

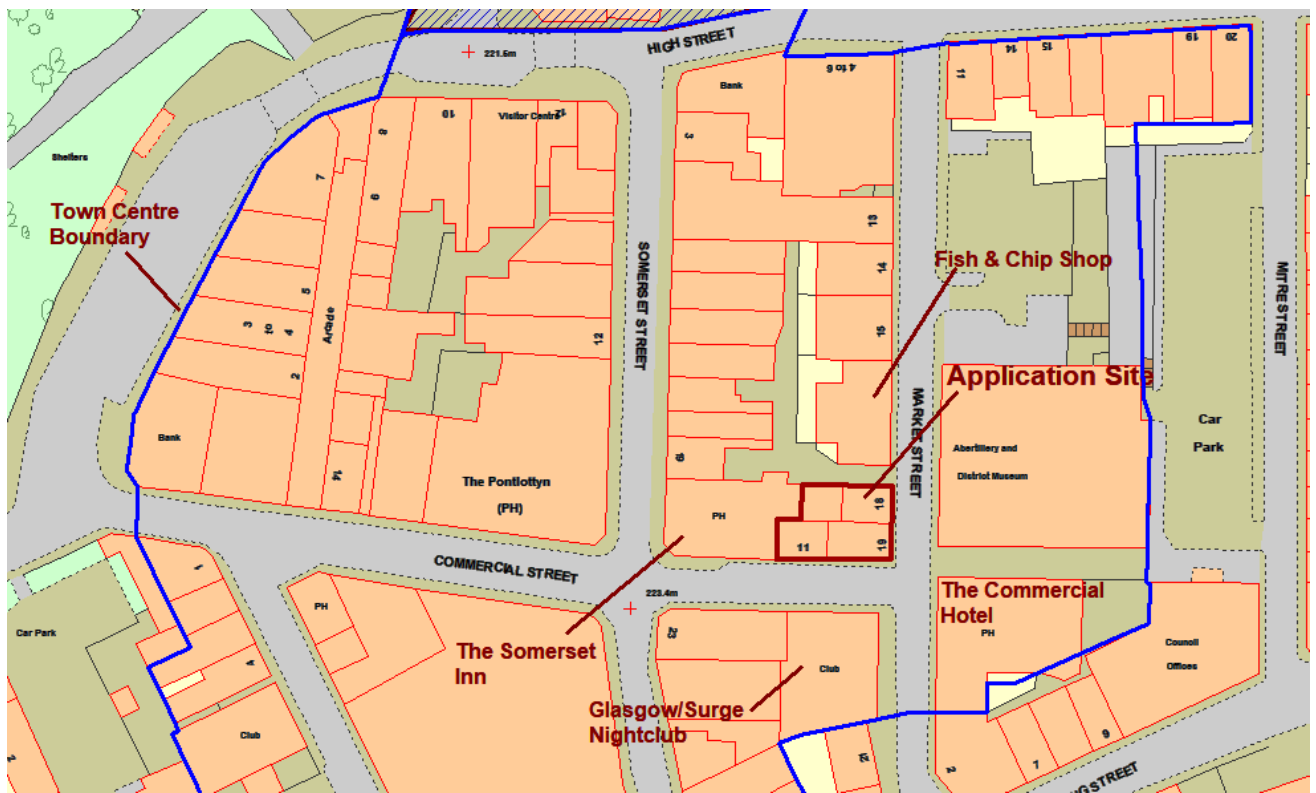
BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	Planning Applications Report
Report Author	Team Manager Development Management
Report Date	23rd August 2021
Directorate	Regeneration & Community Services
Date of meeting	2nd September 2021

Report Information Summary

1. Purpose of Report
To present planning applications for consideration and determination by Members of the Planning Committee.
2. Scope of the Report
Application Address No.
C/2021/0168 18 & 19 Market Street, Abertillery
C/2021/0196 Endsleigh, Alma Terrace, Brynmawr, Ebbw Vale
C/2021/0103 Former Job Centre, Coronation Street, Tredegar
C/2021/0197 Former Pochin Works Site Newport Road Tredegar
3. Recommendation/s for Consideration
Please refer to individual reports

Planning Report

Application No: C/2021/0168	App Type: Full
Applicant: Mr J Harvey 2 Coed Hafod Six Bells Gwent	Agent: Mr Adrian Drew 14 Thornhill Close Brynmawr NP23 4SA
Site Address: 18 & 19 Market Street, Abertillery	
Development: Change of use to Wine Bar and associated external alterations.	
Case Officer:	Joanne White



1. Background, Development and Site Context

1.1 The property is a split level building occupying a corner plot between Market Street and Commercial Street, Abertillery. Due to the steep topography of the area, the property is two storey when viewed from the front (Market Street) but appears 3 storey in height when viewed from the side (Commercial Street).



Left: Fronting Market Street

Right: Fronting
Commercial Road

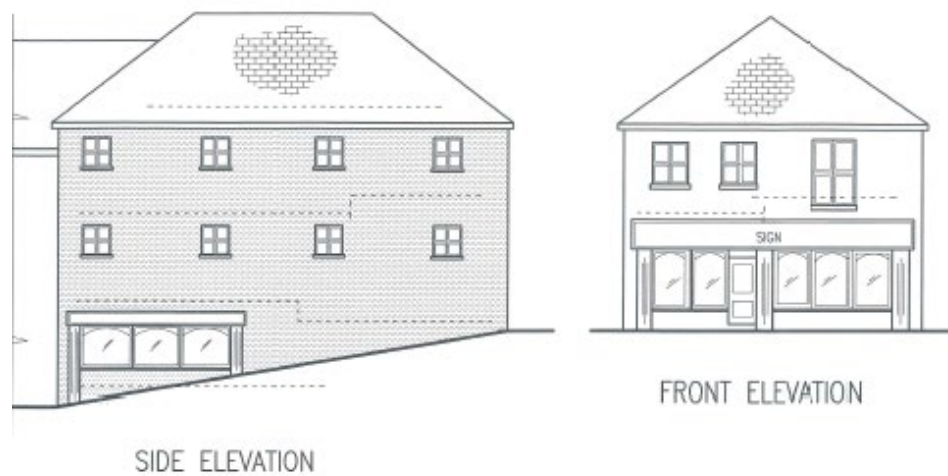


The application building has been vacant for a number of years with the last known use at ground floor as A3. The building also incorporates a small unit fronting Commercial Street, which was formerly used as a butcher shop (11 Commercial Street). The plans indicate that there will be no access from the property onto Commercial Street; with the entrance/exit being via Market Street.



Fig 1 (above): Existing Elevations fronting Commercial St and Market Street

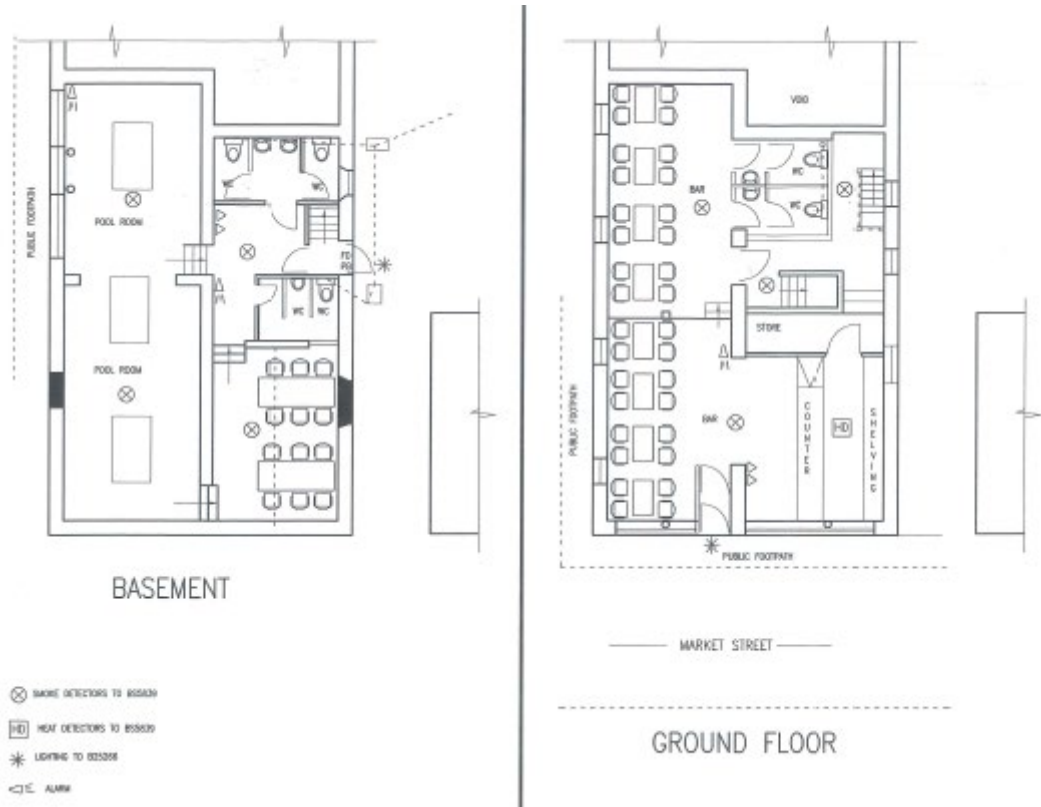
Fig 2 (below): Proposed Elevations fronting Commercial Street and Market Street



The units have all been vacant for a number of years and the building is in a poor state of repair.

