

**COUNTY BOROUGH OF BLAENAU GWENT**

**REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL**

**SUBJECT PLANNING, REGULATORY &  
GENERAL LICENSING COMMITTEE –  
14<sup>TH</sup> OCTOBER, 2021**

**REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER**

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**PRESENT: COUNCILLOR D. HANCOCK (CHAIR)**

Councillors W. Hodgins  
D. Bevan  
G. L. Davies  
J. Hill  
C. Meredith  
K. Pritchard  
K. Rowson  
B. Thomas  
G. Thomas  
T. Smith  
D. Wilkshire  
B. Willis  
L. Winnett

**WITH:** Service Manager Development & Estates  
Team Manager Development Management  
Team Leader Development Management  
Planning Officer  
Solicitor

**AND: Public Speakers**

Llys Berry, 28 Tanglewood Drive, Abertillery

**Applicant:** Thomas Llewelyn

**Ward Member:** Cllr Garth Collier

Plot, land east of Whitworth Terrace, Tredegar

**Applicant:** Kimberley Moore

## DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
<b>No. 1</b>	<p><b><u>SIMULTANEOUS TRANSLATION</u></b></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
<b>No. 2</b>	<p><b><u>APOLOGIES</u></b></p> <p>An apology for absence was received from Councillor M. Day.</p>	
<b>No. 3</b>	<p><b><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></b></p> <p>The following declarations of interest was made:-</p> <p><u>Councillor B. Willis</u>            Item No. 4 – Planning Applications Report            C/2021/0133 –            Plot, Land east of Whitworth Terrace, Tredegar</p>	
<b>No. 4</b>	<p><b><u>PLANNING APPLICATIONS REPORT</u></b></p> <p><u>C/2021/0243</u>  <u>Llys Bery, 28 Tanglewood Drive, Blaina,</u>  <u>Abertillery, NP13 3JB</u>  <u>Retention &amp; completion of decking area, walls,</u>  <u>landscaping &amp; enclosures</u></p> <p>The Team Leader advised that the application sought permission to retain and complete a raised decking area within the front garden of a detached residential property. The Planning Officer outlined the application with the assistance of visual photographs and diagrams as detailed in the report.</p>	

The Team Leader further referred Members to the consultation and advised that no objections had been raised and it had been requested that the application be presented to Committee by a Ward Member who did not consider the development to have a harmful effect on the street scene.

In terms of planning assessment, it was reported that the proposal had been assessed against policies DM1 and DM2 of the adopted Local Development Plan and the adopted Supplementary Planning Guidance in relation to raised decks, balconies and retaining walls. The Planning Officer advised that the Local Development Plan stated that the development proposals should be appropriate to the local context in terms of type, form, scale and mix. The proposals must be of good design which reinforced the local character of the area or positively contributed to the area's transformation, therefore the Planning Officer noted from the report that the introduction of the raised decking area was an unsightly and very prominent addition within the street scene and would be contrary to policy within the Local Development Plan. The development was situated to the front of the dwelling and was highly visible within the street scene. The visibility of the development was also increased due to the elevated position of the existing dwelling. The decking extended the width of the existing gable, however it also projected further to the side of the dwelling. It was added that due to the 2.9m projection of the decking and its extension which was wider than the existing gable, it was determined that the development was particularly large in scale. The Planning Officer advised that although the street scene consists of dwellings which vary in scale and design the dwellings to the east and south are set at a higher level than the road. The Officer was of the opinion that this proposal could set a precedent for similar developments which would have a detrimental impact on the character of the streetscape.

The Team Leader reminded Members of the recent appeal decision in relation to the retention of decking at Hawthorne Glade, Tanglewood which was dismissed due to the adverse visual impact and loss of privacy to neighbouring properties.

The Team Leader concluded that due to the scale, mass and siting, the raised decking was considered to be an unduly dominant feature that would have an adverse visual impact upon the street scene and noted the officer's recommendation that the application be refused.

