

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT PLANNING, REGULATORY &
GENERAL LICENSING COMMITTEE –
6TH JANUARY, 2022**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR D. HANCOCK (CHAIR)

Councillors W. Hodgins (Vice-Chair)

D. Bevan

G.L. Davies

M. Day

J. Hill

C. Meredith

K. Pritchard

B. Thomas

G. Thomas

L. Winnett

B. Willis

WITH: Service Manager Development & Estates
Team Manager Development Management
Team Leader Development Management
Team Manager - Built Environment
Planning Officer
Solicitor

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
	<u>TWO MINUTE SILENCE</u> The Chair asked Members that a two-minute silence be held as a mark of respect for the late wife of Councillor David Wilkshire who sadly passed away before Christmas.	

<p>No. 1</p>	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
<p>No. 2</p>	<p><u>APOLOGIES</u></p> <p>The following apologies for absence were received from:-</p> <p>Councillor K. Rowson Councillor T. Smith Councillor D. Wilkshire</p>	
<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>The following declaration of interests were raised:-</p> <p><u>Wayne Hodgins</u> Item No. 4 - C/2021/0317 - 44 Beaufort Street, Brynmawr, Ebbw Vale NP23 4AG Proposed Change of use of A1 shop unit to A2</p> <p><u>Councillor M. Day</u> <u>Councillor C. Meredith</u></p> <p>Item No. 4 - C/2021/0179 - Glanyrafon Court and adjacent grounds, Site of former sheltered housing at Allotment Road, Ebbw Vale, NP23 5NS - Construction of 15 residential dwellings with a new road, car parking, gardens, hard and soft landscaped areas</p>	

No. 4

PLANNING APPLICATIONS REPORT

C/2021/0306

74 King Street, Brynmawr, NP23 4RG

Change of use of ground floor offices and first and second floor living accommodation to single dwelling together with associated external alterations

The Planning Officer advised that the application sought to change the use of the property from offices at ground floor with living accommodation at the first and second floor to a single dwelling. The site consisted of a mid-terrace, two storey property with accommodation provided within the roof slope through 2 pitched roof dormers. The site was within the settlement of Brynmawr. The ground floor of the property was at a higher level than road level and was accessed via steps to the front elevation. The rear of the site adjoined a property which was also in the same ownership as the application site. The Planning Officer further noted that the proposed dwelling provided a lounge and kitchen/diner at ground floor level, 3 bedrooms and a bathroom on the first floor with a bedroom on the second floor. The existing dormers are proposed to be increased in size and finished with composite cladding.

The Planning Officer referred Members to the images and diagrams detailed in the report and provided an overview of the proposed floor plan and proposed elevation.

The Planning Officer noted that no objections had been raised and that the reason the application had been presented to Committee was that the proposal was contrary to Policy DM5 which stated that the change of use of the ground floor units to residential use in the town centre would not be permitted. The area of King Street was predominantly residential and the property characteristics are more residential than commercial. The recently published Retail and Leisure study prepared as evidence base for the Replacement Local Development Plan recommended that the property was removed from the town centre boundary. The planning Officer accepted this recommendation and considered that this could be a material consideration when determining the planning application.

The Planning Officer continued that the development would not impact neighbouring properties or have a detrimental effect on the street scene. It was added that although there were no parking provisions the site was in a sustainable location. The Planning Officer explained that whilst the proposal was contrary to Policy DM5 there were justifiable reasons to approve the application contrary to the policy. In all other respects the proposal complied with relevant planning policies.

The local Ward Members welcomed the development and felt it would enhance the property greatly as the building had been redundant for many years.

RESOLVED that Planning permission be **GRANTED**, subject to conditions as detailed in the report.

