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Blaenau Gwent

Our Ref./Ein Cyf.
Your Ref./Eich Cyf.
Contact:/Cysylltwch â:

THIS IS A MEETING WHICH THE PUBLIC ARE ENTITLED TO ATTEND

28th September 2023

Dear Sir/Madam

PLANNING COMMITTEE

A meeting of the Planning Committee will be held in via Microsoft Teams (if you would like to view this meeting please contact michelle.hicks@blaenau-gwent.gov.uk) on Thursday, 5th October, 2023 at 10.00 am.

Yours faithfully

Damien McCann
Interim Chief Executive

AGENDA

Pages

1. SIMULTANEOUS TRANSLATION

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

2. APOLOGIES

To receive any apologies for absence.

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

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

3. **DECLARATIONS OF INTEREST AND DISPENSATIONS**
- To receive any declarations of interest and dispensations.
4. **PLANNING APPLICATIONS REPORT** 5 - 18
- To consider the report of the Team Manager Development Management.
5. **APPEALS, CONSULTATIONS AND DNS UPDATE SEPTEMBER 2023** 19 - 22
- To consider the report of the Service Manager Development & Estates.
6. **PLANNING APPEAL UPDATE: SPRINGFIELD COTTAGE, QUEEN VICTORIA STREET, TREDEGAR** 23 - 28
- To consider the report of the Planning Officer.
7. **LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 24TH AUGUST 2023 AND 21ST SEPTEMBER 2023** 29 - 34
- To consider the report of the Business Support Officer.
8. **DEVELOPMENTS OF NATIONAL SIGNIFICANCE (DNS)** 35 - 36
- To consider the report of the Service Manager Development & Estates.
9. **REVISED PRACTICE ADVICE NOTES (PANS)** 37 - 46
- To consider the report of the Service Manager Development & Estates.

10. AREAS FOR MEMBER BRIEFINGS AND TRAINING

To discuss any areas for members briefings and training.

To: Councillor L. Winnett (Chair)
Councillor P. Baldwin (Vice-Chair)
Councillor C. Bainton
Councillor J. Holt
Councillor E. Jones
Councillor L. Parsons
Councillor D. Rowberry
Councillor C. Smith
Councillor M. Day
Councillor W. Hodgins
Councillor G. Humphreys
Councillor J. Morgan, J.P.
Councillor J. Thomas
Councillor D. Wilkshire

All other Members (for information)
Interim Chief Executive
Chief Officers

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Agenda Item 4

Report Date: 22nd September 2023

Report Author:

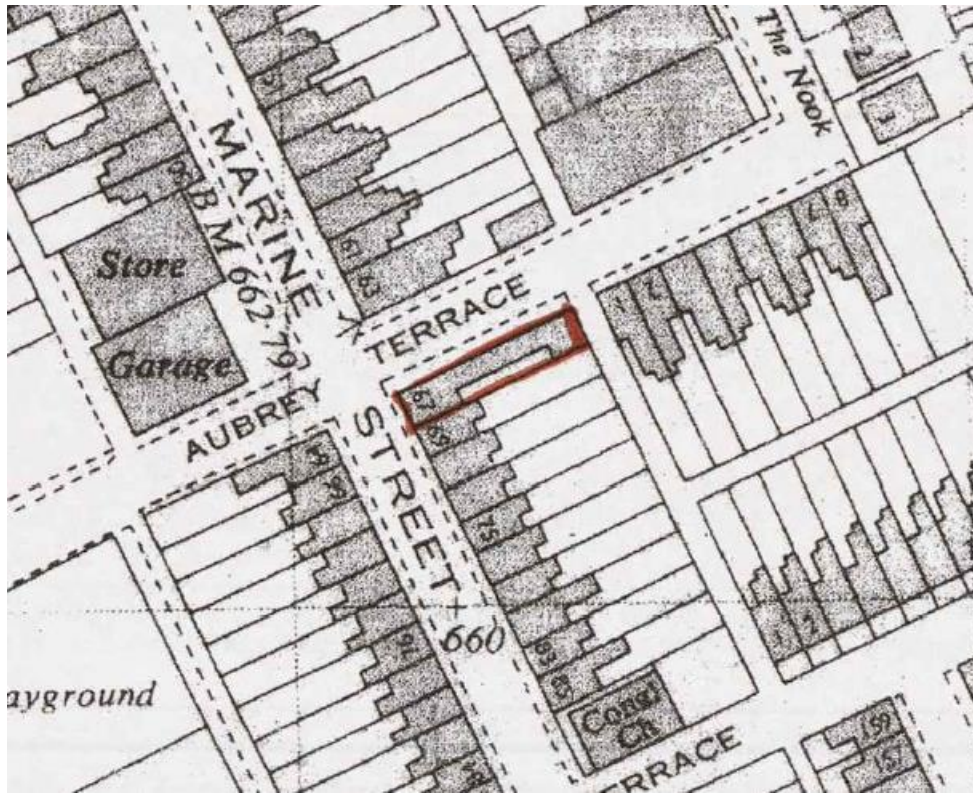
BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	Planning Applications Report
Report Author	Team Manager Development Management
Report Date	22nd September 2023
Directorate	Regeneration & Community Services
Date of meeting	5th October 2023

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 Address No.
C/2023/0097 67 Marine Street, Cwm, Ebbw Vale, NP23 7SS
3. Recommendation/s for Consideration
Please refer to individual reports

Planning Report

Application No: C/2023/0097	App Type: Resubmission
Applicant: Richard Webber 33 York Avenue Garden City Ebbw Vale NP23 8US	Agent: Mr Adrian Drew 14 Thornhill Close Brynmawr NP23 4SA
Site Address: 67 MARINE STREET CWM EBBW VALE NP23 7SS	
Development: Conversion of existing dwelling to create 4 self-contained flats (Resubmission)	
Case Officer:	Joanne Clare