A narrow access lane separates the building from the neighbouring property at 16-17 Market Street (Market Street Fish & Chip Shop at ground floor with vacant flats above) whilst the rear of Abertillery Museum and the rear of The Metropole Theatre are located directly opposite the site. Further along Market Street on the opposite side of the road is The Commercial Hotel and to the south is the former Glasgow/Surge Nightclub which is separated from the site by Commercial Road. To the rear, is The Somerset Inn, which fronts onto Somerset Street.

Planning permission is sought to create a wine bar (A3 use) at ground floor and basement, together with associated external alterations. The development site would effectively become one planning unit. Initially, the application also sought permission for new roller shutters, but an e-mail from the agent dated 11th August 2021 confirmed that no shutters are proposed and as such have been omitted from the proposal.



The existing and proposed plans indicate a flat at first floor. However, there is no evidence to suggest that the first floor has ever been used as a flat and as such this application does not assess such a proposed use. The applicant has been made aware of this.

No details of opening hours have been provided.

2. Site History

	Ref No	Details	Decision
2.1	C/1996/0311	19 Market St - Change of Use to A3 to be used in conjunction with no.18 which already has benefit of A3 use.	Approved 18.12.1996

3. Consultation and Other Relevant Information

3.1

Internal BG Responses

Team Leader Building Control: No response received

Service Manager Infrastructure:

Highways:

The traffic generated by the submitted proposal is comparable to the existing use. The property is well serviced by public transport, local facilities and public car parks. In view of this information this application complies with Policy DM 1 (3b), there are no objections from a highways stand-point.

Service Manager Public Protection:

No comments on this application. However, it is recommended that if the first floor is converted to a flat then the sound insulation of the ceilings between the residential and commercial aspects should be of a higher standard than Building Regulations approved document E as approved document E is for residential to residential not residential to commercial.

External Consultation Responses

Town / Community Council: No response received

Welsh Water:

No objection to foul water in terms of capacity concerns. Any existing drainage should be utilised where possible to avoid the need to make any new connections to the public sewer.

Gwent Police: No response received.

Public Consultation:

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

Response:

No objections have been received.

4. Planning Policy

4.1	<p><u>Team Manager Development Plans:</u> Concerns that the change of use of this property to a wine bar would result in a clustering of A3 uses contrary to the Food and Drink SPG. Nevertheless, considerations were highlighted which might be taken into account when determining the application:</p> <ul style="list-style-type: none">• The Commercial Hotel although located on Market Street, is separated from the proposed site via a cross section of road at Commercial Street. The Glasgow PH is located opposite the site and further along Market Street and is also physically separated by the above road. Therefore, these two A3 uses could be deemed as not being adjacent to the proposal (adjacent refers to the properties being next door to each other) and therefore not representing a cluster of A3 uses.• 19 Market Street Abertillery has been a long standing vacant unit for many years, indeed since the start of the Local Development Plan in 2006. Development of this property would therefore improve the vitality and viability of the town centre and support Policy SP3. <p><u>LDP Policies:</u> SP3 The Retail Hierarchy and Vitality and Viability of the Town Centres DM1 New Development DM5 Principal and District Town Centre Management SB1 Settlement Boundaries</p> <p>SPG Shopfronts and Advertisements (November 2015) SPG Hot Food and Drink Uses in Town Centres (October 2014)</p> <p><u>PPW & TANs:</u> Planning Policy Wales Edition 11 (February 2021) chapter 3 para 3.9 Future Wales The National Plan 2040 (policy 6)</p>
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5. Planning Assessment

5.1	<p>The planning assessment falls into two distinct parts; first and foremost, the land use, and secondly, all other material planning considerations.</p> <p><u>Land Use</u> This application relates to a vacant property located within the Abertillery Town Centre but outside the Primary Retail Area. The application which seeks permission to use the premises as a wine bar is to be considered against</p>
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Policy DM5 of the LDP and the further advice contained in the Council's Hot Food and Drink Uses Supplementary Planning Guidance (SPG).

Policy DM5 of the LDP (which applies to the Principal Town of Ebbw Vale and the District Town Centres of Brynmawr, Tredegar and Abertillery) seeks to manage the uses of ground floor premises within defined town centres and primary retail areas.

The adopted SPG sets out how the Local Planning Authority will consider planning applications for A3 uses in town centres and the issues that are considered in the determination of such applications. The purpose of the SPG is to ensure there is an appropriate balance of hot food and drink businesses with other uses to support the retail function.

The SPG highlights that *"...in Blaenau Gwent, food and drink uses are dispersed. However, there are pockets where there is a concentration of such uses, including premises such as public houses and hot food takeaway establishments, which have a distinctive character and late night opening. In order to minimise the impact on vitality and viability, concentrations or clusters of hot food and drink uses should be avoided as they often have an adverse impact on the character of the area."*

For this purpose, LDP Policy DM5 specifies that *"A3 uses will not be permitted where they harm the vitality, and viability and retail mix of the area as a result of a proliferation of this type of use"*.

The two guidelines advocated in the SPG as a mechanism to assess whether proposals are acceptable in this regard are the numbers of such units (as a percentage) and the clustering of A3 uses. The SPG advises as follows:-

Guideline 1:

In the Principal and District Town Centres, the number of A3 uses (including vacant buildings with former A3 use) outside the primary retail area should be no greater than 25% of the total number of retail units / buildings outside the Primary Retail Area. Within Primary Retail Areas, only A1 uses will be permitted.

The planning policy team carry out an annual town centre survey which amongst other things, identifies the number of A3 uses. The latest survey, carried out in October 2020, identified 19 x A3 units outside the primary retail area in Abertillery, which equates to 22%. On this basis, there is sufficient capacity to accommodate a further A3 use in accordance with the SPG. As such, there are no policy concerns in this regard.

Guideline 3

To maintain a diverse and active shopping street not dominated by groups or individual A3 uses, it is recommended that no more than two A3 uses should be adjacent to each other in the Principal, District and Local Town Centres. 'Adjacent' refers to the properties being next door to each other.*

I acknowledge that in this instance there are a number of A3 Uses within close proximity to the application site which could give rise to concerns of a proliferation of A3 uses; The Commercial Hotel, The Glasgow/Surge Nightclub (which is now vacant), Market Street Fish & Chip Shop and The Somerset Inn. However, (with the exception of The Somerset Inn), the other A3 uses are all physically separated from the site by Market Street, Commercial Street and an access lane. Members will appreciate that whilst it could be argued that these properties are not strictly 'adjacent' to the site in terms of the requirements of the SPG, they are nevertheless in very close proximity to each other. In practice this could give rise to the same issues and impacts that a proliferation of A3 uses located 'adjacent' to each other could have, a situation which the current policy seeks to avoid.

That said, it is worth noting that although The Somerset Inn physically backs onto the application site, its frontage and relationship is directed towards Somerset Street and is therefore not read in the context of the application street scene which is to be accessed off Market Street.

Notwithstanding this, in reality, if applying a strict interpretation of the policy, the application property might be interpreted as the fourth or fifth unit (excluding or including Somerset Street), that would be used for A3 purposes which significantly exceeds the limit of two indicated by the Guideline.

Members are also advised that at least part of the application building, 18 Market Street is understood to have been historically used as an A3, and 19 Market Street was historically also granted permission for an A3 use (to be used as one unit with number 18), albeit the entire building has been vacant for a number of years and it is not known whether the A3 permission for number 19 was ever implemented. If the permission for number 19 was implemented, then essentially the whole of the ground floor of units 18 and 19 might already benefit from an A3 use and it could be argued that withholding permission for this development solely on the basis of the proposal to incorporate the basement level (namely 11 Commercial Street) into the unit might be viewed as an overly strict and harsh application of the SPG. However, if the permission for number 19 was never implemented then essentially, only half of the ground floor area at Market Street level would benefit from an extant A3 use.

Notwithstanding the above, I consider the re-use of this neglected building would improve the vitality and viability of the town centre in accordance with LDP Policies SP3 and DM5 and would potentially outweigh policy concerns regarding the clustering of A3 uses in this particular part of the town centre.

