in the centre. Please see figures 2 and 3 above. Rock excavated from the site plus imported material will be used as subbase within fill areas. As a result, amended plans have been sought to reduce floor levels and overall building heights to try and blend the development with the existing dwellings to the east and the land to the rear.
- 5.25 Given the scale of the development, the works would be undertaken by machinery, rather than blasting. The noise generated by the excavation

	equipment and the associated reverberation through the rock is a key concern for local residents.
5.26	As part of the outline permission, condition 8 requires the submission of a Constructional Environmental Management Plan (CEMP) which contains (amongst others) details of the hours of working. This information has been supplied and is being considered as part of discharge of condition application – C/2022/0200. Application C/2022/0200 is currently undetermined.
5.27	The document specifies that hours of working will be restricted to 08.00 to 17.00 Monday to Friday with no work undertaken on bank holidays. In light of concerns raised and in an attempt to reduce the noise generated by the extraction process, the application is considering using a Hydraulic Rock Splitting process. The excavation process anticipated to take between 4-6 weeks on a 08:00-17:00 working day. Alternatively, the applicant has suggested a reduced work schedule of 10:00-15:00. However, this would increase the excavation period to 8-10 weeks.
5.28	As a result of the underlying ground conditions it is inevitable that the noise generated by the excavation will have an effect on the amenity of the area. However, this relatively short term impact must be balanced in relation to benefits of the proposal, in terms of the provision of affordable and open market housing which are all in demand. In this instance, being mindful of the nature of the application, it is considered that noise generation and disruption would be limited to the construction period and the implications of this would not be a justifiable reason for refusal.
5.29	Following review, of the information submitted as part of this application and the discharge of condition application (C/2022/0200) the Council's Specialist Environmental Health Officer has raised no objection to the proposed 08:00-17:00 hours of operation. In this instance it is considered that reducing the hours of operation to 10:00-15:00 and increasing the period of excavation would have a greater impact on amenity.
5.30	It is the developer's responsibility to ensure that the site is developed in a safe manner. Should any development of this site cause damage to a third party's property this would be the developer's responsibility and the subject of civil proceedings.
5.31	<u>Highways and Access</u>
5.32	The site is deemed to be well connected to the wider public highway network, being positioned on the northern side of the A4281. Access was a matter

	<p>considered as part of the outline permission. Despite concerns from the Highways Officer with regards to safety, the Inspector determined that a safe and satisfactory access could be designed to serve the site.</p>
<p>5.33</p>	<p>The plans submitted detail the provision of a T junction with the A4281. To maintain good legibility within the site, a simple street hierarchy is proposed with the primary road feeding both secondary and shared access roads within the development. It is considered that such an arrangement would help improve legibility, pedestrian accessibility and natural surveillance of the public realm areas. Parking will be provided by a combination of garages, parking spaces and driveways.</p>
<p>5.34</p>	<p>In addition, footpath routes, of an appropriate width and boundary treatment, are proposed through the development providing further permeability and connectivity to areas outside the site boundary, including the countryside areas to the north, Nant-t-y-Croft and Rassau Road to the south-west and the cycleway and footway alongside the A4281. Given the extent of fill proposed, care has been taken to ensure that pedestrian footpaths are sited sufficiently far enough away from boundaries to prevent any overbearing or oppressive impact on users.</p>
<p>5.35</p>	<p>Following the submission of amended plans, the Council's Highway Officer has confirmed no objection the development subject to conditions requiring parking spaces to be provided prior to occupation and retained as such thereafter. It is noted that the junction meets highway requirements with regards to dimensions and visibility. However, the junction, alterations to A4281 and highway provision and will also need to be the subject of a Section 278 and Section 38 Agreement under the Highways Act 1980, to allow the alteration to the existing highway and subsequent adoption of the relevant parts of the estate. These application are currently being considered.</p>
<p>5.36</p>	<p>Residents have raised concerns with regards to the volume of traffic generated by the proposal and the associated increase in pollution; the increased potential for accidents and clarification in regards to access to the site for deliveries.</p>
<p>5.37</p>	<p>In this instance being mindful that the A4281 originally formed part of the A465 trunk Road and the connections to the new A465, it is considered that there is sufficient capacity within the highway network to accommodate the vehicles generated by the proposal. Relative to the volume of traffic that previously used this route and its associated pollution, it is considered that the impact generated by the proposal would not be so detrimental to warrant refusal of the application on such grounds.</p>

5.38	<p>Whilst concerns regarding the potential for increased accidents are acknowledged, as specified above, the principle of the point of access in this location has been positively established by the Planning Inspector, despite the Council raising similar objections as part of the appeal process. Being mindful that the development is capable of providing a junction that meets highway requirements with regards to dimensions and visibility it is considered that the development would not detrimental to the highway safety and free flow of traffic on the county highway network.</p>
5.39	<p>In terms of access to the site, condition 7 of the appeal decision specifies the following:</p>
5.40	<p><i>No development shall commence until details of the construction of the access (including visibility splay, levels, drainage, surfacing and lighting) have been submitted to and approved in writing by the local planning authority. The access shall be constructed in full accordance with such details as may be approved prior to any works commencing on the construction of any dwelling houses.</i></p> <p><i>Reason: To ensure that the access needs of the development are adequately met.</i></p>
5.41	<p>As a result, all construction traffic associated with the development will access the site through the new junction will not make use of smaller highways adjacent to the site.</p>
5.42	<p><u>Drainage</u></p>
5.43	<p>Due to scale of the development, Sustainable Drainage Systems (SuDS) consent will be required to manage on-site surface water with consent issued by the SuDS Approving Body (SAB). This application has been submitted and is awaiting approval from the SAB Team.</p>
5.44	<p>The drainage strategy submitted proposes a number of sustainable drainage options. These include an attenuation basin/ pond, swales, watercourse, rainwater gardens and permeable surfaces leading to an interlinked drainage system that will drain the net increase of surface water run-off from the development.</p>
5.45	<p>Whilst an objector has raised concerns regarding the capacity of the existing pond on site to accommodate increased surface water outfalls and the impact the water weep is having on the concrete walls of the underpass, such matters</p>

	are a detailed requirement of the SAB process which lies outside the remit of planning.
5.46	It is proposed that foul flows from the proposal would be discharged into existing public sewer. Although residents have raised concern with regards to capacity of the existing system, identifying that the network is regularly blocked, following consultation, no objections have been raised by Welsh Water subject to the development being constructed compliance with condition 6 of the appeal decision which specifies the following:
5.47	<i>No development shall commence on site until details are submitted to and approved in writing by the local planning authority of a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with. None of the units hereby approved shall be occupied until all drainage works relating to that property and its connection to the wider drainage network are completed in accordance with the approved details.</i> <i>Reason: To ensure that effective drainage facilities are provided for the proposed development and that no adverse impact occurs to the environment or the existing public sewerage system.</i>
5.48	Details to discharge the above condition have been supplied as part of discharge of condition application C/2022/0200 which is currently undetermined.
5.49	<u>Ecology</u>
5.50	Further to the original Preliminary Ecological Appraisal submitted as part of the outline application, further survey work has been carried out in relation to the recommendations made i.e. reptile survey which included negative environmental DNA analysis for Great Crested Newts (GCN) and breeding birds. Whilst the development will result in the loss of ecological habitat, it is considered that additional proposed landscape features such as rain gardens, wildflower areas, pond, swales, use of native tree and hedge species and the installation of bat and bird boxes will go some way in assisting connectivity of the proposed development with the existing landscape and provide mitigation measures against the loss of biodiversity.
5.51	Whilst the Council's Ecology Officer has maintained an objection to this proposal due to the loss of the wet land and a lack of detail in relation to the protection of the adjacent SINC, no objection has been raised to the details

	<p>provided as part of the CEMP submitted as part of application C/2022/0200 to discharge outline condition 8, which provides details with regards to:</p> <ul style="list-style-type: none"> • the parking of vehicles of site operatives and visitors; • storage of plant and materials during construction; • the erection and maintenance of security hoarding; • a scheme for the recycling/disposal of waste; and • The siting and details of the construction compound.
5.52	<p>Being mindful of the provision proposed as part of the application, the enhancement measures to secured and provided as part of the SAB process and the details submitted to discharge conditions on the appeal decision, it is considered that the impact of the development on the ecological value of the site, would not be so detrimental to warrant refusal of the application on such grounds.</p>
5.53	<p>On the basis of the above, it is considered that the layout of the site as proposed would be in keeping with the overall form and grain of development in the area and the completed development would not have a detrimental impact on the residential amenity of those living closest to the site, the highway safety and free flow of traffic or the ecological value of the application site. The proposal is therefore considered compliant with the relevant requirements of LDP policies SP4, SP5, SP7, SP9 SP10, DM1, DM2, DM3, DM7, DM14 and EN3.</p>
5.54	<p><u>Appearance and Scale</u></p>
5.55	<p>As specified above, the site is located to the north of the A4281 and the residential properties along Rassau Road and to the north-east of the dwellings along Nant-y-Croft Road. The wider area exhibits a mix of single, dormer and two storey, detached and semi-detached dwellings predominantly finished with painted render or brick elevations with slate, composite or tiled roofs. Although front facing gables are a feature, there is no singular or overwhelming architectural style to the area.</p>
5.56	<p>Policy DM2 requires development to be appropriate to the local context in terms of type, form, scale and mix. The plans submitted detail that the dwellings would be of two to two and half storey in form and scale, finished with a combination of cladding, calico and dark grey through colour render with hanging tile details and cement fibre roof slates. The windows and doors would have dark coloured frames with dark grey colour painted timber entrance doors.</p>

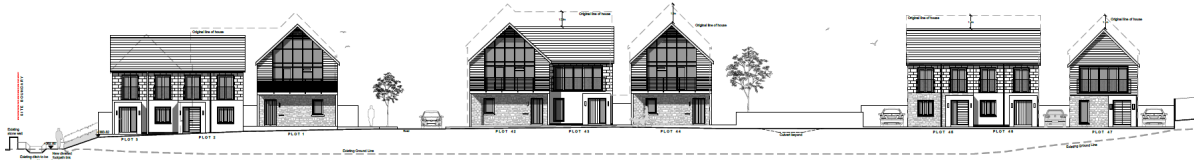


Figure 6- street scene fronting the A4281

- 5.57 Relative to the context it is considered that the type, form, scale, mass and orientation of the dwellings would be in keeping with the pattern and form of development of the area. Given the need to cut and fill the site, alterations have been sought to reduce finished floor levels and ridge heights where possible, whilst ensuring the development still responds and blends with the gradients of the site. Care has been taken to ensure that buildings on corners or in prominent or highly visible locations have features such windows or openings in side elevations to help provide a sense of natural surveillance over surrounding streets. In some cases, houses types and boundary treatments have been modified in order to ensure that long vistas are defined and enclosed in an appropriate manner.
- 5.58 Whilst is appreciated that the proposal would introduce new architectural features, such as extensive glazing in front elevations and new materials, these are considered a modern interpretation and response to features and details of the area that would provide visual interest to the site.
- 5.59 Although the proposal would be highly visible from the A4281, given the raised and set back position of the dwellings relative to the building line of Nant-y-Croft Road, it is considered that the development would appear as an independent standalone feature having limited topographical reference to those dwellings closest to the site. As a result, the raised height of the dwellings is considered acceptable in this instance. Given the varied mix of the area, it is considered that the design of the proposal is acceptable and would not be detrimental to the overall character and appearance of the area.
- 5.60 As such it is considered that the appearance and scale of the proposal is compliant with relevant criteria of LDP policies DM1 and DM2.
- 5.61 **Landscaping**
- 5.62 In its current form the site comprises a pond with wetland area within the southern part with poor, semi improved grassland, that has been the subject of grazing over the remainder. The boundaries are generally defined by post and wire fencing with a mixed woodland plantation to the north, which acts as a buffer to the Rassau industrial estate beyond. Given the climbing topography