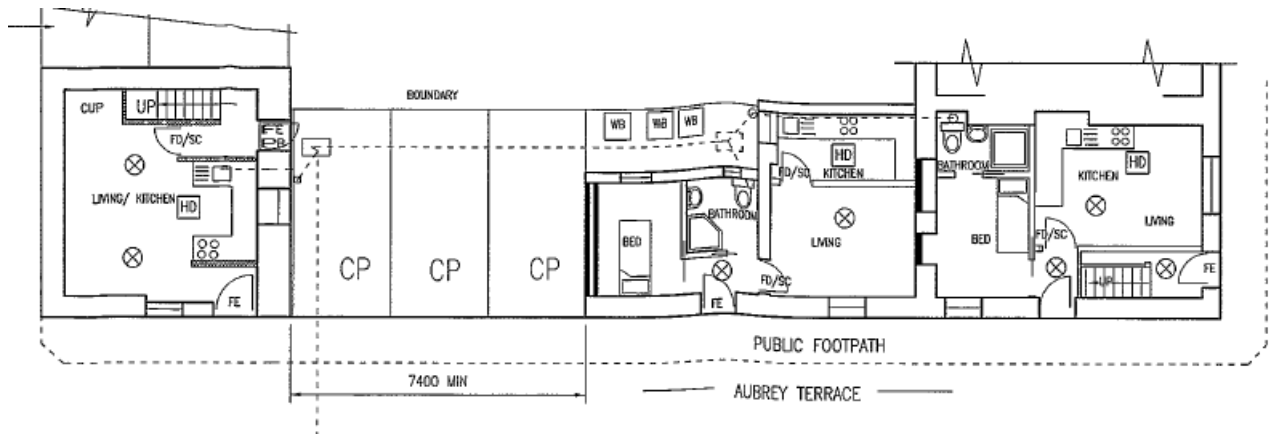




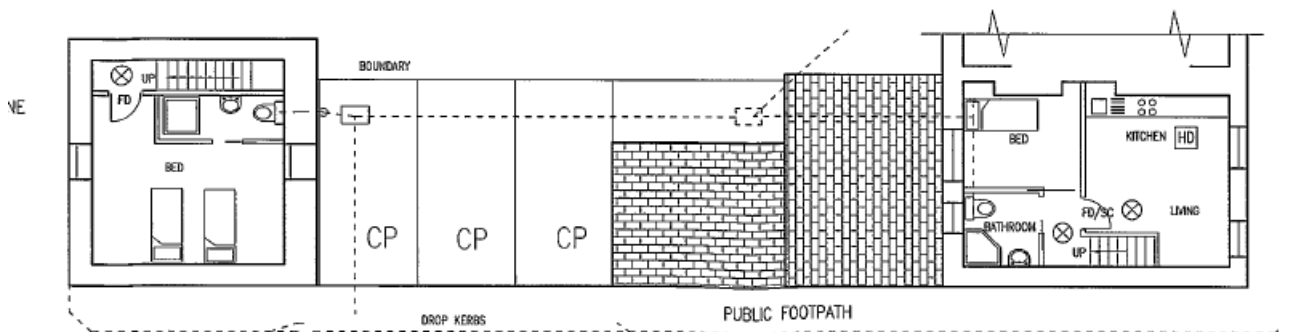
1.0 Background, Development and Site Context

- 1.1 The application is a resubmission of previously refused application C/2022/0234. The reason for that refusal was lack of off-street parking provision and that additional on street parking would intensify the limited available on-street parking in nearby streets and could result in residents parking dangerously and prejudicing highway safety on Marine Street.
- 1.2 The application site comprises a two-storey dwelling located in an end of terrace position fronting Marine Street and Aubrey Terrace, Cwm. The property is in a predominantly residential area. The property currently has a single storey outbuilding attached to the rear of the dwelling with a two-storey outbuilding at the bottom of the garden.
- 1.3 The existing plans indicate that the two-storey outbuilding has a living room/kitchen to the ground floor and a bedroom to the first floor with an external door leading onto Aubrey Terrace. However, there is no planning history relating to this building being used as a separate residential unit (although it is acknowledged the building may have been able to be occupied as an annexe without planning permission). The building also appears to be inhabitable in its current form.
- 1.4 The property has a small strip of private amenity space to the rear.

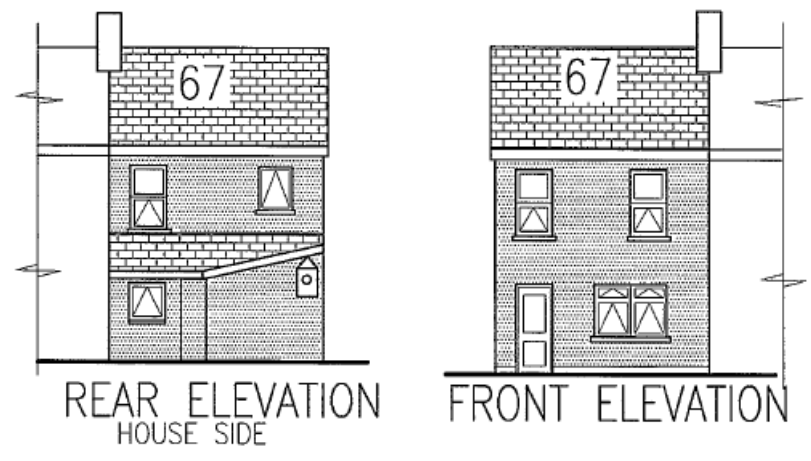
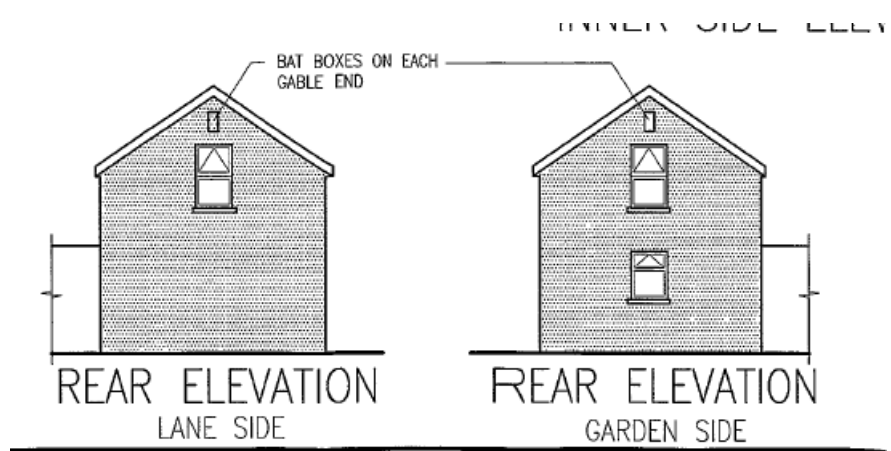
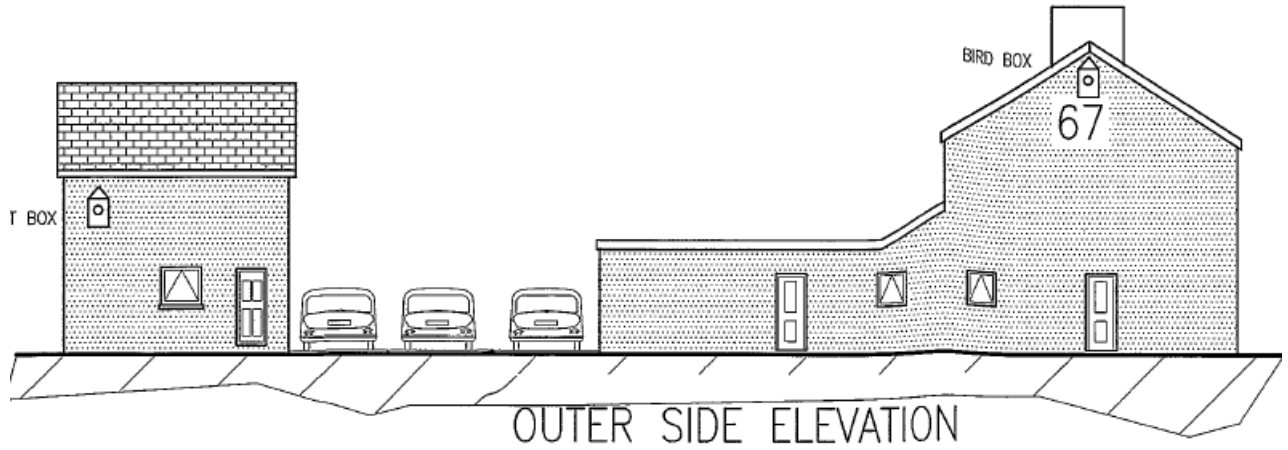
- 1.5 Planning permission is sought to convert the dwelling into 4no. self contained flats. The main dwelling will be converted into 2 no. flats with the ground floor flat consisting of a bedsit with a 1 bed roomed flat to the first floor. The flat in the single storey outbuilding attached to the dwelling will consist of a 1 bed roomed flat with the outbuilding at the bottom of the garden being 2 storey, 1 bed roomed flat. Each flat will be accessed via their own front door.
- 1.6 Off street parking for 3 vehicles will be provided within the site. This would be achieved by removing the side boundary wall and creating a new access off Aubrey Terrace.