Neighbouring Amenity

The area is characterised by commercial uses at ground floor level and I do not consider that the proposed use will cause an unacceptable nuisance to neighbouring properties within this town centre location. On this basis, I am satisfied that the application has due regard to LDP Policy DM1(2)c. Should the developer wish to provide a flat at first floor in the future, this will require planning permission and the impact of the A3 use would be considered as part of any future application.

Hours of opening

These are covered by the Council in its role as the Licensing Authority. It is the long established practice of the Planning Authority not to control the hours of operation of A3 premises under planning.

Anti-social behavior

The police receive a copy of the Weekly Planning List and have not raised any concerns in relation to the proposal. The Licensing Authority also considers such matters when determining whether a license should be granted.

External Alterations

I noted during my site visit that some works to improve the fabric of the building are already underway i.e. replacement roof covering. The proposed shopfront and associated external alterations will further improve the appearance of this derelict building thus positively contributing to the overall appearance of the street scene. Proposed materials include cream render to the walls, grey ceramic tiles to the shopfront stallriser and stained timber to the shopfront. These are considered acceptable and such development accords with the adopted SPG for Shopfronts and Advertisements and LDP Policy DM1(2)b.

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.
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7. Conclusion and Recommendation

7.1 This is a finely balanced case with arguments for and against the development. Whilst strict interpretation of the SPG would suggest the development does not comply with Guideline 3 and should be refused for a policy related reason, the possible extant use of a significant part of the building as A3 and the fact that nearby A3 uses could be considered as not strictly being 'adjacent' might justify approving the application.

Furthermore, I note that one of the 'adjacent' buildings referred to in my report - the former Glasgow/Surge nightclub - is currently vacant and a planning condition restricts its use to that of a public house rather than it having the benefit of an open A3. Based on this fact should a public house wish to operate from the building in the future they could do so without the need for permission. Nevertheless, the regeneration benefits that might derive from re-using the large vacant application building and the visual benefits to be secured for the area from the physical improvements proposed to the building could be legitimately argued as outweighing the potential negative impacts of clustering of A3 uses. Furthermore, there are no issues in terms of amenity.

On balance, I consider there are justified reasons to support this proposal. In my opinion, this derelict building is an eyesore that currently has a negative visual impact upon the street scene. The re-use of the building will potentially bring the building back into use and will positively contribute to the vitality and viability of the town centre in accordance with LDP Policy SP3. In this instance I feel there are specific locational factors for accepting that the positive impacts of this development would outweigh concerns regarding potential clustering of A3 uses. The development does not raise issues in terms of the number of units within the town centre (outside the primary retail area) in accordance with the SPG and is not considered to have an adverse detrimental impact upon the neighbouring area in this town centre location which is dominated by commercial uses. Furthermore, given that Market Street does little to contribute to the retail offering of the town centre, it is questionable whether a building of this size in this location would be suited for alternative (non A3) uses. Having carefully considered the application, I recommend approval subject to conditions.

Planning permission be **GRANTED** subject to the following condition(s):

	<p>1. The development shall be completed in full accordance with the following approved plans and documents:</p> <ul style="list-style-type: none">• Revised Site Location Plan, received 06.07.2021;• Proposed Floor Plan, dwg no 21/JH/102 received 25.05.2021• Proposed Elevations, dwg no. 21/JH/103 received 25.05.2021• Proposed Section, dwg no. 21/JH/106 received 25.05.2021• Email from agent confirming materials, dated 13.08.2021 <p>unless otherwise specified or required by condition 2-3 listed below.</p> <p>Reason: To clearly define the scope of this permission.</p> <p>2. This permission does not relate to the proposed residential use at first floor.</p> <p>Reason: To define the scope of the permission.</p> <p>3. All external finishes of the development hereby approved shall be completed in accordance with the approved plans within 3 months of beneficial use or substantial completion (whichever occurs soonest), unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To safeguard visual amenity interests</p> <p>4. Standard Time Limit</p> <p>Informative Notes:</p> <p>1. For the avoidance of doubt, this permission does not grant permission for the roller shutters as indicated on the approved plans. Nor does it provide consent for any adverts that may require separate Advertisement Consent. For advice in this regard, please contact planning@blaenau-gwent.gov.uk</p>
8. Risk Implications	
8.1	None

Planning Report

Application No: C/2021/0196	App Type: Tree Preservation Order Consent
Applicant: Mr Daniel Phillips Endsleigh Alma Terrace Brynmawr NP23 4DR	Agent: Mr Daniel Phillips Endsleigh Alma Terrace Brynmawr NP23 4DR
Site Address: Endsleigh, Alma Terrace, Brynmawr, Ebbw Vale NP23 4DR	
Development: Complete removal of sycamore tree (T1) covered by TPO No. BG120	
Case Officer: Justin Waite	



1. Background, Development and Site Context

- 1.1 The application seeks consent to fell a sycamore tree, which is covered by Tree Preservation Order (TPO) No. BG120. The reason provided for the proposed felling of the sycamore tree relates to the tree's root system causing structural damage to the side (western) boundary wall of the property and adjacent steps, path and gate pillar. As a result, the boundary wall has become unstable and the site has been secured via the erection of heras fencing which has been in place since October 2019. The applicant has also advised that Welsh Water has had to carry out works to the sewer due to a blockage caused by the tree's roots.
- 1.2 The site relates to the front garden of the residential property known as Endsleigh located on the corner of the junction between Alma Terrace and Darren Felin Road. The sycamore tree is located adjacent to the side (western) boundary wall on area of lawn which sits above the adjacent highway (See Photograph 1 below). As a result of its prominent corner location, the sycamore tree is visible within the street scenes of Alma Terrace, Alma Street, Darren Felin Road and Greenland Road.



Photograph 1 - View towards sycamore tree from Greenland Road

2. Site History			
	Ref No	Details	Decision
2.1	C/2020/0160	30% crown reduction of sycamore tree (T1) covered by TPO No. BG120	Undetermined at the time of writing
2.2	C/2018/0156	Reduction of approximately 40% of Sycamore tree that is covered by TPO no. BG120.	Consent Refused 17/04/2018
3. Consultation and Other Relevant Information			
3.1	<u>Internal BG Responses</u>		
3.2	<u>Team Leader Building Control:</u> Confirmed that the boundary wall has been recorded as a dangerous structure and immediate area has been made secure via the erection of heras fencing. File notes indicate that the movement in the wall appears to be historic and caused by the adjacent tree.		
3.3	<u>Service Manager Infrastructure:</u> Arboriculture: The Council's Arboricultural Officer has objected to the felling of the sycamore tree on the basis that the submitted tree report does not demonstrate an adequate level of arboricultural knowledge and no attempt has been made to consider alternative engineering solutions that would enable the tree to be retained. Examples of the latter include bridging the tree roots with a lintel in a newly constructed wall and installing a root bridge where the roots are in conflict with steps/paving.		
3.4	<u>External Consultation Responses</u> <u>Town / Community Council:</u> Brynmawr Town Council has raised no objection to the felling of the sycamore tree.		
3.5	<u>Public Consultation:</u> <i>Strikethrough-to delete as appropriate</i> <ul style="list-style-type: none"> ● One letter to neighbouring house ● One site notice ● press notice ● website public register of applications ● ward members by letter ● all members via weekly list of applications received ● other 		

3.6	<p><u>Response:</u> A ward member has responded to the consultation indicating that the tree should be removed as it is far too large for its position and reducing the crown will do nothing to prevent the tree's root system causing further damage to the fairly high boundary wall. He is also of the view that if no action is taken it's just a matter of time before the wall collapses, which could still cause injury to passers-by in spite of the heras fencing placed along the wall.</p>
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4. Planning Policy

4.1	<p><u>LDP Policies:</u> The LDP written statement indicates that proposals to undertake works to trees covered by TPOs should be considered against national planning policy and guidance (paragraph 7.85).</p>
4.2	<p><u>PPW & TANs:</u></p> <ul style="list-style-type: none"> • Planning Policy Wales (Edition 11, February 2021) – the most relevant requirements are considered to be found in paragraphs 6.4.24, 6.4.25 and 6.4.27. • Technical Advice Note (Wales) 10 – Tree Preservation Orders (1997)

5. Planning Assessment

<p><u>Amenity Value and Health and Safety of the Tree</u></p>	
5.1	<p>A Tree Preservation Order is used to protect trees whose removal would have a significant impact on the environment and its enjoyment by the public. The substantial amenity value of the sycamore tree is therefore recognised by the mere fact that it is protected by a TPO and its removal would unquestionably have a detrimental impact on the character and amenity of the local area.</p>
5.2	<p>The undertaking of works to, or the felling of, a protected tree is typically justified by concerns relating a tree's health or safety (e.g. whether is it is suffering from disease or whether it might break or fall). Such concerns must be based on evidence provided by an assessment undertaken by suitably qualified tree professional and documented within a tree report. The submitted tree report does not provide an assessment of the tree's health in this instance, and no safety issues with the tree itself have been identified. The Council's Arboricultural Officer has also raised no concerns in relation to the sycamore tree's health or safety and as such, there is no justification to remove the tree on these grounds.</p>
5.3	<p>It is noted that, among other things, the submitted tree report indicates that previous works to the crown of the tree have been badly undertaken and</p>

should be rectified by carrying out severe crowning of the sycamore tree. However, such proposed works to the crown of sycamore tree are not currently under consideration as they form part of a separate application (see application C/2020/0160 above).