<p>5.63</p> <p>5.64</p> <p>5.65</p>	<p>and the backdrop provided by the trees, it is considered that the development would not be so detrimental to the overall landscape value of the wider area to warrant refusal of the application.</p> <p>The proposed layout plans submitted detail that hard and soft landscaping features will be used to define public and private areas with strategic planting of trees, shrubs and hedges used to soften the visual impact of the proposal. Many of the plots would benefit from individual specimen trees which have been determined as suitable for the location. Native hedges are proposed to define a number of boundaries and to soften streetscapes and walking routes, in conjunction with blocks of native trees to western and southern boundaries. Ornamental shrub planting would be incorporated where appropriate in response to the layout, but should remain subservient to the green infrastructure and streetscape planting of trees and hedges. Along the southern and south western margins, where the proposals merge with the existing highway, existing vegetation would to be retained and bolstered to conserve visual amenity and the residential amenity of existing residents.</p> <p>Following consultation, the Council's Landscape Officer has raised no objection subject to a condition requiring a number of the proposed trees to be substituted with more robust species. On the whole the Officer concludes that the additional proposed landscape features such as rain gardens, wildflower areas, pond, swales, use of native species will go some way in assisting assimilation and connectivity of the proposed development with the existing landscape.</p> <p>On the basis of the above, whilst it is acknowledged that the development of the site to provide dwellings would represent a significant change, it is considered that the scale, form and layout proposed in conjunction with hard and soft landscaping features would help ensure that the development is not so detrimental to the overall character, appearance or setting of the landscape to warrant refusal of the application on such grounds. The application is therefore considered compliant with LDP policies DM1, DM2, DM15 and DM16.</p>
<p>6. Legislative Obligations</p>	
<p>6.1</p>	<p>The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes</p>

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

7.1	<p>Based on the above report, it is considered that the development has been designed to make efficient use of the land whilst providing appropriate areas of public and private open space with the design, layout and finish of the site as a whole being complementary to and in keeping with the locality. It is considered that the layout and design indicated would not have a detrimental impact on the residential amenity of those living closest to the site or the highway safety and free flow of traffic in the area. It is considered that sufficient and appropriate consideration and provision has been given with regards to green infrastructure, biodiversity and ecology, sustainable drainage and affordable housing.</p>						
7.2	<p>The application is therefore considered compliant with the relevant policies of the Blaenau Gwent County Borough Council Local Development Plan and it is recommended that planning permission be GRANTED subject to the following condition(s):</p> <table border="1" data-bbox="240 1279 1525 1998"> <tr> <td data-bbox="240 1279 320 1361">1</td> <td data-bbox="320 1279 1525 1361">Condition listing approved plans and documents</td> </tr> <tr> <td data-bbox="240 1361 320 1839">2</td> <td data-bbox="320 1361 1525 1839"> <p>Notwithstanding the details of the approved plans, prior to any works taking place above slab level of each dwelling unit, samples of the proposed external finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those agreed finishes which shall remain as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of the visual amenity of the application site and wider area.</p> </td> </tr> <tr> <td data-bbox="240 1839 320 1998">3</td> <td data-bbox="320 1839 1525 1998">Notwithstanding the details of the approved plans, prior to planting, details of the trees to be include used shall be submitted to and approved in writing by the Local Planning Authority</td> </tr> </table>	1	Condition listing approved plans and documents	2	<p>Notwithstanding the details of the approved plans, prior to any works taking place above slab level of each dwelling unit, samples of the proposed external finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those agreed finishes which shall remain as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of the visual amenity of the application site and wider area.</p>	3	Notwithstanding the details of the approved plans, prior to planting, details of the trees to be include used shall be submitted to and approved in writing by the Local Planning Authority
1	Condition listing approved plans and documents						
2	<p>Notwithstanding the details of the approved plans, prior to any works taking place above slab level of each dwelling unit, samples of the proposed external finishes shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with those agreed finishes which shall remain as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of the visual amenity of the application site and wider area.</p>						
3	Notwithstanding the details of the approved plans, prior to planting, details of the trees to be include used shall be submitted to and approved in writing by the Local Planning Authority						

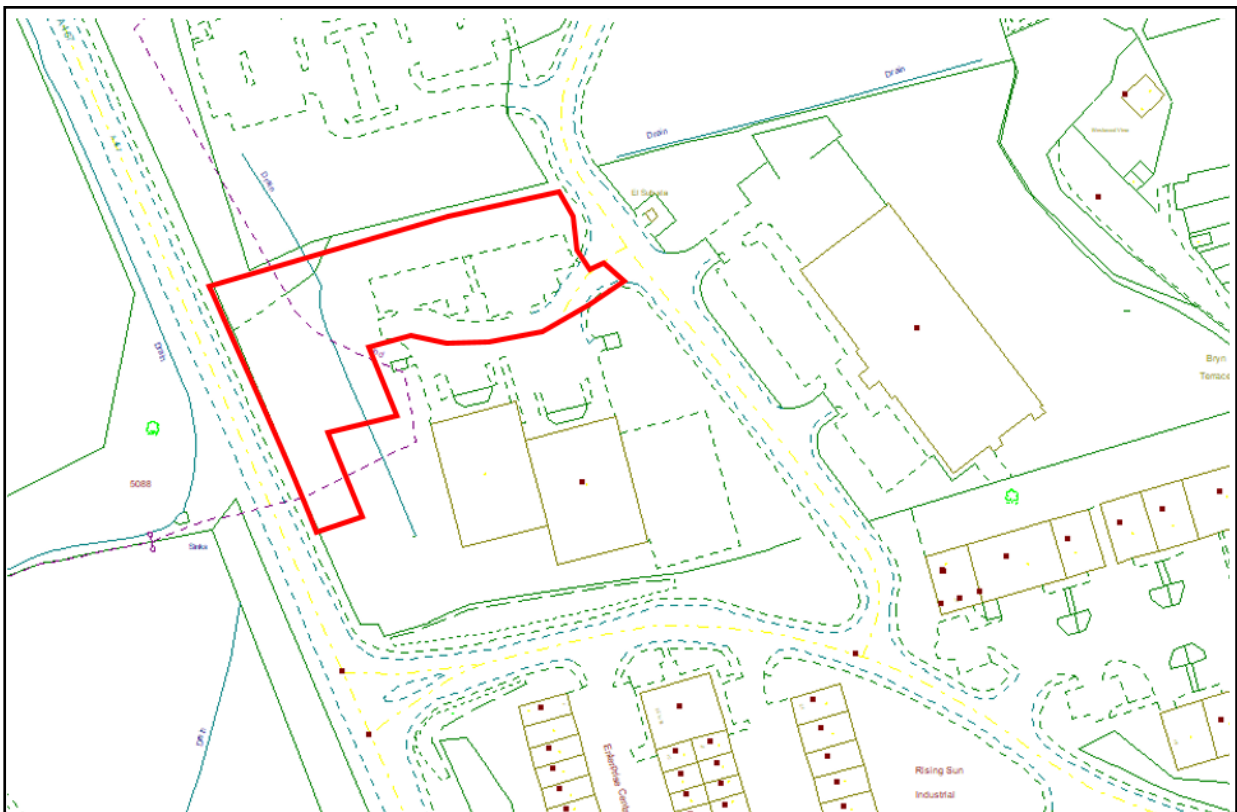
	Reason: To ensure robust species are used in the interest of the landscape, visual amenity and ecological value of the site.
4	<p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following occupation of the building, the completion of the development (whichever is the sooner), or any alternative timescale that may be approved in writing by the Local Planning Authority before works commence on site. Any trees, shrubs or plants which within a period of 5 years from implementation of the planting scheme die, are removed or become seriously damaged or diseased, shall be replaced by one of the same species and size in the next available planting season.</p> <p>Reason: To ensure timely implementation of an appropriate landscaping scheme.</p>
5	<p>Notwithstanding the details of the approved plans, prior to installation amended details of the siting of the of bat and bird boxes to be installed shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: In the interest of the ecological value of the site.</p>
6	<p>Each dwellings off-street car parking areas are to be fully constructed prior to occupation, and retained as such there-after.</p> <p>Reason: To ensure sufficient parking provided and retained in the interests of the highway safety.</p>
7	<p>All roads, footways and footpaths are to be constructed to a minimum of Binder Course level and the street lighting energised prior to occupation of any dwelling. In particular, the proposed new footpath link to Nanty-Croft/ Rassau Road must be completed.</p> <p>REASON: In the interests of the highway safety and free flow of pedestrian and vehicular traffic.</p>
<p>Informatives:</p>	
1	The developer's attention is drawn to the conditions imposed as part of appeal decision: APP/X6910/A/18/3218033

2	<p>As of 7th January 2019, all construction work in Wales with drainage implications, of 100m² or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water. The developer is advised to contact the Councils SuDS Approving Body to determine whether the works hereby approved require consent. Further information is available via:</p> <p>https://www.blaenaugwent.gov.uk/en/resident/drainage-flooding/permission-for-drainage/</p>
3	<p>The applicant/developer is advised that consent is required for any alteration likely to affect the flow of an ordinary watercourse and further advice is available via the Council's website at https://www.blaenau-gwent.gov.uk/en/resident/emergencies-crime-prevention/flooding/consenting-of-watercourses/</p>
4	<p>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).</p>
5	<p>All British reptiles are protected from intentional killing, injuring and sale under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).</p>
6	<p>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"> • Deliberately capture, injure or kill any wild animal of European Protected Species; • Deliberately disturb wild animals of any such species; or • Damage or destroy a breeding site or resting place of such an animal. <p>Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales. If bats are found during the course of works, all works must cease and Natural Resources Wales contacted immediately (0300 065 3000).</p>
7	<p>During the construction phase, precaution and care should be taken to prevent contamination of surface water drains and local watercourses.</p>

		<p>Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please refer to GPP 5 and PPG 6 at the following link: http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/</p>
<p>8. Risk Implications</p>		
<p>8.1</p>	<p>No risks identified</p>	

Planning Report

Application No: C/2022/0164	App Type: Full
Applicant: Shoda Sauces Europe Co Ltd C/O LRM Planning Ltd 22 Cathedral Road CF11 9LJ	Agent: LRM Planning Ltd. Mr Sam Courtney 22 Cathedral Road Cardiff CF11 9LJ
Site Address: Shoda Sauces, Units 19 and 20, Rising Sun Industrial Estate, Blaina. NP13 3JW	
Development: Erection of a new detached storage building over existing hard standing area, with additional ancillary office accommodation, replacement parking area with new access drive and associated works.	
Case Officer:	Helen Hinton



1. Background, Development and Site Context

1.1 Planning permission is sought for the erection of a new detached storage building on an existing hard standing area plus additional ancillary office accommodation, replacement parking area with new access drive and associated works on land adjacent to units 19 and 20 of the Rising Sun Industrial Estate, Blaina.

1.2 In 2021, the Authority granted planning permission for erection of a detached ancillary storage building measuring 45m wide by 18m deep on the site of the existing hard standing area, replacement parking area and associated works. Application C/2021/0145 refers. This permission remains extant but has not been implemented. As the proposed developments occupy the same site, only one permission could be implemented.

1.3 The storage building proposed as part of the current application would comprise a steel portal frame structure measuring 60m wide, 18m deep with a pitched roof with a maximum height of 8.6m falling to 6.65m at eaves level. Externally the building would be finished with lightweight metal profile sheets finished in a white aluminium colour, with two roller shutter loading doors installed in the front (southern) elevation and pedestrian access doors provided in the gable (northern and southern) elevations.

