

<b>BLAENAU GWENT COUNTY BOROUGH COUNCIL</b>	
<b>Report to</b>	<b>The Chair and Members of Planning, Regulatory and General Licensing</b>
<b>Report Subject</b>	<b>Planning Applications Report</b>
<b>Report Author</b>	<b>Team Manager Development Management</b>
<b>Report Date</b>	<b>24<sup>th</sup> January 2022</b>
<b>Directorate</b>	<b>Regeneration &amp; Community Services</b>
<b>Date of meeting</b>	<b>3<sup>rd</sup> February 2022</b>

### **Report Information Summary**

<b>1. Purpose of Report</b>	
To present planning applications for consideration and determination by Members of the Planning Committee.	
<b>2. Scope of the Report</b>	
Application No.	Address
C/2021/0274	Former Glyngoed Comprehensive School, Badminton Grove, Ebbw Vale, NP23 5UL
C/2021/0253	Premier Club, William Street, Cwm, Ebbw Vale
<b>3. Recommendation/s for Consideration</b>	
Please refer to individual reports	

## Planning Report

<b>Application No:</b> C/2021/0274	<b>App Type:</b> Full
<b>Applicant:</b> Blaenau Gwent County Borough Council Floor 1 Municipal Offices Ebbw Vale NP23 6XB	<b>Agent:</b> Blaenau Gwent County Borough Council Floor 1, Municipal Offices Civic Centre Ebbw Vale United Kingdom NP23 6XB
<b>Site Address:</b> Former Glyncoed Comprehensive School Badminton Grove Ebbw Vale NP23 5UL	
<b>Development:</b> New Primary School and Childcare Facility with External Play Areas, Recreational Spaces and Other Associated Infrastructure	
<b>Case Officer:</b>	Joanne White



## 1. Background, Development and Site Context

1.1 Planning permission is sought to construct a new 360 place primary school and 52 place 'day nursery' childcare facility on the footprint of the former Glyncoed Comprehensive School located off Badminton Grove, Ebbw Vale. The proposed school will be a direct replacement of the existing Glyncoed Primary School, which has fallen into a state of disrepair. It is envisaged that the proposed school would open in 2023 and would provide a range of community and sport facilities which can be segregated from the main school.

### 1.2 Site Context

The application site relates to a parcel of brownfield land comprising a mixture of hardstanding and scrub. The red line boundary encompasses 3.5 hectares with the developable area being approximately 1.67 hectares. The site is relatively level with Badminton Grove which but rises slightly to the north west corner and slopes steeply down towards Allotment Road along the eastern boundary. Steps lead from Allotment Road up to the application site where they meet an existing footpath/access road which cuts through the site (but does not form part of the developable area).

1.3



Fig 1 -2 (above) Footpath from eastern boundary running through the application site which links to access road at Badminton Grove (to the west)

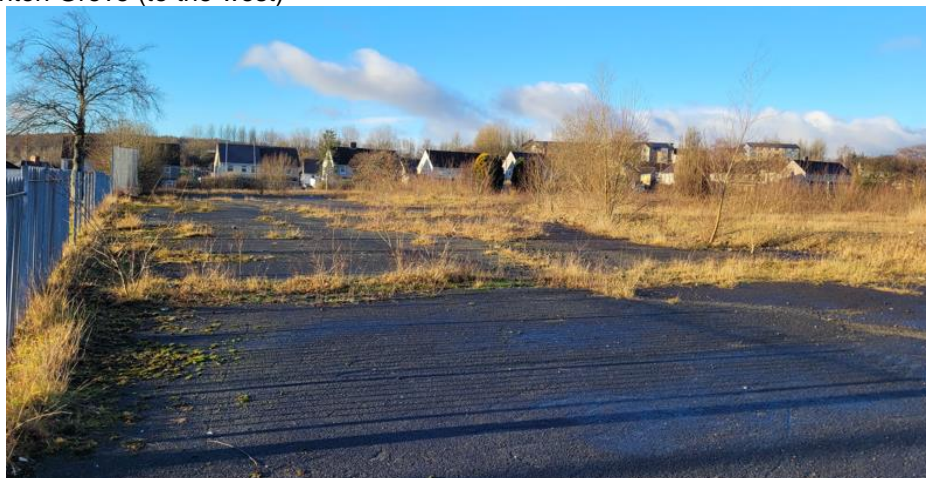


Fig 3 (above) View from within developable site looking towards Badminton Grove

1.4 Ebbw Vale Indoor Bowls Centre occupies the northern end of the site whilst residential properties serving Bevan Crescent and Badminton Grove are located adjacent to the north-west boundary and to the west. Games courts with playing fields are located to the south-east and beyond that is the existing Glyncoed Primary School. There is also an existing children's play area and tarmac games court to the south-west which do not fall within the application site.

1.5



Fig 4 (above) Bowls Centre located to the rear of the site (looking from Badminton Grove)

1.6



Fig 5 (above) showing the existing playground with the access road and developable site beyond. View looking north up Badminton Grove

1.7

Members will note that the red line boundary encompasses the existing bowls club, games court and playing fields. However, the main developable area for the proposed school and childcare facility will be on the footprint of the former comprehensive school, located centrally, as shown in Figure 6 below. As such, the existing bowls club, games courts and playing fields will remain.

1.8



Fig 6 (above) showing main developable area

1.9



Fig 7 showing wider red line boundary footprint of former Glyncoed Comprehensive



Fig 8 showing main area of development of proposed school and childcare facility with access points

1.10

The existing Primary School and Childcare Facility currently provides 305 primary school places, 53 day-nursery childcare places, and employs 29 staff. As such, the development will see a slight increase in pupils and staff at the school (approximately 55 additional primary school pupils and 21 additional staff).

1.11

The proposals include the erection of a single building with a footprint of approx. 1,997m<sup>2</sup> to serve the primary school and a separate single building with a footprint of approximately 463m<sup>2</sup> for the childcare facility. A multi-use

games area (MUGA) is also located to the eastern boundary (behind the primary school).

1.12 The primary school building is set well within the site and is irregular in shape. It is largely two storey in height with a single storey element that will sit behind the childcare facility. The building is contemporary in design, featuring a mixture of buff brickwork, cladding and louvre cladding, coloured panels and light grey windows and doors. Solar panels will also feature to the roof.

1.13 The childcare building is also single storey in height and of a contemporary design featuring a green roof and solar panels. The building is located towards the front of the site, albeit it is still set back from the rear of the existing footpath, directly behind a proposed drop-off area.