Structural Damage to the Boundary Wall, Steps, Path and Gate Pillar

5.4 Structural damage is also a reason commonly given for the felling of protected trees and the tree report states that it is evident that the tree's root system has caused considerable structural damage to the boundary wall and also the steps and path within the grounds of the property and the pillar supporting the gate. The boundary wall was also recorded as dangerous structure by the Authority in October 2019 and a temporary heras fence has been in situ since this time to limit the health and safety risk to members of the public using the adjacent highway (see photograph 1 above).

5.5 The structural damage to the boundary wall is not in dispute with the movement in the wall most likely to be the result of physical pressure exerted by the tree's root system. Evidence of this structural damage is shown in photographs 2 and 3 below and it is accepted that the wall will need to be demolished (at least in part) and rebuilt.



Photograph 2 – Evidence of crack in boundary wall



Photograph 3 – Evidence of cracks and movement in boundary wall

- 5.6 The tree report recommends that if the sycamore tree is to remain, the boundary wall would need to be rebuilt at least two metres away from its current position which would result in it moving further out into the adjacent highway. The Council’s Highway Engineer has indicated that the adjacent highway is adopted and would object to its enclosure into the curtilage of the application property. In addition, there is potential for service infrastructure to be located in this area beneath the highway and a “stopping up order” would need to be applied for. If the latter was successful, the land beneath the public highway would automatically transfer to the previous land owner, which may not be the applicant. The applicant was provided with this information at a site meeting with officers and subsequently chose to submit this application to fell the sycamore tree. This approach follows the advice in the tree report which recommends that the sycamore tree be removed if the boundary wall cannot be rebuilt further away from the tree.
- 5.7 The Council’s Arboricultural Officer has challenged the adequacy of the tree report and indicated that there are engineering solutions available that would allow the sycamore tree to be retained and the wall to be rebuilt in situ whilst also removing the conflict between the tree’s root system and the boundary wall. The example given is bridging over the tree roots with a lintel in a newly constructed wall (see photograph 4 below). Similarly, root bridge systems are also recommended to remove the conflict between the tree’s roots and garden paving and steps (see root bridge illustration below). The applicant was

advised that these alternative engineering solutions where available. No further supporting information which considered and discounted these alternatives was, however, provided by the applicant.



Photograph 4 – Example of wall bridge over tree roots

- 5.8 The Council's Arboricultural Officer has therefore raised an objection to the proposed felling of the sycamore tree on the basis that it is of substantial amenity value within the local area and there are alternative engineering solutions that would overcome the conflict between the tree's root system and adjacent structures and enable its retention.



Illustration of root bridge (Source - Green Grid Systems via <https://www.externalworksindex.co.uk/> 19/08/2021)

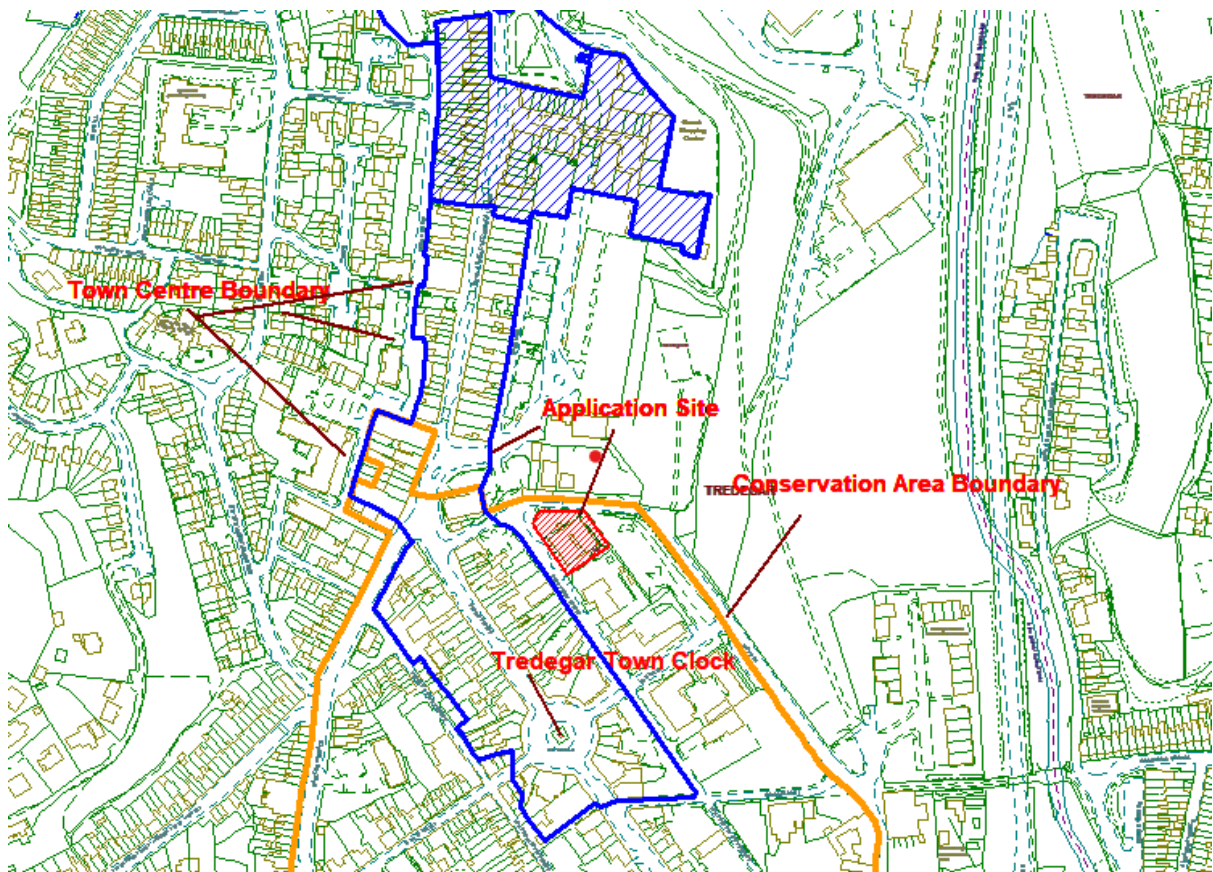
Conclusion

- 5.9 The protected sycamore tree has significant amenity value and its removal would have a detrimental impact on the character and appearance of the local area. In addition, no justification has been provided for the removal of the tree based on its health and safety. Whilst it is accepted that the tree's root system is causing structural damage to the boundary wall and paving and steps within the garden, alternative engineering solutions appear to be available that would overcome the conflict between the tree's roots and the adjacent structures, allowing the tree to be retained. The submitted tree report has not considered or discounted these alternative engineering solutions and I am of the opinion that insufficient justification has been provided to allow the removal of the protected sycamore tree. Accordingly, the proposal is considered to be contrary to paragraphs 6.4.24, 6.4.25 and 6.4.27 of Planning Policy Wales (Edition 11 February 2021).
- 5.10 Notwithstanding the above, if Members are minded to approve the removal of the sycamore tree contrary to officer recommendation, consideration should be given to the imposition of a condition that would secure the planting of a suitable replacement tree within the site but not necessarily in the same location.

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. Recommendation	
7.1	<p>Consent be <u>REFUSED</u> for the following reason(s):</p> <p>The proposed removal of the sycamore tree, protected by TPO No. BG120, lacks adequate justification given that alternative engineering solutions are available that would allow the tree to remain in situ whilst removing the conflict between the tree's root system and adjacent structures. Moreover, the sycamore tree has significant amenity value and its removal would have a detrimental impact on the character and appearance of the local area. Accordingly, the proposed removal of the sycamore tree conflicts with paragraphs 6.4.24, 6.4.25 and 6.4.27 of Planning Policy Wales (Edition 11 February 2021).</p>
8. Risk Implications	
8.1	<p>Members should note that if a person establishes that loss or damage has been caused or incurred in consequence of the refusal of consent he/she shall be entitled to compensation from the Authority. No claim may, however, be made:</p> <ul style="list-style-type: none"> • if more than 12 months has elapsed since the date of the Authority's decision or, where such a decision is subject to an appeal to the Secretary of State, the date of the final determination of the appeal; or • if the amount in respect of which the claim would otherwise have been made is less than £500.