GROUND FLOOR PLAN

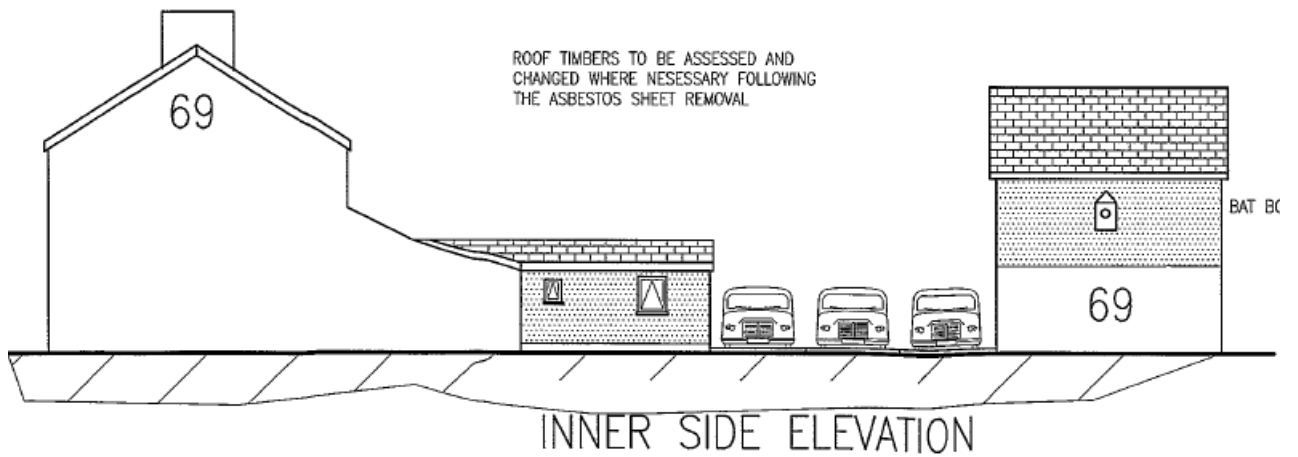


FIRST FLOOR PLAN









2.0 Site History

	Ref No	Details	Decision
2.1	C/2022/0234	Conversion of existing dwelling into 4no. self contained flats.	Refused 25/11/2022

2.2	95/0280	Change of use of vacant general stores into a residential lounge	Approved 21/11/1995
2.3	7222	Conversion of shopfront into domestic	Approved 27/05/1988
2.4	6372	Change of use to Indian Takeaway	Refused 11/12/1986

3.0 Consultation and Other Relevant Information

3.1 Internal BG Responses

3.2 Team Leader Building Control:

No objections. Confirmed sound treatments will be required by Building Regulations.

3.3 Service Manager Infrastructure:

Highways:

The submitted application complies with Policy DM 1 (3d), there are no objections subject to conditions requiring construction of parking spaces prior to beneficial occupation and an informative regarding dropped kerbs.

3.4 Environmental Health:

No objections. Condition should be imposed regarding sound insulation unless this is required under Building Regulations.

3.5 Ecology:

As part of the application a Bat Survey Report has been submitted. The report concludes that there are no roosting bats and has therefore been assessed that bat roosts are likely to be absent from the property. It was however noted that 3 species of bat were recorded foraging and commuting above and around the property. On the condition the recommendations (section 4.1) and enhancements (section 4.2-4.3) outlined within the Bat Survey report are successfully implemented there should be no long term negative impacts to key protected species.

3.6 External Consultation Responses

3.7 Natural Resources Wales:

No objection to the proposed development as submitted. Advice has been provided regarding bats.

3.8 Welsh Water:

No objection subject to appropriately worded planning conditions.

3.9 **Public Consultation:**

- 8 letters to nearby houses
- 1 site notice
- website public register of applications
- ward members by letter
- all members via weekly list of applications received

3.10 Response:

No letters of objection have been received.

3.11 A ward member has requested that the application is presented to committee due to having concerns regarding adequate parking provision.

4.0 Planning Policy

4.1 LDP Policies:

DM1 New Development
DM2 Design and Placemaking
DM14 Biodiversity Protection and Enhancement
SP4 Delivering Quality Housing
SP5 Spatial Distribution of Housing Sites

4.2 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.

4.3 PPW & TANs:

SPG Access, Car Parking and Design
Future Wales Plan 2040 (FW:2040)
Planning Policy Wales Edition 11

5.0 Planning Assessment

5.1 The site is located within the Local Development Plan (LDP) settlement boundary, as defined by Policy SB1, within which development is normally-permitted subject to other policies in the plan and other material considerations. Policy 1 of the Future Wales Plan 2040 (FW:2040) also

supports sustainable growth in all parts of Wales with the Valleys being identified as one of three National Growth Areas.

- 5.2 Policy 2 of FW:2040 refers to strategic placemaking principles. This includes that developments should positively contribute towards building sustainable places that are at a walkable scale with homes, local facilities and public transport within walking distance of each other.
- 5.3 The development is located in a sustainable location with links to public transport facilities in close proximity. The site is located within a predominantly residential setting and the building is already a single residential dwelling. Therefore, the principle of residential development in land use terms is acceptable and has already been established by the existing use of the property.
- 5.4 The main planning considerations are the increase in residential units and the associated impact upon the local highway network and residential amenity.
- 5.5 Statutory consultation has been carried out and no letters of objection have been received, save for the concern raised by a Ward Member.
- 5.6 The previous application was refused on highways grounds as set out earlier in my report. The proposed plans now indicate that there will be 3 off street parking spaces provided within the site which the Team Manager Built Environment has agreed is acceptable.
- 5.7 The property currently benefits from a small strip of external amenity space which will be used for car parking and bin store provision. It is acknowledged there would be limited outdoor amenity space remaining, however this is not unusual with flats and there is ample public amenity space in close proximity to the property.
- 5.8 In considering the impact of the flats upon neighbouring properties in terms of overlooking, the proposed first floor window of Flat 4 (two storey outbuilding) would front the proposed bathroom and bedroom of the proposed 1st floor flat. In addition, the window would give rise to overlooking to the neighbouring dwelling at 69 Marine Street. Whilst I note that Flat 4 would be approximately 15m away from the neighbouring property and the windows it will face in Flat 1 are non-habitable rooms, I still have concerns regarding direct overlooking of the mentioned windows, in particular the neighbouring property. As such, I consider it necessary to impose a condition that the window at first floor level of Flat 4 (facing inwards) is obscurely

glazed. This window does serve a bedroom, but it is noted there is an additional window serving that bedroom which will ensure there will be sufficient levels of light entering the bedroom. Subject to the imposition of this condition I do not consider that the development would have such a detrimental impact upon the neighbouring amenity in terms of overlooking to warrant refusal of the application. The proposal is therefore considered compliant with the relevant criteria of LDP policy DM1(2)c with regards to this matter.