1.14

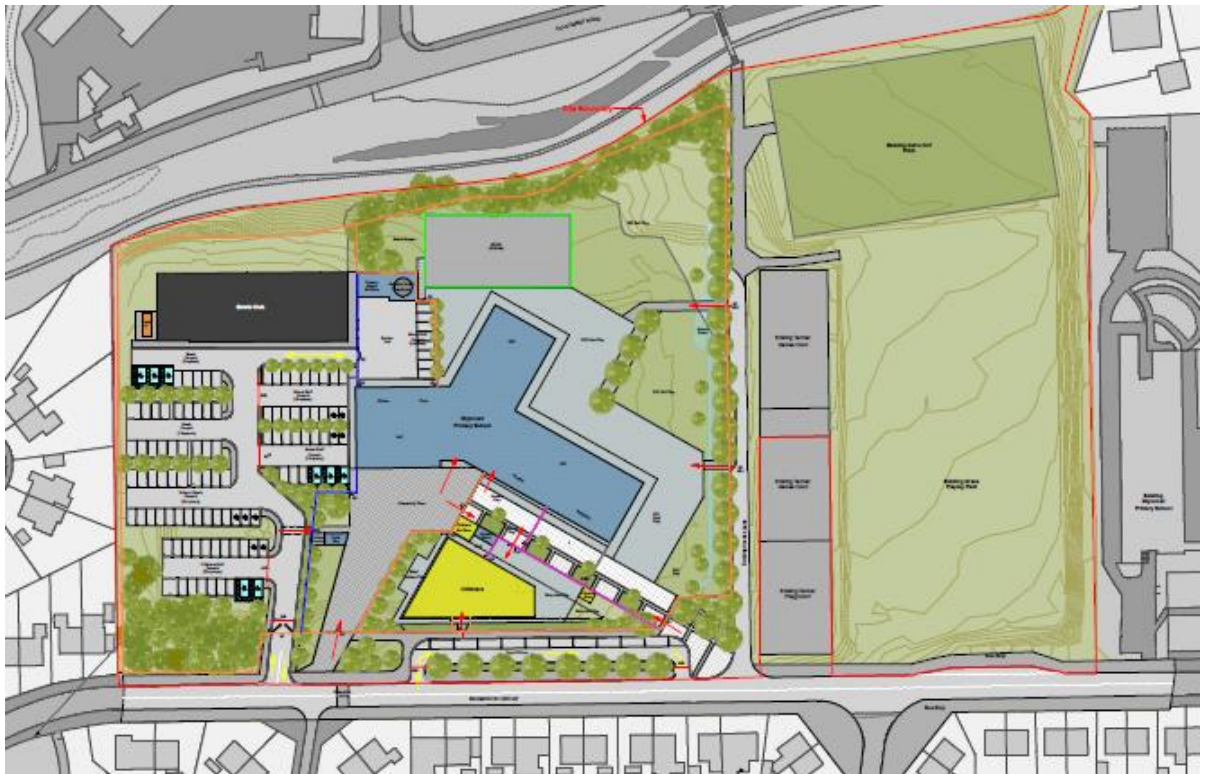


Fig 9 (above) Proposed Site Layout

1.15



Fig 10 & 11 - 3D Models of Primary School

1.16

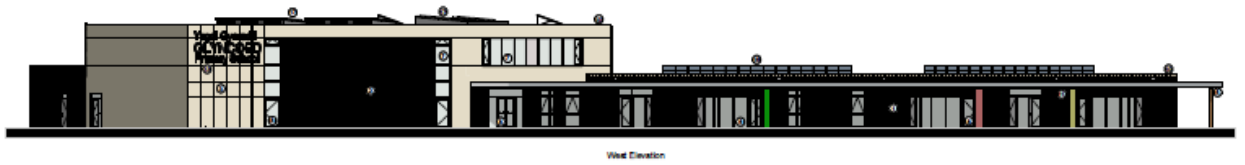


Fig 12 (above) Elevation of proposed school (west) showing the two storey and single storey elements

1.17



Fig 13 & 14 - 3D Models of Childcare Facility

1.18

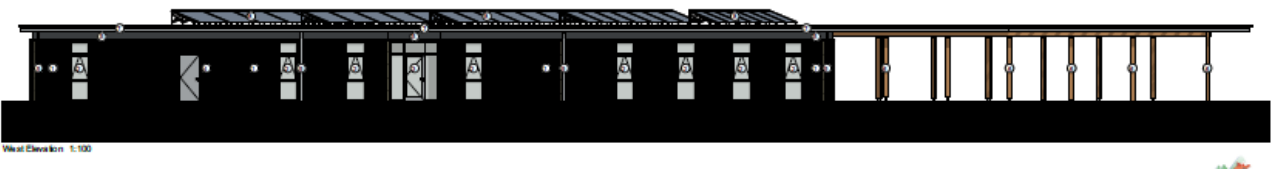


Fig 15 (above) Elevation of childcare facility (west)

1.19

Figs 16-18 (below) showing 3D site views



SITE VIEW 1 - BIRDSEYE VIEW OF THE SITE FROM THE SOUTH

1.20



SITE VIEW 3 - VIEW LOOKING AT THE SCHOOL ENTRANCE AND ACCESS ROAD FROM BADMINTON GROVE

1.21



SITE VIEW 2 - VIEW LOOKING DOWN BADMINTON GROVE

1.22

Access to the site will be from the existing vehicle access off Badminton Grove which currently serves the bowls centre. The access and existing parking areas will be upgraded and extended to provide additional parking areas and a service area. In total, 111 car parking spaces will be provided, of which 40 relate to the existing bowls centre located to the north-east of the site. The remaining 71 spaces will provide staff and visitor car parking; 41 spaces for school staff, 20 spaces for childcare staff and 10 visitor spaces. The spaces include provision for dedicated disabled bays and electrical charging points.

1.23

In addition, a 10-bay drop-off zone will be provided to the site frontage which will be accessed off Badminton Grove. Members may note that works have recently been completed to provide an additional drop-off area located to the east of the site on Allotment Road to serve the existing school. This recently



constructed drop-off area is just over 60m long and can also accommodate up to 10 cars.

1.24

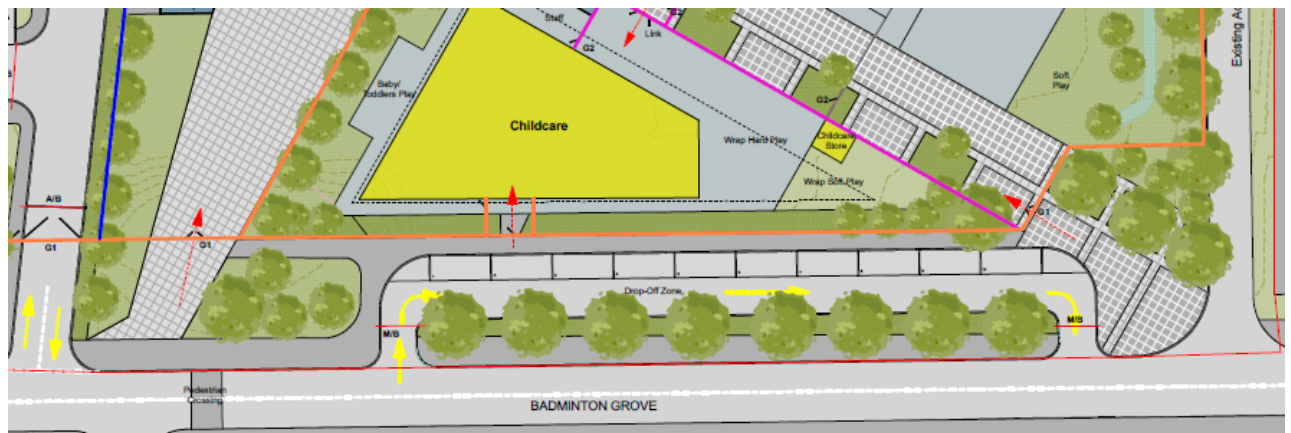


Fig 19 (above) showing proposed drop-off zone to site frontage (Badminton Grove)

1.25



Fig 20 showing recently constructed drop-off zone/bays to the rear of the site at Allotment Road.

1.26

In terms of boundary treatments, the plans indicate a 2m high secure fence to the perimeter with a combination of 1.2m-1.5m high internal separation fences/barriers and a 3m high fencing to the MUGA. Specific details of the fencing types have not been provided at this stage.

1.27

A broad level landscaping scheme has been submitted which includes a tree-lined avenue on the approach to the main building, tree planting between the footpath and drop-off zone, a dense area of 'woodland mix' between the car park and the frontage of the site (and adjacent to the side boundary of no.60 Badminton Grove), together with rain garden planting within the car park areas, tree planting to the southern and eastern boundaries of the school, a secret garden, open lawn and various elements of ornamental planting throughout the site.