Planning Report

Application No: C/2021/0103	App Type: FULL
Applicant: Mr Ashraf Rahman Maes y Coed Guest House Pontmorlais West Merthyr Tydfil CF47 8WY	Agent: Plans Drawn Mr Anthony Collins 21 Park Place Pontmorlais Merthyr Tydfil CF47 0DJ
Site Address: Former Job Centre, Coronation Street, Tredegar NP22 3RJ	
Development: Conversion of former offices into 11 rooms bed & breakfast facility with residential unit, associated parking provision; with internal & external alterations & decking.	
Case Officer:	Jane Engel



1. Background, Development and Site Context

- 1.1 This application seeks planning permission for the conversion of the former Job Centre at Coronation Street Tredegar to an eleven room bed and breakfast facility with residential unit, associated parking provision, internal and external alterations and decking area.
- 1.2 The building is a single storey brick faced building located to the north of Tredegar Fire Station. It lies within Tredegar Conservation Area and east of the town centre.
- 1.3 The plans indicate that the building will provide 11 en-suite guest rooms and a 3 bedroom manager's accommodation. Decking will be provided along the north eastern elevation overlooking the existing public car park. Eight car parking spaces are proposed on land to the north of the building.
- 1.4 Changes will be made to the existing windows and a set of bi-fold doors provided to the manager's living room. The plans indicate that the building will be rendered and have elements of stone cladding on three elevations.
- 1.5 The proposal will require the removal of existing cherry trees on the site and the plans indicate that replacement planting will be provided.



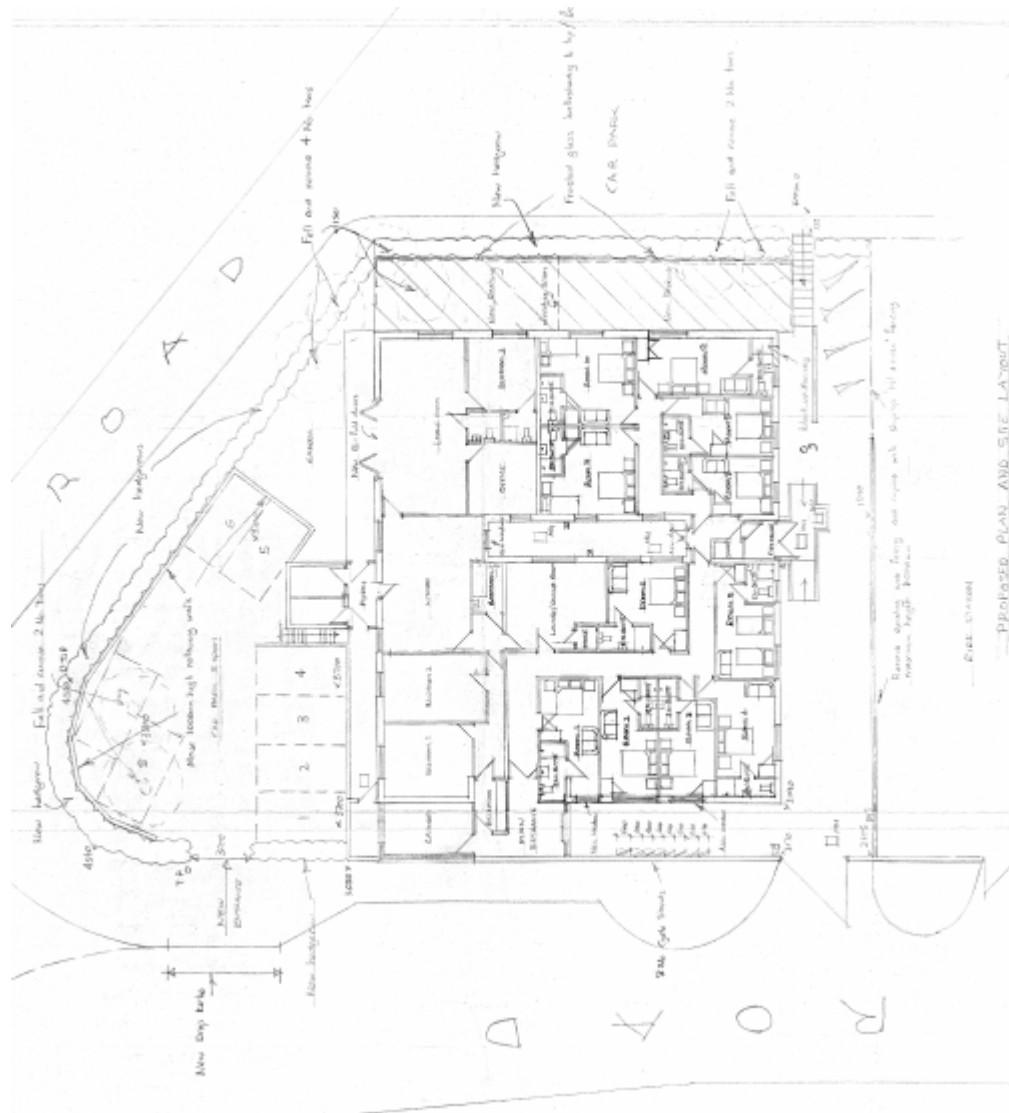


Figure 1 Block Plan

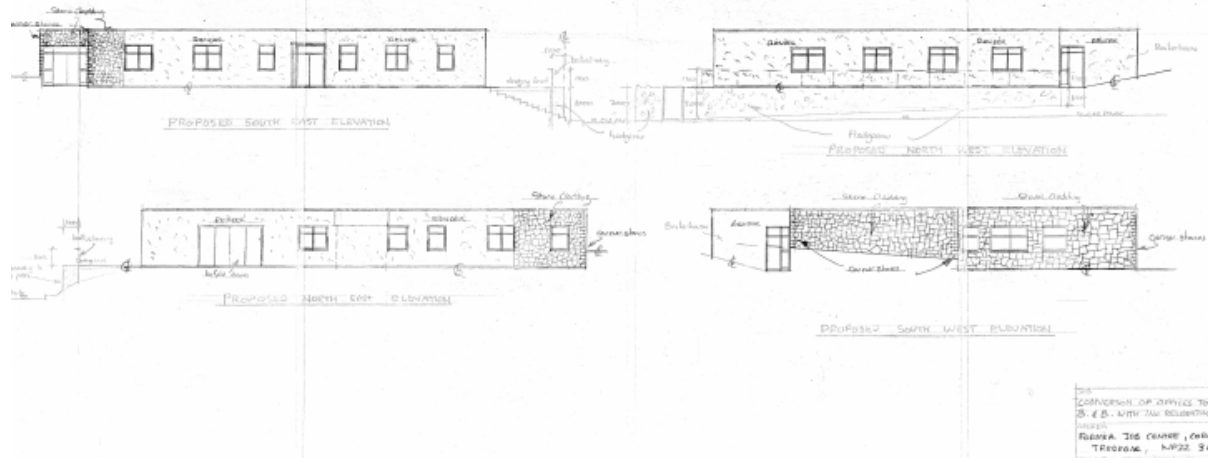


Figure 2 Proposed Elevations

2. Site History

	Ref No	Details	Decision
2.1	C/2020/0186	Change of use of offices to single dwelling with internal adaptations and external alterations	Withdrawn 24/11/2020
2.2	C/2019/0113	Change of use from offices to 8 room bed and breakfast, 3 bed residential unit with associated parking provision, internal and external alterations and decking.	Withdrawn 17/07/2019

3. Consultation and Other Relevant Information

3.1	<p><u>Internal BG Responses</u> <u>Team Leader Building Control:</u> Building Regulations Required</p>		
3.2	<p><u>Service Manager Infrastructure:</u> <u>Highways:</u> The submitted application complies with Policy DM1 (3 a. b. c. & d). The property is in a sustainable location that is well served by public car parks, public transport links and close to local facilities. There are no objections subject to the following:</p> <ol style="list-style-type: none"> 1. The car parking areas are to be fully constructed prior to the facility being operational and retained thereafter. 		
3.3	<p><u>Drainage:</u> Car parking area exceeds 100sqm therefore SAB approval is required.</p>		