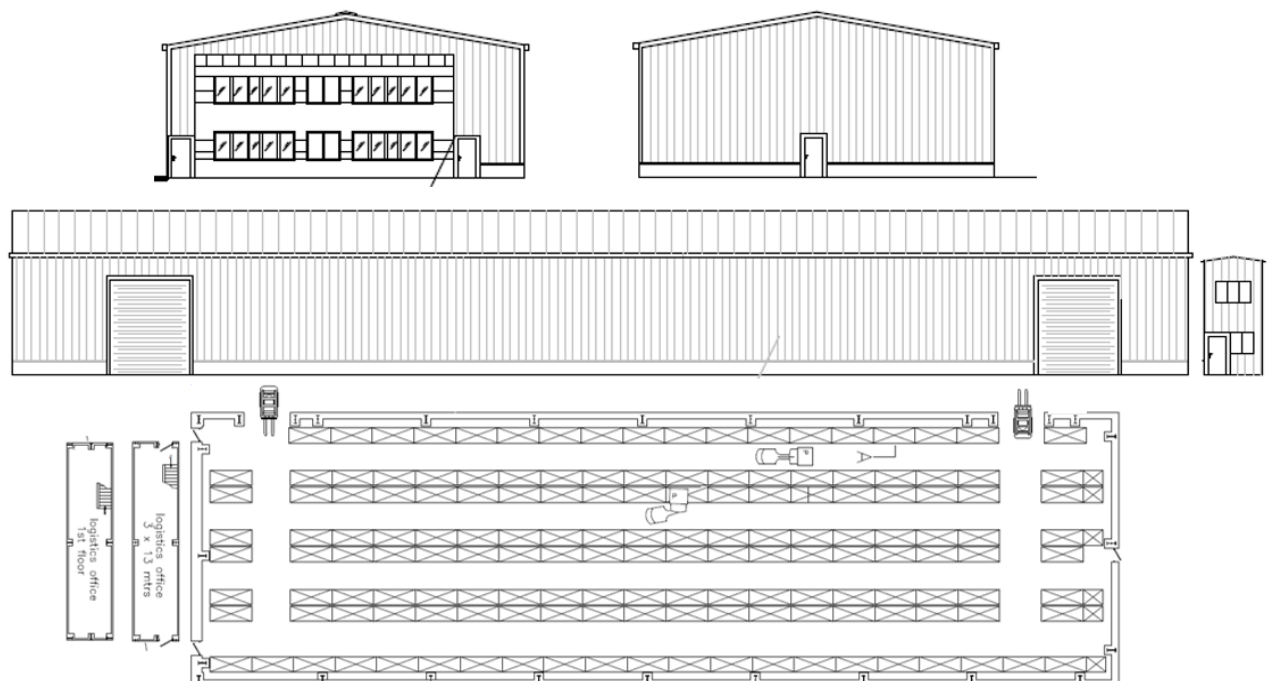


Figure 1- Proposed plans and elevations.

1.4 The proposed office accommodation would comprise a detached two storey structure positioned to the east of the proposed storage building. The building

would measure 3m wide, 13m deep with a pitched roof with a maximum height of 6.3m falling to 6m at eaves level. Externally the building would benefit from ground and first floor windows in the northern, eastern and southern elevations with the remainder of the elevations finished with cladding to match the storage building.

- 1.5 The storage and office buildings would be erected on the existing car parking area, 27.5m to the north of the existing units. A new replacement car park providing 40 spaces is proposed on an unused area of land to the west of the existing buildings and to the east of the A467. Whilst access to the site as a whole, from the main industrial estate, would remain as existing, an additional 4.5m wide internal driveway would be provided to the rear (north) of the proposed buildings to serve the new carpark. The existing, centrally positioned driveway would be retained for use by HGV and site service vehicles.

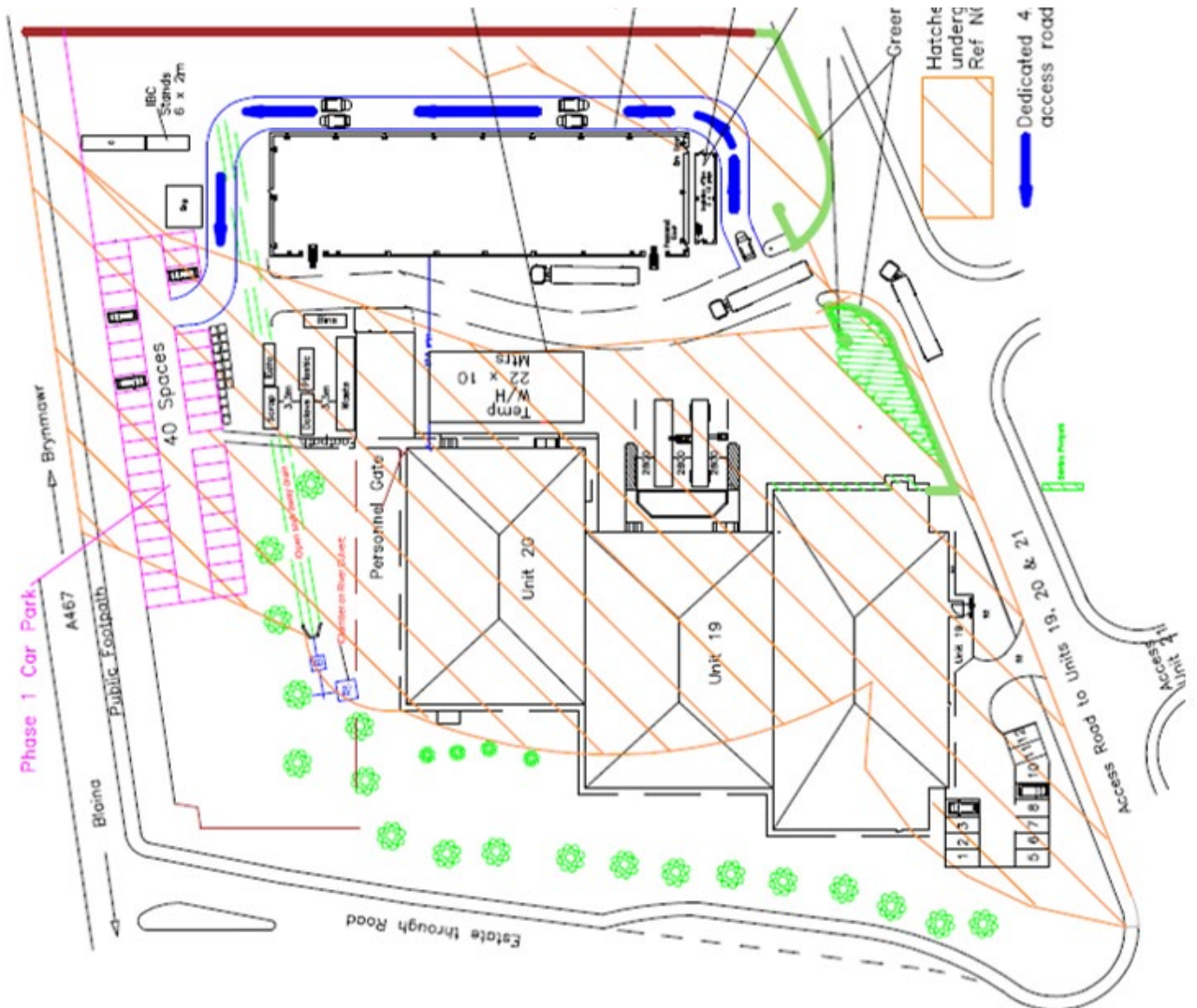


Figure 2. Site layout

1.6 The application site relates to an irregular shaped parcel of land with an area of approximately 0.4 hectares, within the grounds of units 19-20, Rising Sun Industrial Estate. The site primarily consists of the parking, storage and service yard area to the north and west of the existing industrial buildings and associated operations. The land to the west comprises of a mix of scrub and trees. An existing open water drainage channel also runs from north to south on the western part of the site.



Figure 3- View of the site from the Rising Sun Estate Road.

1.7 The site as a whole is located on the western side of the Rising Sun Industrial Estate. To the west of the site is the A467 road and to the east-the industrial estate road. A block of trees adjoins the northern site boundary with Tai Calon's parking area and office building beyond. The site and immediate environs are predominantly characterised by employment buildings and industrial land uses.

1.8 As the application proposes the provision of a building with a floor area in excess of 1,000 square metres, in compliance with the definition given in the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, the application is deemed to be a major development. The applicant has therefore undertaken a pre-application consultation (PAC) prior to the submission of the planning application with the summary report submitted for consideration.

1.9 In addition, the application is supported by:

- A Design and Access Statement (DAS);
- Ecological appraisal and update;
- Tree survey and tree constraints plan; and
- A coal mining risk assessment.

2. Site History			
	Ref No	Details	Decision
2.1	C/2021/0145	Erection of a new detached ancillary storage building over an existing hard standing area, replacement parking area and associated works	Approved 17/09/2021
2.2	C/2004/0155	Proposed extension to existing factory with office	Approved 08/06/2004
2.3	C/2002/0162	To erect 2.4m high fence to front of factory with gates.	Approved 20/05/2002
2.4	C/99/0406	Change of use from general industrial to whole sale catering	Approved 02/02/2000
2.5	2422	Industrial Estate	Approved 12/06/1979

3. Consultation and Other Relevant Information/

3.1	<u>Internal BG Responses</u>		
3.2	<u>Service Manager Infrastructure:</u>		
3.3	<p>Highways: No objection subject to a conditions requiring the parking areas to be fully constructed and operational prior to the new warehouse being constructed and the spaces being retained as such thereafter.</p>		
3.4	<p>Drainage: A separate consent for surface water drainage will be required from the Sustainable Drainage Systems (SuDS) Approval Body (SAB).</p>		
3.5	<p>Ground Stability: The proposed site is within an area defined as High Development Risk by the Coal Authority. A Coal Mining Risk Assessment is required to determine risk to ground stability associated with past mining features.</p>		
3.6	<p>A Desk Study Report should also be undertaken by a suitably qualified and experienced consultant/contractor to assess the existing ground conditions and recommend whether an intrusive investigation is required.</p>		
3.7	<p>Landscape: Additional information is required to demonstrate to what extent the remaining woodland compartments would screen the development from the west.</p>		

	<p>The landscape proposals should be modified to retain woodland compartments which do not require felling and include screen/hedgerow planting to the east (north & south of the access gate). A tree protection plan, arboricultural method statement and an arboricultural implications assessment are also required</p>
3.8	<p><u>Ecology:</u> No objection.</p>
3.9	<p><u>Service Manager Public Protection:</u> The Specialist Environmental Health Officers have raised no objection subject to conditions relating to unexpected land stability or contamination issues that may arise during the course of development.</p>
3.10	<p><u>External Consultation Responses</u></p>
3.11	<p><u>Nantyglo and Blaina Town Council:</u> No response received</p>
3.12	<p><u>Natural Resources Wales:</u> No objections subject to conditions with regards to the submission of an ecologically sensitive lighting plan. Advice provided regarding the C2 flood zone and the potential need for a European Protected Species licence.</p>
3.13	<p><u>Welsh Water:</u> Advice provided regarding the location of apparatus and conditions recommended with regards to drainage.</p>
3.14	<p><u>Western Power:</u> No objection. Advice provided regarding the approximate position of apparatus within the vicinity of the site.</p>
3.15	<p><u>Wales and West Utilities:</u> No objection. Advice provided regarding the approximate position of apparatus within the vicinity of the site.</p>
3.16	<p><u>Coal Authority:</u> No objection</p>
3.17	<p><u>Public Consultation:</u></p> <ul style="list-style-type: none"> • Two letters to nearby premises

3.18	<ul style="list-style-type: none"> • site notice • press notice • website public register of applications • ward members by letter • all members via weekly list of applications received <p><u>Response:</u> No objections or representations have been received.</p>
4. Planning Policy	
4.1	<p><u>Team Manager Development Plans:</u></p> <p>Under the provisions of the 2015 Planning (Wales) Act, any development plan adopted prior to 4 January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. Therefore, the Blaenau Gwent County Borough Council Local Development Plan up to 2021, which was adopted on November 2012, remains the extant statutory development plan for the area beyond the specified 2021 plan period.</p> <p><u>LDP Policies:</u></p> <ul style="list-style-type: none"> • SP1 Northern Strategy Area – Sustainable Growth and Regeneration • SP8 Sustainable Economic Growth • SP10 Protection and Enhancement of the Natural Environment • DM1 New Development • DM2 Design and Placemaking • DM4 Low and Zero Carbon Energy • DM10 Use Class Restrictions – Employment • DM14 Biodiversity Protection and Enhancement • DM15 Protection and Enhancement of the Green Infrastructure • DM16 Trees, Woodlands and Hedgerow Protection • EMP2 Employment Area Protection • SB1 Settlement Boundaries <p><u>Supplementary Planning Guidance:</u></p> <ul style="list-style-type: none"> • Access, Car Parking and Design (March 2014) <p><u>National Planning Policy:</u></p> <ul style="list-style-type: none"> • Future Wales: The National Plan 2040 • Planning Policy Wales (Edition 11, February 2021) • Technical advice note (TAN) 4: retail and commercial development • Technical advice note (TAN5): nature conservation and planning • Technical advice note (TAN) 11: noise