At the invitation of the Chair, the Applicant addressed the Committee.

Mr. Llewellyn informed the Committee that he built the property in 2003 and have undertaken landscaping works around the property as funding had allowed. In September 2017 works commenced on the front, prior to this landscaping the existing ground was flat and extended from the foot outwards by 4m towards the highway before a steep gradient to the boundary wall. The gradient was such that any future access and maintenance would be difficult and the terracing was the only suitable course action, therefore the Applicant advised that he commenced works to form two less steep gradients with a flat lower terrace mid-way between. Mr. Llewellyn referred to from Blaenau Gwent householder design guidance note 7 and informed that it was his intentions to form the upper terrace and return the ground to its previous state both in height and scale by building a retaining wall within the permitted development height. The deck surface would then be retained at ground level the whole structure appeared to meet the guidance with no need for planning application.

The Applicant advised that the development would not cause any additional overlooking of neighbouring properties besides the ones which could currently be seen out the windows. It was added that the Applicant had choose a sustainable option for the development which would achieve suitable structural frame, supported by brick wall to achieve a same visual outcome. The choice of finish for the building material would be in keeping with the Tanglewood development. The scale of the decking surface would be smaller than the footprint of the land removed to facilitate the terrace works and the level above the highway remained unchanged. In order to necessitate support the wall would be slightly longer as it must meet the path along the building.

The Applicant continued that the laurel hedge and cherry tree planting to be included as part of the development would obscure the wall and enhance biodiversity.

It was further continued that the back drop, terrace or character of building would not be affected and would be similar to other homes on the estate. There were also some higher properties on the site and the Applicant noted that there was evidence available to support these comments. Mr Llewellyn added that no complaints had been received from neighbours and therefore he was of the opinion that the application would not affect our wellbeing nor that of his neighbours and would ask the Committee to apply due consideration and allow the balcony to be granted.

The Ward Member concurred with the comments made by the Applicant and felt that the structure enhanced the area. The Ward Member disagreed with the officer's recommendation and felt that reference should not have been given to a previous application as this development was of a smaller scale. The Ward Member felt that the application would not have a detrimental effect on the area as it was in keeping with other properties on the site.

The Ward Member advised that prior to the works undertaken by Mr. Llewellyn on his property the area was overgrown and unsightly and therefore encouraged Members to grant planning permission. However, if Members felt that a site meeting would be beneficial, the Ward Member proposed a site meeting be arranged.

The Members of the Committee concurred with the Ward Member and felt that the application would enhance the area. The development was situated towards the back of the site and would be finished to high standard. In terms of the previous application, Members noted that the balcony was on a much larger scale and therefore it was felt that all applications should be considered on its own merits.

A Member referred to the statement made by the Applicant in relation to additional planting for screening and asked if a condition could be placed on the application as part of the decision.

The Ward Member advised that planting was already in situ by the Applicant and the Applicant confirmed that trees had been planted and would be happy to plant more maturing trees if requested by the Committee.

It was proposed and seconded that the application be granted with the appropriate condition to be delegated by officers to ensure the decking had an acceptable level of landscape screening and upon a vote being taken it was unanimously,

RESOLVED that planning permission be **GRANTED**.

C/2021/0172

Ben Wards Field, Brynmawr, NP23 4GU

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

The Team Manager Development Management advised that the application sought planning for permission for the retention of earthworks at Ben Wards Field, Brynmawr. The work included 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 and temporary access point. The work had been undertaken in conjunction with the current work being carried out for the Heads of the Valleys Road dualling project which covered the area between Brynmawr and Gilwern. The material that had been deposited at Ben Wards field was surplus to the design requirements of the new highway. The Team Manager Development Management added that Members may recall that planning permission had been granted for the deposit of surplus material along with other ancillary works on Ben Wards Field in 2016, however, the scheme had now changed due to the need to deposit additional fill on site and therefore the need for the submission of this retrospective application.