3.4	<p>Landscape: Robust landscaping scheme required to compensate for the loss of existing trees on site,</p>
3.5	<p>Ecology: Initially advised that a bat survey was required. Following receipt of the bat survey which identified that the building is assessed as having low potential for bat use the ecologist confirmed that the details provided were acceptable. Requested a condition requiring the recommendations proposed mitigation outlined in the submitted survey to be implemented.</p>
3.6	<p><u>Service Manager Public Protection:</u> No objections</p>
3.7	<p><u>External Consultation Responses</u> <u>Town / Community Council:</u> No response to date</p>
3.8	<p><u>Welsh Water:</u> Confirm that there is sewerage capacity within the public network. Advised that no surface water from any increase in the roof area of the building/or impermeable surfaces within its curtilage will be allowed to drain to the public sewerage system.</p>
3.9	<p><u>Public Consultation:</u> Strikethrough to delete as appropriate</p> <ul style="list-style-type: none">● 3 letters to nearby properties● 2 site notice(s)● press notice● website public register of applications● ward members by letter● all members via weekly list of applications received● other
3.10	<p><u>Response:</u> Two letters of objection have been received one of which claims to have been written on behalf of 12 businesses in the area. The objections received relate to:</p> <ul style="list-style-type: none">● The addition of this type of residential dwelling within this street is unwarranted and would add to the volume of traffic using this minor back road

<p>3.11</p>	<ul style="list-style-type: none"> • The additional traffic entering and leaving the street would exacerbate problems already experienced by the fire station • Vehicle congestion reducing the availability for parking for firefighters • Questioning the need for another guest house • The conversion of the building is unlikely to be fit for purpose • The site is close to a film school which is funded by Children in Need. Many students are vulnerable some with additional needs. There is a worry that if people have been released from prison who have been responsible for violent or sexual convictions a halfway house could potentially put young people at risk. • Concerns that the premises will become a hotspot for anti-social behaviour thereby threatening the livelihoods of local businesses and potentially put established funded projects in jeopardy <p>Correspondence from a Ward Member requesting that the application be presented for consideration by Planning Committee. The reason stated relate to:</p> <ul style="list-style-type: none"> • Design not suitable for conversion • Design of building not in keeping with intended use. • Not in keeping with the area. • Impact on Town Centre. • The area has more than enough of places of multi occupancy also we have vulnerable adults in the area.
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4. Planning Policy

<p>4.1</p>	<p><u>Team Manager Development Plans:</u></p> <p><u>LDP Policies</u> SB1 Settlement Boundary SP1 Northern Strategy Area – Sustainable Growth and Regeneration SP8 Sustainable Economic Growth DM1 New Development DM2 Design and Placemaking DM5 Principal and District Town Centre Management DM14 Biodiversity Protection and Enhancement</p>
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5. Planning Assessment	
5.1	The site lies within the settlement boundary as defined by policy SB1 of the Adopted Blaenau Gwent Local Development Plan (LDP) within which development proposals are considered acceptable provided they meet the relevant criteria contained within the LDP.
5.2	The key considerations for such a proposal are compatibility of the proposed use, impact upon amenity, visual impact, parking provision, loss of trees and biodiversity interests.
5.3	<p><u>Compatibility of use</u></p> <p>The property lies just outside the town centre boundary and the majority of surrounding uses are commercial (there may be some residential flats above the retail properties in the Town Centre). The proposed use as a B & B is considered compatible with surrounding land uses and compliant with policy DM1 2a of the LDP.</p>
5.4	<p><u>Impact on amenity</u></p> <p>It is not envisaged that the proposed use would have any significant impact on the amenity of neighbouring occupiers given the commercial nature of the surrounding premises. In terms of the amenity of the people staying at the proposed guesthouse there may be some impact in terms of noise given its proximity to the fire station, scrap yard and public car park. However, it would be a decision of guests whether to stay at a guesthouse in this location.</p>
5.5	<p><u>Visual Impact</u></p> <p>It is proposed to render and clad the building in stone. Given that stone is a feature within the vicinity of the site I consider the proposed finishes acceptable. However, I propose a condition requiring further details of the stone to ensure that the proposed cladding is acceptable.</p>
5.6	<p><u>Parking Provision</u></p> <p>The details submitted indicate 8 parking spaces within the site and 8 no cycle stands. The Highway Authority have advised that given the sustainable location of the development the parking provision is sufficient. There is therefore no objection from the highway authority from a parking perspective. I note the concerns raised in relation to congestion and the impact on the adjacent fire station. However, no objections have been received from the fire authority and the highway authority have confirmed that they have no objections to the proposal.</p>

5.7	<p><u>Trees</u> The Green Infrastructure Team Leader has confirmed that whilst the removal of the existing cherry trees on the site is regrettable he recognises that they are coming to the end of their life. He accepts that the plans indicate replacement planting however has requested that further details be submitted for approval.</p>
5.8	<p><u>Biodiversity.</u> The Borough Ecologist has confirmed that she is satisfied with the findings of the submitted bat survey and requested details of the bat boxes and bird bricks recommended within the bat survey be submitted for approval.</p>
5.9	<p><u>Third Party Objections</u> I note the objections received and would respond as follows. As set out above the proposal is for a B & B use which falls within Class C1 as defined by the Town and Country Planning Use Classes Order. Such a use is considered compatible in this location. The need for such a facility is not a consideration in planning terms, market forces will determine whether such a facility is required. Competition with existing business is not a material planning consideration and there are no adopted planning policies that might justify withholding consent for such use in this location.</p>
5.10	<p>I am also unclear as to how such a use could result in antisocial behaviour</p>
5.11	<p>It has been suggested that the B & B will be used as a facility to house ex-offenders. Such a use would fall under a different use class and further planning permission would be required for such a use. Such issues cannot therefore form the basis of my consideration of this application.</p>
5.12	<p>Whilst I acknowledge that the building has little architectural merit, it is an existing building. Therefore, any concerns as to whether it is in keeping with the area are difficult to justify. The changes to finishes will help to improve the appearance of the building. The conversion works will be subject to Building Regulations and will this should ensure that any conversion works meet current day requirements.</p>
5.13	<p>I consider that its use as a B & B could be a benefit to the town centre. Hopefully any clients will make use of the town centre and visit its attractions.</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</p>

6.2	<p>planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.</p> <p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>
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7. Conclusion and Recommendation

7.1	<p>Having regard to the details submitted and the issues covered in my report I consider the proposed conversion of the building for use as a B & B is acceptable in planning terms. I therefore recommend that:</p> <p>Planning permission be <u>GRANTED</u> subject to the following condition(s):</p> <ol style="list-style-type: none"> 1 The development shall be completed in full accordance with the following approved plans and documents <ul style="list-style-type: none"> • Proposed block Plan: plan 2 of 3 dated March 2021 • Proposed elevation: Plan no 3 of 3 dated Match 2021 • Site location plan <p>unless otherwise specified or required by any conditions listed below.</p> <p>Reason: To clearly define the scope of this permission</p> 2 Notwithstanding the details on the approved plans prior to their application details of the proposed finishes shall be submitted for the approval of the Local Planning Authority. All works subsequently implemented shall be undertaken in full accordance with approved details before the use hereby approved is implemented. <p>Reason: I the interests of visual amenity</p> 3 The parking areas as indicated on the approved plan shall be provided prior to the development hereby approved being brought into beneficial use and shall be retained in perpetuity. <p>Reason:</p> 4 Notwithstanding the details on the approved plans a detailed landscape plan showing replacement planting shall be submitted for the approval of the LPA prior to the occupation of the building. Such details shall include:
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- Details of ground preparation, planting plans, number and details of species
- Maintenance details for a minimum period of 5 years; and
- A phase timescale of implementation

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,

5 Prior to occupation of the building details and positioning of the proposed bird bricks and bat boxes shall be submitted for the approval of the Local Planning Authority. The development shall be completed in accordance with such details as approved.

Reason: In the interest of biodiversity enhancements

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

Reason: To define the scope of this permission.

7 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.