1.28

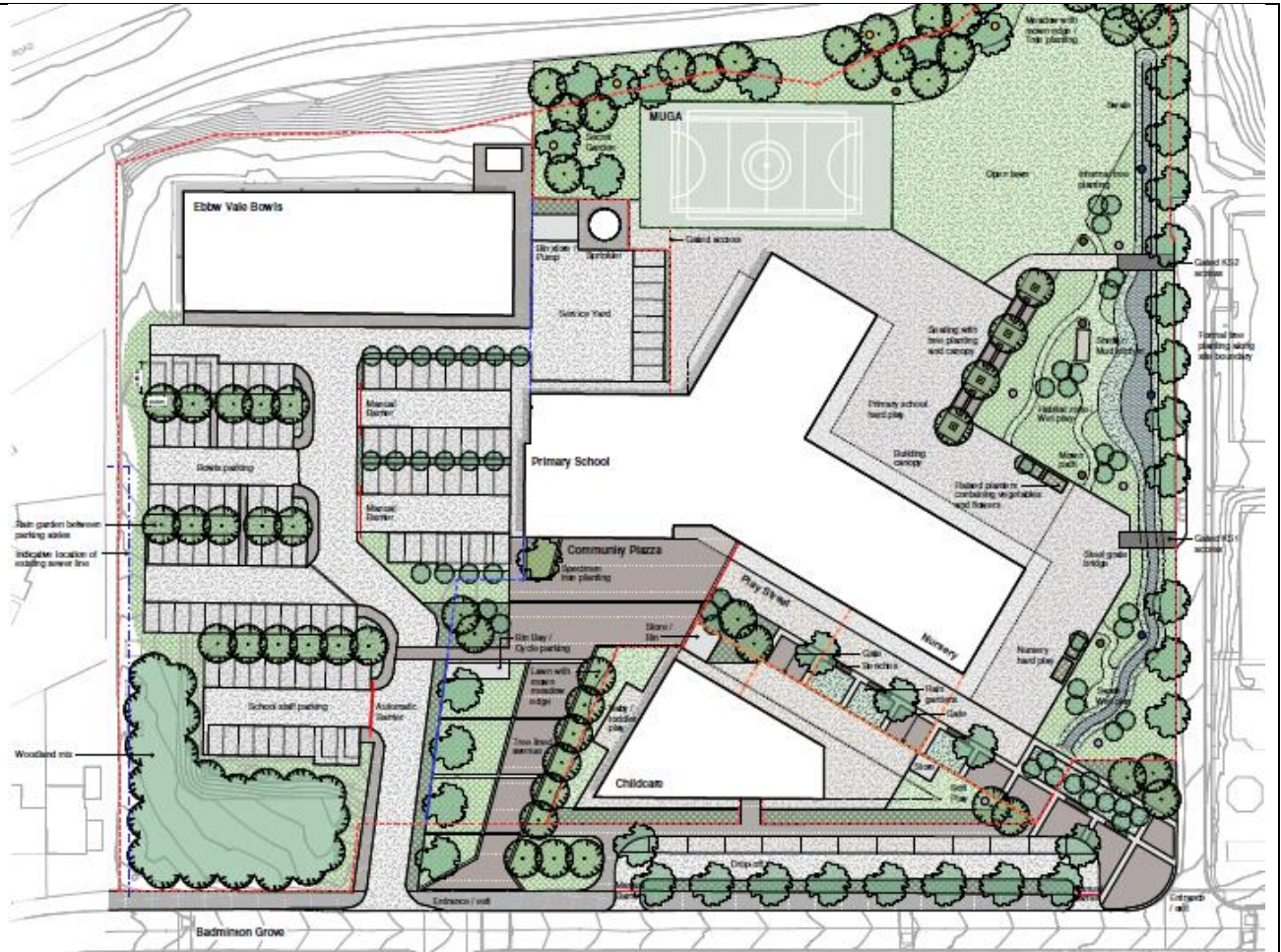


Fig 21 Landscaping layout plan

1.29

In addition to the site layout and building floor and elevation plans, the applicant has submitted a suite of supporting documents which includes a Design and Access Statement, a Preliminary Ecological Appraisal, Reptile Survey, Protected Species (Dingy Skipper) Mitigation Strategy, a Drainage Strategy, a Travel Plan, a Travel Assessment, a BREEAM Flood Risk Appraisal, a Ground Investigation Report and a Coal Mining Report.

1.30

The applicant also undertook pre-application consultation prior to the submission of the planning application, which included publicising a draft of the proposed development and consultation with the community and specialist consultees, including ward members. A related Pre-application Consultation Report has been submitted with the planning application.

1.31

The Local Planning Authority has adopted a screening opinion on the proposed development, indicating that whilst the proposal is considered to fall within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, it is unlikely to result in significant

	environmental impacts. As such, an Environmental Impact Assessment has not been requested as part of the planning application.		
<b>2. Relevant Site History</b>			
	Ref No	Details	Decision
2.1	C/2013/0081	Proposed COU from comprehensive sports hall to an indoor bowls club, extension & internal alterations	Approved 25.4.13
2.2	C/2013/0224	Application for prior notification of proposed demolition of former Glyncod Comprehensive School buildings.	Granted 29.10.13
<b>3. Consultation and Other Relevant Information</b>			
3.1	<b><u>Internal BG Responses</u></b>		
3.2	<u>Team Leader Building Control:</u> Building Regulations required.		
3.3	<u>Service Manager Infrastructure:</u> <u>Highways:</u> The Highways Manager has no objections to the proposal and is satisfied with the methodology of the Transport Assessment and concurs with the conclusions of the assessment. The development complies with LDP Policy DM 1 (3 a, b, c, d & e). The following highway observations have also been identified:		
3.4	a)	The proposed pedestrian access points and cycle parking provision is acceptable to the highway authority. Pedestrian guardrail features are to be incorporated at the community plaza entrance points on the public highway, this is to ensure the safety of vulnerable road users at key pedestrian desire lines. Details to be submitted for approval prior to works commencing.	
3.5	b)	The proposed vehicular site access and servicing areas are acceptable and it has been demonstrated they can safely accommodate the turning movements of anticipated vehicle use and access to staff and visitor car parks. The parking provisions comply with the Council's 'Access, Car Parking and Design' supplementary planning guidance document.	
3.6	c)	The proposed new access junction arrangement for the 'Drop-off' zone are acceptable - the swept-path analysis demonstrates that the new entry/exit accesses can accommodate the anticipated largest vehicular turning movements. Appropriate signage is to be incorporated to ensure compliance with any proposed entry/exit one-	

3.7	<p>way system and/or access control system. Details are to be submitted for approval prior to works commencing.</p> <p>d) Informal pedestrian crossing points (incorporating dropped kerbs with tactile paving) are to be provided across the main vehicular entrance junction of the school, and adjacent to the new proposed drop-off zone access junctions. The existing footway on Badminton Grove along the frontage of the school site is to be resurfaced. Bollards are also to be introduced along this footway to prevent vehicles parking on and causing obstruction issues for vulnerable pedestrians. Details to be submitted for approval prior to works commencing</p>
3.8	<p>e) The existing Zebra type pedestrian crossing on Badminton Grove is to be upgraded to a formal Toucan pedestrian crossing type. Details are to be submitted for approval prior to works commencing.</p>
3.9	<p>f) The methodology and objectives of the submitted Travel Plan are acceptable to the highway authority, these must be fully utilised to encourage Active Travel movements to the facility.</p>
3.10	<p>g) The proposed off-street parking provisions are acceptable to the highway authority and are in accordance with the Authority's 'Access, Car Parking and Design' SPG. The parking areas are to be fully constructed prior to the facility being brought into beneficial occupation and retained there-after.</p>
3.11	<p>h) All identified off-site highway improvements are to be designed and constructed in accordance with the Councils highway design specification.</p>
3.12	<p><u>Drainage:</u> No response received. However, the development is over 100 square metres in floor area and will therefore separate consent for surface water drainage will be required from the Sustainable Drainage Systems (SuDS) Approval Body (SAB).</p>
3.13	<p><u>Ground Stability:</u> The Council's Engineer has raised no objection to the proposed development but highlights that a watching brief should be undertaken when excavating norther section of site (Quantum, Aug 2020: Q0215 IR R1).</p>
3.14	<p>The developer must ensure that all recommendations made in the ground investigation reports are adhered to and implemented at design and construction phase of the development.</p>

3.15	<p><u>Landscape:</u> The former Service Manager – Green Infrastructure raised no objection to the proposed development which provides a robust green infrastructure approach to create a sense of place that has significant biodiversity value.</p>
3.16	<p>The submitted scheme is acceptable but there is a requirement for a detailed planting specification and 5-year maintenance/management plan.</p>
3.17	<p><u>Trees:</u> No objection. The former Service Manager – Green Infrastructure confirmed no important tree specimens would be affected by the proposal and the proposals will ensure that tree and woodland cover will be enhanced.</p>
3.18	<p><u>Ecology:</u> No objection subject to conditions requiring implementation of the Dingy Skipper Mitigation Strategy and the landscape management plan to include provision for hedgehog passes.</p>
3.19	<p><u>Service Manager Public Protection:</u> The Specialist Environmental Health Officer has highlighted elevated levels of contaminants in the soil identified in the ground investigation report. The report includes remedial recommendations including gas protection measures and therefore there are no objections to the development subject to a standard condition in respect of land contamination.</p>
3.20	<p>A condition restricting construction hours should also be imposed to protect residential amenity.</p>
	<p><b><u>External Consultation Responses</u></b></p>
3.21	<p><u>Natural Resources Wales:</u> NRW were consulted as part of the Pre-application consultation report (PAC) which confirmed they have no objections in respect of contamination, flooding, protected species, waste and pollution.</p>
3.22	<p><u>Welsh Water:</u> Confirmed that capacity exists within the public sewerage network in order to receive the foul flows only from the proposed development. The site is also crossed by a public sewer. No part of any building will be permitted within 5m either side of the centreline of the sewer.</p>
3.23	<p>A condition is requested that no surface water from any increase in the roof</p>