	<ul style="list-style-type: none"> • Technical advice note (TAN) 12: design • Technical advice note (TAN) 15: development and flood risk • Technical advice note (TAN) 23: economic development
5. Planning Assessment	
5.1	<u>Principle of Development</u>
5.2	<p>Future Wales - the National Plan 2040 was published on the 24th February, and therefore is relevant to this application as it now forms part of the Development Plan. Policies 1 and 33 support sustainable growth in all parts of Wales with Cardiff, Newport and the Valleys identified as one of three National Growth Areas. Opportunities and growth in strategic economic and housing growth; essential services and facilities; advanced manufacturing; transport and digital infrastructure will be supported. Policy 2 seeks to support a rich mix of residential, commercial and community uses within close proximity to each, to create activity and sustainable development. Being mindful of the nature of the proposal and its location, the application is considered compliant with these policies.</p>
5.3	<p>Subsection 5.4 of Planning Policy Wales (PPW), (ed 11 February 2021), advocates the allocation of land for economic development purposes in order to support the growth in output and employment within Wales. Paragraph 5.4.4 specifies that wherever possible, planning authorities should seek to support developments which generate economic prosperity and regeneration with sites identified for employment use in a development plan protected from inappropriate development. As a result of its location, the nature of the proposal and the opportunities for business growth proposed by the application, the application is considered compliant with the relevant requirements of PPW.</p>
5.4	<p>With regards to the Local Development Plan, the application site is located within the settlement boundary within which development is normally permitted subject to policies within the plan and other material considerations (Policy SB1). The site is also located within Rising Sun Industrial Estate, which is designated as a primary employment site (Policy EMP2.10) and is protected for employment uses in line with the requirements of Policy DM10. The latter permits uses on the Industrial Estate that fall within the traditional business use classes (B1, B2 and B8), suitable sui generis uses and ancillary facilities or services to existing and proposed employment uses.</p>
5.5	<p>The proposed building would provide additional storage capacity for the existing food manufacturing operation on site and as such, would be ancillary</p>

	to the existing employment use. The proposal is therefore considered to be acceptable in land use terms and would meet the requirements of LDP Policies SB1, DM10 and EMP2.
5.6	Given the positive precedent which has been established by the granting of application C/2021/0145 for a similar, albeit smaller development, the principle of development is considered acceptable, subject to the application satisfying a number of material considerations which are addressed below.
5.7	<u>Layout, Scale and Appearance</u>
5.8	As specified above, the application seeks to provide two buildings, facilities and infrastructure to support the existing manufacturing process that is undertaken on site.
5.9	Based on the plans submitted, it is considered that the main storage building would have a simple utilitarian form and appearance. The structure would be similar in height and finished in materials, in keeping with and complimentary to the existing buildings on site.
5.10	Whilst the proposed ancillary office building would be smaller in both height and form, it is considered that the use of the same external cladding, its positioning on the eastern side of the main storage building and the insertion of windows in the eastern elevation overlooking the gated entrance to the site, would make the development appear as an ancillary building akin to a site security office.
5.11	Although the development as a whole would be positioned closer to the internal estate road than the scheme approved as part of C/2021/0145, it is noted from the proposed layout plan that the buildings would be sited 16m from the eastern boundary and that all works would remain behind the building line established by the eastern (front) elevation of unit 19, which accommodates the offices and main visitor reception. Please see figure 2. It is therefore considered that the development would appear as an ancillary development relative to the principle form of units 19 and 20.
5.12	Even though larger than the development previously approved, on balance, it is considered that the site is large enough to accommodate the proposed development and the overall form, scale, massing and external finish of the buildings would be in keeping with the character and appearance of the industrial estate. It is considered that the design and layout has due regard to reducing opportunities for crime and making provision for people with special

	<p>access requirements. As such, the proposal is considered to be in accordance with requirements of Policies DM1 and DM2 of the LDP.</p>
5.13	<p><u>Sustainable Design</u></p>
5.14	<p>Policy DM4 seeks to encourage major development proposals to incorporate renewable and/or low carbon technologies into their development scheme and requires the submission of an Energy Statement. The purpose of the latter is to examine the potential for energy generation from renewable and/or low carbon sources and to set out how the proposal can make an appropriate contribution.</p>
5.15	<p>Following discussion with the Agent, it has been confirmed that the development seeks to minimise energy use through good daylight and insulation levels, robust air-tight construction details and by providing a layout that promotes ease of vehicular and pedestrian movement and sustainable drainage.</p>
5.16	<p>Whilst the applicant has considered the potential for a range of low and zero carbon technologies that could be incorporated into the design of the building, they have chosen to proceed with a fabric first approach with minimal renewable technology being required to satisfy the requirements of Part L and BREEAM. Electric heating is also proposed in lieu of natural gas boilers. This would be part of a strategy for ‘electrifying’ the building and omitting gas as a form of energy resource.</p>
5.17	<p>Based on the above, it is considered that the proposal will enable the beneficial use of under-utilised land within the urban area helping to reduce pressure on green field sites, reduce urban sprawl and promote a more sustainable pattern of development. It is considered that opportunities have been taken to reduce energy demand and consumption. The application is therefore considered compliant with the requirements Policy DM4.</p>
5.18	<p><u>Amenity</u></p>
5.19	<p>Being mindful of the application site’s location within the established industrial estate in conjunction with the policy allocation, the use of the building to provide ancillary storage and office facilities is considered compatible with the area. It is also considered that the provision of a building would also reduce the extent of outdoor open air storage, to the benefit of the visual amenity of the wider area.</p>

5.20	It is noted that the the nearest dwelling is located approximately 170m to the east of the site with intervening buildings and landscape maintained between. With regards to buildings on the industrial estate, it is noted that a separation distance of approximately 60m would be maintained between the proposed ancillary storage building and neighbouring employment buildings with bands/ groups of existing trees along the site boundary helping to screen the development further.
5.21	Following consultation, the Council’s Specialist Environmental Health Officers have raised no objections to the proposal.
5.22	As a result of distances and screening maintained and the use proposed, it is considered that the proposed development would not have an unacceptable overbearing, overshadowing or overlooking impact on these neighbouring buildings. Nor would the proposal generate an increased level of noise or disturbance detrimental to amenity. Accordingly, the proposal is considered compliant with the requirements of LDP Policy DM1 in this respect.
5.23	<u>Highways and Parking</u>
5.24	The application site is well located in terms of both the local and strategic highway network with the internal estate road providing direct access onto the A467. No new or additional points of access onto the network are proposed as part of the development.
5.25	The plans submitted detail the provision of a replacement car park on the western side of the site. The area would accommodate 40 onsite car parking spaces, served by a segregated internal driveway and footway to unit 20.
5.26	At the time of inspection, it was noted that the internal estate road suffers from extensive on road parking and that the existing open air storage within the site limits opportunities for on-site parking. Relative to the existing arrangement it is considered that the number of parking spaces proposed should accommodate the current requirements and allow for an element of growth. Further, the provision of marked out spaces and segregated access should help to alleviate the need for any indiscriminate parking on the wider estate road.
5.27	Following consultation, the Team Manager – Built Environment has raised no objection to the development, subject to conditions requiring the replacement car parking area to be provided prior to the construction of the new storage building and that onsite car parking spaces and operational space are retained thereafter.

<p>5.28</p>	<p>As such requirements can be secured via a suitably worded condition, it is considered that the proposed development meets the requirements of LDP policy DM1 in respect of highways, access and parking matters.</p>
<p>5.29</p>	<p><u>Ecology and Landscaping</u></p>
<p>5.30</p>	<p>The Preliminary Ecological Assessment (PEA) submitted as part of the application indicates that the western part of the site, which is currently undeveloped, comprises a mix of carr woodland, scrub and semi-improved grassland. Cotoneaster has also been identified on the site which is an invasive non-native species. Based on the habitat identified, the site is considered to have the potential to be used by foraging bats, nesting and foraging birds and a small number of common reptile species. As such, a number of ecological mitigation and enhancement measures are proposed within the PEA, including the removal of vegetation outside of the bird nesting season, the submission and approval of a reptile mitigation strategy, control of the use of lighting within the development site, the provision of bird and bat boxes and native hedgerow planting.</p>
<p>5.31</p>	<p>Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017. Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by NRW, having satisfied the three requirements set out in the legislation.</p>
<p>5.32</p>	<p>Paragraph 6.3.7 of TAN 5: Nature Conservation and Planning, states that an Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.</p>
<p>5.33</p>	<p>A licence may only be authorised if:</p> <ul style="list-style-type: none"> i. The development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment; ii. There is no satisfactory alternative; and iii. The action authorise will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

5.34	In this instance it is noted that the PEA indicates that the majority of trees within the site are considered unsuitable for use by bats for roosting purposes and that there are no buildings within the site boundary of a structural form of material finish suitable to accommodate bats. Therefore, with regards to the tests above, it is considered:
5.35	i. The development is necessary on the grounds of economic development with emphasis for such provision in such locations supported by National and Local Planning policy;
5.36	ii. The development would enable the beneficial use of under-utilised land within the urban area helping to reduce pressure on green field sites, reduce urban sprawl and promote a more sustainable pattern of development; and
5.37	iii. Failure to develop the site is likely to lead to site degradation and further loss of habitats as a result of relocation pressures. Whilst the mitigation and enhancement measures proposed by the PEA and to be secured by condition provide an opportunity to provide species specific mitigation and enhancement.
5.38	Subject to compliance with the above tests, NRW have raised no objection to the application subject to a condition requiring details of an ecologically sensitive lighting scheme being submitted to an approved in writing by the Local Planning Authority.
5.39	Following consultation, the Council's Ecologist has confirmed that the recommendations and mitigation measures highlighted in Section 4 of the PEA are acceptable and as such, raised no objection to the proposed development. Whilst it is recommended that the PEA is listed as an approved document via condition, it is considered that the recommended reptile mitigation strategy is secured via a standalone condition and a further condition is included to the restrict the introduction of external lighting on the site without prior approval of the Authority. Compensatory hedgerow planting would also be incorporated as part of a comprehensive landscape strategy condition and an informative note is also recommended to highlight the need to identify suitable locations for bat and bird boxes.
5.40	As such, subject to the imposition of the aforementioned conditions, it is considered that the proposed development would not have an unacceptable impact on local ecology and accordingly, would meet the requirements of LDP Policies SP10, DM1 and DM14.

5.41	The submitted Tree Survey identifies a number of groups of trees that would be detrimentally affected by the proposed development. All groups affected have however, been classified as category c trees which are of a low quality and retention value. Following consultation, the Council's Landscape Officer has raised a holding objection to the application until a detailed landscape strategy has been provided which demonstrates an overall enhancement to the site's green infrastructure. In particular, he has also highlighted the importance of retaining a visual screen adjacent to the A467 road.
5.42	Whilst a detailed landscape strategy has not been provided at this stage, an indicative landscape drawing has been submitted to help demonstrate how compensatory landscape planting could be accommodated within the application site and on adjoining land, including a 5.4m wide landscape buffer to be maintained between the footpath of the A467 road and the proposed replacement car parking area. The landscape planting would primarily comprise native hedgerow species as recommended by the PEA.
5.43	Whilst the comments raised by the Council's Landscape Officer with regards to the loss of the trees and landscape buffers are acknowledged, it is noted that the current proposal does encroach any further onto the western boundary, nor does it propose the removal of a greater area of green infrastructure than that previously approved. Given the fall-back position of that approval, it is considered that the any increased impact generated by the current application would not be so detrimental to warrant refusal of the application on such grounds. On this basis it is considered that the exact details of compensatory tree and hedgerow planting can be secured via an appropriately worded landscape strategy condition and subject to the imposition of this condition, the proposed development would not have an unacceptable impact on trees and the local landscape, and accordingly, would meet the requirements of LDP Policies DM1, DM2 and DM16.
5.44	<u>Flooding and Drainage</u>
5.45	Natural Resources Wales (NRW) Flood Risk Map confirms the application site lies partially within Zone C2 as defined by the Development Advice Maps (DAM) contained in TAN15. The area within Zone C2 relates to the part of the site adjacent to the public footpath and next to the proposed car parking area. However, the area does not fall within an area identified at risk of flooding in the Flood Map for Planning (FMfP).
5.46	Following consultation, NRW note that the proposed storage building is outside of the DAM and that there will be not no built development within Zone C2. Given the scale and nature of the proposed development (and in the