Informative Advice

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

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

8. Risk Implications

8.1 **None**

Planning Report

Application No: C/2021/0197	App Type: RVC
Applicant: Mr Andrew Jenkins Rhyd Developments School House Llanellen Abergavenny NP7 9HT	Agent: FTAA Ltd Mr Roger Field 6 High Street Crickhowell NP8 1BW
Site Address: Former Pochin Works Site Newport Road Tredegar	
Development: Variation of condition '1' which requires submission of reserved matters within 3 years of planning permission application C/2014/0238 to allow additional time for submission. C/2014/0238: Outline planning permission for construction of dwellings.	
Case Officer:	Jane Engel

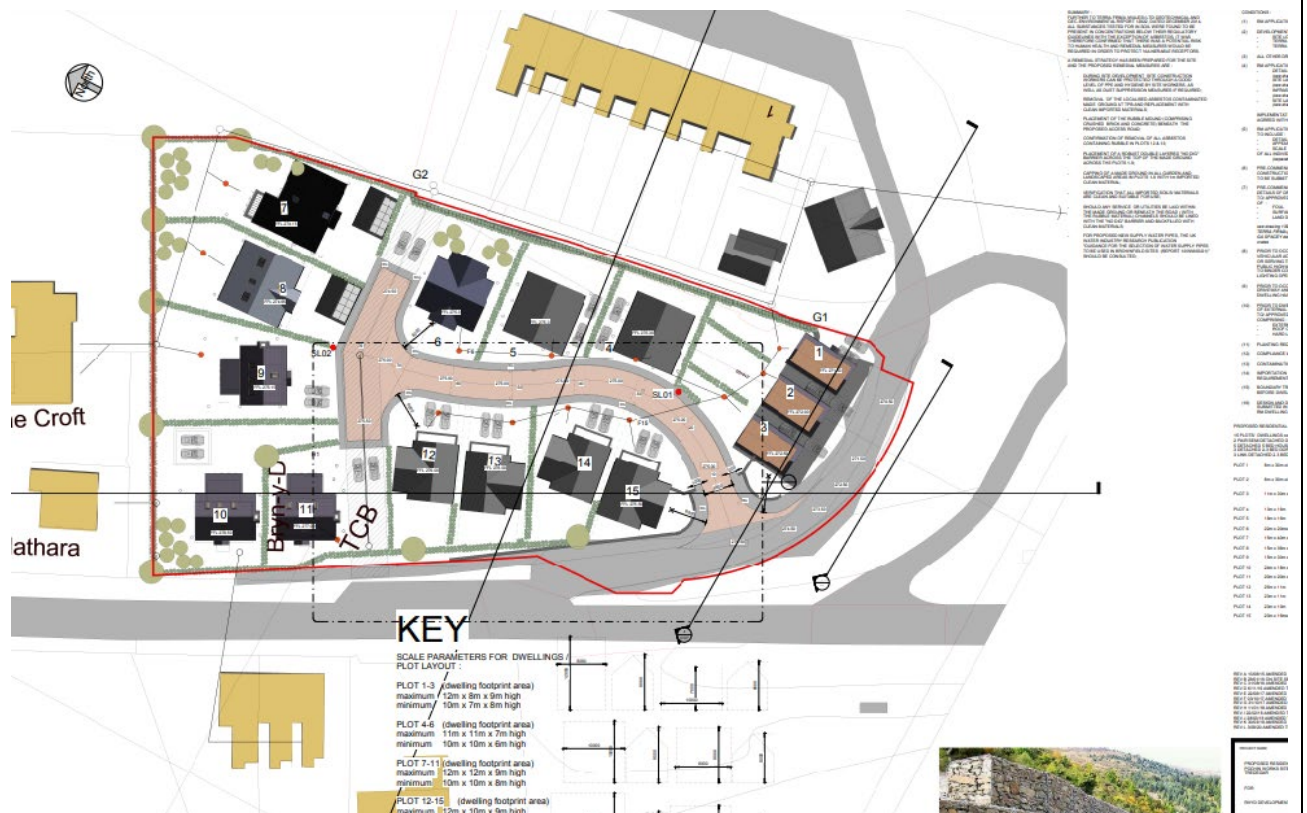


1. Background, Development and Site Context

1.1 Outline planning permission with all matters reserved was originally granted in 2017 for the construction of dwellings of the former Pochin Works Site, Newport Road, Tredegar (C/2014/0238 refers). The original permission was approved subject to conditions and the completion of a S106 agreement.

The S106 contains obligations to secure a commuted sum towards the provision of affordable housing,

Members should note that the current application does not propose any changes to the scheme to develop the site for residential purposes; it only seeks to vary condition 1 of the approved outline planning permission to allow further time from the date of approval for the submission of the Reserved Matters and consequently extend the life of the outline planning permission.



Layout figure: 1

The site road has been constructed under the earlier reserved matters approval (C/2017/0249) which also approved the site/plot layout. The site will be subdivided into 14 plots. Eleven of the plots would be accessed off the new estate road and three which would be accessed directly off an improved adopted highway leading down to Pochin Houses.

	<p>Approval was also given for infrastructure landscaping and road drainage under this Reserved Matters.</p> <p>A further two reserved matters applications for individual dwellings on plots 6 & 7 have also be approved.</p> <p>The applicants have confirmed that they do not wish to vary the terms of the original S.106 agreement and agree to carry the obligations forwards to a new planning permission.</p>
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2. Site History

	Ref No	Details	Decision
2.1	2014/0238	Outline planning permission for construction of dwellings	Approved 12.4.17
2.2	2017/0249	Reserved matters application following an outline application for site access road, site layout and all infrastructure/site landscaping	Approved 18.5.18
2.5	2018/0110	Application for Non Material Amendment of planning permission C/2014/0238 - Amendment required condition 7 to be reworded as: no drainage works development shall commence on site until details are submitted to/approved in writing by 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	Approved 17.5.18
2.7	2018/0111	Discharge of Conditions: 6 - Construction Method Statement, 11 - Timescale for landscaping works of planning permission C/2014/0238	Conditions discharged 18/07/18
2.9	2019/0116	Construction of highway soakaway facility – adjacent to site	Approved 25.2.2021

2.11	2019/0125	Approval of reserved matters for appearance, layout and scale pursuant to outline planning permission C/2014/0238 – plot 7	Approved 30.9.19
2.13	2019/0126	Approval of reserved matters for appearance, layout and scale pursuant to outline planning permission C/2014/0238 – plot 6	Approved 30.9.19
2.15	2019/0135	Application for Discharge of Condition 16 (Design Brief) of planning permission C/2014/0238 (Outline planning permission for construction of dwellings)	Approved 27.9.19

3. Consultation and Other Relevant Information

3.1	<p><u>Internal BG Responses</u></p> <p><u>Team Leader Building Control:</u> No objections</p> <p><u>Service Manager Infrastructure:</u> Highways: No objections</p> <p>Drainage: No objections</p> <p>Landscape: No objections</p> <p>Ecology: No objections</p> <p><u>External Consultation Responses</u></p> <p><u>Town / Community Council:</u> No objections</p> <p><u>Welsh Water:</u> No objections</p> <p><u>Western Power:</u> No objections</p> <p><u>W&W Utilities:</u> No objections</p> <p><u>Coal Authority:</u> No objections</p>
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	<p><u>Public Consultation:</u> Strikethrough-to delete as appropriate</p> <ul style="list-style-type: none"> • 18 no letters to nearby houses • 1 site notice(s) • press notice • website public register of applications • ward members by letter • all members via weekly list of applications received • other <p><u>Response:</u> None received</p>
<p>4. Planning Policy</p>	
<p>4.1</p>	<p><u>Team Manager Development Plans:</u></p> <p><u>LDP Policies:</u> SB1 Settlement boundaries H1 Housing Commitments DM1 New development DM2 Design and Placemaking DM7 Affordable Housing</p> <p><u>PPW & TANs:</u> Planning Policy Wales 11th Edition SPG Planning Obligations September 2011 SPG Access, Car Parking and Design April 2014</p>
<p>5. Planning Assessment</p>	
<p>5.1</p>	<p>Welsh Government Circular 016/2014: The use of Planning Conditions for Development Management states that as general rule applications for the renewal of planning permission should only be refused where:</p> <ul style="list-style-type: none"> • There has been some material change in planning circumstances since the original planning permission was granted: • Continued failure to begin the development will contribute unacceptability to uncertainty about the future pattern of development in the area; or • The application is premature because the permission still has a reasonable time to run:

Referring to any possible change in planning circumstances, the previous permission was granted on 12th April 2017 and considered in light of planning policies contained within the Blaenau Gwent Local Development Plan which are still in force. There have been no changes to planning policies or site circumstances and no alterations to the overall scheme since approval of the 2014 application.

However the regime for the disposal of surface water has changed in the interim. The drainage for the layout road has already been approved under Reserved Matters Application C/2017/0249. However, any individual dwellings constructed pursuant to reserved matters applications relative to the approval of this outline application will require approval from the SuDS approving body (SAB) for the treatment of surface water. An informative note will be added to the planning permission to inform the applicant of their duty to apply for SuDS through the SAB.

With reference to bullet point 2 above there are no issues in this regard. The development has already commenced in terms of the access road works have started. The only reason for this application is that the timescales for the submission of further reserved matters for additional plots has expired.

Prematurity, again is not an issue. Whilst an outline permission remains extant for 5 years the standard period for the submission of the reserved matters is 3 years from the decision date. In this instance the three-year period expired on the 11th April 2020 hence any future reserved matters applications for individual plots would fall outside the prescribed period. Hence the decision to submit this application to extend the life of the outline approval.