	<p>area of the building/or impermeable surfaces within the curtilage shall be allowed to drain directly or indirectly to the public sewerage system.</p> <p>3.24 <u>Western Power and W&amp;W Utilities:</u> The approximate position of apparatus in the vicinity of the application site is highlighted.</p> <p>3.25 <u>Coal Authority:</u> The Coal Authority has no objections.</p> <p>3.26 <b><u>Public Consultation:</u></b></p> <p>3.27</p> <ul style="list-style-type: none"> <li>• 43 letters to nearby houses/businesses</li> <li>• 3 x site notices</li> <li>• press notice</li> <li>• website public register of applications</li> <li>• ward members by letter</li> <li>• all members via weekly list of applications received</li> </ul> <p>3.28 <u>Response:</u> A letter of objection on behalf of 7 residents has been received. The issues raised are summarised as follows:</p> <p>3.29</p> <ul style="list-style-type: none"> <li>• Welcome the anticipated improvement in education and childcare facilities, however the site plan does not appear to address the traffic management concerns expressed during earlier public consultation;</li> </ul> <p>3.30</p> <ul style="list-style-type: none"> <li>• The suggestion to include an area along Allotment Road to help alleviate traffic concerns has not been included in the application and consequently the single drop-off zone to the front of the childcare facility will be inadequate for safe management of road traffic and will cause significant health and safety issues for residents as experienced from the former school.</li> </ul> <p>3.31</p> <ul style="list-style-type: none"> <li>• Residents will have access to their properties denied by inconsiderate/illegal parking which will not be curtailed through appropriate enforcement by the Police or the Council. In a worst case scenario, access for emergency vehicles to local residents, or the school, will be denied as a result.</li> </ul>
<b>4. Planning Policy</b>	
4.1	<p><u>Team Manager Development Plans:</u></p> <p><u>LDP Policies:</u> SP1 Northern Strategy Area</p>

	<p>SP6 Ensuring Accessibility          SP7 Climate Change          SP9 Active and Healthy Communities          SP10 Protection of the Natural Environment          DM1 New Development          DM2 Design and Placemaking          DM3 Infrastructure Provision          DM4 Low and Zero Carbon Energy          DM14 Biodiversity Protection and Enhancement          DM15 Protection and Enhancement of the Green Infrastructure          DM16 Trees, Woodlands and Hedgerow Protection          SB1 Settlement Boundaries</p> <p><u>PPW &amp; TANs:</u>          Planning Policy Wales Edition 11 (February 2021)          Future Wales The National Plan 2040</p>
<b>5. Planning Assessment</b>	
5.1	<u>Principle of Development</u>
5.2	The development site lies within the settlement boundary (Policy SB1) within which development is normally permitted subject to other policies in the LDP and material planning considerations.
5.3	The site is a brownfield site that formerly housed a comprehensive school and is located within the Northern Strategy Area where there is a focus on regenerating the area. Policy SP1 requires proposals to, amongst other things, deliver regeneration schemes that will benefit the area. The proposal will provide for a modern replacement school with improved facilities in line with the 21 <sup>st</sup> Century Schools Programme. Furthermore, the community use of the existing playing fields, games area, children’s playground and existing accesses will not be compromised by the proposal.
5.4	Future Wales – the National Plan 2040 (February 2021), Policy 1 promotes continued growth and regeneration in the area. Policy 2 supports a rich mix of residential, commercial and community uses within close proximity to each other and to create activity throughout the day to enable people to walk and cycle rather than being reliant on travelling by car. As such, the development complies with these policies.
5.5	Having regard to policy SP1 the proposed development is considered to be a compatible land use and accords with LDP Policy DM1(2)a.

5.6	<p><u>Layout, Scale and Appearance</u></p> <p>The submitted Design and Access Statement (DAS) demonstrates that a number of layout and design concepts were considered. The proposed scheme was submitted by the agent on the basis that it provides the most efficient use of space in terms of providing outdoor space, building positions, orientation, access and approach.</p>
5.7	<p>Having considered the proposed layout, I consider it to be broadly acceptable given the constraints of the site. The position of the childcare building and the tree-lined avenue from the main entrance allow for a direct visual sightline to the main school building. It is also acknowledged that due to the different operational times of the childcare building to the main school, more direct and frequent access is required to this building hence the rationale for locating it at the front of the site.</p>
5.8	<p>In terms of scale, the two storey element of the main school building will be a maximum of 10m high to correspond with the adjacent bowls centre. The single storey element will be 4m in height to match the childcare facility. Given the proximity of the buildings relative to each other I consider that the form and scale of the buildings have been carefully designed to provide a harmonious transition from single storey at the front of the site rising to two storey at the rear.</p>
5.9	<p>Materials are considered to be broadly acceptable subject to a condition requiring samples. It is also noted that the buildings incorporate green roofs and solar panels. Given that the childcare facility will be highly visible from residential properties along Badminton Grove, the green roof will assist in softening the visual impact of the building whilst providing biodiversity benefits.</p>
5.10	<p>I consider that the scale, layout and appearance of the proposed development, subject to conditions, is acceptable and complies with the relevant criteria contained in DM1 and DM2.</p>
5.11	<p><u>Highways</u></p> <p>The submitted Transport Assessment (November 2021) concludes '<i>that the site, by virtue of its location and the opportunities for access by a variety of means of transport, is accessible, sustainable and in accordance with national, regional and local policy. The development proposal will result in a negligible uplift in vehicle trips which can be accommodated on the local highway network. It is therefore concluded that the proposed development is acceptable in terms of highways and transport.</i>' The Highways Manager has</p>



	confirmed that he agrees with the conclusion of the Transport Assessment (as do I) and raises no objection to the development subject to conditions requiring tactile paving, guardrails, footway resurfacing, introduction of bollards, upgrading the zebra crossing and the parking areas to be fully constructed.
5.12	I acknowledge the comments raised by objectors in terms of potential congestion at peak times during school drop-off/pick-up times. In response to those comments the Highway Authority have raised no concerns in relation to the development in terms of both vehicular movements or parking provision. Members should also note that there is already a primary school located approximately 110m to the south of the site and as such the impact of the proposed replacement school is unlikely to exacerbate the current situation in terms of congestion at peak times. Moreover, the proposed development will have the benefit of a 10-bay drop off zone located to the front of the site together with the recently constructed drop-off zone located to the rear (east) at Allotment Road which will assist in reducing the level of on-street parking.
5.13	In response to comments regarding inconsiderate and/or illegal parking, this is a matter for the Police and cannot be controlled via the planning system. As discussed above, there will be two drop-off points which is over and above the current provision for the existing primary and indeed the situation that was experienced when there was both a primary and comprehensive school in the area. Furthermore, the Highways Manager has requested that bollards are introduced along the footway of Badminton Grove (along the school frontage) to prevent vehicles parking on the footpath and causing obstruction for vulnerable pedestrians.
5.14	I am satisfied on such basis that the highway network is capable of serving the development, parking provision is appropriate and suitable access can be provided for both pedestrians and vehicles that the development accords with LDP Policy DM3.
5.15	It is also worth noting that existing pedestrian links from Badminton Grove to Allotment Road will be retained together with new gated access points provided into the site from the south.
5.16	<p><u>Ground Conditions</u></p> <p>A Ground Investigation Report has been submitted with the application which identifies elevated levels of contaminants in the soil at the site. The report includes remedial recommendations including gas protection measures together with a watching brief to be undertaken when excavating the northern section of the site. Such measures are common to many developments in the</p>