	absence of a flood consequences assessment) they have concluded that the proposals could be acceptable, subject to the developer being made aware of the potential risk of flooding.
5.47	In respect of drainage matters, the Council's Drainage Engineer has confirmed that any surface water drainage infrastructure associated with the proposed development will require a separate consent from the SuDS Approval Body. The applicant can be made aware of this requirement via an appropriately worded informative. In addition, as the proposed building would be used solely for the storage of food products and no connection to the foul sewerage network is proposed.
5.48	It is noted that a proposed footpath and vehicular access to the replacement car parking area would cross over the existing open water channel. Although the Council's Drainage Engineer has not raised any concerns in respect of this matter; an informative could be added to any grant of consent to highlight the requirement for a separate Ordinary Water Course consent.
5.49	Following consultation, Welsh Water have raised no objection to the application subject to a condition advising that no surface water shall be allowed to connect to the mains sewer system.
5.50	Subject to the imposition of conditions and advisory notes, it is considered that the application is compliant with LDP policy DM1.
5.51	<u>Ground Stability and Contamination</u>
5.52	The site is partially located within a high risk coal field area. A Coal Mining Risk Assessment (CMRA) submitted sets out the findings of intrusive investigations carried out on site and provides commentary on the risks posed by coal mining legacy features. The investigations have clarified that there is 26m of rock cover beneath the site which should provide sufficient cover should any workings be present. As a result, the risk from shallow mining is deemed to be very low and the risk from the recorded mine entry is also very low. Following review, the Coal Authority have raised no objection to the application or documents submitted and the proposal is considered compliant with the requirements of LDP Policy DM1 in respect of this matter
5.53	Following consultation, the Council's Specialist Environmental Health Officer has raised no objection to the proposed development subject to a condition relating to unexpected land stability or contamination issues that may arise during the course of development. Subject to any necessary mitigation and remediation measures being secured via condition, the proposed employment

	development would be acceptable in respect of ground stability and contamination and the proposal is compliant with the relevant criteria of LDP Policy DM1.
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	<u>Conclusion</u>
7.2	In summary, it is considered that the proposal would enhance opportunities for economic development, business growth and employment in the area in compliance with national planning policy, whilst the specific use of the site for ancillary B class storage is compliant with allocations and policies of the Local Development Plan.
7.3	Given the context of the site, it is considered that the use, position, building design and external materials proposed would be compatible with the estate and would not have a detrimental impact on the amenity, character or appearance of the site. Being mindful of the previous permission for the site it is considered that the application would not so detrimental to the ecological or landscape value of the site or wider area to warrant refusal of the application. With regards to highway and parking matters, it is considered that sufficient provision and space would be provided to meet the needs of the proposed development.
7.4	Subject to the imposition of conditions with regards to parking provision and retention, ecological, landscape and green infrastructure mitigation and enhancement, surface water drainage and potential land contamination, the application is considered to be compliant with the relevant policies of the

<p>Blaenau Gwent Local Development and it is recommended that planning permission be <u>GRANTED</u> subject to the following condition(s):</p>	
1	<p>The development shall begin no later than five years from the date of this decision notice.</p> <p>Reason: To comply with the requirements of Section 91 of The Town and Country Planning Act 1990.</p>
2	<p>The development shall be completed in full accordance with the following approved plans and documents:</p> <p>Approved plans Site location plan drawing No. 0041 received 25/05/2022 Proposed site layout plan drawing No. 0041 received 25/05/2022 Proposed elevations – drawing No. 0042 received 25/05/2022 Proposed floor plans received 25/05/2022 Tree constraints Plan received 25/05/2022</p> <p>Approved documents: Preliminary Ecological Assessment received 25/05/2022 BE Ecological Technical Note received 25/05/2022 Tree Survey received 25/05/2022 Coal Mining Risk Assessment report- 16733 received 25/05/2022</p> <p>unless otherwise specified or required by conditions 3-9 listed below.</p> <p>Reason: To clearly define the scope of this permission.</p>
3	<p>No development shall take place (including any site clearance works) until a reptile mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. All works and measures shall be implemented in full accordance with such details and timescales as may be approved in writing by the Local Planning Authority.</p> <p>Reason: To protect biodiversity interests and ensure that suitable measures are taken to mitigate any adverse impacts on biodiversity.</p>
4	<p>Notwithstanding any details indicated on the approved plans no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of landscaping. The submitted scheme shall include:</p>

	<p>a) indications of all existing trees (including spread and species) on the land clearly identifying those to be lost or retained;</p> <p>b) measures for the protection of retained trees throughout the course of development;</p> <p>c) details of ground preparation, planting plans, number and details of species;</p> <p>d) maintenance details for a minimum period of 5 years; and</p> <p>e) a phased timescale of implementation</p> <p>Reason: To ensure submission of an appropriate landscaping scheme and to secure a development that makes a positive contribution to the landscape and visual amenities of the area.</p>
5	<p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following occupation of the building, the completion of the development (whichever is the sooner), or any alternative timescale that may be approved in writing by the Local Planning Authority before works commence on site. Any trees, shrubs or plants which within a period of 5 years from implementation of the planting scheme die, are removed or become seriously damaged or diseased, shall be replaced by one of the same species and size in the next available planting season.</p> <p>Reason: To ensure timely implementation of an appropriate landscaping scheme.</p>
7	<p>The construction of the building hereby approved shall not commence until the replacement car parking area and access is fully completed in accordance with the details indicated on the Proposed Site Layout Plan, Drawing No. 0041 received 25/05/2022. The car parking area and turning areas shall be retained for their designated purposes at all times.</p> <p>Reason: To ensure that the parking and turning needs of the development are adequately met at all times and do not prejudice highway safe.</p>
8	<p>Prior to the erection of any external lighting, full details of an external lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Plan shall include:</p> <ul style="list-style-type: none"> • Details of the siting and type of external lighting to be used; and

	<ul style="list-style-type: none"> • Drawings setting out light spillage in key sensitive areas, in particular all retained vegetation surrounding the site, as well as newly created or enhanced habitats and the location of dark corridors • Details of lighting to be used both during construction and operation. <p>All external lighting shall be erected and operated in accordance with the approved details for as long as the use continues.</p> <p>Reason: To safeguard the interests of protected species which have been identified on the site.</p>
9	<p>If, during the course of development, any unexpected land instability issues or contamination is found 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 development shall only proceed in accordance with the approved details and shall be maintained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure that any unexpected contamination or instability issues are adequately addressed and that suitable mitigation measures are implemented.</p>
10	<p>The building hereby approved shall not be brought into beneficial use until all external finishes are completed in full accordance with the details indicated on the approved plans.</p> <p>Reason: To safeguard the visual amenities of the area.</p>
11	<p>No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.</p> <p>Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.</p>
<p>Advisory Notes:</p>	
1	<p>As of 7th January 2019, all construction work in Wales with drainage</p>

	<p>implications, of 100m² or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water. The developer is advised to contact the Councils SuDS Approving Body to determine whether the works hereby approved require consent. Further information is available via:</p> <p>https://www.blaenaugwent.gov.uk/en/resident/drainage-flooding/permission-for-drainage/</p>
2	<p>The applicant/developer is advised that the type and location of bird and bat boxes should be included as part of the landscaping scheme and native species should be utilised as part of any hedgerow and replacement tree planting.</p>
3	<p>The applicant/developer is advised that Cotoneaster species has been identified on the site which is listed as an 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 alien invasive species and the Cotoneaster will need to be eradicated from the site prior to the commencement of development works.</p>
4	<p>The applicant/developer is advised that the western edge of the site partly falls within a Flood Zone C2. Further advice and guidance relating to the potential flood risk is available via Natural Resources Wales' website at https://naturalresourceswales.gov.uk/?lang=en</p>
5	<p>The applicant/developer is advised that consent is required for any alteration likely to affect the flow of an ordinary watercourse and further advice is available via the Council's website at https://www.blaenau-gwent.gov.uk/en/resident/emergencies-crime-prevention/flooding/consenting-of-watercourses/</p>
6	<p>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).</p>
7	<p>All British reptiles are protected from intentional killing, injuring and sale under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).</p>

	8	<p>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"> • Deliberately capture, injure or kill any wild animal of European Protected Species; • Deliberately disturb wild animals of any such species; or • Damage or destroy a breeding site or resting place of such an animal. <p>Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales.</p>
	9	<p>During the construction phase, precaution and care should be taken to prevent contamination of surface water drains and local watercourses. Oils and chemicals should be stored in bunded areas and spill kits should be readily available in case of accidental spillages. For further guidance please refer to GPP 5 and PPG 6 at the following link: http://www.netregs.org.uk/environmental-topics/pollution-prevention-guidelines-ppgs-and-replacement-series/guidance-for-pollution-prevention-gpps-full-list/</p>
8. Risk Implications		
8.1	No risks identified	

Planning Report

Application No: C/2022/0186	App Type: Full
Applicant: Mrs Karen Akinci 74 King Street & Calebs Cottage Brynmawr NP23 4RG	Agent: Mr Stephen Traves 4 Rotherwas Close Hereford United Kingdom HR2 6RG
Site Address: 74A & Caleb Cottage King Street Brynmawr Ebbw Vale NP23 4RG	
Development: Change of use of ground floor offices and first and second floor living accommodation to create two dwellings plus conversion and change of use of Calebs cottage to one dwelling together with associated external, creation of garden and provision of parking.	
Case Officer:	Sophie Godfrey



1. Background, Development and Site Context

- 1.1 This application seeks to change the use of the property at 74 King Street from offices at ground floor with living accommodation at the first and second floor to create two dwellings plus conversion and change of use of Calebs Cottage to one dwelling together with associated external, creation of garden and provision of parking.
- 1.2 74A King Street consists of a mid-terrace, two storey property with accommodation provided within the roof slope through 2 pitched roof dormers. Calebs Cottage is found to the rear of 74A King Street and comprises of a two storey stone cottage. The cottage is attached to the rear elevation of 74A King Street by a single storey extension. The site is within the settlement of Brynmawr.
- 1.3 The ground floor of the property is at a higher level than road level and is accessed via steps to the front elevation.



Fig. 1.1 Existing Property at 74 A King Street

- 1.4 The property at 74 A King Street would be split vertically, with each proposed dwelling benefiting from a lounge and kitchen/diner at ground floor level, 2no. bedrooms and a bathroom at first floor bedroom and a study/storage area at

second floor. The existing dormers are proposed to be increased in size and finished with cedar cladding.

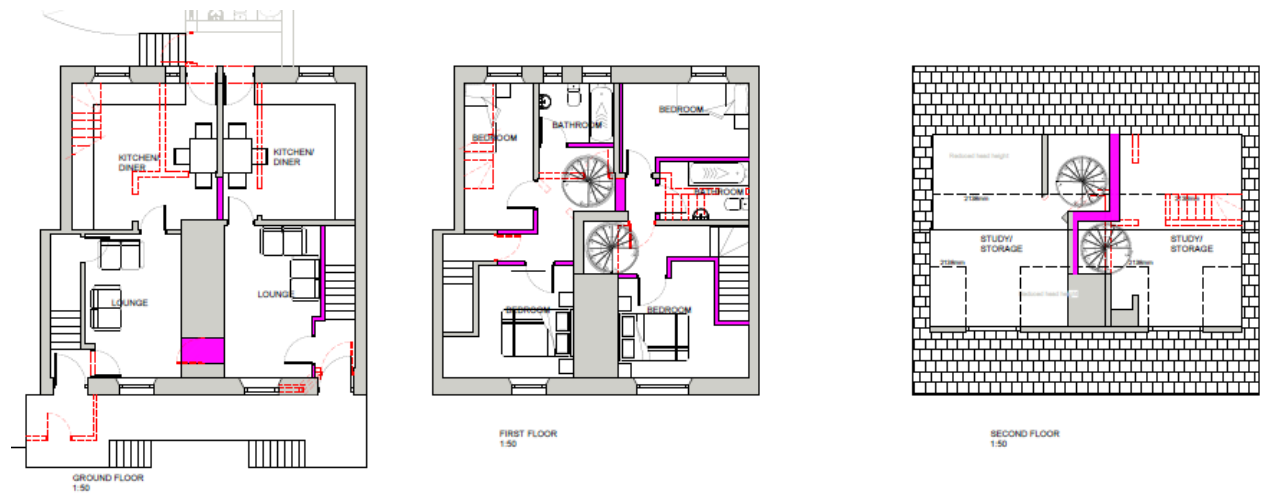


Figure 1.2 Proposed Floor Plans for 74 A King Street

- 1.5 There are 2 existing porches to the front elevation of the property which are to be removed and replaced with new front doors. The reduced opening width would be finished in stonework to match the existing building. The existing windows are proposed to be replaced with uPVC windows. The stepped entrances and steel balustrading are to remain.