The Team Manager Development Management further outlined the application with the assistance of diagrams as detailed in the report and gave an overview of the consultation which had taken place and was positive. The Team Leader noted the comments raised by Natural Resource Wales and Brecon Beacons National Park and advised that these had been addressed in the report.

The Team Manager further spoke to the report and outlined key points in relation to the landscape and visual impact, ecology and biodiversity, environmental, access, land use and recreation, ground stability, drainage and historic environment as detailed in the planning application. The Team leader advised that she shared the views of the Councils Service Manager Green Infrastructure and the Council's Ecologist and had no issues with regards to hedgerows and was satisfied with the proposed landscape restoration scheme. The Team Leader advised that the land profiles had slightly changed since the report had been finalised as softer profiling had been requested.

The Team Manager referred to photographs taken at different points and was of the opinion that there would be no unacceptable impact on the landscape and nearby properties.

In terms of aftercare, the Team Manager advised that this was initially for 5 years, however the Applicant had been asked if it could be made longer and an 8-year period was agreed which exceeded the aftercare period.

The Team Manager referred to the recommendation for approval and advised that the conditions 2 and 3 required further information. This information had now been received, was acceptable and the conditions were no longer required. The Team Manager was satisfied that the application be granted.

The Ward Member advised that the residents of Brynmawr have experienced a great deal of disruption during the works. The Ward Member added that it had been suggested that this area would be best used as an outdoor space for the community and welcomed additional planting in the area.

The conditions did not mention the planting of more hedgerows and trees and the Ward Member felt that this should be included. Also, the Ward Member suggested a pond be placed in the area. It was felt that these additional aspects would make it a pleasant outdoor area.

The Team Manager noted the comments in relation of additional planting and advised that there was a detailed landscaping scheme in place which had been carefully designed to benefit from biodiversity enhancements on site and hoped to encourage lapwings back to the site. If more trees were to be planted it could have a detrimental impact on the biodiversity and ecology aims this site was looking to achieve. In respect of the pond, the Team Leader advised that the ponds had been designed to take water run-off from the site and for ecology purposes as part of a wider enhancement for drainage and biodiversity. The Team Leader stated that the scheme presented was acceptable and suggested that the additional trees could be explored in the future.

Another Member noted that the land would be used for grazing land and welcomed the hedgerows. However, the Member felt that more planting would be used as a shelter for the animals. The Member also raised concerns in relation to stability and advised that if there were more trees on site this would assist with drainage and prevent water running onto the A467.

The Team Manager advised that if Members were looking to change the landscaping they must be mindful that the additional planting would potentially impact the biodiversity enhancements the site looked to achieve. The Team Leader suggested that she be delegated powers to add conditions in relation to additional tree planting.

The Committee felt that the site would benefit from additional planting. The Ward Member thereupon proposed that a condition be sought to included additional planting and this was seconded.

Upon a vote being taken it was unanimously,

RESOLVED that planning permission be **GRANTED**.



C/2021/0133

Plot, Land east of Whitworth Terrace, Tredegar  
New detached dwelling (replacement for previous  
approval C/2016/0225)

It was reported that the application sought full planning application to erect a detached 4-bedroom house on land situated to the east of Whitworth Terrace, Tredegar. The land was accessed off Whitworth Terrace via a track which currently ran between two blocks of stables and storage sheds. The application site measured approximately 0.15 hectare and was a long narrow plateau which was partly surfaced in hard-core. The site measures at its maximum approximately 20 x 75 metres, which slopes from south to north. The proposal was to erect a dwelling at an oblique angle north east of the existing stable and storage buildings which would face north west over the wooded valley slopes to the north which are also owned by the Applicant.

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 was a two storey gable ended property and would feature a large two storey gable projection on the front.

The Officer further noted the diagrams as detailed in the report along with the consultation responses. The Officer accepted 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. In conclusion, the Officer was of the opinion with all relevant matters considered the scale and design of the proposed house was unacceptable in this location and would appear out of context with the surrounding area, therefore recommended that the application be refused.

