

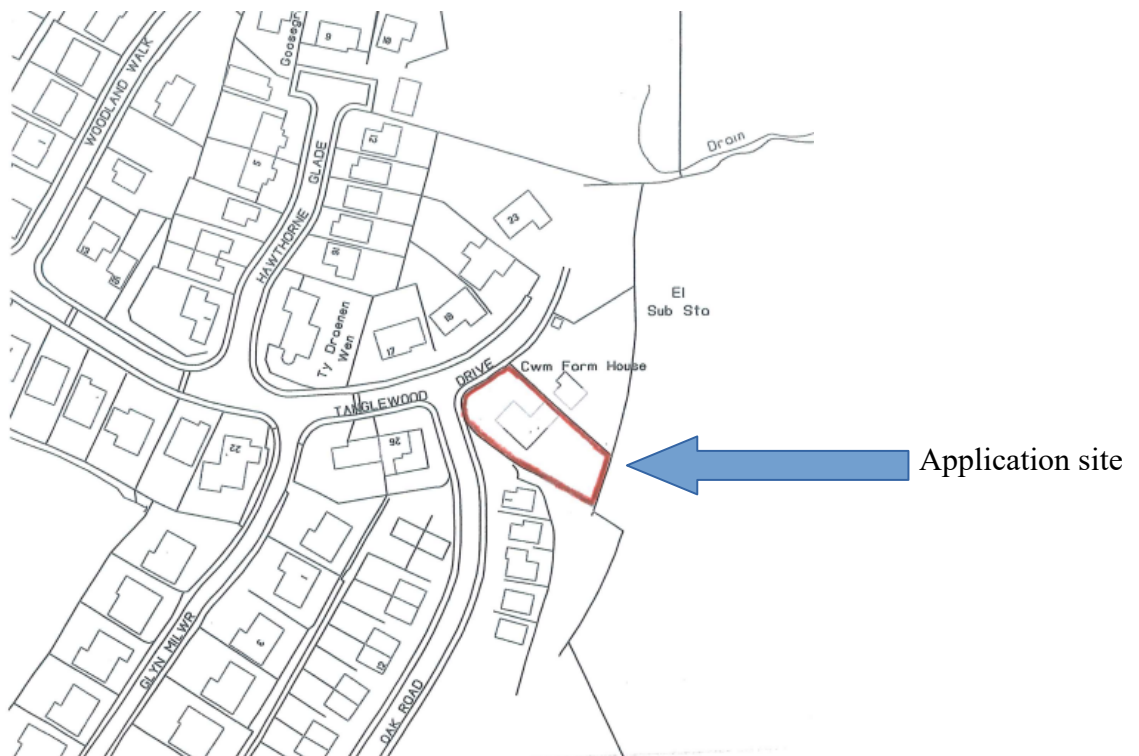
BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	Planning Applications Report
Report Author	Team Manager Development Management
Report Date	24th September 2021
Directorate	Regeneration & Community Services
Date of meeting	14th October 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 No.	Address
C/2021/0243	Llys Bery, 28 Tanglewood Drive, Blaina, Abertillery, NP13 3JB
C/2021/0172	Ben Wards Field, Brynmawr, NP23 4GU
C/2021/0133	Plot, Land east of Whitworth Terrace, Tredegar
3. Recommendation/s for Consideration	
Please refer to individual reports	

Planning Report

Application No: C/2021/0243	App Type: Full
Applicant: Mr Thomas Huw Llewelyn Llys Berry 28 Tanglewood Drive Abertillery NP13 3JB	Agent: Mr Thomas Huw Llewelyn Llys Berry 28 Tanglewood Drive Blaina Abertillery NP13 3JB
Site Address: Llys Bery, 28 Tanglewood Drive, Blaina, Abertillery, NP13 3JB	
Development: Retention & completion of decking area, walls, landscaping & enclosures.	
Case Officer:	Sara Thomas



1. Background, Development and Site Context

1.1 This application seeks permission to retain and complete a raised decking area within the front garden of a detached residential property. The dwelling is situated within the residential estate known commonly as 'Tanglewood' and is within the settlement of Blaina.

1.2 The site relates to a detached dwelling, which occupies a corner plot bound by highways to the front and side (west). The dwelling is situated at a significantly higher level than the road level to the front, with the garage being situated at a lower level than the ground floor of the dwelling. A three storey dwelling adjoins the north east of the site.

1.3 The decking area is situated to the front of the dwelling on the existing gable and extends to the side (south west) measuring 9.5 metres in width, by 2.9 metres in depth with a height of approximately 3.2 metres to the top of the balustrade (5.3 metres above road level).



Fig. 1.1 Decking to be retained along front boundary and extending to side

1.4 A glazed balustrading is proposed with a steel frame and posts. The application includes a stepped access from the decking area to the front garden. The decking is supported by a brick wall and screened with vegetation. Alterations are also proposed to the ground levels within the front garden, reducing the slope of the garden.

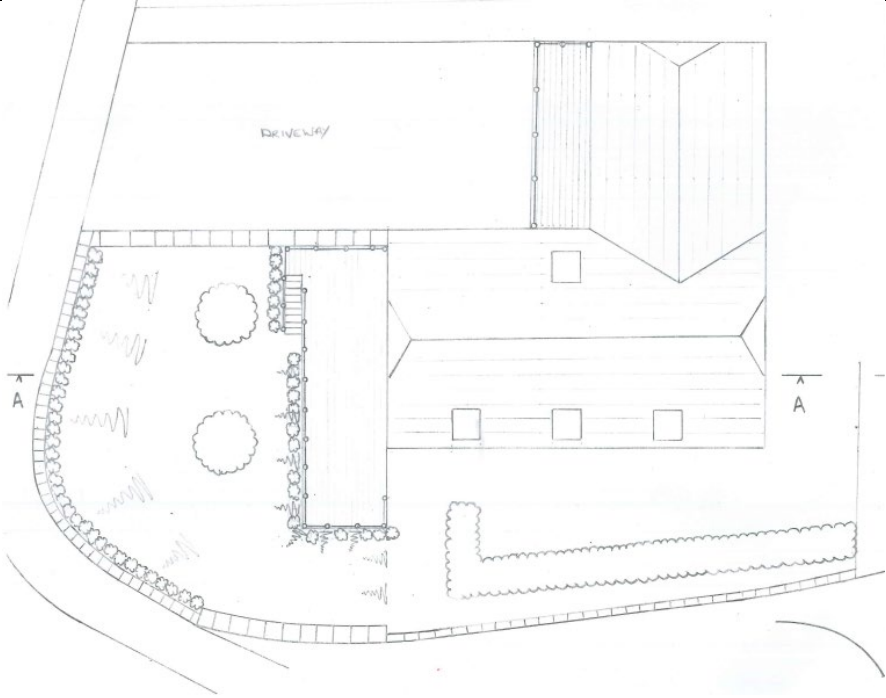


Fig. 1.2 Site Layout Plan

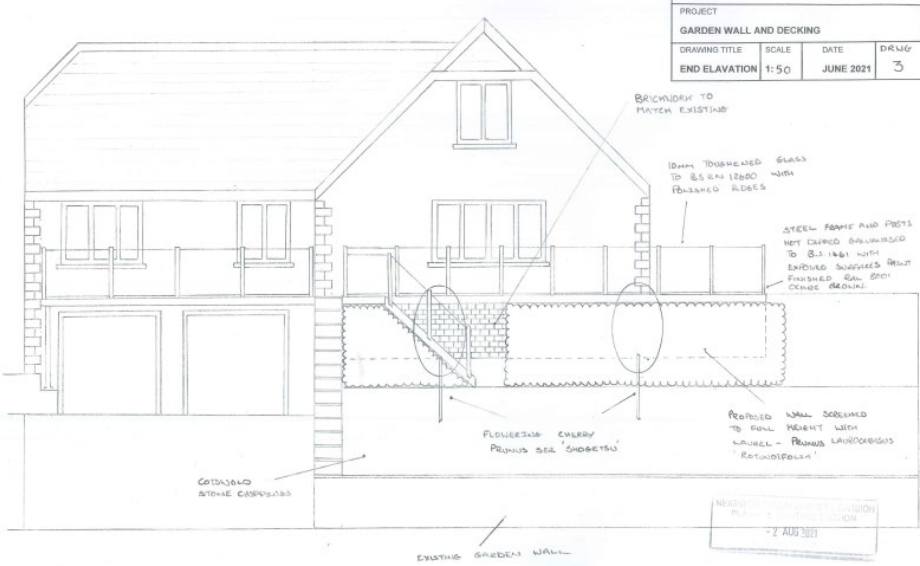


Fig. 1.3 Proposed Front Elevation

PROJECT			
GARDEN WALL AND DECKING			
DRAWING TITLE	SCALE	DATE	DRWG
SIDE ELEVATION	1:50	JUNE 2021	4

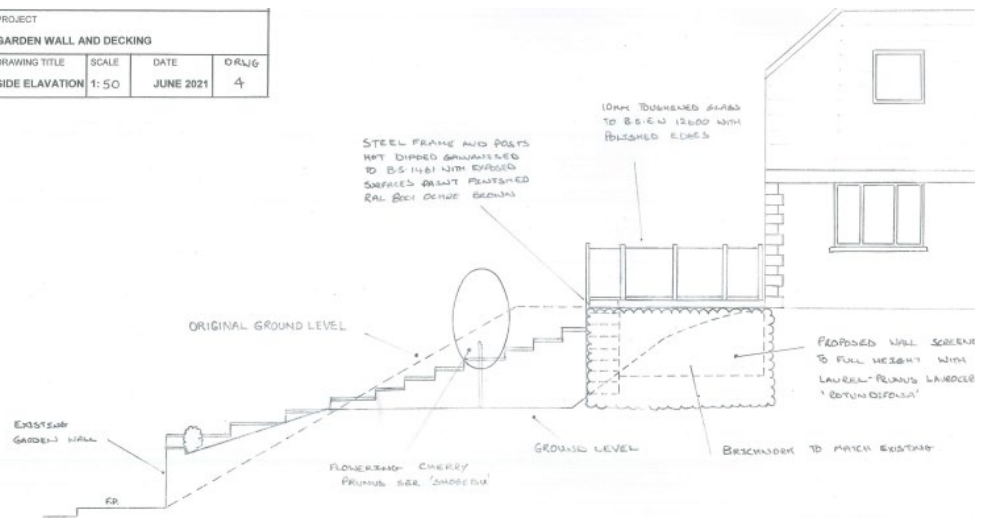


Fig. 1.4 Proposed Side Elevation

1.5 It is noted that works have already commenced at the site, however are yet to be completed. Whilst this is a retrospective application, Members must make a decision based on the merits of the case as if the decking had not yet been constructed.