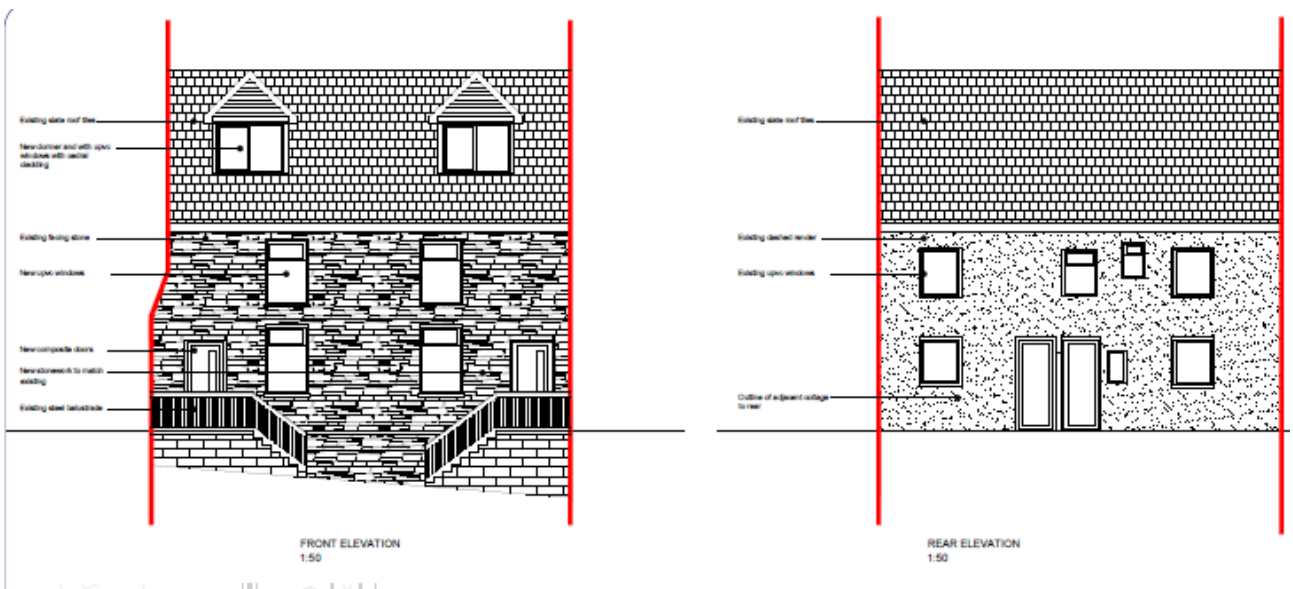


Figure 1.3 74A King Street Proposed Elevations



Figure 1.4 Existing front elevation of Calebs Cottage

- 1.6 The property known as Calebs Cottage would comprise of a lounge/kitchen and bathroom at ground floor and 1no. bedroom at first floor.

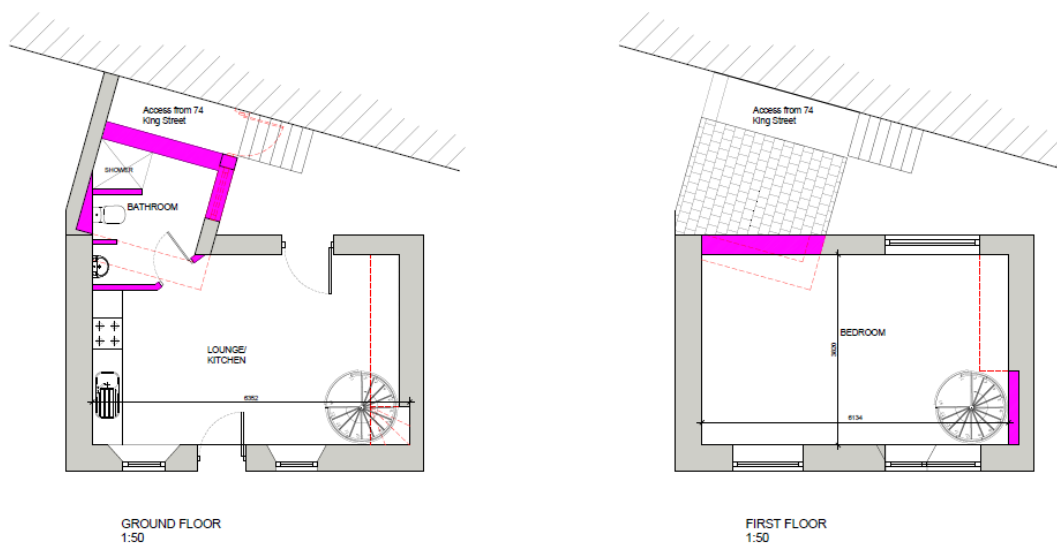


Figure 1.5 Calebs Cottage Proposed Floor Plans

- 1.7 Proposed external alterations comprise of new apex features to the front elevation, a reduction in the size of the first floor window openings with new timber frame windows inserted and a reduction and alteration to the existing

extension that currently connects the property to 74A, to allow the resulting dwellings to be used independently.

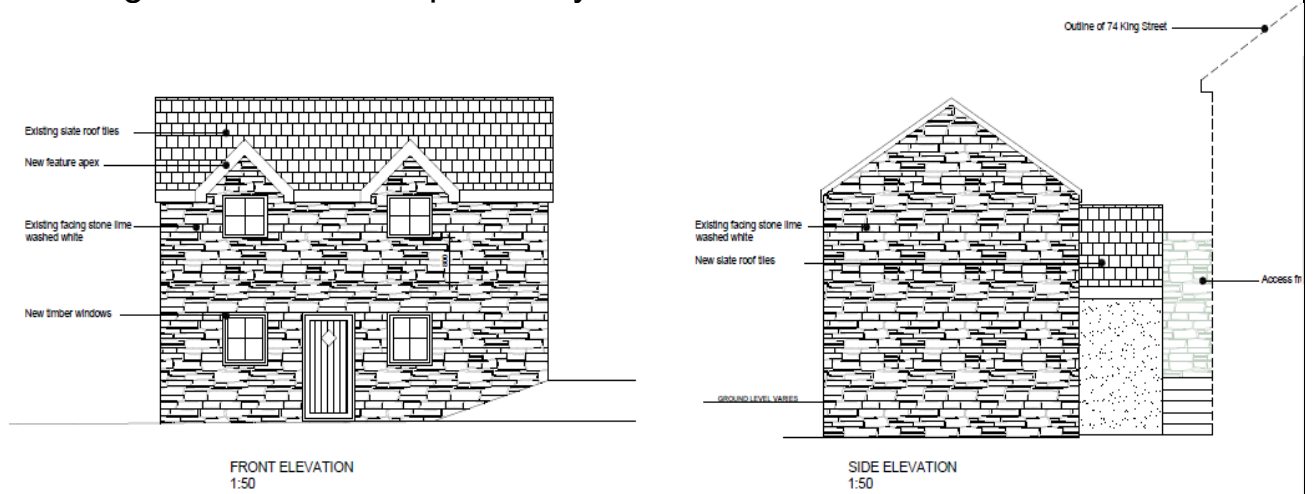


Figure 1.6 Proposed Elevations for Calebs Cottage

1.8 To the rear of the application site, parking is proposed for all 3 properties, with a total of 6no. parking spaces proposed. Shared amenity space is proposed for the two dwellings that would be located within 74A King Street, with Calebs Cottage having its own separate amenity space. Boundary treatments in the area predominantly comprise of 1.5m high close boarded fences around the rear amenity areas.



Figure 1.7 Proposed Site Plan

1.9	Planning permission has previously been approved at the site, most recently in 2021 under application C/2021/0306 for, 'Change of use of ground floor offices and first and second floor living accommodation to single dwelling together with associated external alterations'. The current application differs from the previous consent as it is proposing to convert 74a King Street into two dwellings as opposed to the previous consent that was for one single dwelling. In addition, the current application also includes the conversion of Calebs Cottage into a single residential dwelling, this property was not included in the previous application.
1.10	This application is being presented to committee as although permission has already been approved at the property for residential use, the consent has never been implemented, as such the ground floor of the property is still deemed to be offices. Therefore, the application is contrary to Policy DM5 which states that, the change of use of the ground floor units to residential use in the town centre will not be permitted (criterion d).

2. Site History

	Ref No	Details	Decision
2.1	C/2021/0306	Change of use of ground floor offices and first and second floor living accommodation to single dwelling together with associated external alterations	Approved
2.2	C/2008/0242	Change of use from offices to private dwelling	Approved
2.3	C/2004/0168	Conversion of redundant bld to offices & infill (Rear building)	Approved
2.4	2324	Illuminated sign	Approved

3. Consultation and Other Relevant Information

3.1	<u>Internal BG Responses</u>
3.2	<u>Service Manager Infrastructure:</u>
3.3	Highways: The submitted application complies with LDP Policy DM 1 (3 d), there are no objections subject to the following:

	<p>The proposed car parking areas allocated for each dwelling are to be fully constructed prior to occupation of each dwelling and are to be retained thereafter.</p>
3.4	<p>Environmental Health: No objections.</p>
3.5	<p>Ecology: No objections subject to good working practices and precautionary measures are taken in the event bats and/nesting birds are encountered.</p>
3.6	<p>Drainage: Although the application is for the change of use of the property for which the area will not be taken into account. There is a proposal for associated parking and hard surfaces which I am unable to calculate the area off from the drawings. However, it seems to add up to over 100m². Because of this the development will require SuDS Approval which can be obtained through Caerphilly SAB section.</p>
3.7	<p><u>External Consultation Responses</u></p>
3.8	<p><u>Welsh Water:</u> Request the applicant contact Dwr Cymru Welsh Water to establish the location and status of the sewer as the presence of such assets may affect the proposal.</p>
3.9	<p><u>NRW:</u> No objection.</p>
3.10	<p><u>Brynmawr Town Council:</u> No objection.</p>
3.11	<p><u>Public Consultation:</u></p> <ul style="list-style-type: none">• 25 letters to nearby houses• 1 site notice• website public register of applications• ward members by letter• all members via weekly list of applications received <p><u>Response:</u> <u>No objections or representations have been received.</u></p>