C/2021/0317

44 Beaufort Street, Brynmawr, Ebbw Vale NP23 4AG

Proposed Change of use of A1 shop unit to A2

The Team Leader Development Management advised the Committee that the application sought to change the use of the property from an A1 use to an A2 use. The site was within the settlement of Brynmawr and situated within the Town Centre and the primary retail area. The Team Leader noted that the last known use of the property was as a pharmacy at ground floor level and residential at first floor, however both the ground and first floor are currently vacant.

The Team Leader added that there would be no external changes and only alterations would be to the layout of the ground floor. If any external changes were planned there would be a need for the applicant to apply to the Planning Department.

It was further reported that no objections had been raised in relation to the application and the reason for the application being presented to Committee was similar to the previous application and contrary to Policy DM5.

	<p>The property had been vacant for a number of years, therefore the Team Leader felt that the loss of the A1 use and change to the A2 use was considered a justifiable reason to approve the application contrary to the policy. In all other respects the proposal complied with relevant planning policies.</p> <p>RESOLVED that Planning permission be <u>GRANTED</u>, subject to conditions as detailed in the report.</p>	
<p>No. 5</p>	<p><u>C/2021/0179</u> <u>SITE: GLANYRAFON COURT AND ADJACENT GROUNDS, ALLOTMENT ROAD, EBBW VALE</u> <u>PROPOSAL: CONSTRUCTION OF 15 RESIDENTIAL DWELLINGS WITH A NEW ROAD, CAR PARKING, GARDENS, HARD AND SOFT LANDSCAPED AREAS</u></p> <p>Consideration was given to the report of the Service Manager Development and Estates.</p> <p>The Service Manager Development and Estates referred to the application which had been considered by Committee on the 4th November, 2021 and a site visit on 24th November, 2021. The site had been clearly pegged out for Committee to visualise the area for development, however it had still remained the resolution of the Committee that the application be refused due to the loss of open green space.</p> <p>It was reported that late correspondence received in relation to the application had been circulated to Members of the Committee.</p> <p>The Service Manager referred Members to the preferred option which reflected the reason for refusal as per discussions as the aforementioned Committee meetings and advised that it was for Members to decide if the wording detailed in the report was the Members reasons for refusal.</p>	

The Chair reported that he had not been present at the previous Committee where the item had been discussed. The Chair felt it would be appropriate to hand the meeting over to the Vice-Chair and the Chair reported that he would not take part in the vote.

The Vice-Chair took the meeting at this juncture and invited comments/questions from Members.

A Member felt that the comments outlined in 3.2 of the report gave an accurate reflection of the remarks made by Members and advised that he remained against the development.

A Member concurred with the comments raised and felt that over the last 2 years open/green spaces had become a place of importance in many residents lives. There had been great changes for people across the Country with periods of isolation, home working which all raised mental health issues and loneliness for many people. The many residents from this area had commented how invaluable this green space had been over the last 2 years and would continue to be as they have enjoyed the walk in this area with pets or meeting people. Therefore, the Member felt that retaining this land was important to the people who utilise this open space.

The Member added the Welsh Government introduced the Well Being Future Generations Act in 2015. The Act defined the sustainable development principle as acting in a manner which seeks to ensure the need of the present without compromising future need. The Member continued that the Welsh Audit Office stated that the Well Being of future generations needed improved access to and open spaces for communities, businesses and visitors. There was a need to better understand the current physical and mental health of the people in our communities along with levels of social isolation. These areas should to be maintained to ensure delivery of these objectives and to make a positive difference on people's lives.

The Public Services Board said that the Well Being objectives recognised the values of open spaces for peoples mental and physical wellbeing. Therefore, the Member felt that this green space must be protected for present and future generations. The Member felt that we now realise 2 years on how valuable this land was and was of the opinion that there would be many more changes over the next 100 years. The Member reiterated the importance to retain this land for our future communities.

Discussion ensued in relation to the application and the following Members advised that they would abstain from voting as their opinion remained in favour of the development:-

Councillor J. Hill
Councillor W. Hodgins
Councillor K. Pritchard
Councillor C. Meredith
Councillor G. Thomas

A Member felt that there were other brownfield sites that could be used for development and therefore could not support the development. Another Member concurred with these comments and the reason for refusal (Option 1) was proposed.