At the invitation of the Chair, the Ward Member, Councillor John Morgan addressed the Committee. The Ward Member advised that he was in favour of the development and noted discrepancies he felt was in the application.

The Ward Member added that this Authority favoured additional housing in Blaenau Gwent and the Ward Member felt that we have a number of the lower banded homes in the area, however there was only 78 houses in Band G. The Ward Member felt that it was important that larger homes be built as many people who work in management jobs in Blaenau Gwent looked outside of the area for higher end homes.

The Ward Member further added that the development was acceptable and supported the application for approval.

A Member referred to previous discussions around the Local Development Plan and informed that this area had been proposed to be included for housing development. However, due to the pandemic these updates had not been taken forward. The Member concurred with the Ward Member and felt that the development would enhance the area and would not be intrusive. The Member reiterated that this parcel of land should be included in the Local Development Plan and therefore proposed that planning permission should be granted.

Another Member advised that there were a number of properties in Georgetown of various designs and scales and raised no objections to the concerns with the application. The Member welcomed this property and felt that Blaenau Gwent needed more homes of this design/scale.

It was proposed and seconded that the application be granted and powers be delegated to officers in order for the appropriate conditions to be added to the application.

RESOLVED that planning permission be **GRANTED.**

Councillor B. Willis abstained from voting.

<b>No. 5</b>	<p><b><u>APPEALS, CONSULTATIONS AND DNS UPDATE: OCTOBER 2021</u></b></p> <p>Consideration was given to the report of the Service Manager – Development &amp; Estates.</p> <p>Councillor K. Rowson left the meeting at this juncture.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<b>No. 6</b>	<p><b><u>PLANNING APPEAL UPDATE: MAS Y DDERWEN, CHARLES STREET, TREDEGAR REF: C/2020/0282</u></b></p> <p>Consideration was given to the report of the Planning Officer.</p> <p>The Service Manager Development and Estates spoke to the report which detailed the decision of the Planning Inspectorate in respect of a planning appeal against the refusal of planning permission for the construction of a 5 bedroom supported living unit and associated works at Maes Y Dderwen, Charles Street Tredegar.</p> <p>The Service Manager noted the reasons provided by the Committee for refusal in relation to parking, suitability of location, loss of amenity space and not in the best interest of the community.</p> <p>The Service Manager advised that the Inspector had disagreed with these reasons for refusal and had felt that there was lack of evidence to support the reasons provided for refusal. The Inspector was satisfied that subject to the imposition of conditions the development was acceptable, allowed the appeal and planning permission was granted for the development.</p> <p>The Service Manager Development and Estates further outlined the Appeal Decision Notice and reiterated the reasons were rejected due to lack of evidence. The Service Manager appreciated that Members disagreed with the officer’s recommendations on occasions, however it was important that the necessary evidence was provided to support decisions made by Members.</p>	

	<p>The local Members were disappointed with the appeal decision and another Member advised that she had presented the Inspector with additional evidence on an issue in her Ward, however it was ignored.</p> <p>The Service Manager stated that no local Members came forward to support the reasons for refusal, therefore the only evidence provided was the Minutes of the Meeting.</p> <p>A Member suggested that going forward the Committee assist the officers in any way possible in order for reasons for refusal against an officer's recommendation be presented. It was added that comments from the Police should also be sought in certain instances.</p> <p>RESOLVED that the report be accepted and the appeal decision for planning application C/2020/0282 be noted.</p>	
<p><b>No. 7</b></p>	<p><b><u>APPLICATION: C/2021/0103 SITE: FORMER JOB CENTRE, TREDEGAR PROPOSAL: CONVERSION OF FORMER OFFICE INTO 11 ROOM BED AND BREAKFAST FACILITY WITH RESIDENTIAL UNIT, ASSOCIATED PARKING PROVISION WITH INTERNAL AND EXTERNAL ALTERATIONS AND DECKING</u></b></p> <p>Consideration was given to the report of the Service Manager Development &amp; Estates.</p> <p>The Officer advised that the report had been requested at the last Committee as Members deferred the application to gain responses from local Police, Tredegar Town Council and the Fire Authority as well as seek further clarification on reasons for refusal. The Officer spoke to the report and provided an overview of the key points.</p> <p>It was reported that the main concerns raised by local Members were the problems experienced in the Town Centre from similar establishments. However, the Officer reported that the facility of concern had planning permission for a hostel and pointed out that the current application was for B&amp;B and conditions have been proposed which may address concerns. If the applicant wished to change the use further planning permission would be required.</p>	