- 5.9 In considering the impact on the amenity of future occupiers, the Environmental Health Officer has raised no objections to the application but has requested a condition in relation to sound insulation. Building Control have confirmed that sound proofing will be covered as part of a building regulations application.
- 5.10 A Preliminary Roost Assessment (PRA) was undertaken on the 1st August 2023. No evidence of roosting bats was recorded during the PRA survey, although a number of features were identified that had potential to afford bats access into the interior of the building. As such, a single detailed dusk survey was undertaken in order to confirm the presence or likely absence of bats, and to characterise any roosts present. The PRA confirmed that bat roosts are likely to be absent from the property. It was however noted that 3 species of bat were recorded foraging and commuting above and around the property. The Council's Ecologist has confirmed they have no objections provided the enhancements suggested (Section 4.2-4.3) are successfully implemented there should be no long term negative impacts to key protected species.
- 5.11 In accordance with guidance issued by the Welsh Government, each application for planning permission must now propose ecological mitigation and enhancement. This can be achieved through the incorporation of bat and bird boxes into the development or within the wider curtilage. Ecology enhancements have been added by means of bat and bird boxes to the gable ends of the main dwelling and outbuilding.
- 5.12 Conclusion
It is acknowledged that the site is in a sustainable location and would not have a detrimental impact upon the safe, effective and efficient use of the transportation network in accordance with LDP Policy DM1(3). Subject to conditions the proposed development complies with Policies DM1 and DM2 and would not result in an increased level of overlooking, loss of privacy, and would not be detrimental to the amenity of neighbouring occupiers. The proposal would not have an unacceptable adverse visual impact on the streetscene. Furthermore, the development would provide self-contained

flats that will make a small contribution to the much needed housing stock and mix of housing under LDP Policies SP4 and SP5.

6.0 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.

7.0 Conclusion and Recommendation

- 7.1 Planning permission be **GRANTED** subject to the following condition(s):
- 7.2
1. Standard time limit
 2. Approved Plans/Documents List
 3. Control over discharge of surface water.
 4. Require scheme of sound insulation works.
 5. Require provision of parking spaces prior to occupation
 6. Require the installation of bat/bird boxes
 7. 1st floor window to outbuilding to be obscurely glazed

Informatives:

1. Dropped kerbs
2. Welsh Water
3. Asbestos removal

8.0 Risk Implications

- 8.1 None.

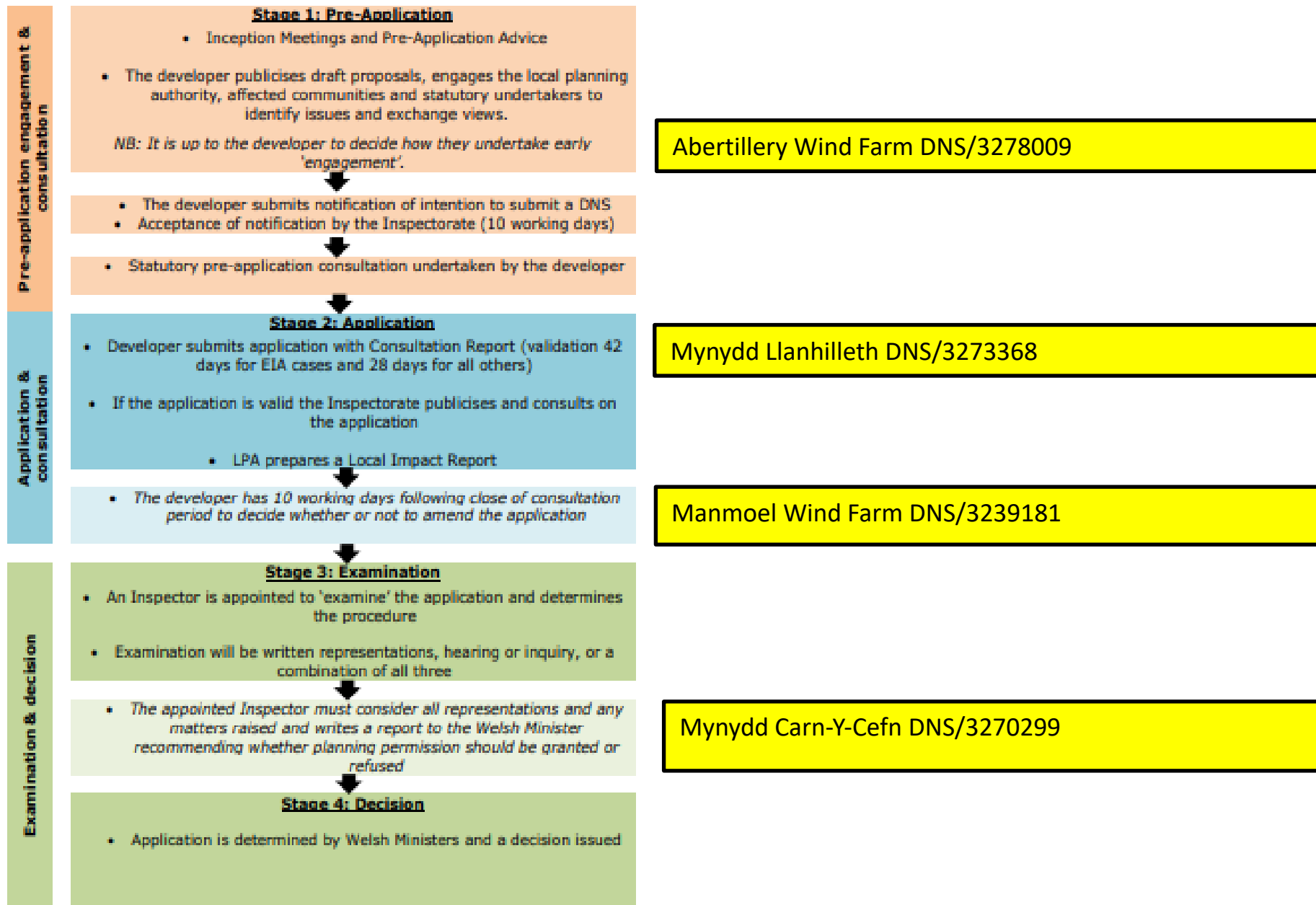
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BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning
Report Subject	Appeals, Consultations and DNS Update September 2023
Report Author	Service Manager Development & Estates
Report Date	22 September 2023
Directorate	Regeneration & Community Services
Date of meeting	5 October 2023