4. Planning Policy	
4.1	<p><u>Team Manager Development Plans:</u></p> <p>The proposal is contrary to Policy DM5 Principal and District Town Centre Management which states that, the change of use of the ground floor units to residential use in the town centre will not be permitted (criterion d).</p> <p>King Street is a predominantly residential street and the property characteristics are more residential than commercial. The recently published Retail and Leisure study prepared as evidence base for the Replacement Local Development Plan (published August 2021) recommends that the property is removed from the town centre boundary. Planning policy accept this recommendation and consider that this could be a material consideration when determining the planning application.</p> <p>Under the provisions of the 2015 Planning (Wales) Act, any development plan adopted prior to 4 January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. Therefore, the Blaenau Gwent County Borough Council Local Development Plan up to 2021, which was adopted on November 2012, remains the extant statutory development plan for the area beyond the specified 2021 plan period.</p> <p><u>LDP Policies:</u></p> <p>SP3 – The Retail Hierachy and Vitality and Viability of the Town Centre SB1 – Settlement Boundaries DM1 – New Development DM2 – Design and Placemaking DM5 – Principal and District Town Centre</p> <p><u>PPW & TANs:</u></p> <p>Planning Policy Wales Edition 11 (February 2021) Future Wales: The National Development Plan for Wales (February 2021) Technical Advice Note 4: Retail and Commercial Development (November 2016)</p>
5. Planning Assessment	
5.1	<p>Future Wales - the National Plan 2040 was published on the 24th February, and therefore is relevant to this application as it now forms part of the Development Plan. Policies 1 and 33 support sustainable growth in all parts of Wales with Cardiff, Newport and the Valleys identified as one of three National Growth Areas. Opportunities and growth in strategic economic and housing growth; essential services and facilities; advanced manufacturing; transport and digital infrastructure will be supported. Policy 2 seeks to support a rich mix</p>

	of residential, commercial and community uses within close proximity to each, to create activity and sustainable development.
5.2	Policy 7 encourages the planning system to facilitate the provision of additional market and affordable housing with policy 12 supporting regional connectivity with Local Authorities identifying opportunities for higher density developments that reduce levels of car parking in urban areas and encourage and support active travel connections.
5.3	Chapter 4 of Planning Policy Wales, (ed 11 February 2021) specifies that Local Authorities must seek to enable the provision of a range of well-designed, energy efficient, good quality market and affordable housing that will contribute to the creation of sustainable places.
5.4	Being mindful of the nature of the proposal and its location, the application is considered compliant with the relevant policies of Future Wales and Planning Policy Wales.
5.5	The proposal has been assessed against policies SP3, SB1, DM1, DM2 and DM5 of the adopted Local Development Plan (LDP).
5.6	The application site is situated within the settlement boundary and therefore the principle of changing the use to residential would normally be considered acceptable. However, the site is also situated within the boundary of the Brynmawr (District) Town Centre. Policy DM5 'Principal and District Town Centre Management' states that the change of use of ground floor units to residential uses will not be permitted. The proposed change of use to residential is therefore contrary to this policy.
5.7	Nonetheless, the application site is situated on the periphery of the town centre and King Street is recognised as a predominantly residential street and the property characteristics are more residential than commercial. Members are also requested to note that the recently published Retail and Leisure study prepared as evidence base for the Replacement Local Development Plan (published August 2021) recommends that the property is removed from the town centre boundary. As a result, the proposed use of residential is considered acceptable in this instance and has been positively established by the granting of application C/2021/0306 which remains extant.
5.8	Whilst a change of use may be considered acceptable in this instance, it does not set a precedent for any future applications which would be determined on their own merits and any future applications involving a proposed residential

	<p>use at ground floor level could be refused where the circumstances are significantly different.</p>
5.9	<p>The proposed external alterations to the property are not considered to be significant. There are currently 2 entrances to the property accessed via steps which are proposed to be retained, in addition to the finish of the property and siting of the windows. There is an existing porch, which is proposed to be removed however the design of the porch is not considered in keeping with the existing property and therefore no concerns are raised to its removal. Alterations are proposed to remove the curved entrance and replace the window, with the finish proposed to match the existing and the siting of the window reflecting the existing first floor window, which is welcomed. The existing dormer windows are proposed to be replaced, however the pitched roof design is retained and even though the replacement dormers are larger in scale, they do not appear excessively large within the roof slope. The dormers are proposed to be finished with cedar cladding, however this is not considered to detrimentally affect the character of the existing property or wider street scene.</p>
5.10	<p>As noted above, the property is within a predominantly residential area and considering the limited alterations proposed, the proposal will not have a detrimental impact on the residential amenity of any neighbouring properties.</p>
5.11	<p>Whilst the proposed rear amenity areas are considered to be somewhat unconventional in their setup, with the properties located within 74A King Street sharing outdoor amenity space with access gained via the side elevation of Calebs Cottage, on balance it is considered sufficient amenity space has been provided for future occupiers and thus the development is compliant with LDP Policy DM1(2)d.</p>
5.12	<p>Policy 2 'Shaping Urban Growth and Regeneration' - Strategic Placemaking' of the Future Wales- The National Plan 2040 states that 'To create activity throughout the day and enable people to walk and cycle, rather than being reliant on travelling by car, places should have a rich mix of residential, commercial and community uses within close proximity to each other'. There is currently no off-street car parking to serve the existing use. On-street car parking is also restricted due to its siting within close proximity to the town centre and parking restrictions.</p>
5.13	<p>The proposal includes 6no. off street parking spaces to the rear of the property. The Highways Manager has confirmed the submitted application complies with LDP Policy DM 1 (3 d), therefore there are no objections subject to a condition requiring the proposed car parking areas allocated for each dwelling are to be</p>

fully constructed prior to occupation of each dwelling and are to be retained there-after. It is also noted the site is also within a sustainable location served by public transport links and facilities within walking distance.

5.14 The site location plan outlines quite a large parcel of land, and the applicant has confirmed they own all the land within the red line boundary. The proposed site plans show all development would be to the south of the site, with the applicant confirming at present there are no plans to develop the northern part of the site.

5.15 The submitted plans appear to show the northern half of the site would be segregated as a result of the proposal. The site location plan and Google Maps show there are outbuildings on the northern part of the site that would be isolated, however after undertaking a site visit it became apparent that the land is vacant and any outbuildings have since largely been demolished or are in a state of disrepair and are no longer in use as shown in figure 1.8 below.



Figure 1.8 Site Photo - Rear of Site

5.16 The site is located within the catchment of the River Usk Special Area of Conservation (SAC). Under the Habitats Regulations, where a plan or project

	<p>is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site previously (designated pursuant to EU retained law) the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new phosphate standards for the river SACs in Wales. Any proposed development within the SAC catchments that might increase the amount of phosphate within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.</p> <p>5.17 This application has been screened in accordance with Natural Resources Wales' interim advice for planning applications within the river Special Areas of Conservation (SACs) catchments (issued on 20th January 2021). It is considered that this development is unlikely to increase phosphate inputs as it would not increase the volume or concentration of wastewater above the current use.</p> <p>5.18 Following consultation, NRW have confirmed they agree with the above perspective and are satisfied that the proposal is unlikely to increase the amount of phosphorus entering the catchment and is therefore unlikely to have a significant effect on the River Usk SAC.</p> <p>5.19 The Council's Ecology Officer has confirmed they have no objections to the proposal subject to informatives being applied regarding good working practices and precautionary measures taken in the event bats and/nesting birds are encountered and biodiversity enhancements being incorporated into the site. The applicant has confirmed they will install 2no. bird boxes and 6no. trees to the rear of the site. As such the application is considered compliant with the requirements of policy DM1 of the LDP, PPW 11 and the Environment (Wales) Act 2016.</p> <p>5.20 In conclusion, the proposal complies with LDP Policies SP3, SB1, DM1, DM2 and DM5 and therefore recommend approval accordingly.</p>
<p>6. Legislative Obligations</p>	
<p>6.1</p>	<p>The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes</p>

<p>6.2</p>	<p>to improving the economic, social, environmental and cultural well-being of Wales.</p> <p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>
<p>7. Conclusion and Recommendation</p>	
<p>7.1</p>	<p>Planning permission be <u>GRANTED</u> subject to the following condition(s):</p> <p>1. The development shall begin not later than five years from the date of this decision notice. Reason: To comply with the requirements of Section 91 of The Town and Country Planning Act 1990.</p> <p>2. The development shall be completed in full accordance with the following approved plans and documents:</p> <ul style="list-style-type: none"> • Site Location Plan - Drawing No.A000 recorded received 17.05.2022; • Proposed Layout Plan – Drawing No. A001, recorded received 17.05.2022; • Proposed Plans and Elevations – Drawing No. A102 Rev A, recorded received 25.05.2022; • Proposed Plans and Elevations for Calebs Cottage – Drawing No. A202 Rev B, recorded received 17.05.2022; • Proposed Site Plan with Eco Enhancements – Drawing No. ECO, recorded received 29.07.2022; • Proposed Boundary Treatment – Drawing No. BOUNDARY, recorded received 25.05.2022 <p>Reason: To clearly define the scope of this permission.</p> <p>3. Notwithstanding any details indicated on the approved plans, no development shall take place until details/samples of all external finishes to the approved dormers are submitted to and approved in writing by the Local Planning Authority. The dormers shall be completed in accordance with the approved details before it is brought into beneficial use.</p> <p>Reason: To safeguard visual amenity interests.</p>

4. The proposed car parking areas allocated for each dwelling (as shown on Proposed Layout Plan – Drawing No. A001, recorded received 17.05.2022' are to be fully constructed prior to occupation of each dwelling and are to be retained there-after.

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

5. The ecological enhancements as shown on 'Proposed Site Plan with Eco Enhancements – Drawing No. ECO, recorded received 29.07.2022' shall be installed within 6 months of the development being brought into beneficial use and shall be maintained as such thereafter.

Reason: In the interests of the ecological and biodiversity value of the site.

Informatives:

1. The applicant/developer should note that the development hereby approved also requires SuDS approval before work commence. Further guidance can be found at <https://www.blaenau-gwent.gov.uk/en/resident/planning/how-to-apply-for-planning-permission/permission-for-drainage/> On such basis any surface water drainage details submitted as part of your application have not been considered. Should it be necessary to amend your development to meet the requirements of the SAB (SuDS Approval Body) you should seek further advice from the Local Planning Authority.
2. The applicant is advised to contact Dwr Cymru Welsh Water on 0800 917 2652 to establish the location and status of the sewer. Some public sewers and lateral drains may not be recorded on their maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
3. All wild birds, their nests and their eggs are protected under the Wildlife and Countryside Act 1981 (as amended). Bird nesting season is from 1st March-31st August. If birds are observed entering and emerging from the building, works are not to commence until the nesting season has finished.

	<p>4. All British bat species are protected under the Conservation of Habitats and Species Regulations 2017 (as amended), known as the ‘Habitats Regulations’. Under the Habitats Regulations, it is an offence if you:</p> <ul style="list-style-type: none">○ Deliberately capture, injure or kill any wild animal of a European Protected Species,○ Deliberately disturb wild animals of any such species,○ Damage or destroy a breeding site or resting place of such an animal <p>Should any species be found in the course of development, works should cease immediately and the developer should contact the Council's Biodiversity Officer on 01495 355702 for advice in this regard.</p>
8. Risk Implications	
8.1	No risks identified

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BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	Appeals, Consultations and DNS Update September 2022
Report Author	Service Manager Development & Estates
Report Date	10th August 2022
Directorate	Regeneration & Community Services
Date of meeting	8th September 2022

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

	Application No Appeal Reference Case Officer	Site Address	Development	Type Procedure	Sit Rep
1	C/2021/0241 CAS-01874-Q6X8K1 Sara Thomas	20 Bournville Terrace Tredegar	Construction of rear extension at the first floor level with pitched roof to match the existing	Refusal of planning permission Written Reps	Questionnaire Submitted May 2022
2	CAS-01549-T0N7B8 (C21/048) Paul Samuel	Bryn Oyre, 16 Upper Coedcae, Nantyglo, NP23 4UT	Unauthorised change of use for grazing of 5 ponies	Enforcement Notice Appeal Written Reps	Questionnaire submitted by July 2022. Written statement to be submitted by 12 th August 2022

BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	List of applications decided under delegated powers between 11th July 2022 and 12th August 2022.
Report Author	Business Support Officer
Report Date	19th August 2022
Directorate	Regeneration & Community Services
Date of meeting	8th September 2022

1.0 Purpose of Report
1.1 To report decisions taken under delegated powers.
2.0 Scope of the Report
2.1 The attached list deals with the period 1 st July 2022 and 12 th August 2022.
3.0 Recommendation/s for Consideration
3.1 The report lists decisions that have already been made and is for information only.

