

BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	Planning, Regulatory & General Licensing Committee
Report Subject	Planning Appeal Update: Maes Y Dderwen, Charles Street, Tredegar Ref.: C/2020/0282
Report Author	Jane Engel
Directorate	Regeneration and Community Services
Date of meeting	14th October 2021
Date Signed off by Monitoring Officer	

Report Information

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

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

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

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