2. Site History

	Ref No	Details	Decision
2.1	None relevant.		

3. Consultation and Other Relevant Information

- 3.1 **Internal BG Responses**
- 3.2 **Team Leader Building Control:**
 Building regulations not required.
- 3.3 **Service Manager Infrastructure:**
 Highways: No objection, applicant to note that no boundary planting is to impede the driveway vision splays.
- 3.4 **Ground Stability:** Structural calculations for the deck area are satisfactory.
- 3.5 **External Consultation Responses**
Town / Community Council: No objection

3.6	<u>Welsh Water:</u> Request the applicant contact Dwr Cymru Welsh Water to establish the location and status of the sewer as the presence of such assets may affect the proposal.
3.7	<p><u>Public Consultation:</u></p> <ul style="list-style-type: none"> • 4 letters to nearby houses • website public register of applications • ward members by letter • all members via weekly list of applications received
3.8	<u>Response:</u>
3.9	No representations have been received.
3.10	A Ward Member has requested that this planning application go before Planning Committee for determination. The reason given is that the Member does not consider that the development will have a harmful effect on the street.
4. Planning Policy	
4.1	<p><u>LDP Policies:</u> DM1 – New Development DM2 – Design and Placemaking</p> <p>SPG Householder Design Guidance (February 2016) Note 7: Raised decks, balconies and retaining walls.</p>
5. Planning Assessment	
5.1	The proposal has been assessed against policies DM1 and DM2 of the adopted Local Development Plan (LDP) and the adopted Supplementary Planning Guidance for Householder development, Note 7 ‘Raised decks, balconies and retaining walls’ (February 2016).
5.2	LDP Policy DM2(a) states that development proposals should be appropriate to the local context in terms of type, form, scale and mix. Policy DM2(b) requires proposals to be of good design which reinforces local character and distinctiveness of the area or positively contribute to the area’s transformation. In the context of this site, the introduction of the raised decking area is an unsightly and very prominent addition within the street scene, contrary to LDP Policy DM2(a) and (b).
5.3	The development is situated to the front of the dwelling and therefore is highly visible within the street scene. The visibility of the development is also

increased due to the elevated position of the existing dwelling and its siting on a corner plot. The decking extends the width of the existing gable, however also projects further to the side of the dwelling. Consequently, taking into account the 2.9m projection of the decking and its extension which is wider than the existing gable, the development is particularly large in scale.



Fig. 1.5 Front Elevation

- 5.4 It is noted that there is an existing glazed balustrading above the garage. However, this balcony area, although situated at the same level as the proposed decking area, is significantly set back from the front elevation. As a result, views of the balcony area above the garage are screened by the gable projection of the existing dwelling when approaching the site from the west. It is also noted that there is an existing balcony/decking area at the adjoining dwelling, however this decking area is much smaller in scale and does not project beyond the front building line of the dwelling.
- 5.5 The street scene consists of dwellings which vary in terms of their scale and design, however the dwellings to the east and south are set at a higher level than the road level to the front. The proposal could therefore set a precedent for similar developments, which would have a detrimental impact on the character of the streetscape.
- 5.6 The materials enclosing the decking area are lightweight and match the existing balustrading. Nonetheless, taking into account the scale, design and siting of the decking area to the front elevation, the development is considered to be a dominant feature which adversely affects the character of the existing dwelling.

- 5.7 The existing dwelling is finished in brick, with a brick wall also proposed to support the decking. Whilst the use of brick is considered to be in keeping with the host dwelling and will also be screened by vegetation, it does not mitigate the harm caused by the scale and mass of the structure in this prominent location. It is acknowledged that the original level of the front garden is rather steep, resulting in amenity space which is not particularly useable. However, as discussed above, this does not justify the provision of raised decking approximately 5.3m above road level.
- 5.8 Supplementary Planning Guidance (SPG) Note 7 on 'Raised decks, balconies and retaining walls' recommends that the decking should complement the character of the existing dwelling and that the scale, massing and materials used should respect the appearance of the dwelling, neighbouring dwellings and the overall street scene. As noted above, it is considered that the decking will appear as a substantial and imposing structure when viewed from the street and wider area and will appear out of place in the context of its surroundings. Furthermore, it could set an undesirable precedent for similar developments within the street, contrary to LDP Policy DM1 and the recommendations within the SPG.
- 5.9 The SPG further advises that if decking is elevated above ground, the impact of the structure and safety fencing could increase the overbearing impact, cause overlooking of neighbouring dwellings and in some cases cause overshadowing. As a result of the decking area projecting to the front of the dwelling it will be visible from the neighbouring dwelling, albeit the neighbouring dwelling is set back from the application dwelling and considering the distance between the dwellings will not result in any significant overlooking. Furthermore, users of the decking area will have views towards the dwellings opposite and to the south west, albeit the distance is fairly substantial.



Fig. 1.6 View from decking



Fig. 1.7 View from decking

5.10 Members are reminded of a recent appeal decision relating to the retention of decking at Hawthorne Glade in Tanglewood (approximately 80m to the west of the site). In the appeal case, the decking is situated to the rear of the dwelling which adjoins the main access road into Tanglewood. As such the decking was highly visible within the surrounding area. An application to retain the decking was refused and an Enforcement Notice was served seeking the removal of the decking. An appeal was made against the Enforcement Notice, however the appeal was dismissed and the Notice upheld. The reasons for refusing the application were due to the adverse visual impact on the street scene and the overbearing impact and loss of privacy to neighbouring properties. Similar concerns in terms of the visual impact are raised to the current proposal.

5.11 In conclusion, the development will adversely affect the character and appearance of the existing dwelling and surrounding area. Moreover, it would set a precedent for similar developments within the surrounding area further eroding the character of the street scene contrary to LDP Policies DM1, DM2 and Supplementary Planning Guidance 'Householder Design Guidance'.

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

6.2	<p>(Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.</p> <p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>
<p>7. Conclusion and Recommendation</p>	
7.1	<p>Planning permission be <u>REFUSED</u> for the following reason(s):</p> <p>By virtue of its scale, mass and siting, the raised decking is considered to be an unduly dominant feature that would have an adverse visual impact upon the street scene contrary to policies DM1(2)b and DM2(a),(b) of the Council's adopted Local Development Plan (2012) and the key principles set out in the adopted Supplementary Planning Guidance for Householders: Note 7 'Raised decking and balconies' (February 2016).</p>
<p>8. Risk Implications</p>	
8.1	<p>Granting planning permission contrary to the recommendation of this report undermines the principles of the adopted LDP policies and Supplementary Planning Guidance. Such a decision would demonstrate an inconsistent approach in the planning process and would set a precedent for excessive structures in the locality.</p>

Planning Report

Application No: C/2021/0172	App Type: Full
Applicant: Mr Mark Jenkins Costain Ltd A465 Section 2 Project Office, Clydach Village Hall, Quarry Rd Abergavenny NP7 0LR	Agent: RPS Group Mr Tim Perkins Lakesbury House Hiltingbury Road Hampshire United Kingdom SO53 5SS
Site Address: Ben Wards Field, Brynmawr, NP23 4GU	
Development: Retention of earthworks including importation of material, re-profiling of existing contours, temporary ancillary works including welfare facilities & parking areas with restoration to grass land with hedgerows & drainage features, for grazing and nature conservation & reinstatement of the rights of way, cycle routes and temporary access point.	
Case Officer:	Steph Hopkins