	<p>Borough and are controlled by Building Regulations. Both the Geotechnical Engineer and Environmental Health Officer are satisfied with the findings of the report and have not raised any objections to the development. I am therefore satisfied that subject to a condition requiring compliance with the recommendations of the report and a standard condition in respect of land contamination that the development complies with policies DM1(2)i and j.</p>
5.17	<p><u>Drainage</u></p> <p>A Flood Risk Assessment has been submitted in support of the application which confirms that the NRW flood maps show no flood risk to the site. The mapping further indicates that the majority of the site is at very low risk of surface water flooding, albeit there is a limited area located centrally within the site that has a high risk of surface water flooding. However, the report concludes that with the implementation of ground re-profiling to prepare the land for development together with a surface water drainage strategy, the risk of surface water flooding is assessed as being 'low'.</p>
5.18	<p>It is noted that the landscape strategy incorporates measures such as rain gardens and swales to assist with surface water drainage. Nevertheless, since 7<sup>th</sup> January 2019 any development proposals that have a hard surface area exceeding 100m<sup>2</sup> require separate SAB approval to deal with surface water drainage. This development exceeds that threshold and accordingly will require approval of Sustainable Drainage Systems (SuDS). An informative note will be added to ensure the developer is aware of their responsibility to obtain the necessary SAB consents to deal with surface water drainage.</p>
5.19	<p>In terms of foul drainage, a full drainage strategy has been submitted with the application which confirms that as the former comprehensive school occupied the site, a local foul sewer connection has previously been established. The proposed development will therefore utilize this connection point. Welsh Water have further confirmed that capacity exists within the public sewerage network in order to receive the foul flows only from the proposed development.</p>
5.20	<p><u>Landscaping/Ecology</u></p> <p>A landscaping scheme has been submitted with the application which includes provision for a tree planting, green open spaces, 'secret garden', swales, planters to grown flowers and vegetables, rain gardens and habitat zones featuring a number of bug hotels, butterfly houses, bat/bird boxes and amphibian habitats.</p>
5.21	<p>Future Wales 2040, Policy 9 seeks to maintain and enhance biodiversity and to maximise the provision of green infrastructure.</p>

5.22	The former Service Manager Green Infrastructure indicated that he was satisfied that the landscape information demonstrates a robust approach to the use of green infrastructure to create a sense of place that has significant biodiversity benefits. However, a condition is required to secure a detailed planting specification and a 5-year management plan.
5.23	I concur with the officer's comments and am satisfied the development complies with Future Wales Policy 9.
5.24	In terms of ecology, the initial Preliminary Ecological Appraisal carried out in November 2019 advised that part of the site had the potential to support reptiles and as a consequence a reptile mitigation plan was carried out in January 2020 to identify the survey methods that would be used to identify whether or not reptiles are present on the site. In May 2020 a reptile survey was carried out on site which confirmed no reptiles were present. It did however identify the presence of Dingy Skippers. Dingy Skippers are butterflies that are listed as being a priority species (Environment Wales Act, 2016) and need to be considered during development works.
5.25	A subsequent Dingy Skipper mitigation strategy was therefore produced in September 2021 which proposes to translocate the habitat to a new receptor area. Subject to implementation of the strategy the Council's Ecologist has no objections to the development.
5.26	The Council's ecologist has also requested conditions that require the detailed landscape and management plan to include provision for hedgehog passes, together with a reptile methodology statement.
5.27	Based on the above I am satisfied that subject to conditions the proposal complies with policies DM2, DM1(f), DM14, DM15 and DM16 in respect of landscape and ecology.
5.28	<p><u>Neighbouring Amenity</u></p> <p>The proposed school buildings are located in excess of 80m from the nearest properties at Bevan Crescent and no.60 Badminton Grove with the childcare facility in excess of 32m from properties opposite (143-153 Badminton Grove). It is also worth noting that the childcare facility is single storey in height and will be partially screened by the tree planting to the drop-off zone in front of it. As such, there are no concerns of any unacceptable overbearing, overshadowing or overlooking impact upon these properties. Members are</p>

	also reminded that the site previously housed a secondary school in this location.
5.29	It is acknowledged that the provision of a school may cause some disruption at peak drop-off/pick up times, however, this has been discussed above in paragraphs 5.11-5.13.
5.30	Having considered the impact upon the neighbouring amenity, I am satisfied that the development accords with LDP Policy DM1(2)c.
5.31	<u>Net Zero Carbon</u> Members may be aware of the announcement by Welsh Government in November 2021 requiring new school buildings to be net zero carbon from 1 <sup>st</sup> January 2022 as part of the 21 <sup>st</sup> Century Schools Programme. Net Zero Carbon means producing zero or negative carbon emissions as part of their operational energy. However, the 1 <sup>st</sup> January target does not relate to existing 21 <sup>st</sup> Century schemes, which includes this proposal.
5.32	Whilst the application of Net Zero Carbon is not required as part of this development, the Council's education department have confirmed that Welsh Government will look to commit 100% funding where the application to existing schemes under development is possible.
5.33	The project team are currently assessing the potential application of Net Zero Carbon, along with the associated implications and impact from both a programme and financial profiling perspective. This is being explored further via the tender process, and will be progressed accordingly in line with contractor appointment.

## 6. Legislative Obligations

6.1	The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.
6.2	The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In

presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.

## 7. Conclusion and Recommendation

7.1

### Conclusion

In conclusion, the proposed replacement primary school with childcare facility is considered to be acceptable in land use terms and would not have an unacceptable impact upon the character and appearance of the surrounding area nor have an adverse impact upon the neighbouring amenity or highway network.

It is considered that the development proposal is acceptable subject to conditions and complies with relevant policies contained within the LDP.

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

1. Condition listing approved plans and documents.
2. SAB not approved as part of application.
3. Condition requiring compliance with recommendations of ground investigation report.
4. Condition requiring existing and proposed site levels and finished floor levels.
5. Standard condition in the event of unforeseen contamination.
6. No surface water to drain directly or indirectly to public sewerage system.
7. Condition requiring construction management plan, including hours of operation (08:00-18:00 Monday – Friday, 08:00- 13:00 Saturdays).
8. Condition requiring details of boundary treatments, external hard landscape finishes, bin stores and cycle parking
9. Condition requiring full details/samples of external finishes/materials
10. Condition requiring detailed planting specification and 5-year maintenance/management plan
11. Details of on-site and off-site highway improvement works to be submitted.
12. Condition requiring the implementation of protected species (Dingy Skipper) Mitigation Strategy
13. Standard Time Limit (Full Application)

Informative Notes:

1. Informative advising applicant of SAB requirements

	<ol style="list-style-type: none"><li>2. Use of advanced specimen trees and shrub stock (extra heavy standards and semi mature specimens) should be included in the planting specification to ensure functional and visual impact upon delivery of the scheme.</li><li>3. Native planting that considers pollinators should also be used in the landscaping together with hedgehog passes in the boundaries.</li><li>4. Informative advising applicant that all wild birds, bats and reptiles protected under Wildlife and Countyside Act 1981 (as amended) and Habitats Regulations.</li></ol>
<b>8. Risk Implications</b>	
8.1	<b>None</b>

## Planning Report

<b>Application No:</b> C/2021/0253	<b>App Type:</b> Full
<b>Applicant:</b> Mr Alan Phipps 1 Jubilee Road Six Bells Abertillery	<b>Agent:</b> Mr Adrian Drew 14 Thornhill Close Brynmawr NP23 4SA
<b>Site Address:</b> Premier Club, William Street, Cwm, Ebbw Vale	
<b>Development:</b> Conversion of ex social club into 2 no dormer bungalows including removal of extensions and outbuildings, rebuilding of front elevation and increasing height of building to create upper floor and new roof structure.	
<b>Case Officer:</b> Lesley Taylor	



Development site

## 1. Background, Development and Site Context

- 1.1 The development site is a detached single storey building with annexes to the front, side and rear. It is orientated to face north west with one side elevation facing William Street and the other side facing the River Ebbw. The rear of the building faces a parcel of land that houses a community hall.



- 1.2 The building has a parking area on the north side (front) and a small garden on the east side.

- 1.3 Mature trees overhang the site on both the north and west boundaries.



- 1.4 This application seeks planning permission to change the building to a pair of semi-detached dwellings. To facilitate this, works will include removing existing front, side and rear annexes, rebuilding the elevation fronting William Street (proposed side elevation), increasing the height of existing walls and forming a new pitched roof.

- 1.5 A small porch will be constructed on the front elevation of each dwelling. New windows will be installed at ground floor level in the front, and side elevations. The rear elevations will feature a window and French doors.

- 1.6 Dormer windows and roof lights will be installed in front and rear roof planes to serve the attic rooms.



1.7

All elevations will be finished in smooth, painted render and the porches in grey Bradstone. The roof covering will be Cambrian slate with matching ridge tiles and all windows, doors soffits and rain water goods will be manufactured in white UPVC.