Therefore, the Officer stated that her recommendation remained unchanged and the application be granted.

The Chair invited the Ward Member to address the Committee at this juncture.

Councillor S. Thomas, Tredegar, Central and West Ward welcomed the comments received from the Local Police in respect of the application. The information provided supported concerns raised by local Members and the Ward Member felt that it would be difficult for the Police and Local Authority to monitor proper uses. The Ward Member stated that if the application was granted the people of Tredegar would have very little recourse to refuse the development.

The Ward Member advised that the developer operated similar establishments in other areas under the guest house application which were used similarly as the facility in the Town Centre. The report detailed the costs of appeal, however in this instance the refusal would be supported by the Local Police, local Members and the community.

The Ward Member offered his support if the decision was appealed and would be happy to provide the necessary evidence. The Ward Member thereupon asked the Committee to refuse the application due to the current issues being experience in Tredegar Town Centre.

Another local Member supported the comments raised and felt that it was not a suitable local for a B&B. The Member welcomed tourism to Tredegar, however this building was more suited to offices rather than a B&B. It was felt that when applications for businesses within Town Centres are submitted it would be good to see business plans to ascertain what the applicant had planned for the development and how it would bring benefits to the Town Centre. The Member supported the Ward Member that the application be refused.

It was proposed and seconded that the application be refused. The reason for refusal was that the development would have an unacceptable impact on the surrounding area given existing issues that exist.

	<p>Therefore, upon a vote being taken 12 voted in favour of the amendment and 1 abstained from voting. It was thereupon,</p> <p>RESOLVED that planning permission be <b><u>REFUSED</u></b>.</p>	
<p><b>No. 8</b></p>	<p><b><u>POTENTIAL DNS SCHEMES FOR WIND FARMS</u></b></p> <p>Consideration was given to the report of the Team Manager Development Management.</p> <p>The Service Manager Development Management outlined the report which had been presented to make Members aware of consultation with Welsh Government in respect of four scoping directions which have been submitted for wind farms. It was reported that the wind farms would be located at Mynydd Carn-y-Cefn, Mynydd Llanhilleth, Maenmoel and Abertillery and an overview of the areas was provided.</p> <p>The Service Manager Development Management advised that not all planning applications would be submitted to the Council. The schemes for renewable energy that generated above 10 Megawatts was called a 'Development of National Significance' and these schemes were submitted to Welsh Government to be decided by an independent Planning Inspector, however the Council would be formally consulted on any subsequent planning applications.</p> <p>It was reported that all Members would have an opportunity to submit questions if the schemes are forthcoming.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	

<p><b>No. 9</b></p>	<p><b><u>LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 23<sup>RD</sup> AUGUST, 2021 – 24<sup>TH</sup> SEPTEMBER, 2021</u></b></p> <p>Consideration was given to the report of the Senior Business Support Officer.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p><b>No. 11</b></p>	<p><b><u>ENFORCEMENT CLOSED CASES BETWEEN 9<sup>TH</sup> JULY 2021 AND 30<sup>TH</sup> SEPTEMBER 2021</u></b></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 12, Schedule 12A of the Local Government Act 1972 (as amended).</p> <p>Consideration was given to the report of the Service Manager Development.</p> <p>RESOLVED that the report which contained information relating to a particular individual be accepted and the information contained therein be noted.</p>	