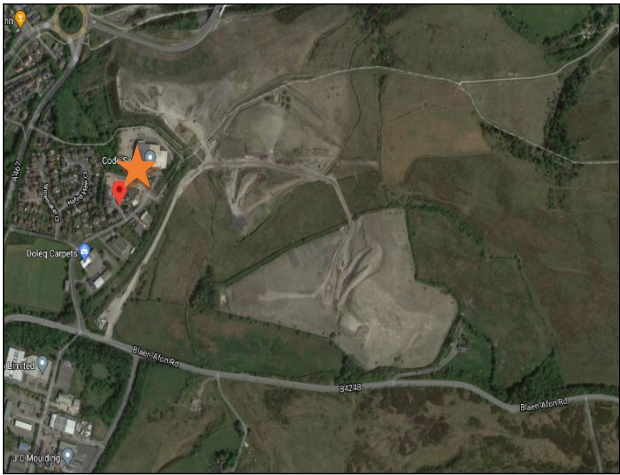
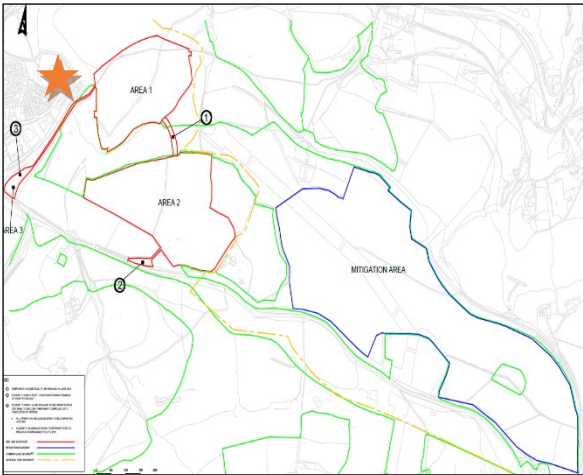


Figure 1

KEY	
①	TEMPORARY ACCESS ROAD TO BE REMOVED IN JUNE 2021
②	ACCESS TO AREA 2 POST- CONSTRUCTION MAINTENANCE OF VEGETATION ONLY
③	ACCESS TO AREA 1 (JUNE 2021) AND TO BEN WARD'S FIELD CPO AREA (TO INCLUDE TEMPORARY COMPOUND UNTIL COMPLETION OF WORKS)
•	FILL OPERATION AND LANDSCAPING TO BE COMPLETED LATE 2021
•	ACCESS TO BLAENAVON ROAD TO BE REINSTATED TO PREVIOUS ARRANGEMENT IN LATE 2021
RED LINE BOUNDARY	
MITIGATION BOUNDARY	
COMMON LAND BOUNDARY	
NATIONAL PARK BOUNDARY	

Orange Star – Techweld, Noble Square

1. Background, Development and Site Context

- 1.1 This application seeks planning for permission for the retention of earthworks at Ben Wards Field, Brynmawr. The works include; the importation of material, re-profiling of existing contours, temporary ancillary works including welfare facilities & parking areas, restoration to grass land with hedgerows and drainage features and the reinstatement of the rights of way, cycle route (NR 492) and temporary access point.
- 1.2 The works have been undertaken in conjunction with the current works being carried out for the Heads of the Valleys Road dualling project (HoV2) covering the area between Brynmawr and Gilwern that was consented under the Highways Act 1980 by Welsh Ministers. The material that has been deposited at Ben Wards field was surplus to the design requirements of the new highway.
- 1.3 Members may recall that planning permission was granted for the deposit of surplus material along with other ancillary works on Ben Wards Field in 2016 (C/2015/0382 refers). However, the scheme has now changed due to the need to deposit additional fill within the site, hence the submission of this retrospective application.
- 1.4 In addition to the 2016 permission, planning permission was also granted in 2017 (C/2017/0026 refers) for the temporary widening of the access road onto Blaenavon Road in order to enable safe access for delivering bridge beams and other materials for the construction of the Brynmawr Gateway Bridge. This planning permission included proposals for the reinstatement of the road with replacement hedge and tree planting by 31st November 2018. The reinstatement works have not yet been undertaken and have been added to this current application for consideration.
- 1.5 The 2016 planning permission allowed for the importation of 350,000m³ of material to an average depth of 1.9m and a maximum depth of 6.5m where there are existing depressions in the land formation. This application seeks to retain the importation of 460,000m³ with the average depths of material above the Original Ground level (OGL) being between 3.5m and a maximum depth of 16.9m. The areas where surplus material has been deposited are referred to as Area 1 and Area 2 shown in Figures 1 above and 2 below.
- 1.6 At the time of submitting this application, the applicant has substantially completed the earthworks operations and are now in the process of designing the permanent drainage infrastructure and restoring the landscape in line with landscaping proposals for the area. A small site compound in Area 3 will eventually be removed on completion of the works.

- 1.7 The agent confirmed the reasons for importing additional fill above what was granted planning permission in 2016 were:
- The suitability of rock that has been excavated was not as first expected and this has led to further excavation and replacement, resulting in an increase in surplus material.
 - The uncovering of previously unidentified “soft spots” and mine workings beneath some of the main structures have led to deeper excavation as part of the remediation measures prior to construction.
 - Changes to the construction programme have resulted in a change in priority for site won material and imported fill/material (i.e. imported stone was required in advance of when the site won material becoming available for processing into suitable fill on site).
 - The scope and types of retaining walls on the scheme have changed which has resulted in increased excavations in some areas, a reduction in area for deposition and less processed fill being required in the permanent works.

- 1.8 Figures 2-4 below, show the location of Areas 1 and 2 and where sections have been taken which show the original ground level (brown/orange land), the ground level granted permission in 2016 (blue dashed line) and the finished profile level (black line).