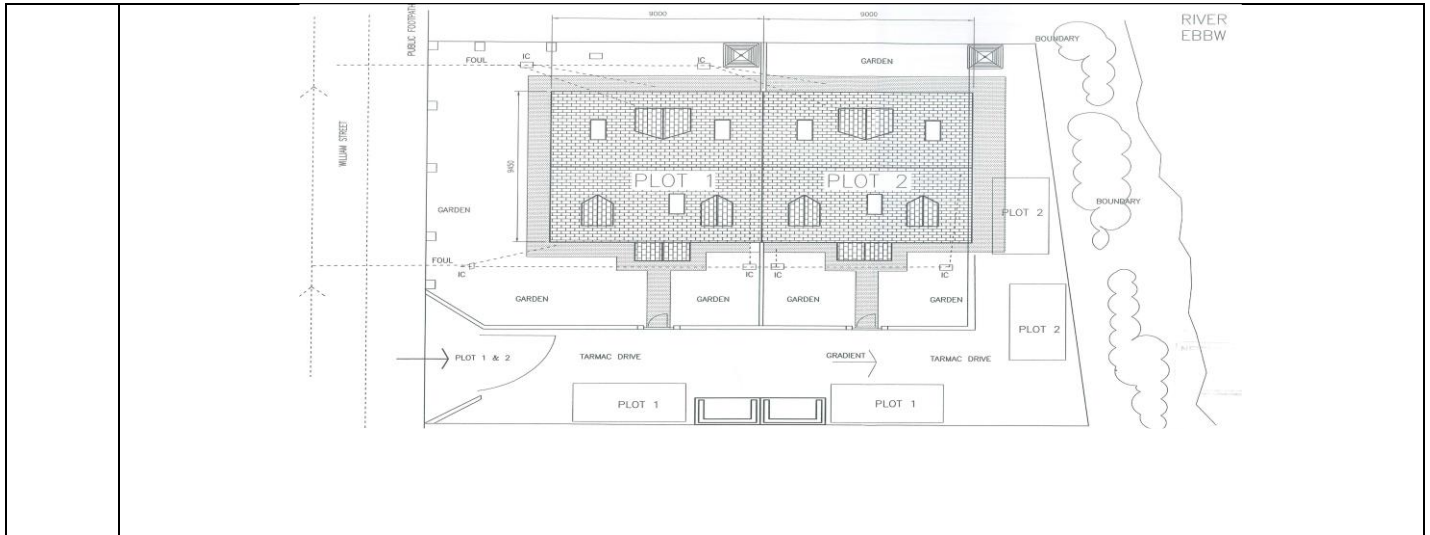
1.8

The ground floor of each dwelling will provide a lounge/dining room, kitchen, bedroom and wc. The new roof/attic spaces will each provide 2 bedrooms and a bathroom.



1.9

The area to the front (north) side of the building will be laid out to provide gardens and drive. Plot 1 will have additional garden land to the side (William Street) and Plot 2 will have garden land to the rear and side (adj River Ebbw). Two parking spaces, a bin store and drying facilities will be provided for each dwelling.



**2. Site History**

	Ref No	Details	Decision
2.1	None		

**3. Consultation and Other Relevant Information**

3.1	<p><b><u>Internal BG Responses</u></b></p>
3.2	<p><b><u>Team Leader Building Control:</u></b> Building Regulations Required.</p>
3.3	<p><b><u>Service Manager Infrastructure:</u></b> Highways: No objections subject to the proposed driveway parking areas being fully constructed prior to the occupation of the dwellings and retained thereafter; and driveway vision splays of 2.4m x 33m being retained at all times for driveway access.</p>
3.4	<p><b><u>Drainage:</u></b> No response at the time of preparing this report.</p>
3.5	<p><b><u>Landscape (Revised comments)</u></b> Plot lies directly adjacent Special Landscape Area ENV2.6 and SINC. The development is to consider how adjacent SLA &amp; SINC are to be retained/protected during development.</p>
3.6	<p><b><u>Ecology:</u></b> (Revised Comments) Ecology matters can be reasonably addressed by conditioning an Ecological CEMP and robust landscape scheme. There should also be an advisory note that in the event that bats are encountered whilst making alterations to the</p>

	<p>roof, works should stop immediately and advice sought from an experienced bat licensed ecologist.</p>
<p>3.7</p>	<p><u>Arboriculture:</u> (Revised Comments) Large mature trees directly adjacent to the development plot and the tarmac drive is proposed in root zone of trees protected by TPO. It must be demonstrated how development can be achieved without severing roots or compacting soil around tree roots. The Tree Survey must show trees in relation to design, demolition and construction. It must include tree categorisation and constraints. Plans must show all trees impacted/adjacent development and root protection zones and include recommendations to demonstrate how development can be achieved without loss/detrimental impact upon existing trees worthy of being retained and how these are to be protected during development.</p>
<p>3.8</p>	<p><u>Service Manager Public Protection:</u> No objection subject to a condition restricting the hours within which development can be carried out.</p>
<p>3.9</p>	<p><b><u>External Consultation Responses</u></b></p>
<p>3.10</p>	<p><u>Welsh Water:</u> No surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.</p>
<p>3.11</p>	<p><u>National Resources Wales:</u> The planning application proposes highly vulnerable development (housing). Development Advice Map (DAM confirms the site to be within Zone C1. Section 6 of TAN 15 requires the LPA to determine whether the development at this location is justified, and refer the LPA to the tests outlined in Section 6.2 of TAN 15. If the LPA considers the proposal meets tests (i) and (ii) then the final test (iv) is for the applicant to demonstrate through the submission of an FCA that the potential consequences of flooding can be managed to an acceptable level.</p>
<p>3.12</p>	<p>Notwithstanding the above, NRW has concerns because of the inadequate information that has been provided in support of the proposal and further information should be sought or NRW would object to the development.</p>

<p>3.13</p> <p>3.14</p> <p>3.15</p>	<p><b><u>Public Consultation:</u></b></p> <ul style="list-style-type: none"> <li>• 9 letters to nearby houses and buildings</li> <li>• 3 site notices displayed near the site</li> <li>• website public register of applications</li> <li>• ward members by letter</li> <li>• all members via weekly list of applications received</li> </ul> <p><b><u>Response:</u></b> No responses were received as a result of neighbour notification, other than a request to provide a copy of plans for viewing.</p> <p>Upon notifying Ward Members that it was officer's intention to refuse to grant planning permission under delegated powers on grounds of flood risk, an email was received requesting that the application be reported to Committee on the basis that the building is in the middle of a street where the flood risk is no different to the other homes that have been there for many years and have never flooded.</p>
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**4. Planning Policy**

<p>4.1</p> <p>4.2</p> <p>4.3</p>	<p><b><u>Team Manager Development Plans:</u></b> <b><u>LDP Policies:</u></b> SB1 Settlement Boundaries SP4 Delivering Quality Housing SP5 Spatial Distribution of Housing Sites SP7 Climate Change DM1 New Development DM2 Design and Place making DM16 Trees, Woodlands and Hedgerow Protection</p> <p><b><u>PPW &amp; TANs:</u></b> Planning Policy Wales Edition 11 (February 2021) chapter 3 para 3.9 Future Wales: The National Plan 2040 (Policies 1, 2 and 8) Technical Advice Note (TAN) 15 Development and Flood Risk (2004)</p> <p><b><u>Principle of Development:</u></b> The Blaenau Gwent Local Development Plan (LDP) indicates that the proposed site lies within the settlement boundary (Policy SB1). The land is not subject to any designations according to the Local Development Plan Proposals Map. The Natural Resource Wales (NRW) DAM Map shows that the whole site is located within flood zone C1.</p>
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4.4	<p>Future Wales - the National Plan 2040 was published on the 24<sup>th</sup> February, and therefore is relevant to this application as it now forms part of the Development Plan. Policy 8 – Flooding identifies that flood risk is a constraining factor to development, especially as many of our towns and cities are on the coast or located alongside major rivers. The Welsh Government therefore has a robust planning policy that directs development away from areas at risk of flooding.</p>
4.5	<p>The Local Development Plan Policy SP7 Climate Change also aims to provide a framework for sustainable growth by promoting development that mitigates the causes of climate change and which is able to adapt to its likely effects. Criterion 2 b. is relevant to this proposal as it states that new development is to be directed away from those areas which are at high risk of flooding.</p>
4.6	<p>The proposal is for a change of use from a social club to two residential properties that would result in the application moving from less vulnerable development to highly vulnerable development (TAN 15 (2004) para 11.20, figure 7). The policy reflects the requirement of TAN 15 which states in paragraph 6.2 that highly vulnerable development should be directed away from zone C and towards suitable land in zone A.</p>
4.7	<p>TAN 15 (2004) classifies flood zone C1 as an area of the floodplain which is developed and served by significant infrastructure, including flood defenses (see Figure 1, page 5). Section 6 of TAN 15 requires the Local Planning Authority to determine whether the development at this location is justified. The proposal is to meet the tests set out in paragraph 6.2 of TAN 15 criteria (i) to (iii), then the final test (iv) is for the applicant to demonstrate, through the submission of an FCA, that the potential consequences of flooding can be managed to an acceptable level.</p>
4.8	<p>Test (i) is relevant to this proposal as the second test relates to employment. The first test states that: Development will only be justified if it can be demonstrated that its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement. There is no local authority regeneration initiative for Cwm. The LDP identifies a settlement hierarchy where Cwm is not identified as one of the principal/district hubs. This proposal is for a small development which would convert a building into two dormer bungalows and would therefore not sustain an existing settlement but instead would bring a single vacant property back into use.</p>
4.9	<p>It is therefore considered that the development cannot be justified by test (i). Test (iii) which relates to previously developed land is not relevant due to the development failing to meet the first justifications tests. In this case, the</p>