1.0	Purpose of Report
1.1	To update Members in relation to planning appeals, live DNS cases and status update of anticipated DNS schemes.
2.0	Present Position
2.1	The attached list covers the “live” planning appeals and Development of National Significance (DNS) caseload. It also provides information of the status of anticipated DNS schemes.
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	CAS-02310-J7Y5T0 (C21/082) Paul Samuel	Underhill, Hawthorn Road, Ebbw Vale, NP23 5HS	Unauthorised raised decking and timber building	Enforcement Appeal Written Reps	LPA written statement submitted to PEDW
2	CAS-02311-Z4L0N4 (C21/082) Paul Samuel	Underhill, Hawthorn Road, Ebbw Vale, NP23 5HS	Unauthorised change of use of land	Enforcement Appeal Written Reps	LPA written statement submitted to PEDW
3	CAS-02445-W7P8Q6 Paul Samuel	Glyn Millwr, Stones Houses, NP13 3AA	Unauthorised change of use of land to a residential travellers site including the siting of caravans and associated vehicles	Enforcement Appeal Written Reps	LPA written statement submitted to PEDW
4	CAS-02748-D5F5G5 (C/2022/0301) Jane Engel	Springfield Cottage Queen Victoria ST Blaenau NP22 2QA	Upgrade the Existing Rear Access	Planning Appeal Written Reps	Appeal Dismissed Decision Date 30.08.2023

Developments of National Significance (DNS) – Status Update



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BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning
Report Subject	Planning Appeal Update: Springfield Cottage, Queen Victoria Street, Tredegar
Report Author	Jane Engel
Directorate	Regeneration and Community Services
Date of meeting	October 2023

1. Purpose of Report

- 1.1 To advise Members of the decision of the Planning Environment and Decisions Wales (PEDW) in respect of a planning appeal against the refusal of planning permission (Ref: C/2022/0301). The development was for the retention of a bungalow and parking areas for Springfield Cottage and modified access.
- 1.2 The application was refused by Planning Committee on 15th October 2022.

2.0 Scope of the Report

- 2.1 The application was refused on the grounds that the use of the lane as a primary access would have a detrimental impact on the safe, effective, and efficient use of the highway network.
- 2.2 The bungalow has been built on a parcel of land to the rear of Queen Victoria Street. The principle of the bungalow itself has been accepted by the approval of previous planning applications. However, due to land ownership matters relating to the approved means of access, the appeal sought retrospective planning permission with an alternative access from a rear lane leading from Marian Close.

- 2.3 The Inspector determined that the main issue to be considered was the effect of the proposal on the highway and pedestrians.
- 2.4 The access to the appeal site is a substandard unadopted rear lane accessed off Marian Close. The lane is single track in width for the majority of its length only widening in a few places at and beyond the appeal site. The lane serves as vehicular and pedestrian access for a small number of dwellings and field accesses before it narrows to bollards, allowing only pedestrian or cycle access beyond this point to Oliver Jones Crescent to the northeast.
- 2.5 The Inspector noted that owing to the lane's narrow width, limited passing bays for its entire length leading to the appeal site, and the unlimited areas for pedestrian refuge, there is insufficient space for vehicles, pedestrians and cyclists to pass each other safely. She further noted that the intensification in the use of the lane increases the likelihood of vehicles having to undertake awkward reversing manoeuvres along its length to accommodate any oncoming vehicles, pedestrians or cyclists.
- 2.6 The Inspector also noted that the provision of the parking area with no dedicated turning area within the property would result in turning manoeuvres taking place in the lane. The east and west boundaries abutting the parking area consist of high walls and fencing which obstructs the visibility of pedestrians from vehicles egressing the parking spaces, resulting in the potential for conflict between vehicles and pedestrians.
- 2.7 The inspector concluded that the proposed development would result in material harm to highway and pedestrian safety and is contrary to Policy DM1 (3) a,b,c and d of the Blaenau Gwent LDP which seeks to, amongst other things, ensure that all development is accessible and does not hinder the safe and efficient operation and use of the transport network,

2.3 The Inspector accordingly DISMISSED the appeal.

3. Recommendation/s for Consideration

- 3.1 That Members note for information the appeal decision for planning application C/2022/0301 as attached at **Appendix A**.

Appeal Decision

by Helen Smith BA(Hons) BTP MRTPI

an Inspector appointed by the Welsh Ministers

Decision date: 30.08.2023

Appeal reference: CAS-02748-D5F5G5

Site address: Springfield Cottage, Queen Victoria Street, Tredegar, Blaenau Gwent, NP22 3QA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Crieg Jones against the decision of Blaenau Gwent County Borough Council.
 - The application Ref C/2022/0301, dated 15 October 2022, was refused by notice dated 12 January 2023.
 - The development is described as 'Retain bungalow and parking areas for Springfield Cottage and modified access'.
 - A site visit was made on 25 July 2023.
-

Decision

1. The appeal is dismissed.

Background and Main Issue

2. Planning permission for the bungalow was originally granted with the approved access being from Queen Victoria Street. The bungalow has been constructed and the Council has no issue with its effects on visual or residential amenities. I do not disagree. However, owing to land ownership matters relating to the approved means of access, the appeal seeks retrospective planning permission with an alternative access from a rear lane leading from Marian Close. I have considered it on this basis. The main issue therefore is the effect of the development on highway and pedestrian safety.

Reasons

3. The access to which this appeal relates is a narrow unlit rough track with no footways, accessed off Marian Close. The lane is single track in width for the majority of its length, only widening in a few places at and beyond the appeal site. The lane serves as vehicular and pedestrian access for a small number of dwellings and field accesses before it narrows to bollards, allowing only pedestrian or cycle access beyond this point, leading to Oliver Jones Crescent to the northeast.

4. The development utilises this substandard unadopted rear lane as the sole access for its occupants, and for visitors and service traffic. Its use would therefore be significantly increased by the development, including by large service or delivery vehicles. Visibility at the lane's access onto Marian Close is extremely limited due to the high boundary fence to the south. Drivers emerging from the lane and those approaching from the south would therefore have little warning of one another. Its limited width also prevents vehicles entering and exiting the lane at the same time which would result in drivers either having to wait on Marian Close for vehicles to exit the lane, or potentially backing out onto the highway if a vehicle, especially a larger vehicle, is encountered on the lane. All of this results in a significant risk of conflict between vehicles accessing and egressing the lane and vehicles using Marian Close.
5. Owing to the lane's narrow width, limited passing bays for its entire length leading to the appeal site, and limited areas for pedestrian refuge, there is insufficient space for vehicles, pedestrians and cyclists to pass each other safely. The intensification in the use of this lane increases the likelihood of vehicles having to undertake awkward reversing manoeuvres along this narrow substandard lane to accommodate any oncoming vehicles, pedestrians or cyclists.
6. The parking area provided to serve the bungalow is perpendicular to the rear lane and has no dedicated turning area within the property and therefore the turning manoeuvres would have to take place within the lane. Although the submitted plans show 2 parking spaces, the Council are satisfied that the required 3 spaces can be provided within the area that has been constructed and I concur with this. However, both the east and west side boundaries abutting the parking area consist of high walls and fencing obstructing the visibility of pedestrians from vehicles egressing the parking spaces, particularly when all 3 spaces would be occupied, resulting in the potential for conflict between vehicles and pedestrians.
7. I note that there were previously dwellings on the site which were demolished some time ago. The appellant contends that these dwellings benefitted from vehicular access from the rear lane. Nonetheless, any new development should be assessed in the light of current policies and standards. Any historic use of the lane would not justify perpetuation of poor highway conditions with the harm I have identified. For these reasons, I have given this limited weight in my decision.
8. The appellant has referred me to other dwellings which use the eastern section of the lane beyond the bollards as their primary access. However, the lane at this point is wider, has a different access and these dwellings appear to have been built some time ago. Therefore, these dwellings are not directly related to the development before me, and I have determined the appeal on its own merits.
9. I therefore find that the development results in material harm to highway and pedestrian safety. This is contrary to Policy DM1 (3) a,b,c and d of Blaenau Gwent County Borough Council Local Development Plan (LDP) which seeks to, amongst other things, ensure that all development is accessible and does not hinder the safe and efficient operation and use of the transport network.