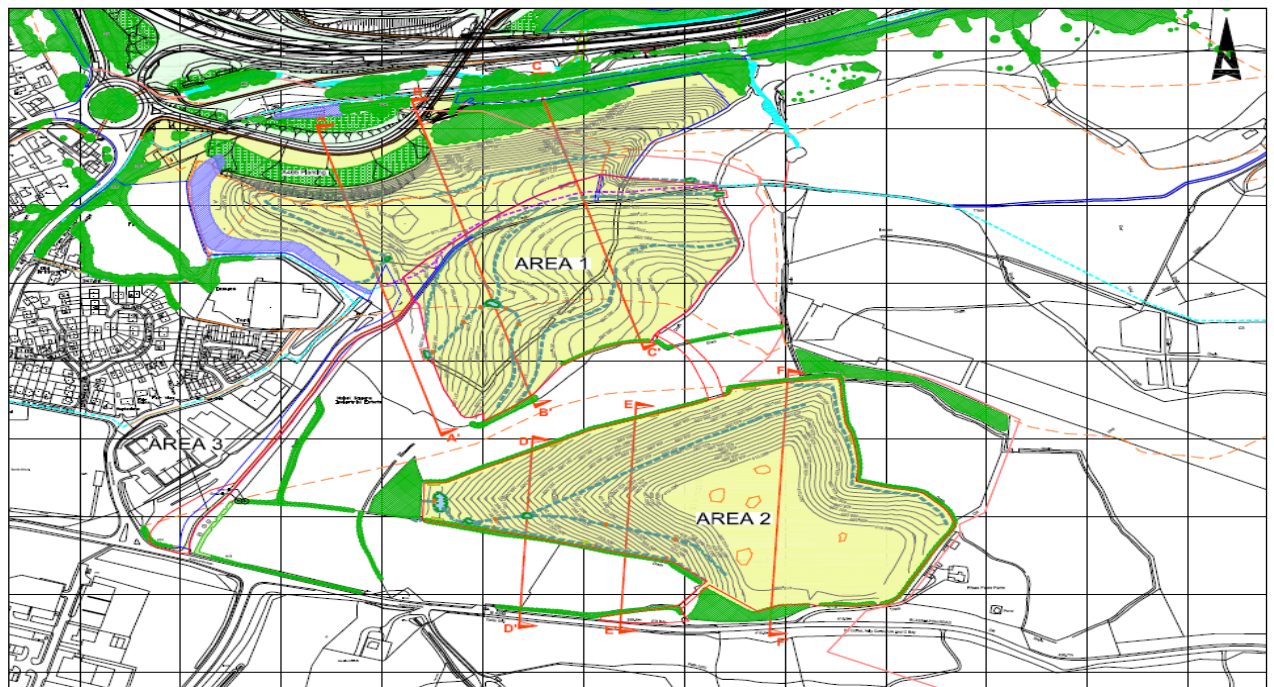


Figure 2 – Site Layout and Section Plan

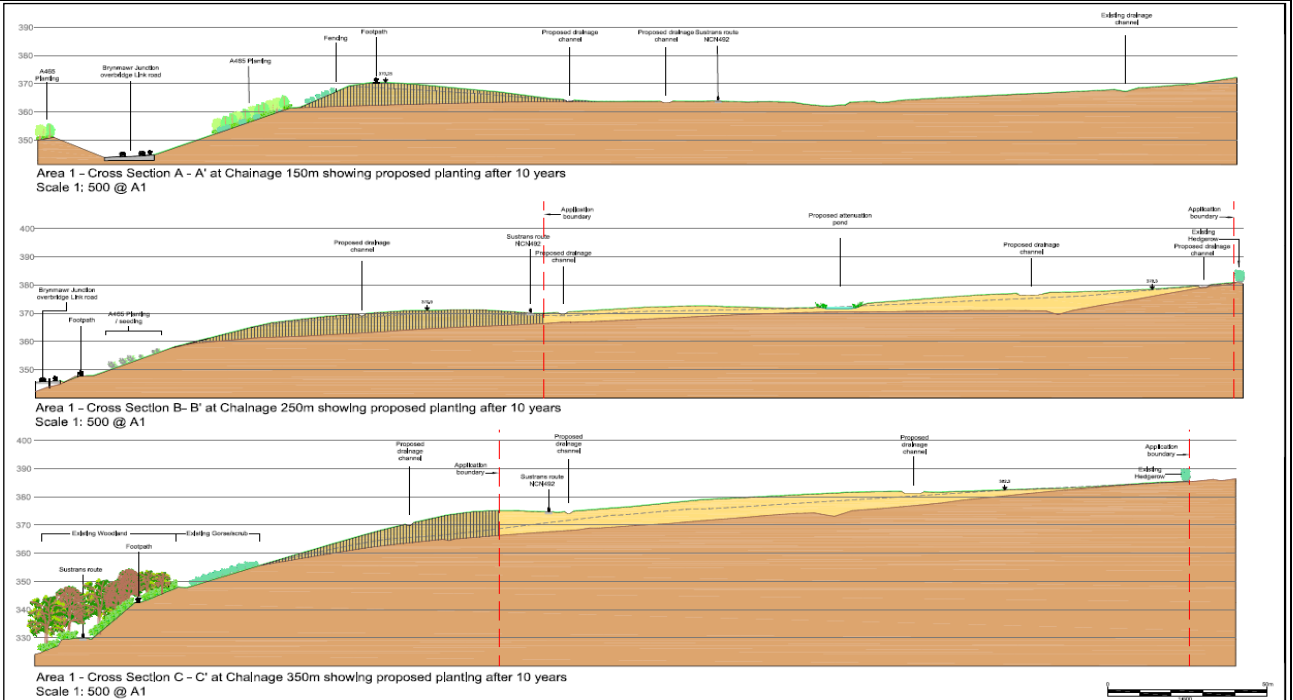


Figure 3 – Area 1 Sections AA-CC

1.9

As can be seen from Figure 3 the levels in Area 1 have been increased from between 1m and 8m in places. The biggest increase is shown in Section C-C where the levels have been increased to tie in with the land form approved under the Highway Consented scheme (hatched area of land outside the redline boundary).

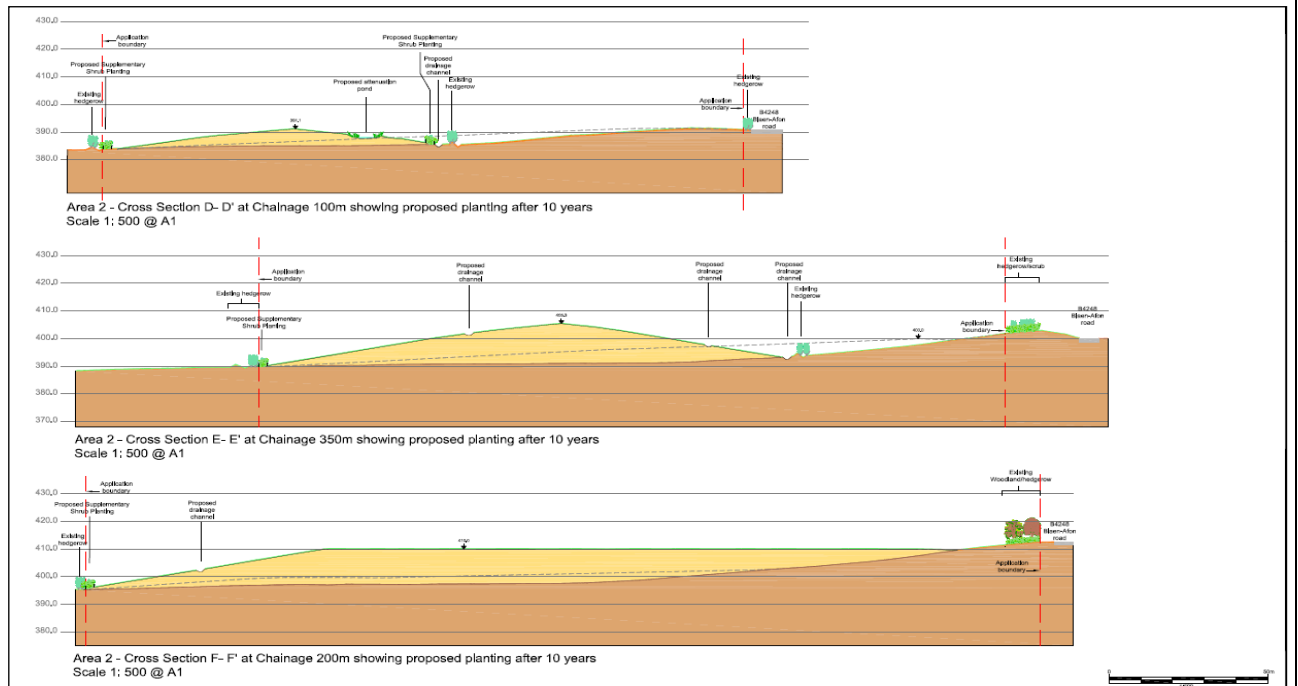


Figure 4 – Area 2 Sections DD - FF

1.10

Area 2 has seen the largest increase in ground levels at approximately 10m in some places.

1.11	<p>The re-profiled areas would be seeded with appropriate seed mix to marry-in with the existing contours and grassland tones of the adjacent land with the planting of new hedgerows and trees. An 8 year landscape and ecological management plan is also proposed. New drainage channels will also be formed together with a small number of ponds/basins.</p>
1.12	<p>The Right of Way running through the site has also been diverted and a new Cycle Way created (which sits adjacent to the location of the original Cycle Way).</p>
1.13	<p>Members will also note that Figure 1 shows an area of land outlined in blue annotated as 'Mitigation Area'. This land does not form part of the planning application, it was used for ecological mitigation measures for lapwing (and other species) during the construction phases as part of the 2016 planning permission. The land sits within the Brecon Beacons National Park boundary (BBNP) and the mitigation area was secured to the 2016 permission via a Unilateral Undertaking. The mitigation works undertaken were successful in increasing vertebrate and amphibian populations over the site but for various reasons had limited success for breeding of Lapwings. Now that the works within Areas 1 and 2 are virtually complete it is the applicant's intention to cease further mitigation works within the blue land and concentrate on ecological measures within Areas 1 and 2. It is anticipated that the topography and landscape features formed within these areas are far more likely to encourage the use and future breeding of lapwing than in the former mitigation area.</p>
1.14	<p>Ben Wards Field is located east of Brynmawr (rear of Techweld and to the north of Blaenavon Road), the application site is south of the Clydach Gorge and the A465. The area comprises in part, a former opencast mining site on higher land at the western end of Clydach Gorge which has been restored to flowing contours and seeded. The site is used for agricultural grazing and informal recreational activities with a public footpath and National Cycle Route (NCR) running through it. To the north of the site are consented works under the Highway Act that comprise of the deposit of material and reprofiling of contours. To the south of the application site lies Blaenavon Road at a slightly elevated level. To the west of Area 1 approximately 120m away is Noble Square Industrial Estate and Milfraen View residential area. The nearest residential property is Rhos Fawr Farm, Blaenavon Road approximately 33m away to the south-east of Area 2 at a similar level to the finished re-profiling works.</p>

1.15	The application has been accompanied by a suite of plans and relevant assessments to fully consider the proposal.
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2. Site History

	Ref No	Details	Decision
2.1	93/0268	Phase 1: clinic & administration base, Phase 2: Residential hospice (out)	Withdrawn 24.02.97
2.2	99/0300	Construction of a surfaced pedestrian & cycle path	Approved 11.11.99
2.3	C/2011/0213	Shared use community and cycle route	Approved 07.09.11
2.4	C/2015/0382	Earthworks including importation of material, re-profiling of existing contours, temporary ancillary works including crushing plant, rock processing area, welfare facilities & parking areas with restoration to grass land with hedgerows & drainage features, for grazing & nature conservation & reinstatement of the rights of way.	Approved 18.07.16
2.5	C/2017/0026	Temporary widening of access	Approved 31.3.17

3. Consultation and Other Relevant Information

3.1	<u>Internal BG Responses</u>
3.2	<u>Team Leader Building Control:</u> No response received.
3.3	<u>Service Manager Infrastructure:</u>
3.4	<u>Highways:</u> No objections. The applicant is to be advised to liaise with the Highway Authority for all necessary orders/licences for the permanent works.
3.5	<u>Drainage:</u> No objections.
3.6	<u>Ground Stability:</u> No objections.
3.7	<u>Landscape:</u> The landscape officer has had a meeting on site with the developer prior to the retrospective application being submitted and is of the opinion that the profiling has adopted a best fit within the surrounding landscape form and that there

	<p>are no significant impacts on the local landscape characteristics. This is demonstrated by the submitted LVIA. Trying to reduce the additional material now on site would be unsustainable and financially prohibitive with negligible visual gain.</p>
<p>3.8</p>	<p>Ecology: The altered profiles result in very limited changes in relation to ecology. The changes that this application proposes are positive and relate to the retention of grassland habitat and hedgerow which would have otherwise been lost as part of the 2016 permission. The revised scheme also has beneficial effect on priority and protected species such as bats, reptiles, and invertebrates and changes the focus for land management and mitigation to the earthworks area rather than the adjacent Lapwing Mitigation Area.</p>
<p>3.9</p>	<p>The Landscape and Ecology Management Plan is acceptable as are the revised ecological reports.</p>
<p>3.10</p>	<p>Rights of Way: Throughout the development a diversion route has been accommodated through the site and maintained for use by the public. The route is well used and fits well into the emerging landscape setting. Whilst its alignment does not follow the original route it would be illogical to require extensive re-profiling works to create the original alignment.</p>
<p>3.11</p>	<p><u>Service Manager Public Protection:</u></p>
<p>3.12</p>	<p>No comments to make.</p>
<p>3.13</p>	<p><u>External Consultation Responses</u></p>
<p>3.14</p>	<p><u>Town / Community Council:</u> No response received.</p>
<p>3.15</p>	<p><u>Natural Resources Wales:</u> The site lies adjacent to the Brecon Beacons National Park (BBNP) and is visible from parts of the park, notably to the north on the south facing slopes of Mynydd Llangatwg. The proposal lies within the setting of the National Park.</p>
<p>3.16</p>	<p>The proposals are generally acceptable and should have no additional significant adverse visual effects on the National Park, over and above the consented scheme.</p>
<p>3.17</p>	<p>However, NRW have raised an objection regarding the removal of some of the hedgerow features which were part of the 2016 consented scheme. They have requested these be reinstated.</p>