Application No.	Address	Proposal	Valid Date Decision Date
C/2021/0093	Tredegar General Hospital, Tredegar Health Centre and Bedwellty Park, Park Row Tredegar NP22 3NG	Application for discharge of condition 8 (retaining wall details) of approved reserved matters (C/2020/0095) relating to planning permission C/2020/0037 (Demolition of Tredegar Health Centre, partial demolition of Tredegar General Hospital and erection of a new Class D1 Health and Wellbeing Centre) at Former Tredegar General Hospital, Tredegar Health Centre and Bedwellty Park, Park Row, Tredegar	01/04/2021 29/06/2022 Condition Discharged
C/2022/0169	Argoed House (Potters Pub) Cemetery Road Aberbeeg/Brynithel Abertillery	Change of use from a public house to a dwelling.	10/06/2022 12/08/2022 Approved
C/2022/0148	Kenray St Lukes Road Dukestown Tredegar	Raising of roof and rear extension to create bedrooms, side porch and off road parking to front of property	26/05/2022 12/07/2022 Approved
C/2022/0133	TREDEGAR	Proposed demolition of existing detached garage and replace with new double garage and studio outbuilding including new vehicular access and turning area and services	17/05/2022 06/07/2022 Approved
C/2022/0120	14 Railway Terrace Nantyglo	Proposed alterations and extensions to existing dwelling to improve natural daylight throughout living spaces.	04/05/2022 30/06/2022 Approved

C/2022/0128	Hospital Garage, Bournville Road, Blaina	Outline application for 4no. Dwellings and associated parking with a new vehicular access from Bournville Road	11/05/2022 12/07/2022 Approved
C/2021/0316	The Old Shop, Shop Row, Tredegar, NP22 4LB	Listed Building Consent for demolition of front range of Buildings at The Old Shop Tredegar	30/09/2021 27/06/2022 Approved
C/2022/0108	Land Adjacent to Unit 18 Rassau Industrial Estate Ebbw Vale	Application to vary approved plans of planning permission C/2020/0059 (Erection of a Synchronous Condenser, plant control building and auxiliary equipment, access, landscaping and associated works) - to amend the surface finish of land either side of the site access, amend the fencing either side of the site access and amend the entrance gate	25/04/2022 13/06/2022 Approved
C/2022/0157	Willowtown Primary School, Brynheulog Street, Ebbw Vale.	2no. shipping containers for the Big Bocs Bwyd shop project and meeting space	08/06/2022 01/08/2022 Approved
C/2022/0149	7, Queen Street, Abertillery	Application for Lawful Development Certificate for proposed use of the property as a children's home for one child	23/05/2022 18/07/2022 Lawful Development Certificate Granted

C/2022/0172	Rhos Y Fedwen Primary School Honeyfield Road Rassau, Ebbw Vale	Proposed extension and Internal modifications	20/06/2022 12/08/2022 Approved
C/2022/0153	Plot 7 Former Pochin Works Site Newport Road Tredegar	Variation of condition 1 and removal of condition 3 of Reserved Matters application c/2019/0125 (Approval of reserved matters for appearance, layout and scale pursuant to outline planning permission C/2021/0238).	26/05/2022 26/07/2022 Approved
C/2022/0167	33a Church Street Ebbw Vale	Application for a lawful development certificate for existing residential use.	13/06/2022 29/07/2022 Lawful Development Certificate Granted
C/2022/0064	Unit 39 Rassau Ind Est Main Spine Road North Rassau Ebbw Vale	Erection of an extension to the South West elevation of Unit 39	16/03/2022 04/07/2022 Approved
C/2021/0308	Former Tredegar General Hospital, Tredegar Health Centre and Bedwellty Park, Park Row, Tredegar	Application for Discharge of Condition 2 (External finishes) of planning permission C/2020/0095 (Reserved matters application relating to access (revised from that approved under outline planning permission), landscaping, appearance, scale and layout of planning permission C/2020/0037 (Demolition of Tredegar Health Centre, partial demolition of Tredegar General Hospital and erection of a new Class D1 Health and Wellbeing Centre)	28/09/2021 29/06/2022 Condition Discharged

C/2022/0130	200 Gainsborough Road, Cefn Golau, Tredegar	Garage & workshop extension	13/05/2022 20/06/2022 Approved
C/2022/0161	34 Blue Lake Close, Ebbw Vale NP23 6FD	Re-positioning and extension of garden wall to the boundary of property.	06/06/2022 26/07/2022 Approved
C/2022/0143	40 Lilian Grove Ebbw Vale	Rear single storey extension	19/05/2022 06/07/2022 Approved
C/2022/0173	5 Brynhyfryd Terrace Brynithel Abertillery	Lawful development certificate for a proposed use for a single storey rear extension for special needs wet room facility	20/06/2022 27/07/2022 Lawful Development Certificate Granted
C/2022/0159	Tyr Gelli House, Tyr Gelli Farm, Bryn Maeon Access Road, Blaina, Abertillery.	Application for Non-material amendment of planning permission C2021/0202 (Barn Conversion, new front porch, demolition of existing structures; and new single storey side & rear extension) to amend the flue for a wood burning stove, relocation pitched roof lantern instead of a flat roof lantern & windows replaced by doors on south east and south west elevations	25/05/2022 20/06/2022 Approved

C/2022/0154	15 Parkville, Tredegar	Erection of close boarded wooden fencing and gate at the rear.	31/05/2022 29/07/2022 Approved
C/2022/0136	Aberbeeg Tyres & Service Station Commercial Road Aberbeeg, Abertillery	Change of use to car repair garage (including servicing and tyre bay and MOT centre)	16/05/2022 05/07/2022 Approved
C/2022/0141	18 Golwg Y Mynydd, Nantybawch, Tredegar	Two storey full width rear extension with modifications to existing garage.	17/05/2022 13/07/2022 Approved
C/2022/0146	BLAINA	Proposed change of use from A1 to cafe and takeaway	24/05/2022 06/07/2022 Approved
C/2022/0125	Unit 5b Tafarnaubach Industrial Estate Tafarnaubach Tredegar	Lawful development certificate for a proposed use for erection of solar panels on the roof	09/05/2022 12/07/2022 Lawful Development Certificate Granted
C/2022/0121	The Venue Flat, Commonwealth Road Garnlydan, Ebbw Vale	Division of existing first floor flat to create a second flat to include revised internal staircase and access to external doorway	22/04/2022 03/08/2022 Approved
C/2022/0113	68B High Street Blaina	Proposed new pre-school unit and covered play area and bin storage enclosure	02/03/2022 20/06/2022 Approved

C/2022/0179	13 Alma Street, Brynmawr	Application for Non-material amendment of planning permission C/2020/0173 (Two storey rear extension & single storey garden store) for alterations to approved single storey rear extension and replacement of bi-folding doors with windows on double storey extension and replacement of bi-folding doors with windows on double storey extension	27/06/2022 21/07/2022 Approved
C/2022/0184	5 Louvain Terrace, Ebbw Vale	Application for Non-material amendment of planning permission C/2021/0309 (Rear first floor extension and alterations) to amend roof design.	30/06/2022 21/07/2022 Approved
C/2022/0155	Caffi Tyleri, Jim Owen Pavilion Brookside Row Cwmtillery Abertillery	Change of Use application to regularise use of part of Sports Pavilion Building as a Cafe	06/06/2022 25/07/2022 Approved
C/2022/0104	Plot of Land East of Whitworth Terrace, Tredegar NP22 4LU	Application for Discharge of Conditions: 5 (foul drainage scheme), 6 (arboricultural method statement) & 8 (external materials) of planning permission C/2021/0133 (New detached dwelling (replacement for previous approval C/2016/0225))	14/04/2022 05/07/2022 Condition Discharged
C/2022/0107	11 Raglan Terrace Beaufort Ebbw Vale	Rear single and second storey extensions	26/04/2022 20/06/2022 Approved

C/2022/0126	Plot 4 Mountain View Cwm Ebbw Vale	Non material amendment to amend material finishes to the front elevation, amend the design of the porch, amend garage to a living room and convert attic area into two rooms with windows on each gable end and insertion of x2 No. flues - planning permission C/2019/0317	09/05/2022 27/06/2022 Approved
C/2022/0094	Ty-Heulog, 25 Ashville, Tredegar	Two storey side extension	01/04/2022 30/06/2022 Approved
C/2022/0074	Plot Adj To 1 Scwrfa Road Scwrfa, Tredegar	Proposed dormer bungalow	16/03/2022 20/06/2022 Approved
C/2022/0086	St Michele Old Duke Road Dukestown, Tredegar	Lawful development certificate for an existing development for alterations and dormer extension to existing dwelling.	13/06/2022 30/06/2022 Lawful Development Certificate Granted
C/2022/0174	Tyr Gelli House, Tyr Gelli Farm and Bryn Maeon Access Road Blaina	Application for Discharge of condition 5 (retaining walls) of planning permission C/2021/0202 (Barn conversion, new front porch, demolition of existing structures; and new single storey side and rear extension)	15/06/2022 04/08/2022 Condition Discharged
C/2022/0115	Adult Learning Centre, James Street, Ebbw Vale	Digital information sign attached to building frontage	21/03/2022 22/06/2022 Approved

C/2022/0170	43 Carlyle Street, Abertillery	Application for Lawful Development Certificate for proposed use of the property as a children's home for a maximum of 2 no. children without additional care/special needs housed on 'short term' placement, with a maximum of 2 no. staff working shifts	13/06/2022 22/07/2022 Lawful Development Certificate Granted
C/2022/0112	Fronheulog, Wesley Place Beaufort, Ebbw Vale	Replacement fence and sliding gate	27/04/2022 23/06/2022 Approved
C/2022/0131	70 Charles Street, Tredegar	Application for Non-material amendment of planning permission C/2021/0149 (Two storey side extension) to remove rear window upstairs on rear elevation and move bathroom from the front of the bedroom in proposed extension to the rear of existing bedroom	12/05/2022 28/06/2022 Approved
C/2022/0116	Tredegar Library, The Circle, Tredegar	Digital information sign attached to building frontage	21/03/2022 22/06/2022 Approved
C/2022/0118	Land adj RTB Club 45-46 Briery Hill, High Street, Ebbw Vale	Change of use from vacant land to beer garden, provision of CCTV, fencing and gate	03/05/2022 20/06/2022 Refused
C/2022/0139	7 A Lynhill Rassau Road Rassau, Ebbw Vale	Proposed widening of vehicular access	10/05/2022 27/06/2022 Approved

C/2022/0147	87 Windsor Road Brynmawr	Proposed two storey rear extension and porch.	25/05/2022 15/07/2022 Approved
C/2022/0162	31 High Street, Six Bells, Abertillery	Application for Non-material amendment of planning permission C/2021/0256 (Proposed two storey extension at rear of dwelling and access walkway to the garden from the first floor) to reduce the extension in size.	09/06/2022 15/06/2022 Approved
C/2022/0140	Land Adjacent to White House Farm Primrose Lane, Rassau, Ebbw Vale	Proposed construction of new dwelling and detached garage.	09/05/2022 12/08/2022 Approved
C/2022/0168	6A Station Road, Brynmawr	Change of use of ground floor of former cabaret venue (Licensed premises) to sunbed salon (Sui generis) including alterations to the front elevation of the building to provide a new shop front	14/06/2022 05/08/2022 Approved
C/2022/0196	Sofrydd Primary School, Swffryd Road Swffryd, Abertillery	Application for Discharge of Condition 2 (Entrance gates) of planning permission C/2020/0122 (Single storey side extension and remodelling of the existing Swffryd School nursery building, widening of the main gate and drive and provision of 9 new parking spaces and new	14/07/2022 02/08/2022 Condition Discharged
C/2022/0193	Municipal Offices Blaenau Gwent County Borough Council Civic Centre Ebbw Vale	Application for prior notification of proposed demolition for the demolition of the Civic Centre and associated structures	13/07/2022 10/08/2022 Approved

C/2022/0142	Llanhilleth Train Station Llanhilleth	Application for Prior Approval Application for an extension to existing platform and construction of new platform, access for all footbridge and ancillary works	17/05/2022 15/07/2022 Approved
C/2022/0144	Land at Northgate, Steelworks Road Ebbw Vale	Application for Non-material amendment of planning permission C/2020/201 (Proposed residential development and associated works) for the provision of additional parking space for plot 39 to allow the infrastructure for an EV charging point to be installed.	20/05/2022 15/06/2022 Approved
C/2022/0158	Hollycroft, 13 Beaufort Road Tredegar	Proposed Garage in Rear Garden	07/06/2022 29/07/2022 Approved
C/2022/0138	13 Alexandra Road, Six Bells, Abertillery	Application for Discharge of Condition 2 (external finishes) of planning permission C/2020/0217 (Change existing ground floor (commercial), basement and first floor (living accommodation) to single dwelling and alterations to elevations)	11/05/2022 23/06/2022 Condition Discharged
C/2022/0194	Sofrydd Primary School, Swffryd Road, Swffryd, Abertillery	Application for Non-material amendment of planning permission C/2020/0122 (Single storey side extension and remodelling of the existing Swffryd School nursery building, widening of the main gate and drive and provision of 9 new parking spaces and new pedestrian access	14/07/2022 02/08/2022 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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