Conclusion

10. For the reasons set out above, and having regard to all matters raised, the appeal is dismissed.
11. In reaching my decision, I have taken into account the requirements of sections 3 and 5 of the Well-Being of Future Generations (Wales) Act 2015. I consider that this decision is in accordance with the Act's sustainable development principle through its contribution

Ref: CAS-02748-D5F5G5

towards the Welsh Ministers' well-being objective to make our cities, towns and villages even better places in which to live and work.

H Smith

INSPECTOR

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Agenda Item 7

Report Date: 22nd September 2023

Report Author:

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 24th August 2023 and 21st September 2023
Report Author	Business Support Officer
Report Date	22nd September 2023
Directorate	Regeneration & Community Services
Date of meeting	5th October 2023

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 24 th August 2023 and 21 st September 2023
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/2023/0117	LAND AT CEMETERY ROAD EBBW VALE	Application for Discharge of Conditions: 4 (Design Brief), 6 (Foul water drainage), 7 (Verification Report), 12 (Lighting details), 14 (Landscape Ecological Management plan), 15 (Construction Method Statement), 16 & 17 (Noise Impact Assessment) of planning permission C/2022/0123.	25/05/23 29/08/23 Condition Discharged
C/2023/0166	LAND OFF SHOP ROW BLAINA	Application for Non-material amendment of planning permission C/2021/0160 (Two pairs of semi-detached dwellings and replacement access) to amend condition 1 to allow for revised plans to make alterations to fenestration, reduce house type designs from 5p 3b house type to a 4p 2b bed house type to suit Welsh DQR standards. Amendments to parking arrangements to identify parking bay in permeable paving system and 900mm paths in paving slabs. Plots 1 & 2 moved South by 425mm. Plots 3 & 4 straightened up and moved South by 365mm.	04/08/23 29/08/23 Approved

C/2023/0153	4 - 5 HIGH STREET ABERTILLERY	Application for Variation of Condition 2 of planning permission C/2022/0339 (Change of use from retail to mixed use (A1, A2 and B1 use). Including replacement shopfront, reconfiguration of window and door openings. Cladding and insulated render to walls. Design variations from Planning Permission Reference C/2022/0195 to allow the Installation of low and zero carbon technology including Air Source Heat Pumps, Photovoltaic Panels & Mechanical Heat Recovery Ventilation) - revision of approved drawings to include external roller shutters to prevent vandalism and PV panels installed to Market St elevation.	17/07/23 04/09/23 Approved
C/2023/0116	LAND AT CEMETERY ROAD EBBW VALE	Application for approval of reserved matters for landscaping, Condition 2 of outline planning permission C/2022/0123 (Construction of 13 no. self-build houses, with associated external works).	25/05/23 06/09/23 Approved
C/2023/0133	BELMONT BARNES CLOSE RASSAU EBBW VALE	First floor side extension.	15/06/23 19/09/23 Approved
C/2023/0131	PLOT 2 ADJOINING TY CROSEO WHITWORTH TERRACE LOWER GEORGETOWN TREDEGAR	Variation of condition number 1 (approved plans - Plot 2) for planning permission C/2021/0330 (2 detached dwellings with detached garages, new access & associated works).	08/06/23 31/08/23 Approved

C/2023/0142	CAE ORCHID QUARRY ROW BLAINA	Proposed two storey side extension and balcony.	29/06/23 04/09/23 Approved
C/2023/0098	OLD SCHOOL SITE TROEDRHIWGWAIR TREDEGAR	Provision of 4 no. detached lesiure pods, including landscaping and services.	02/05/23 07/09/23 Approved
C/2023/0146	1 SILOAM CLOSE TAFARNAUBACH TREDEGAR	Alterations and single story rear extension to existing detached dwelling to provide new kitchen and sitting accommodation, as well as landscaping and services.	03/07/23 24/08/23 Approved
C/2023/0139	MASTERBATCHES LTD BLAENANT IND EST BRYNMAWR	To level off the top edge of land for vehicle parking and storage of pallets of material and to generate new vehicle access point, gates and fence.	26/06/23 20/09/23 Approved
C/2023/0108	TEXACO PETROL SERVICE STATION WILLOW COURT NANTYBWCH TREDEGAR	Proposed alterations and extension to existing Texaco petrol service station building to provide additional retail space at ground floor level and ancillary staff accommodation and storage facility at first floor level.	12/05/23 18/09/23 Approved

C/2023/0145	LAND OFF DUKESTOWN ROAD TREDEGAR	Application for discharge of condition. Condition 5 (site contamination) & condition 7 (intrusive site investigation)- of planning permission C/2021/0016 (Construction of 1no. 2 bedroom bungalow with associated works).	03/07/23 08/09/23 Condition Discharged
C/2023/0161	ENDERLEY RHYD CLYDACH BRYNMAWR	Modernize existing dormer bungalow with alterations to raise main dormer roof. Add rear two storey extension and side/front single storey extension.	31/07/23 15/09/23 Approved
C/2023/0173	ST GEORGES COURT TREDEGAR	Application for Non-material amendment of planning permission C/2023/0326 (Demolition of the existing walkway and associated structure, new car parking and new footpath) - to remove condition 5 relating to surface water drainage.	17/08/23 12/09/23 Approved

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Agenda Item 8

Report Date: 21st Sept 23

Report Author: Steve Smith

BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning Committee
Report Subject	Developments of National Significance (DNS)
Report Author	Service Manager Development & Estates
Date of meeting	5th October 2023

1.0	Purpose of Report
1.1	To report an email response from the Chief Planning Inspector for Wales replying to BGCBC correspondence sent 22 nd August raising concern about the process and timescales for DNS applications.
2.2	This was reported to the September cycle of Planning Committee.
2.0	Present Position
2.1	The response from the Chief Planning Inspector appears below.
2.2	Despite a chase up, I have yet to receive a response from Welsh Government Planning Division.
3.0	Recommendation/s for Consideration
3.1	That the correspondence is noted.

From: [REDACTED]
Sent: 25 August 2023 15:19
To: Smith, Steve <steve.smith@blaenau-gwent.gov.uk>
Cc: [REDACTED]
Subject: RE: DNS Applications

Dear Steve,

Thank you for your email. I do understand and sympathise with your position regarding resources to support DNS work. The timetable and processes we are obliged to follow are set out in the regulations and therefore we are not at liberty to allow flexibility on the timetable for submissions, despite the concerns you have raised. I am sorry for the difficulties this can cause during periods of high staff absence and the effect it is having on the wellbeing of your team. I will leave it to [REDACTED] to reply on the consenting regime more generally in light of your comments and plans for the future.