3.18	<p>The 'Landscape and Ecology Implementation and Aftercare Plan' is for 8 years, and whilst it is considered to be generally acceptable NRW advise that an ongoing management plan for the site is required to ensure the long-term management of the hedgerows and grassland. The 'Aftercare Plan' refers to the need to ensure appropriate grazing/hay cutting regimes, and in the opinion of NRW a longer-term management plan of 25 years is advised. If the Aftercare Plan is not extended to the suggested timescale, NRW would raise an objection in this regard.</p>
3.19	<p>If the construction works have not been completed, a Construction Environmental Management Plan should be submitted to manage the risks to the protection of groundwater and the surrounding environment.</p>
3.20	<p><u>WAG – Transport Division</u> WG as Highway Authority for the A465 trunk road does not issue a direction in respect of this application.</p>
3.21	<p><u>Welsh Water:</u> A drainage strategy for the site should be implemented in full and retained for the lifetime of the development.</p>
3.22	<p><u>Western Power:</u> Indicate position of apparatus.</p>
3.23	<p><u>W&W Utilities:</u> Indicate position of apparatus.</p>
3.24	<p><u>Coal Authority:</u> On the basis that the development has been undertaken in accordance with the approved Mitigation Strategy of the submitted Geo-tech Report, there are no objections.</p>
3.25	<p><u>GGAT:</u> The Heritage Assessment concludes, 'the earthworks within the application site will not have any effect on the buried remains of any archaeological period. Almost all of the land within the application site has been subject to open-cast extraction and associated infrastructure which would have removed or substantially affected any remains of earlier activity. All of the elements associated with the industrial activity were subsequently removed or have been covered by spoil as part of the restoration of the land here and the subsequent placement of material under the 2016 consent.'</p>

	<p>Therefore, it is unlikely that significant archaeological remains will be encountered during the course of the application. As a result, there is unlikely to be an archaeological restraint to this proposed development and consequently GGAT have no objections to the positive determination of this application.</p>
3.26	<p><u>Brecon Beacons NP</u></p>
3.27	<p>The National Park Authority makes the following on the LVIA (Landscape and Visual Impact Assessment):</p> <ul style="list-style-type: none"> • The study area and viewpoints selected are considered appropriate. • The Blaenavon Tips landscape character area would receive a slight adverse significance of effect as the scheme would be partly visible within views from this character area, whereas, with the consented scheme, it would not. However, after ten years, although there will be some residual effects upon this view and others within the BBNPA area they would not be significant. • The comments of NRW regarding hedgerows and length of management plan are supported.
3.28	<p>Ecology:</p> <ul style="list-style-type: none"> • There are a number of drainage ditches across the site and the land slopes down to the north and into the National Park. It will be important to ensure that water quality is appropriately protected. • It is also noted that the application site is within the River Usk SAC catchment and that NRW have advised that No Likely Significant Effects on the SAC are anticipated as a result of additional phosphorus in the catchment. • BBNP note that the application is retrospectively for the retention of works already undertaken. It is not entirely clear if the works are complete or if any further works are proposed. If further works are required, the requirement for a CEMP as recommended by NRW is supported. • Areas 1 and 2 are outside the National Park boundary and BBNP support the BG ecologist's comments that the information submitted (the Landscape and Ecology Implementation and Aftercare Plan) addresses the proposed restoration and management of the site.
3.29	<ul style="list-style-type: none"> • There is some uncertainty regarding the Mitigation Area and the former Unilateral Undertaking from 2016. This land is within the National Park and it will be important to ensure that habitats are appropriately managed, even if the focus on lapwing habitat has shifted due to issues with predators. BBNP seek additional clarification of what is now proposed in this area and how this is to be secured. <i>Clarification has</i>

	<p><i>since been provided to BBNP that the mitigation area is not being considered as part of this application, no further response has been received.</i></p> <ul style="list-style-type: none"> • In summary, there is no ecological objection to the principle of the development proposals and the retention of the works undertaken along with the restoration and management of habitats as agreed with the BG Ecologist.
3.30	<p><u>Torfaen CBC:</u> No objections.</p>
3.31	<p><u>Monmouth CBC:</u> No response received.</p>
3.32	<p><u>Sustrans:</u> No response received.</p>
3.33	<p><u>GWT:</u> No response received.</p>
3.34	<p><u>Public Consultation:</u></p> <ul style="list-style-type: none"> • 41 letters to nearby houses • site notice(s) • press notice • website public register of applications • ward members by letter • all members via weekly list of applications received • other
3.35	<p><u>Response:</u></p>
3.36	<p>One email was received which raised concerns regarding anti-social behaviour on the cycle route. The area specifically causing concern lies outside the development site boundary. A response has been sent in relation to the concerns raised.</p>
4. Planning Policy	
4.1	<p><u>Team Manager Development Plans:</u> Broadly support the proposal without prejudice to the following issues being taken into account: impact on Special Landscape Area and Site of Importance for Nature Conservation.</p>
4.2	<p><u>LDP Policies:</u></p>

4.3	SP6	Ensuring Accessibility
	SP9	Active and Healthy Communities
	DM1	New Development
	DM2	Design and Placemaking
	DM14	Biodiversity Protection and Enhancement
	DM15	Protection and Enhancement of the Green Infrastructure
	DM16	Trees, Woodlands and Hedgerow Protection
	ENV2	Special Landscape Area
	ENV3	Site of Importance for Nature Conservation
	M1	Safeguarding of Minerals
	M3	Areas where Coal Working will not be Acceptable
	SB1	Settlement Boundaries
4.3	<u>PPW & TANs:</u> Planning Policy Wales (PPW) (Edition 11, February 2021) Future Wales The National Plan 2040	
5. Planning Assessment		
5.1	The Blaenau Gwent Local Development Plan indicates that the site lies outside the settlement boundary (Policy SB1); within the Special Landscape Area (SLA) (Policy ENV2); within a Coal Safeguarding Area (Policy M1); within an area where coal working is not allowed (Policy M3) and partly overlaps with a Site of Importance for Nature Conservation Policy ENV3.93 – Adjacent to Noble Square.	
5.2	The principle of depositing surplus material on Ben Wards field has already been established in the granting of the planning permission in 2016. What must now be given careful consideration is the additional importation of material and its associated impacts. The primary considerations being: the changed visual impact on the surrounding area and wider landscape and whether the proposal has resulted in any changes that would be considered unacceptable on ecology and biodiversity, environmental impacts, access, drainage, ground stability and impact on the historic environment. The potential impacts associated with this development are considered below.	
5.3	<u>Landscape and Visual Impact</u> The additional importation of material has inevitably increased the ground levels at Ben Wards field and accordingly the landform is now more visible from a number of vantage points including Mynydd Llangatwg, the upper slopes of the Clydach Gorge with limited views near Noble Square Industrial Estate/Milfraen View. The applicant has considered the existing local	

landscape characteristics and provided visual information in the form of an LVIA to demonstrate that the material has been deposited and re-profiled in a manner that emulates the existing landscape features albeit at increased levels.

5.4 The land forms are now complete and can be seen in the images below:



Image 1 – Looking towards Brynmawr from near the Highest Point



Image 2 – From Brynmawr Cemetery



Image 3 – From Brynmawr Foundation School



Image 4 – Taken from above Blaenavon Road, facing toward Brynmawr Foundation School



Image 5 – Taken from cycle route between Areas 1 and 2

- 5.5 As can be seen from the images the re-profiled areas have been graded to smooth flowing contours to blend in with the existing slopes over adjoining areas to the application site. Concern was raised regarding the angular end profiles of Area 2 and works have subsequently been undertaken on site (and revised plans received) which have softened these contours.
- 5.6 New drainage channels will be formed together with a small number of ponds/basins. The landscape and environmental design proposals have taken into consideration both the need to integrate the new slopes with the existing profiles over Twyn Blaen-nant, whilst providing suitable habitat for Bats and Lapwings.
- 5.7 In terms of the visual impacts arising from the increased levels and new profiles, it is noted that the Service Manager Green Infrastructure, NRW and BBNP have raised no objections. I concur with their views set out in the Consultation Response section of this report that the proposals are generally acceptable from a visual perspective and should have no additional significant adverse effects on the surrounding landscape or National Park, over and above the consented scheme.
- 5.8 The re-profiled slopes will be seeded with an appropriate seed mix which should enable grasses and wildflowers within the local area to naturally regenerate and colonise the restored areas. The image below has been taken from the LVIA and gives an indication of how the site will look once the proposed landscaping has established. In my opinion this illustrates how the site will eventually blend into the surrounding landscape.