In conclusion there have been no significant changes in local or national policy since planning permission was previously approved in 2017. I consider the proposed development to be in accordance with relevant LDP policies. Moreover, there can be no argument that there have been successive failures to develop the site nor that the current application has been submitted prematurely. Approval of this application will facilitate the delivery of this site and is to be welcomed.

There are no planning concerns in relation to the approval of this application – the only reason for it being reported to Planning Committee is that any approval will require the applicant to enter a deed of variation in relation to the previously signed Section 106 agreement. The current officer delegation agreement does not cover allowing officers to issue decisions involving such changes without reference to Planning Committee. Members should also note that the recommended conditions of approval have been amended from those

	<p>imposed on the 2017 approval in order to take account of plans and documents approved and legislation and guidance changes introduced in the intervening period.</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 to improving the economic, social, environmental and cultural well-being of Wales.</p>
<p>6.2</p>	<p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>
<p>7. Conclusion and Recommendation</p>	
<p>7.1</p>	<p>A That the applicant be invited to enter into a deed of variation to the S106 relative to the planning approval C/2014/0238</p> <p>B Following the completion of Recommendation A above that outline planning permission be granted subject to the following conditions:</p> <p>1 All applications for the approval of reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission. The development shall begin either before the expiration of five years from the date of his permission or before the expiration of two years from the date of approval of the last of the reserved matters</p> <p>Reason: To comply with the requirements of Section 92 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 unless otherwise specified or required by conditions listed below:</p> <ul style="list-style-type: none"> • Site location plan Drawing No:

- Geotechnical and Geo Environmental Report Proposed residential development former Pochin Factory Site Tredegar by Terra Firma (Wales) Ltd, Report No. 12922, dated December 2014
- The Terra Firma Remediation Strategy – Proposed Residential Former Pochin Factory Site Tredegar February 2017 Job No. 12922/RS – V2

Reason: To clearly define the scope of this permission

3 The site access road, site layout and all infrastructure/site landscaping hereinafter called the “site reserved matters” shall be carried out in accordance with the following approved details:

- Site Sections Drawing No 1396/PLN/06 Rev K
- Proposed site highway details drawing No. 1396/PLN/05 Rev K
- Proposed site highway layout Drawing No 1396/PLN/04 Rev K
- Proposed site drainage layout Drawing No 1396/PLN/03 Rev K
- Proposed site landscaping Drawing No 1396/PLN/02 Rev K
- Proposed site layout Drawing No 1396/PLN/01 Rev K
- Highway sections Drawing No’ 1386/PLN/07 Rev K

Reason: To clearly define the scope of this permission

4 Details of the siting, appearance and scale of all individual dwellings hereinafter called ‘plot reserved matters’ shall be submitted to and approved in writing by the Local Planning Authority before any works relating to the construction of such dwellings are commenced. All works subsequently implemented shall be completed in full accordance with such details as may be approved before the dwelling(s) to which they relate are occupied.

Reason: These reserved matters have not been submitted for the approval of the Local Planning Authority

5 The development shall be carried out in accordance with the Construction Method Statement received 16th July 2018 and plan no 1396/PLN/01.

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

- 6 No drainage works in relation to individual plots shall commence until details are submitted to and approved in writing by the Local Planning Authority how foul water, drainage will be dealt with. Such foul drainage works as may be approved shall be implemented before the dwelling to which it relates is occupied.

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.

- 7 No dwelling erected on the site shall be occupied until the means of vehicular access and footway fronting and/or or serving that dwelling from the public highway has been laid out and constructed to a minimum of binder course level and any street lighting to be provided has been erected and energised in full accordance with such site access details as may be approved in writing by the Local Planning Authority relative to Condition No 4 of this outline permission

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

- 8 No dwelling hereby approved shall be occupied until the access to the driveway and parking areas relating to that dwelling are constructed, surfaced and drained in full accordance with details which must be submitted to and approved in writing by the Local Planning Authority before works relating to that property commence on site. The areas provided shall be retained for their designated purposes at all times

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

- 9 No works relating to the construction of any dwelling shall take place until details/samples of all external facing, roofing and hard landscaping finishes of that property have been submitted to and approved in writing by the Local Planning Authority. Such dwelling shall not be brought into beneficial use until all external finishes are completed in full accordance with such details as may be approved in writing by the Local Planning Authority.

Reason To safeguard the visual amenities of the area

10 All works undertaken shall be implemented in full accordance with the recommendations contained in the Geo-Technical & Geo-Environmental Report, Proposed Residential Development Former Pochin Factory Site Tredegar, by Terra Firma (Wales) Ltd, Report No. 12922, dated December 2014, received 02.12.2014, and the recommendation of The Terra Firma Remediation Strategy - Proposed Residential Development Former Pochin Factory Site Tredegar February 2017 Job No 12922/RS - V2 received 16th February 2017 hereby approved. The development shall not be brought into use until the Local Planning Authority is provided with a validation report, signed by a suitably qualified person that confirms that all such recommendations, measures and/or works have been fully implemented

Reason: To ensure that the development is implemented in a manner that gives due regard to ground stability and ground contamination issues

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

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

12 Prior to the importation of any aggregate (other than virgin quarry stone) or recycled aggregate material to the site, the aggregate shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation that shall be approved in writing by the Local Planning Authority. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the Welsh Local Government Association guidance 'Requirements for the Chemical Testing Imported Materials for Various End Uses'. Sampling of the material received at the development site shall be undertaken by a suitably qualified person in accordance with the approved scheme to verify that the imported soil is free from contamination.

Reason: To ensure that the development is implemented in a manner that gives due regard to ground contamination issues.

- 13 All approved boundary treatments shall be provided before the dwelling to which they relate is occupied and shall be retained as such at all time

Reason: To protect residential amenity interests and to safeguard the visual and landscape amenities of the area

- 14 All works shall be implemented in full accordance with the principles and design details contained in the approved Design and Development Brief Revision C received 27th September 2019.

Reason: To ensure any unified and coordinated approach to the design and appearance of dwellings erected on the site and to minimise the impact of the development on the residential amenities of existing and future residents and the visual and landscape amenities of the area

Informative advice

- 1 The applicant/developer is advised to have regard to the advice received from statutory consultees as detailed in copies of correspondence received from Western Power Distribution, Wales and West Utilities and Welsh Water
- 2 The developer is reminded of their legal responsibilities under wildlife legislation. If reptiles are found to be present on site during construction works then work must cease and a qualified ecologist must be consulted.
- 3 The applicant and all developers are advised that recommendations of the approved geotechnical and environmental report and the remediation strategy and the requirements of other related conditions may involve works that may be licensable notifiable activity to the Health and Safety Executive and might require the submission of a detailed method statement. Developers are advised to liaise directly with the HSE in relation to such matters particularly as failure to adhere to approved recommendations could cause difficulties in discharging the requirements of condition No 12 of this approval.
- 4 Asbestos material at the site is likely to fall under the Control of Asbestos Regulations (CAR) 2012, and specifically Regulation 4. This will require a written plan that shows where the asbestos contaminated

	<p>material is located and how it will be managed to prevent exposure to asbestos. Therefore the full extent and location of the materials which remain will need to be fully surveyed, documented and retained. This will also be a requirement under the CDM Regulations. The developer also needs to consider whether a maintenance/inspection schedule needs to be included to ensure that the capping layer is maintained at the agreed thickness for the lifetime of the use of the area</p> <p>5 In relation to the provision of new water supply pipes the developer is advised to consult the UK Water Industry Research publication 'Guidance for the Selection of Water supply Pipes to be used in Brownfield Sites (Report 10/WM/03/21)'</p> <p>6 The applicant/developer is advised that the details of the individual access and parking arrangements for each plot will be required to meet the standards and advice contained in the Council's adopted Access, Car Parking and Design SPG March 2014</p> <p>7 The maximum gradient of the new access road must not exceed 1:12, longitudinal sections along the access road must be provided to confirm that these gradients can be achieved. Cross-falls of the access road must not exceed 1:40. A new street lighting scheme must be incorporated along the whole length of the new access road linking into the junction with Newport Road. These works must be completed at the expense of the developer to the Authority's design specification and approval</p> <p>8 The developer is reminded of his/her obligation under the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016 to give notification of initiation of development to the Local Planning Authority and to display a notice at all times when the development is being carried out</p> <p>9 The 'plot reserved matters' required relative to condition No 4 should include information in relation to the following :- i) Finished floor levels of each property relative to adjacent plots; ii) position, height and materials of walls/fences and other enclosures; iii) construction and finish details of all retaining walls in excess of 1.5 metres (including structural calculations); and iv) minor structures such as refuse storage facilities</p>
8. Risk Implications	
8.1	None