You will be aware that LPAs receive an indication of a likely DNS submission at the Notification stage at the same time as PEDW, albeit I understand (like PEDW) it is difficult to plan for an unknown submission date during a potential 12 month window. LPAs also get sent a copy of the DNS application at the same time as PEDW, which gives some time to informally start reviewing whilst PEDW undertakes Acceptance checks. For a project with an Environmental Statement, that provides an extra 6 weeks. You might want to consider whether there are any opportunities here to take a more flexible approach to resource planning at your end.

With regard to the case you mention (i.e. being notified of a window for a Hearing and but no actual date and then an inconvenient date set) I am sorry for any inconvenience caused in that case. We do try our best to liaise with applicants and LPA's over convenient dates as a matter of practice but I will also review our internal practices to see if there's anything more we can do to help you plan ahead. In particular I will instruct case officers to give all the invited participants confirmation via e-mail as soon as the Inspector has confirmed dates while the formal notice and press notice are being prepared, which should allow some advanced warning.

I cannot comment with regard to the powers of 'suspension' available to PEDW during the process but I can advise that we only use these in exceptional circumstances, where we have to, and we try our best to limit the impact of this on all parties.

I also note the points you make about our current performance on timeliness for appeals casework and this is an area we are working extremely hard to address. We have been (and continue to) recruit to ensure we have sufficient resource to cope with the high volume of casework we are experiencing and we are doing all we can to improve our efficiencies and processes to tackle the backlog of work we have. I am grateful for your continued patience in this regard.

Best regards,

[REDACTED]

[REDACTED]

Prif Arolygydd Cynllunio / Chief Planning Inspector
Rhagenwau: hi - Pronouns: she/her
Penderfyniadau Cynllunio ac Amgylchedd Cymru / Planning and Environment Decisions Wales
Llywodraeth Cymru / Welsh Government
Llinell Uniggyrchol | Direct Line: 03000 251 293
PCAC Ymholiadau Cyffredinol Ffôn / PEDW General Enquiries Tel: 0300 123 1590

Committee: **Planning Committee**

Date of meeting: **October 5th 2023**

Report Subject: **Revised Practice Advice Notes (PANs)**

Portfolio Holder/Chair: **Cllr. Winnett Chair of Planning Committee**

Report Submitted by: **Service Manager Development & Estates**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)

1.0 Purpose of the Report

To consider revisions and updates to three Practice Advice Notes (PANs).

2.0 Scope and Background

2.1 The service has adopted a series of PANs which cover important areas of service delivery. These are published on the Council website.

2.2 Officers are currently reviewing all internal policies and this report seeks Member approval of 3 documents listed in green below. I have included the full list for Member's information.

2.3 PAN 1 – **Public Speaking at Planning Committee**

PAN 2 – Enforcement Guide

PAN 3 – **Planning Charter**

PAN 4 – Scheme of Delegation

PAN 5 – **Publicity for Planning Applications**

PAN 6 – Preliminary Advice Scheme

PAN 7 – Planning Protocol

2.4 The revised and updated PAN documents are appended to this report.

2.5 It is hoped to present PAN 2 and PAN 7 to this Committee prior to Christmas 2023.

2.6 PAN 4 – Scheme of Delegation is subject of a report to September Council.

3.0 Options for Recommendation

3.1 Option 1 – do nothing. This will entail withdrawing the PAN series of documents and the policies and principles contained therein.

Option 2 – adopt the revised PANs appended to this report.

- 4.0 **Evidence of how this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**
- 4.1 The PANs ensure consistency and transparency in how the service is delivered and sets standards which service users can expect to receive
- 5.0 **Implications Against Each Option**
There are no budgetary implications.
- 5.1 ***Impact on Budget (short and long term impact)***
None
- 5.2 ***Risk including Mitigating Actions***
None
- 5.3 ***Legal***
None
- 5.4 ***Human Resources***
None
- 5.5 ***Health and Safety***
None
- 6.0 **Supporting Evidence**
- 6.1 ***Performance Information and Data***
None
- 6.2 ***Expected outcome for the public***
A published set of policies and service standards that set out how the planning service will be delivered and to which the quality of service can be measured.
- 6.3 ***Involvement (consultation, engagement, participation)***
None
- 6.4 ***Thinking for the Long term (forward planning)***
- 6.5 ***Preventative focus***
N/A
- 6.6 ***Collaboration / partnership working***
N/A
- 6.7 ***Integration (across service areas)***
N/A
- 6.8 ***Decarbonisation and Reducing Carbon Emissions***
N/A

6.9 ***Integrated Impact Assessment (IIA)***
N/A

7.0 **Monitoring Arrangements**

7.1 **Background Documents /Electronic Links**

Updated copies of PANs 1, 3 and 5.

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PLANNING ADVICE NOTE 1

PUBLIC SPEAKING AT PLANNING COMMITTEE

Where and when does Planning Committee meet? -- Planning Committee usually meets on the morning of the first Thursday of each month at 10am. The meeting is a hybrid meeting held jointly via Microsoft Teams and at the General Offices. You are advised to check the arrangements in advance including whether the application you are interested in has already been decided by planning officers.

Who can attend? -- Planning Committee is a public meeting. It is not broadcast live but anyone can attend, including the press. A recording of each meeting is usually hosted on the Council website afterwards.

Some items on the agenda such as the enforcement report are confidential and you will not have access to view these exempt parts of the meeting.

Who may speak? -- The Chairman will allow one party to speak to put each side of the case. The order of speakers will be...

- The Chairman will introduce the item.
- A planning officer will present the case and address any late correspondence.
- One objector. If there is more than one objector, the first person to register the speaking slot will be allowed to speak
- One supporter of the scheme. If there is more than one supporter, the first person to register the speaking slot will be allowed to speak
- One representative of the Town or Community Council.
- Where they are not already on Planning Committee, a Ward Member in whose ward the application falls (but not have a vote).
- The applicant or his / her agent.

In exceptional cases, more than one person may be allowed to speak either for or against a proposal. This will be at the discretion of the Chair but will be limited to major planning applications or schemes that have generated significant public interest.

How do I register to speak? -- You can book a speaking slot by emailing planning@blaenau-gwent.gov.uk This must be at least 48 hours before the meeting. The deadline is therefore usually 10.00am on the Tuesday of the week of Committee. Failure to register your wish to speak by the deadline will result in your right to speak being lost.

You must state in your email whether you are supporting or objecting to the application so that the slot is allocated to the correct person.

How long will I have to speak? -- Each speaker will be allotted a maximum of 5 minutes. You are not allowed to distribute plans/maps, photos or other papers.

What can I say? -- You must limit what you say to relevant planning issues such as the Development Plan, government policy/guidance, visual impact or appearance and highway considerations.

Issues such as devaluation of property, land disputes and competition between businesses are not relevant to the planning system and must be disregarded by the Planning Committee.