Image 6 – How the site would look when landscaped from Brynmawr Foundation School

- 5.9 The comments from NRW and BBNP regarding the provision of hedgerows are noted, they have requested their reinstatement to re-establish the previous field patterns. The original proposal (2016) included the removal of a significant amount of existing hedgerows in Area 2 and the provision throughout the site of new hedgerows as compensation. However, the agent has confirmed that due to the amendments made to the scheme, the length of existing hedgerows that required removal is now a lot less than that of the 2016 consented scheme and that there will also be supplementary native shrub planting around the periphery of Area 2 to mitigate the effects of hedgerow removal.
- 5.10 Whilst the main reason for the removal of hedgerows that were approved in the 2016 consented scheme is to maximise the habitat value for Lapwing, it has also been decided not to replace the hedgerow for landscape reasons. It is the applicant's opinion that the proposed landform and drainage design does not readily lend itself to the reinstatement of the previous field pattern. The agent has stated they could not reinstate the hedgerow along its previous alignment and, if they are to avoid the proposed hedgerows providing a future observation point for corvids overlooking the plateau within Area 2 (most notably Jackdaws which are predators to Lapwings), the hedgerow would need to be well below the plateau level of Area 2. This would mean that the size of at least one of the fields would be quite small. Gaps in the hedgerow would also be needed to accommodate the open ditches forming part of the drainage design for Area 2. As such, the hedgerows would not be continuous landscape features. For these reasons, from a landscape perspective, they consider Area 2 should remain as a single field or grazing compartment. It would still read as part of the enclosed landscape over Twyn Blaen-nant and contrast with the open landscape over the slopes to the north of the Blaenavon Road below Mulfran. New tree and hedgerow planting will also be implemented at the site access off the Blaen-afon Road when it is reinstated to its original form.

5.11	<p>Neither the Councils Service Manager Green Infrastructure nor the Council's Ecologist have raised any issues in regards to hedgerows and both are very familiar with the features and qualities of the site. I share their view and understand the justification provided by the agent. Accordingly, I am satisfied the proposed landscape restoration scheme is acceptable.</p>
5.12	<p>The application submission states that the landscape and environmental design would be maintained for a period of 8 years following completion of the earthworks.</p>
5.13	<p>There have been differing views as to the duration of the Landscape Aftercare Plan in that the applicant has committed to 8 years which the Service Manager Green Infrastructure and Councils Ecologist have confirmed to be sufficient. Whereas NRW and BBNPA have requested a longer term plan for reasons outlined in their consultation response. The 2016 application raised the same issues and the agent agreed as part of a compromise to increase ongoing land management from 5 years following completion to 8 years. This duration of land management exceeds that of the consented Heads of the Valley consented scheme which is 5 years. I see no justification or change in circumstances to increase the duration of land management from that which was considered to be acceptable under the 2016 planning permission.</p>
5.14	<p>There are some residential properties in relatively close proximity to the site and the impact on their amenity from the increased ground levels must be carefully considered.</p>
5.15	<p>It is the earthworks undertaken within Area 1 that will be most visible to the residents within the Milfraen View are of Brynmawr. However, it is my opinion that due to the separation distance between these properties and intervening landforms, the increase in levels is not considered to have an unacceptable effect on the visual impact or amenity of the occupiers of these properties, particularly when viewed in context with the wider earthworks being undertaken as part of the A465 dualling scheme.</p>
5.16	<p>The nearest residential property to the site is Rhos Fawr Farm which bounds the eastern boundary of Area 2 within Ben Wards Field. The dwelling house itself is approximately 33m away from Area 2. Having visited Rhos Fawr Farm I noted that whilst Area 2 is in close proximity to the farm, the land forms have tied into existing landforms adjacent to the farm which are only marginally higher than the farm house curtilage. Furthermore, the two sites are separated and screened by established hedgerows and trees. There are also a number of outbuildings within the curtilage of the farm on the boundary with Ben Wards Field. I am satisfied that the site circumstances are such that there will be no</p>

	unacceptable impact on the occupiers of Rhos Fawr Farm in terms of the profiles appearing overbearing or creating overshadowing.
5.17	Whilst the landforms are highly visible from a number of vantage points within Brynmawr, I am satisfied that the retention of the as-constructed profiles will not have an unacceptable impact on the surrounding landscape or visual impact on the occupiers of nearby residential/industrial properties and that the proposal complies with policies ENV2, DM15 and DM1 (2b and c).
5.18	<u>Ecology and Biodiversity</u> The application is accompanied by an Ecology Report which provides an appraisal of the ecology of the development site and addresses the proposed earthworks in terms of creating new habitat aimed at benefiting key species (Lapwing and Lesser Horseshoe Bat).
5.19	The restoration of the site has been carefully designed in order to enhance ecological habitats for Lapwing and Lesser Horseshoe Bats as well associated benefits for other species through creation of grassland, graded slopes, wet areas and native tree and shrub planting. The revised scheme footprint retains the hedgerow identified as a lesser horseshoe bat flightline through the deposition area, which now forms the southern boundary of the deposition area. Hedgerow creation increases the potential for bat flightlines across the area, while ensuring that the hedges do not provide “overview” sites for predatory bird species which can use hedges and tree-lines as observation positions in order to forage over wider areas of habitat, a particular concern with regard to lapwings.
5.20	It is noted that part of the site overlaps with a SINC. However, it is considered that the proposal complies with DM14(2a) in that the proposal maintains the ecological importance of the designation through mitigation.
5.21	Other than the issue raised by NRW and BBNPA regarding the duration of the Land Management Plan which has been addressed under ‘Landscape and Visual Impact’ there have been no objections received by regulatory consultees. In fact, it has been acknowledged by the Councils Ecologist that the proposal will in the long-term provide a gain in nature conservation.
5.22	I am satisfied that the landscape and ecological proposals will ensure that the impacts on ecology will be appropriately mitigated for and that the proposal complies with policy SP10(f), DM14 and ENV3.
5.23	<u>Environmental (noise, vibration, dust, light, water quality)</u>

	<p>This type of development inevitably has associated impacts in relation to noise, vibration, dust, water quality and occasionally necessitates the provision of artificial lighting. However, the construction works are substantially complete and it is anticipated that all dusty/noisy activities at the site will end in October 2021.</p>
5.24	<p>It is however noted that the site compound will remain in place until the development is fully completed. As such it is necessary to ensure the compound/works on site will not operate at unreasonable hours to protect the amenity of nearby residents. A condition can be imposed to control this.</p>
5.25	<p><u>Access</u> The access to the site works area is via a temporary access from the B4248 Blaenavon Road which was widened by virtue of planning permission C2017/0226. This access is temporary and will be reinstated along with the associated site compound following completion of the works in 2021.</p>
5.23	<p>An additional access further east along the Blaen-afon Road is also included in the application. This will only be used to access the land for vegetation maintenance after the works are completed.</p>
5.24	<p>The vehicle movements associated with this development were considered to be acceptable as part of the 2016 application, there have been no changes on site which change this view. However, it should be noted that remaining vehicle movements will be minimal as the project is close to completion.</p>
5.25	<p>The Service Manager Infrastructure has confirmed that he has no objections to the proposal and that it complies with Policy DM1 3(a, b, c & d). The restoration of the access points will be overseen/agreed by the Highway Authority.</p>
5.26	<p><u>Land Use and Recreation</u> The Land Use and Recreation Technical Report submitted with the application considers the effects on areas of agricultural land and on land used by the community e.g. common land, use of public open space, public rights of way and cycle routes.</p>
5.27	<p>The applicant acknowledges that there has been a temporary loss of agricultural land during the earthworks. However, the effective restoration of this and aftercare proposals of the land should ensure that the land is returned to its former agricultural use where appropriate.</p>

5.28	A number of public rights of way (PRoW) cross Ben Wards Fields or link to it, as do two cycle routes which form part of the National Cycle Network (NR 46 and NR 492). There have been no effects on the use of public footpaths 49/41, 333/45/1 and 333/42/2 during the earthworks activity, although walkers would have been aware of the works over a two-year period.
5.29	NR 46 has been unaffected by the application proposals, however a section of NR 492 (approximately 390 metres in length) is located within the area of the additional earthworks. A temporary cycle route diversion was constructed in early 2017 to ensure the connectivity of NCR 492 and walkers and cyclists have been able to access this from March/April 2017 during the construction period. Under the original planning permission, a new permanent route for NCR 492 was proposed upon completion of the works, however, the alignment of the temporary diversion has been maintained and is to become the permanent route for NCR 492. This new section has been constructed in accordance with Sustran's specification for permanent cycleway provision.
5.30	It is noted that the Service Manger Green Infrastructure has raised no objections in relation to the Rights of Way or cycle route. However, details of replacement stiles/gates will be required by condition.
5.31	Sustran's have not responded in relation to this application however, the applicant has provided a copy of an email from Sustran's who confirmed they are happy with the alignment of the cycle route.
5.32	It is considered that the proposal has had due regard for pedestrians and cyclists and that temporary provisions have been made to ensure any travel through the site by foot or bicycle is still possible with minimum disruption. The development complies with DM1 (3b).
5.33	<p><u>Ground Stability</u></p> <p>A Coal Mining Risk Assessment has been provided within the Geotechnical Desk Study Report. The assessment reports that the site is within an area affected by shallow mining of coal and ironstone seams and surface workings. Numerous adits and shafts are also recorded. The assessment considers that the opencast workings would have removed these features from the site. The overall likelihood of encountering a mine entry or shallow workings is considered low. Given the end use the residual risk is considered low.</p>
5.34	The agent has confirmed that in preparation of this planning application the Geo-tech report has been reviewed by the original authors. It was concluded that the conclusions of the report remain valid for the new application. The report confirms that the development has been undertaken in accordance with