Upon a vote being taken, 1 Member voted against Option 1 and 5 Members voted in favour of Option 1. The Chair did not take part in the vote and Councillors W. Hodgins, M. Day, J. Hill, C. Meredith and K. Pritchard abstained from voting. It was therefore,

RESOLVED that the report be accepted and Members endorsed the following reason for refusal that reflects the concern expressed at the Planning Committee held on 24th November, 2021 (Option 1).

- A significant proportion of the application site extended beyond the footprint of the former Glanyrafon housing complex. That part of the site was not brownfield but greenfield and provided a valuable amenity area for the surrounding community. Policy DM13 of the adopted Blaenau Gwent Local Development Plan sought to protect open space from inappropriate development.

	<p>It set out tests to be met if development was located on open space. The Local Planning Authority considered the proposal in light of these tests. It was considered that that the site had intrinsic amenity and recreational value and there was no surplus of such areas in the locality. As the application did not seek to replace this loss nor did the development enhance the area, the development was contrary to Policy DM13. The acknowledged benefit of affordable housing did not outweigh this negative impact.</p>	
<p>No. 6</p>	<p><u>APPEALS, CONSULTATIONS AND DNS UPDATE:</u></p> <p>Consideration was given to the report of the Service Manager – Development & Estates.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 7</p>	<p><u>LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 9th NOVEMBER, 2021 AND 15TH DECEMBER, 2021</u></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><u>QUARTERLY PERFORMANCE INFORMATION QUARTER 4: JANUARY TO MARCH 2021</u></p> <p>Consideration was given to the report of the Service Manager – Development & Estates.</p> <p>The Service Manager – Development and Estates referred Members to the report and informed that this was a regular report which had to be submitted to Welsh Government on a quarterly basis. The performance information related to the final quarter of the last financial year from January to March 2021 and was published on the Welsh Government website on 5th October 2021.</p>	

The Service Manager gave an overview of the current performance as noted in the report. The Service Manager noted the 81 average days taken from registration to decision for each planning application and advised that now the Team was back to full capacity this outcome would be looked at and addressed.

The Chair and Members of the Planning Committee felt that the Service Manager and his Team had done an excellent job to maintain the good performance during very challenges times and with staff shortages.

RESOLVED that the report be accepted and the information contained therein be noted.

DEFERRAL OF NEW TAN15

Consideration was given to the report of the Team Manager Development Management.

The Team Manager Development Management advised that the report had been presented to make Members aware that Welsh Government had made the decision that the date in which the new TAN 15 and Flood Map for Planning would come into force would be deferred until 1st June 2023. The Team Manager added that the existing TAN 15 which had been published in 2004 along with the Development Advice Map would continue as the framework for assessing flood risk until the new TAN 15 and Flood Map was in place.

The Team Manager further spoke to the report and provided a detailed overview of the background and context for information.

A Member asked if Blaenau Gwent had a qualified person to implement TAN process as over the recent months services from Caerphilly had to be called upon. The Team Manager advised that Blaenau Gwent utilised Caerphilly for applications with surface water drainage issues as there was a Service Level Agreement in place. In terms of the flood consequence, the Team Manager informed that the work needed to be carried out as required by Welsh Government extended beyond just drainage officers.

<p>There were a number of departments involved across the Authority and there would be discussions with other authorities.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p><u>ENFORCEMENT CLOSED CASES BETWEEN 21st OCTOBER, 2021 TO 9th DECEMBER 2021</u></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 Management.</p> <p>An update was provided by the Enforcement Officer on an ongoing matter. The Committee thanked the officer for work undertaken and progress made to date.</p> <p>RESOLVED that the report which contained information relating to a particular individual be accepted and the information contained therein be noted.</p>	