	<p>applicant would not be required to submit an FCA due to not meeting the first tests.</p>
4.10	<p><u>Other Planning Considerations that are relevant:</u></p> <p>Policy DM1 New Development is a general development management policy that sets out criteria for new development. Policy DM1 2 criterion c will be relevant to this proposal in terms of amenity.</p>
4.11	<p>DM2 Design and Place making - Criteria b, c and g will be relevant to this proposal where good design reinforces local character.</p>
4.12	<p>Policy DM16 Trees, Woodlands and Hedgerow Protection - there are a number of trees located in close proximity to the north, west and southern boundary of the site which could be impacted by development, therefore view from Green Infrastructure will be important in this regard.</p>
4.13	<p>Planning Policy object to the proposed development on the basis that the proposal is located in flood zone C1 and the development fails to meet the justification tests.</p>
4.14	<p><b><u>Additional Response</u></b></p> <p>Planning Policy also responded in light of the revised TAN 15 which had been due to come into effect on 1<sup>st</sup> December 2021, and new NRW Flood Risk Maps to be considered alongside the new TAN. Comments are summarised as follows:</p>
4.15	<p>According to the new maps, the proposed development is located in Flood Zone 3, an area of the floodplain which has a greater than 1 in 100 (1%) chance of flooding in any given year. The TAN advises that within Flood Zone 3, the flooding consequences associated with highly vulnerable development are not considered acceptable. Flood Consequence Assessments (FCA's) should not be prepared as there is no requirement for NRW to provide advice.</p>
4.16	<p>Para 14.11 states that when assessing a change of use and conversion proposals for any location outside Zone, decision makers should apply the Section 11 Test to satisfy themselves that the consequences of flooding have been considered and are acceptable. An FCA commensurate with the scale and nature of the proposal will be required to enable the planning authority to reach its decision. If the proposed change of use or conversion is not resilient and there is an unacceptable risk from flooding to people, the planning application must be refused.</p>

4.17	When considering Section 11, 11.1 states that if the planning authority is satisfied that a development proposed in a flood risk area has met the tests outlined in section 10, a full understanding of the potential risks and consequences will be required to inform decision making and to demonstrate section 10 has been satisfied. However, section 10 reiterates that highly vulnerable developments must not be permitted in Zone 3, and there are Planning Policy objections in relation to the development due to flood risk.
<b>5. Planning Assessment</b>	
5.1	The Blaenau Gwent Local Development Plan (LDP) indicates that the proposed site lies within the settlement boundary (Policy SB1) within which development is generally permitted subject to policies in the Plan and other material considerations.
5.2	The land is not subject to any designations according to the Local Development Plan Proposals Map. However, the Natural Resources Wales (NRW) Development Advice Map (DAM) shows that the whole site lies within Flood Zone C1 and the development proposal must therefore be considered in light of the requirements of Technical Advice Note (TAN) 15 Development and Flood Risk (2004), Policy 8 of Future Wales The National Plan 2040, Planning Policy Wales (PPW) Edition 11 (February 2021) and Policy SP7 of the adopted Blaenau Gwent Local Development Plan. Also relevant to the determination of this application are Policies SP4, SP5, DM1, DM2, DM14, DM16 and EV3.28 of the adopted LDP, and other relevant polices outlined in PPW and Future Wales.
5.3	<p><b><u>Flood Risk</u></b></p> <p>Para 5.2 of TAN 15 categorises development types according to vulnerability in terms of flood risk. As a club, the existing building is deemed to be a less vulnerable use, whereas the proposed residential use is classed as highly vulnerable.</p>
5.4	<p>Para 6.2 of TAN 15 states that all new development should be directed away from Zone C to Zones A and B where river or coastal flooding would be less of an issue. It also states that highly vulnerable development should not be permitted within Zone C2. In Zone C1, development should only be permitted where the Local Authority considers it can be justified. In doing so, it must be demonstrated that the development meets one of the following tests:</p> <ul style="list-style-type: none"> <li>• Its location in zone C is necessary to assist, or be part of, a local authority regeneration initiative or a local authority strategy required to sustain an existing settlement; <b>OR</b></li> </ul>

	<ul style="list-style-type: none"> <li>• Its location in Zone C is necessary to contribute to key employment objectives supported by the local authority, and other key partners, to sustain an existing settlement or region.</li> </ul>
5.5	<p>The development proposal to change a vacant building to two dwellings fails to meet either of these tests. The LDP identifies a settlement hierarchy where Cwm is not identified as one of the principal/district hubs. Whilst the development would bring a vacant building back to beneficial use, it cannot be argued such a proposal is necessary to sustain an existing settlement. Furthermore, the proposal would make no contribution to key employment objectives.</p>
5.6	<p>Having failed tests i and ii, the initial tests for development proposals in Zone C, applying test iii (the aims of PPW and its definition of previously developed land) or test iv (requiring an assessment of potential flood risk as outlined in Section 7 of TAN 15) cannot be justified. This view is shared by Planning Policy who object to the development.</p>
5.7	<p>NRW had raised concerns, stating that inadequate information has been provided in support of the proposal. The Flood Report and Flood report map submitted do not meet the technical requirements of an FCA as set out in A1.17 of TAN 15. In any case, it is for the LPA to determine in the first instance whether the development meets the tests outlined in 6.2 of TAN 15 and only then apply the final test to establish whether, through the submission of an FCA, can the potential of flood risk be managed to an acceptable level. On the strength of the details submitted, and if a submitted FCA fails to demonstrate the consequences of flooding cannot be managed then NRW object to the development.</p>
5.8	<p>In addition to the above, Policy 8 - Flooding of Future Wales recognises flood risk as a constraining factor to development. It notes that the Welsh Government has a robust planning policy that directs development away from areas at risk of flooding. It recognises that national and regional growth areas allow authorities to take a strategic approach to selecting areas to develop. However, the development site is not such an area as noted above.</p>
5.9	<p>PPW (para 6.6.22) states that Authorities should adopt a precautionary approach of 'positive avoidance' of development in areas of flooding from sea or rivers. At 6.6.24 it advocates the use of Development Advice Maps and the Policies outlined in TAN 15 to enable Authorities to take a strategic approach to flood risk and notes in 6.6.26 that even where mitigation measures are put in place, development in flood risk areas remain at risk.</p>



5.10	The Council's adopted LDP (Policy SP7) criterion 2b states that development must be directed away from those areas which are at high risk of flooding.
5.11	In addition to the requirements of the current TAN 15 and the relevant DAM maps, consideration must also be given to the new Flood Risk Maps (FMfP) that will accompany the new TAN 15 and the advice given in that document.
5.12	Advice recently received from NRW advises Local Authorities that the DAM maps in place at the time this application was submitted are out of date, and that the Flood Risk Maps (FMfP) are a material consideration in the determination of current planning applications.
5.13	The FMfP show the development lies in an area defined as Zone 3. Whilst provision is made within the new TAN for local authorities to consider a change of use in Zone 3 in light of an acceptable FCA, this is over-ridden by the fact that Section 10 of the new TAN expressly advises against highly vulnerable development in Zone 3. Furthermore, the new FMfP indicates that the development will be at greater risk to flooding than shown at present i.e. a 1 in 100 (1%) change in any year.
5.14	Based on the above, I am strongly of the view that the conversion of a vacant building (low vulnerability) to two dwellings (high vulnerability) is contrary to both national and local planning policies and granting planning permission cannot be justified on this basis.
5.15	Notwithstanding this, the report will have regard to other relevant policies and material planning issues.
5.16	<b><u>Landscape/Arboriculture/Ecology</u></b> As noted above, the west boundary of the site lies adjacent to the embankment of the River Ebbw, where there are a number of mature trees whose crown spread overhang the roof of the existing building.
5.17	Furthermore, there are mature trees located on the north side of the site. These lie outside the boundary, but given their maturity, the root protection zones (RPZ's) encroach on the development site.
5.18	For the reasons outlined above, the applicant was requested to provide a Tree Survey. I had initially considered whether this was reasonable given that the recommendation would be to refuse to grant planning permission on the basis of flood risk, but planning legislation says that a decision cannot be issued without such a survey if there is likely to be impact on trees.