<p>5.35</p> <p>5.36</p> <p>5.37</p> <p>5.38</p> <p>5.39</p>	<p>the approved Mitigation Strategy of the submitted Geo-tech Report. Accordingly, the Service Manager Infrastructure and Coal Authority have confirmed they have no objections in respect of ground stability. I am satisfied that the proposal complies with policy DM1 2(i).</p> <p><u>Drainage</u> The development site is located within Flood Zone A, defined as at little to no risk of river flooding.</p> <p>The submitted details indicate that surface water runoff from the earthworks area is to be collected and transmitted to an outfall using a trapezoidal channels system with allowance for flow distribution into potential ecological, Lapwing and wetland areas. Ponds, scrapes, wetlands and sedimentation basins are to be provided in the flat areas of earthwork to reduce and prevent risk of flooding and pollution of existing drainage system and to enhance ecological environment. However, the agent has confirmed that minor revisions are currently being made to the scheme and therefore a condition will be necessary to ensure the final scheme is acceptable.</p> <p>I am satisfied that via the imposition of a suitably worded condition a suitable drainage system will be installed and that the proposal will comply with policy DM1 1(e) and DM2 (2e). It has been confirmed by the Councils SAB approval body (Caerphilly CBC) that SAB approval will not be required for this scheme.</p> <p><u>Historic Environment</u> A Heritage Assessment has been submitted as part of this application. The report concludes that the proposed earthworks will not affect the designated historic landscapes in the area, Clydach railroad, Hafod Arch, Bailey's Goviland tramroad, or Clydach coal levels but will have a slight effect on the Blaenavon Branch railway and bridge. However, it is noted that neither GGAT, NRW have objected to the development and that they concur with the conclusions of the heritage assessment.</p> <p>I am satisfied that the development proposal complies with policy SP11 which requires the protection and enhancement of the historic environment.</p>
<p>6. Legislative Obligations</p>	
<p>6.1</p>	<p>The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes</p>

6.2	<p>to improving the economic, social, environmental and cultural well-being of Wales.</p> <p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>
7. Conclusion and Recommendation	
7.1	<p>The principle of the retention of this development, its impact on landscape, ecological, environmental, drainage and highway factors has been carefully assessed. It is considered that the development is acceptable subject to proposed mitigation and ongoing land management. I recommended that planning permission be <u>GRANTED</u> subject to the imposition of the following conditions:</p> <ol style="list-style-type: none"> 1. Approved plans list 2. Within 1 month of the date of this decision notice a final drainage plan and timescale for implementation shall be submitted for the written approval of the Local Planning Authority. The drainage shall be implemented in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority. Reason: In the interest of ensuring surface water drainage is adequately addressed. 3. Within 1 month of the date of this decision notice details of the re-instatement of associated stiles/gates crossing the site and a timescale for implementation shall be submitted for written approval of the Local Planning Authority. The stiles/gates shall be re-instated in accordance with the approved details unless otherwise agreed in writing with the Local Planning Authority. Reason: In the interest of protecting the footway network. 4. Operating hours during the works will be 07-30 – 19.00 Monday to Friday, 08.00 – 13.00 on Saturdays and 09:00 to 13:00 on Sundays for deliveries only. Reason: In the interests of protecting amenity.
8. Risk Implications	
8.1	None. The proposal complies with planning policies in the LDP and national planning policy.

Planning Report

Application No: C/2021/0133	App Type: Full
Applicant: Mr & Mrs Neil Parry 36 Commercial Street Tredegar NP22 3DJ	Agent: FTAA Ltd Mr Roger Field 6 High Street Crickhowell NP8 1BW
Site Address: Plot, Land east of Whitworth Terrace, Tredegar	
Development: New detached dwelling (replacement for previous approval C/2016/0225)	
Case Officer: Jane Engel	

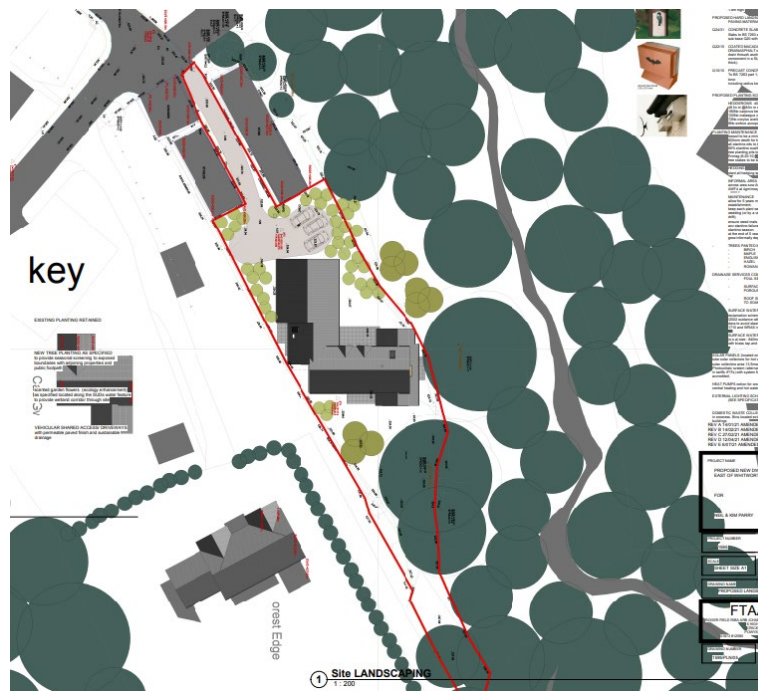


1. Background, Development and Site Context

- 1.1 This is a full planning application which seeks consent to erect a detached 4-bedroom house on land situated to the east of Whitworth Terrace, Tredegar. The land is accessed off Whitworth Terrace via a track which currently runs between two blocks of stables/storage sheds

1.2 The application site measures approximately 0.15 hectare and is a long narrow plateau which is partly surfaced in hardcore. The site measures at its maximum approximately 20 x 75 metres, which slopes from south to north. The proposal is to erect a dwelling at an oblique angle north east of the existing stable/storage buildings which would face north west over the wooded valley slopes to the north which are also owned by the applicant.

1.3 The southern boundary of the site is delineated in part by a block retaining wall supporting land at a higher level which serves as an access route to two detached dwellings know as Forest Edge and Cae Gwylt. To the east and north of the site lie wooded sloping banks which fall down to a nearby watercourse. The land to the west accommodates two rows of stables and storage sheds which were the subject of planning application for retention of refurbishment and extension works (as detailed in Section 2 below). The same planning application approved the retention of ground re-profiling works on the application site.



Block Plan Figure 1

1.4 The wooded area to the north west of the site is protected by a Tree Preservation Order (BG No 134). The same Order also protects an individual tree situated on the northern boundary.

1.5 The block plan submitted as part of the application indicates that most of the area to the west of the property would be surfaced in tarmac and serve as the

1.6	<p>parking and turning areas for the development. The ridge height would be just above the ground level of the elevated plateau to the south of the site. The block plan also shows that the site would be enclosed with a post and rail fence and hedgerow planting.</p> <p>The details indicate that the main house would be rendered and the annex wings would be constructed in face brickwork and have a slate roof. In terms of design the main house is a two storey gable ended property and would feature a large two storey gable projection on the front.</p>
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2. Site History

	Ref No	Details	Decision
2.1	10367	Erection of stable to replace existing	Approved 29.9.93
2.2	96/0008	Extra stable and convert existing stable to game fowl house	Approved 14.3.96
2.3	2014/0202	Retention of ground reprofiling works and proposed extension of 2 no stable blocks for storage purposes	Approved 23.9.14
2.3	2015/0015	Discharge of conditions:	Partially discharged 26.6.15
	2015/0266	Variation of condition 1 of planning permission C/2014/0202 to include details of the construction of a block stone retaining wall to the southern boundary	Approved 14.9.15
2.4	C/2016/0225	New detached house	1.12.2016
2.5	C/2021/0277	Discharge of conditions 4,5,6,7,8,9 and 10 of Planning permission C/2016/0225	Pending

3. Consultation and Other Relevant Information

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

3.4	<p>Drainage: The application was received after 7th January 2019 and is over 100m². SAB approval will therefore be required.</p>
3.5	<p>Ground Stability: There are no objections to the proposal in principle, however, the developer must ensure there is adequate drainage at the top and bottom of the slope, and also ensure that it is well maintained and unobstructed to avoid a build-up of water in the slope, which could lead to slope failure.</p>
3.6	<p>If the embankment's slope sections have changed since the slope stability assessment was undertaken in 2014 (Terrafirma), then a new analysis is required.</p>
3.7	<p>Structures: No objections</p>
3.8	<p>Landscape: No objection subject to an agreed landscape strategy</p>
3.9	<p>Ecology: No Objections</p>
3.10	<p>Rights of Way: No objections</p>
3.11	<p>Arboriculture: No objection subject to the implementation of the Arboricultural report</p>
3.12	<p><u>Service Manager Public Protection:</u> No objection subject to a condition restricting the hours within which development can be carried out.</p>
3.13	<p><u>External Consultation Responses</u> <u>Town / Community Council:</u> No objections</p>
3.14	<p><u>Welsh Water:</u> Confirm sewerage capacity within the public sewerage system</p>
3.15	<p><u>Western Power:</u> Standard advice applies</p>