At Planning Committee

- Planning Committee must make its decision in accordance with strict legal rules. It cannot approve an application simply because a lot of people are in support or refuse planning permission because a lot of people object. Each decision must be made based on sound and defensible planning reasons.
- Speakers are advised that they are personally accountable for what they say. You should be aware that the meetings are recorded and published on the Blaenau Gwent CBC website so are publicly available.
- You do not need to repeat any points that you may have raised in any written objections. They will be included in the officer's report.
- At the discretion of the Chair, you may be asked to answer questions raised by members of the Planning Committee.
- Applicants are advised that it is their responsibility to check when an application is to appear before Planning Committee.
- The Council will not notify applicants or their agents that a person has registered their right to speak for or against their application.
- You should log on to Microsoft Teams with the link you have been provided with 10 minutes before the meeting starts. You will enter a waiting lobby and admitted prior to the meeting starting.
- An item will not be deferred if a person who has registered to speak fails to attend.
- The Council operates a policy of conducting and meetings in the medium of English. If you wish to address Planning Committee in Welsh, please notify the Council when you register your wish to speak so that translation arrangements can be made.

What happens if the application is deferred? -- This policy only applies to the first hearing of the application at Planning Committee. If a site visit of the Planning Committee is arranged, further speakers will not normally be allowed unless the Chair, under advice from the Chief Legal Officer, considers it is necessary in order to come to an informed decision.

Contact Details

To register to speak at Planning Committee, email planning@blaenau-gwent.gov.uk
For a link to attend Planning Committee, email committee.services@blaenau-gwent.gov.uk

Team Manager - Development Management
General Offices
Steelworks Road
Ebbw Vale
NP23 6DN





Planning Advice Note 3

The Planning Charter

Introduction

The Council decides planning, listed building, advertisement and other related applications. It also defends planning appeals.

The service also has an enforcement team who investigate breaches of planning law and monitor development sites for compliance with planning permissions.

All decisions must be made in the light of the Councils Local Development Plan (LDP) as well as all other relevant planning considerations.

The LDP is prepared by the Council and contains policies for the future development in the County Borough.

The Council also prepares supplementary planning guidance documents to assist applicants, neighbours and other interested parties.

For a list of guidance notes, please see the Councils web site.

Opening Hours

Due to agile working, we cannot provide a walk in presence for the public.

A duty officer is available via telephone/email Monday to Friday (excluding Back Holidays) between 08.30-17.00

We will accept correspondence via letter or email. Both will be afforded the same status.

The Role of Officers

Officers are employed to assist all service users including applicants, consultees, supporters or objectors and elected Councillors.

They will carry out their duties in a responsive, fair and consistent manner.

The Role of Councillors

Members play a key role in advising their constituents how to become engaged in the planning process.

However, members of the Planning Committee must not come to a view on any planning proposal until they have all necessary information before them.

If they pre-determine any application by stating their view prior to a Planning Committee meeting, they may be barred from the debate or the vote.

Pre-application Advice

We offer a chargeable advice service before you submit your application. A separate PAN is available

on this subject, which sets out fees and timescales for receiving a written response.

Receiving Planning Applications

If your planning application has been incorrectly made you (or your agent) will receive an Invalid Notice with 5 working days.

This will give you clear guidance what changes you need to make.

Valid applications will be registered and acknowledged within 5 working days.

Your acknowledgment letter will confirm the target 8 week decision period and tell you who the case officer is.

Making A Decision

The case officer will make a site visit, usually with 3 weeks of registration.

If the need for further information arises, the applicant will be notified as soon as possible and the reasons why it is required. A deadline will be given for submission of more details or plans.

If the proposal is unacceptable but amendments could be made to overcome any objections, the applicant will be notified as soon as possible with a time limit for matters to be addressed.

With some proposals, more time may be

required to consider the application. The Council will seek to agree an extension of time with all applications that over run the 8 week target.

The Council is mindful of its responsibility to determine applications within 8 weeks. Where there are significant objections in terms of planning policy that cannot be overcome, applications will be refused without further reference to the applicant.

Applicants will only be informed upon request about the progress of their application.

The decision notice will be issued within three working days of the decision having been made unless a legal obligation is required prior to issuing a decision notice.

Becoming involved in the process

Publicity for applications will at a minimum meet the statutory minimum requirements. In many cases, the Council policy is to exceed the minimum requirements.

A separate PAN is available on this subject.

All planning application files (with the exception of enforcement files) are available for public inspection.

Where an application is reported to Planning Committee, members of

the public and applicants may address the meeting.

A separate PAN is available on this subject.

Objectors/supporters to applications will need to contact the Planning Department to be informed of the decision made.

Applications are determined in line with the Council's scheme of delegation.

A separate PAN is available on this subject.

Appeals

Officers will defend appeals. However, on occasion Councillors will present the case if the original decision was contrary to officer advice and the Service Manager directs that an officer could not present evidence without prejudicing their own professional code of conduct.

Monitoring Performance

The planning service will publish periodic performance reports to Planning Committee.

Other performance indicators will be monitored via the teams Business Plan.

Making a complaint

All complaints about service provision will be thoroughly investigated under the terms of the corporate complaints policy.

In the first instance, address any complaint to the officer who dealt with your case.

If you are dissatisfied with the response, you should contact Service Manager via the general enquiries number below.

Welsh Language

The Welsh and English languages are treated equally.

If you wish your enquiry or planning application to be dealt with through the medium of Welsh please inform your case officer.

Contacts

General Enquiries

01495 – 355555

planning@blaenau-gwent.gov.uk

Enforcement Enquiries

01495 - 355513 /355814

planning@blaenau-gwent.gov.uk



Updated October 2023

Planning Advice Note 5

Adopted Publicity Policy



Application Type	Statutory Requirements	B.G.C.B.C. Policy
Application accompanied by Environmental Statement and/or is a departure from development plan and/or which may affect public right of way	Be advertised on site for not less than 21 days and advertised in a locally circulating newspaper	<ul style="list-style-type: none"> Be advertised on site for not less than 21 days and advertised in a locally circulating newspaper Additional letters of notification to residential properties at discretion of Service Manager.
Major applications i.e. applications involving any of the following. <ol style="list-style-type: none"> Minerals related development Waste development Residential development of 10 or more units or site area over 0.5 ha if outline New buildings over 1000sqm floor area Other developments where site 1ha or more 	Be advertised on site in at least one place on or near the land for at least 21 days or by serving notice on any adjoining owner or occupier and be advertised in at least one locally circulating newspaper	<ul style="list-style-type: none"> Be advertised on site in at least one place on or near the land for at least 21 days and Be advertised in at least one locally circulating newspaper and/or Residential properties around the boundary of the application site to receive letters of notification. The distance of properties from the site at the discretion of Service Manager.
Other minor and householder applications	Advertised on site for at least 21 days or notice served on adjoining owner/occupier	Immediately adjoining residential properties will be notified by letter and/or at least one notice displayed on or near site.
Applications for Advertisement Consent and L.D.C.'s	None	Applications publicised at the discretion of the Service Manager
Prior notifications for Telecoms, Forestry, agricultural or demolitions	Dependent on the nature of application, requirement for developer to erect site notice	None.
Applications for Listed Building Consent or Applications to vary or discharge conditions on a Listed Building where they affect the external appearance.	Advertisement in newspaper and site notice	Advertisement in newspaper and site notice (and letters to adjoining properties at discretion of Service Manager)
Development affecting setting of listed building / character of a conservation area	Advertised on site for at least 21 days or notice served on adjoining owner/occupier	Site notice (and letters to adjoining properties at discretion of Service Manager)

Updated October 2023

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