5.19	The Tree Survey received on 6 <sup>th</sup> December 2021, takes account of trees on the west side of the site, but makes no reference to those on the north side whose root protection zones will extend to the development area.
5.20	This, and a request for further information was noted in a revised response received from the Council's Arborist. In his response he refers to the trees on the northern boundary as being the subject of a TPO. In an email received on 10 <sup>th</sup> January 2022, he explained that a Tree Preservation Order was served in October 2019, but is awaiting an appeal, as it is likely to be challenged by the land owner who wishes to have those trees felled.
5.21	Notwithstanding this information, this application must be considered on current site circumstances i.e. the development should not impact on existing trees that make a positive contribution to the character, biodiversity and visual amenity of the surrounding area.
5.22	Given that the development proposal conflicts with local and national planning policies in terms of flood risk, and on such basis my recommendation must be for refusal, I have not requested an amended tree survey, and as such have included the lack of information as a reason for refusal as the development conflicts with Policy DM16 of the adopted LDP.
5.23	Given the proximity of proposed development to the river corridor, the Council's Ecologist initially raised concerns that the development has the potential to impact on the SINC during the construction phase as a result of materials/pollutants entering the watercourse. In addition, the development needs to take account of biodiversity enhancements and to ensure there is no loss in connectivity in order to accord with the requirements of PPW (6.4.3 and 6.4.4) and to comply with LDP policies SP10 c and f, DM14 2 and ENV3. Such matters have been discussed, and in a revised response received on 27 <sup>th</sup> October 2021, the Ecologist confirmed that should planning permission be granted, such considerations could be the subject of a condition.
5.24	However, in its current form the development offers no biodiversity enhancements, nor does it contain any information that demonstrates it can be carried out without adverse impact on the adjacent river corridor and SINC. Whilst it is a requirement for all development proposals to include enhancements in accordance with PPW (Edition 11) and the Environment (Wales) Act 2016, the Council's Ecologist has advised that such measures could be secured by condition should permission be granted.
5.25	<p><b><u>Land Use</u></b></p> <p>The development site lies in an area where there are two storey, terraced residential properties on one side, and a number of single storey, detached</p>

	community use building on the other. Given this mix, I am satisfied that the provision of two dwellings would be compatible in land use terms.
5.26	Furthermore, the proposal accords with LDP policies SP4 and SP5 which seek to ensure that during the lifetime of the LDP, provision will be made for a mix of dwelling types to meet local housing needs and that these are spatially distributed within the County Borough. I also note that in principle, residential development satisfies the requirements of Policy 2 of Future Wales, that promotes the growth of sustainable communities and urban neighbourhoods that are compact and walkable.
5.27	However, such considerations do not outweigh the risks associated with development within a Flood Zone.
5.28	<b><u>Design</u></b>
	The proposed dwellings, as described in full in Design and Development Description are modest in scale. Works to the walls and the creation of a new roof will result in a ridge height 0.6m higher than that of the existing building. This is compatible with ridge heights of nearby residential properties, and whilst the dwellings will be higher than community buildings nearby, those properties are located sufficiently far away in their own plots for the new dwellings not appear overbearing or out of keeping.
5.29	The palette of materials is acceptable and in keeping with residential properties in William Street.
5.30	I note that due to the orientation of the building, the dwelling known as Plot 1 will present a newly constructed gable end to the street. Whilst it would be preferable to have a front elevation over-looking the street to present an active frontage, I am not overly concerned in this location given that buildings on the same side of William Street largely have a gables facing this way.
5.31	This gable end will contain two ground floor windows (lounge/dining room). I have considered how this may impact on dwellings opposite and am satisfied that overlooking and loss of privacy will be minimal. In fact, such an arrangement will have a lesser impact on privacy and overlooking than the existing building that has three large windows facing residential properties. In any case existing and proposed dwellings will be separated by the road and footways.
5.32	In my view overlooking or loss of privacy is not an issue for community buildings to the north and south of the site. Indeed, the proposed dwellings will provide natural surveillance for those properties when they are unoccupied.

5.33	Given the above, I am satisfied that the proposed dwellings comply with Policies DM1 2 a, b and c and Policy DM2 a and b of the adopted LDP.
5.34	<p><b><u>Drainage</u></b></p> <p>The plans show it is proposed to connect both foul and surface water drainage to the existing public network. Welsh Water has not commented on the discharge of foul water drainage and I must therefore assume there are no objections to this. They have noted however that any increase in surface water will not be allowed to connect to the public sewerage network.</p>
5.35	As an existing building and with no increase in footprint, the developer would not be required to seek SAB approval. Furthermore, there will be very little increase in surface water run-off and subsequent impact on the public sewerage network. I would not require the submission of a comprehensive drainage scheme in this case but would recommend that the developer be directed to Welsh Water for advice in this regard (by informative).
5.36	<p><b><u>Highway Considerations</u></b></p> <p>The proposed dwellings will be accessed off a new private driveway (tarmac finish) where two spaces are allocated for each dwelling. There is also ample space on site for additional parking. Boundary walls will be splayed at the point of access and there are currently dropped kerbs in place.</p>
5.37	Highways have raised no objections and advise only that the spaces are fully constructed prior to the occupation of the dwelling and that visibility splays of 2.4m x 33m are retained at all times. On the strength of the details provided I am satisfied that the development complies with Policy DM1 3 a, c and d of the LDP and the Council's Access, Design and Car Parking SPG.
<b>6. Legislative Obligations</b>	
6.1	The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.
6.2	The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In

	presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.
<b>7. Conclusion and Recommendation</b>	
7.1	To summarise, I am mindful that the proposed development would, if planning permission is granted, bring a vacant building into beneficial use, and increase the housing stock of the local area.
7.2	Whilst the detailed aspects of the proposed development have been found to be compliant with relevant LDP policies and policies outlined in Future Wales and PPW, it has been clearly established that the proposed development conflicts with both local and national planning policies in terms of flood risk. Such harm and conflict are not outweighed by those elements that are deemed to be acceptable.
7.3	Indeed, the fact that the proposal represents highly vulnerable development within Zone C1, and that it fails to meet the tests outlined in TAN 15 is a compelling reason why planning permission should not be granted. Furthermore, the inclusion of the site in Zone C3 on the new Flood Risk Maps, and the requirements of the emerging TAN, indicate that the development site is at greater risk of flooding (1% in any given year).
7.4	The approach being taken for this application is consistent with the increasing importance placed on flood risk by the Welsh Government.
7.5	With insufficient evidence to prove whether the development would impact on trees within the vicinity of the site, particularly those located on the northern boundary, I would recommend accordingly.  Planning permission be <b><u>REFUSED</u></b> for the following reasons:  1. The development site is located within a C1 Flood Zone, as defined by the Development Advice Maps (DAM) associated with Technical Advice Note 15: Development and Flood Risk (2004) (TAN 15), and within Flood Zone 3 as shown on the current Flood Risk Maps (FMfP – NRW 2021). The proposed residential use represents highly vulnerable development that according to para 6.2 of TAN 15 should not be permitted in Zone C unless it meets the tests outlined therein. The development fails to meet the relevant tests, and permitting such development would therefore be in direct conflict with Technical Advice Note 15: Development and Flood Risk (2004) (TAN 15) and Policy SP7 of this Council's adopted Local Development Plan.

	<p>2. Insufficient information has been provided to demonstrate the impact the proposed development would have on trees located on the boundary of the development site, by virtue of its effect on crown spread and root protection zones. The potential loss of such trees, resulting from inappropriate development would have a negative impact on the biodiversity and landscape character of the area. As such the development does not accord with the requirements of Policy DM16 of this Council's adopted Local Development Plan.</p>
<b>8. Risk Implications</b>	
8.1	None