3.16	<p><u>W&W Utilities:</u> Standard advice applies</p>
3.17	<p><u>Public Consultation:</u></p> <ul style="list-style-type: none"> • 3 letters to nearby houses • website public register of applications • ward members by letter • all members via weekly list of applications received <p><u>Response:</u> No response received as a result of neighbour notification.</p>
3.18	<p>A Ward Member requested the application be reported to Committee on the basis that there are a number of dwellings in the area of various designs and finishes.</p>

4. Planning Policy

4.1	<p><u>Team Manager Development Plans:</u></p> <p><u>LDP Policies:</u> SB1 Settlement Boundaries DM1 New Development DM2 Design and Placemaking DM14 Biodiversity Protection and Enhancement DM15 Protection and Enhancement of Green Infrastructure DM16 Trees, Woodlands and Hedgerow Protection ENV2 Special Landscape Areas</p> <p><u>PPW & TANs:</u> Planning Policy Wales Edition 11 (February 2021) chapter 3 para 3.9 and 3.10 Future Wales: 2040</p>
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5. Planning Assessment

5.1	<p>Members will be aware that in line with the provisions of legislation and national planning policy as contained in Planning Policy Wales (PPW) there is a duty placed upon Local Planning Authorities to determine planning applications in accordance with the approved or adopted development plan for the area unless material considerations indicate otherwise. Material considerations could include current circumstances, policies in an emerging development plan, and planning policies of the Welsh Government. Policy 1 of Future Wales Plan 2040 (FW.2040) supports sustainable growth in all parts of</p>
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	<p>Wales. The Valleys is identified as one of three National Growth Areas where there will be growth in employment and housing opportunities.</p>
5.2	<p>In such a context the primary consideration in assessing this proposal is whether the application site falls within the settlement boundary as identified in the adopted Blaenau Gwent Local Development Plan (LDP). If the site falls outside such a clearly defined area whether there are any exceptions in national or local planning policies or special circumstances in relation to the application that may justify a decision contrary to national policy or approved development plan polices.</p>
5.3	<p>Policy SB1 of the LDP clearly identifies the settlement boundaries in the Borough. The application site lies outside of the existing settlement boundary and is therefore considered to be within the open countryside. Such a location would not be considered sustainable and as such is not considered compliant with the requirements of FFW:2040.</p>
5.4	<p>However, Members may be aware that planning permission for a dwelling on this site was approved by Planning Committee in December 2016 contrary to officer recommendation (ref C/2016/0225). This earlier permission is extant and there is a current application with the Authority to discharge the conditions pursuant to this earlier approval.</p>
5.5	<p>On the basis that a dwelling could be erected under this earlier permission, the principle of the development on this site is considered to be a justifiable circumstance where development contrary to national and local policy is acceptable.</p>
5.6	<p>In accepting the principle of the development consideration should then be given to other matters as required by relevant polices contained within the LDP.</p>
5.7	<p><u>Residential amenity</u> The site sits at a lower level than the properties to the south and as such there are no concerns relating to overlooking, loss of privacy or overshadowing.</p>
5.8	<p><u>Highways</u> Three car parking spaces are provided within the site and no objections have been received from the Highway Authority.</p>

5.9

Trees

The site is bound by a belt of trees within which there are protected trees. Information submitted has demonstrated an acceptable tree protection methodology and the Natural Environment Team Manager has confirmed that there are no objections subject to the tree protection system being installed prior to development being undertaken.

5.10

Ecology

The Council's Ecologist has advised that as the site has the potential for reptiles, hedgehogs and bats. She has therefore requested a number of informatives and conditions relating to boundary treatments and lighting.

5.11

Design

Policy DM2 of the LDP requires development to be of a good design which reinforces local character and is appropriate to the local context in terms of type, form, scale and mix.



Figure 2

5.12

The scale of the proposed dwelling is significantly larger than the two detached neighbouring properties to the south. In fact, the footprint spans the full width of the plot at approximately 19.4m and is significantly larger than that previously approved for the site (this was a modest dwelling at 9.2m x 8.3m) see figures 3 & 4 below for comparison.

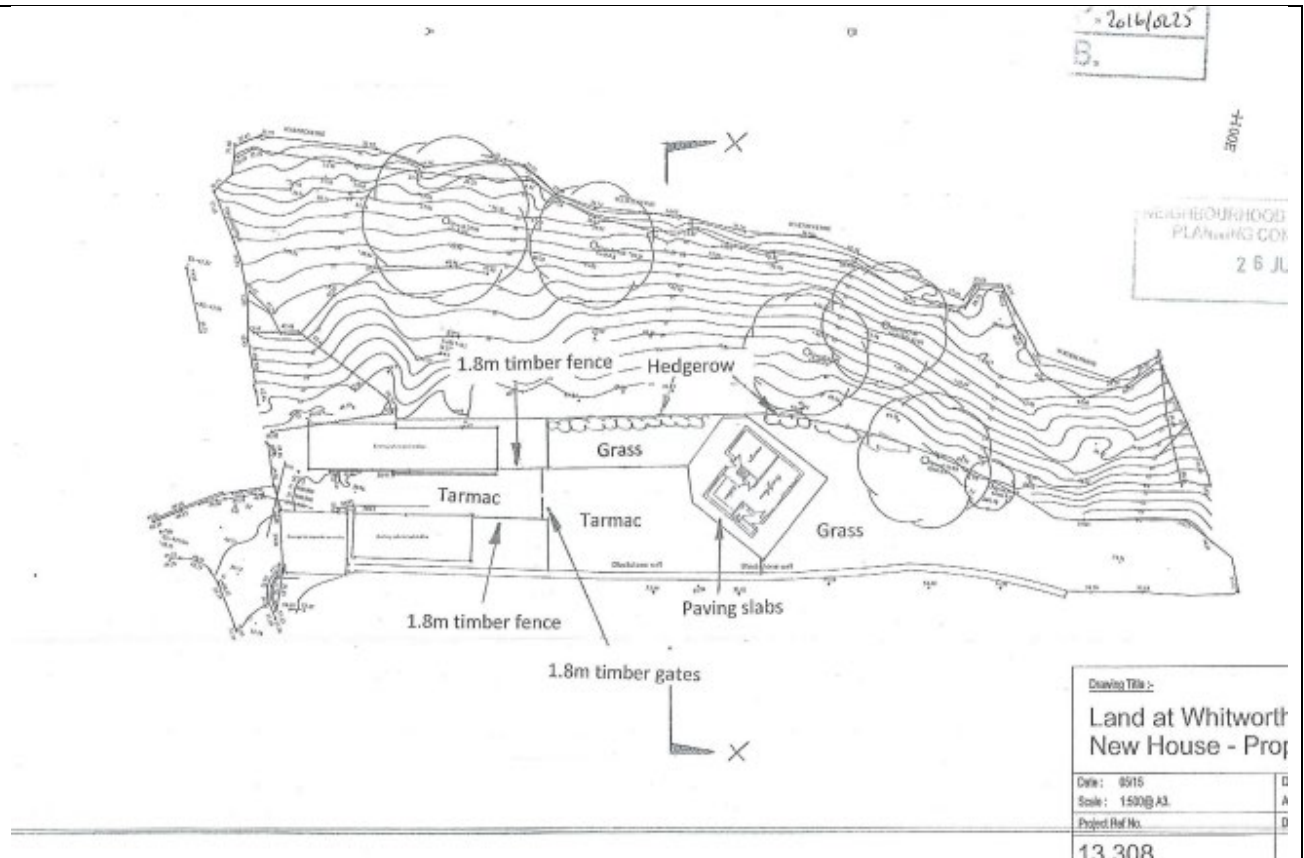


Figure 3 Previously Approved Site Layout



Figure 4 Proposed layout

5.13

Whilst the topography reduces any overbearing impact upon the neighbouring properties, the scale and design of the dwelling will appear out of context with the surrounding area. In particular, the large two storey front gable projection,

<p>5.14</p> <p>5.15</p>	<p>which measures approximately 6.6m wide with a 11m projection, is considered an over dominant feature which fails to respect the form and scale of the main house. Furthermore, when entering the site, the main house will be concealed behind this projection. Incidentally, the front gable projection alone is only marginally smaller in footprint than the <u>whole dwelling</u> previously approved on the site. Members are reminded that this site sits within the open countryside. Whilst the principle of development has been accepted, the sheer scale and design of the dwelling fails to respect the character of the surrounding area.</p> <p>I note the comments of the Ward member and accept that the dwellings built to the south of the site are different in design to each other however both houses are of a smaller scale and are more traditional in style than the one currently proposed.</p> <p><u>Conclusion</u> Having had regard to all relevant matters I consider the scale and design of the proposed house (particularly with regards to the front projection) is unacceptable in this location and will appear out of context with the surrounding area. I therefore consider the development fails to comply with policies DM2 a and b of the LDP and recommend the application is refused.</p>
<h2>6. Legislative Obligations</h2>	
<p>6.1</p> <p>6.2</p>	<p>The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.</p> <p>The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.</p>
<h2>7. Conclusion and Recommendation</h2>	
<p>7.1</p>	<p>Planning permission be <u>REFUSED</u> for the following reason(s):</p> <p>The proposed development by the nature of its scale and design is considered to be out of character with the surrounding area. In particular, the proposed front projection of the dwelling is an over dominant feature that is considered poor design. As a consequence, the proposed development would fail to</p>

	respect the character of the adjacent properties and wider area contrary to Policy DM(2)b and DM2(a) of the adopted Local Development Plan.
8. Risk Implications	
8.1	None