

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT PLANNING, REGULATORY &
GENERAL LICENSING COMMITTEE –
3RD MARCH, 2022**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR D. HANCOCK (CHAIR)

Councillors W. Hodgins (Vice-Chair)

D. Bevan

M. Day

J. Hill

C. Meredith

K. Pritchard

B. Thomas

G. Thomas

T. Smith

L. Winnett

B. Willis

D. Wilkshire

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

AND: Public Speakers

Application No. C/2021/0372

154 Gainsborough Road, Cefn Golau, Tredegar

Councillor H. Trollope, Ward Member

C/2021/0386

Land to Southern end of Lime Avenue,

Ebbw Vale NP23 6GL

Mr. J. Hurley, Director, Asbri Planning Ltd.

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>
No. 1	<u>SIMULTANEOUS TRANSLATION</u> It was noted that no requests had been received for the simultaneous translation service.
No. 2	<u>APOLOGIES</u> The following apologies for absence were received from:- Councillor M. Day Councillor G. Thomas
No. 3	<u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u> The following declaration of interests were raised:- Councillor D. Bevan <u>Item No. 5 - C/2021/0253</u> <u>Premier Club, William Street, Cwm, Ebbw Vale</u> Councillor J. Hill <u>Item No. 5 - C/2021/0253</u> <u>Premier Club, William Street, Cwm, Ebbw Vale</u> D Hancock <u>Item No. 5 - C/2021/0253</u> <u>Premier Club, William Street, Cwm, Ebbw Vale</u> Councillor G. Davies <u>Item No. 5 - C/2021/0253</u> <u>Premier Club, William Street, Cwm, Ebbw Vale</u> The Members confirmed they would not take part in the voting process.

No. 4

PLANNING APPLICATIONS REPORT

C/2021/0372

154 Gainsborough Road, Cefn Golau, Tredegar NP22 3TL

Proposed Shed

The Planning Officer informed the Committee that the incorrect area had been highlighted in the report. The correct area was thereupon presented to Members via Google Streetmaps.

The Planning Officer advised that the application sought permission for the construction of a shed to the side of 154 Gainsborough Road, Tredegar. The property was one of a pair of semi-detached properties which fronts onto Gainsborough Road. The property was sited at an angle to the road with a garden which wrapped around three sides of the house. The Planning Officer advised that the proposed shed would be located within the side garden, the configuration of the garden was such that it projected towards the front boundary of the garden.

The Planning Officer gave details of the proposed shed with the assistance of diagrams as detailed in the report.

It was further reported that no responses had been received from external consultation or public consultation which had taken place. The Planning Officer noted that following notification to Ward Members of the intention to refuse the application under delegated powers two emails were received requesting the application be presented to Planning Committee. The Ward Members felt that they did not consider the proposal to be prominent as it would be set back from the highway by some significant distance and much lower than its nearest neighbours who had raised no objections.

The Planning Officer further outlined the application and advised of the policies considered in determining the application. The property was within a residential area and it was considered that a shed within the curtilage would be compatible with surrounding uses in the locality as required by policy. The Council Policy stated that garages and outbuildings should not be forward of the front building line unless they are a feature of the streetscape and although it was accepted that the proposal falls behind the front building line of the house, the layout of the site was such that the shed extended towards the front boundary.

The Planning Officer noted that the north eastern corner of the shed would be highly visible from the street and that at this point the proposed shed would measure 3m high. It was acknowledged that the garden wall would partially screen the shed, however it would still project approximately 0.5m above the level of the wall which fronts the site. Therefore, the Planning Officer felt that the proposed shed was contrary to Policy. The Planning Officer also felt that the use of timber cladding and tin roofing sheets would be unacceptable in this location. There had been no amendments sought from the Applicant to these elements given the concerns. The Planning Officer further referenced that the site previously housed a single garage to the front of the house, however, aerial photography suggested that this was removed before 2014 and stated that the proposed shed should be considered on its own merits rather than as a replacement structure.

In conclusion, the Planning Officer referred to the officer's recommendation that the application be refused as the development would cause material harm to the street scene and character of the area contrary to LDP Policy DM1(2) and the key principles set out in the Householder SPG Note 2.

At the invitation of the Chair, the Ward Member, Councillor H. Trollope addressed the Committee.

Councillor Trollope felt that the photographs did not provide a clear position of the site and that in his opinion there was no site impairment. The Applicant had done everything they could to adhere to planning policies and Councillor Trollope concurred that there had been a building in the area previously. There had been no objections raised from neighbours and the Ward Member felt that the reason had been due to the building which had been in situ in previous years.

Councillor Trollope stated that he could not understand why the application had been recommended for refusal and asked the Committee to look at common sense in terms of the 0.5m projection and approve the proposed development.

The Chair invited questions/comments from the Committee at this juncture.

Another Ward Member concurred with the comments raised by his ward colleague and was of the opinion that the development would not impact on neighbours. The Ward Member added that there had been no objections from neighbours and referred to the garage which had been on the site previously. The Ward Member suggested that if Members were minded to refuse the application that a site meeting be arranged in order for the Committee to view the visual impact on the streetscene.

A Member noted the comments raised by Ward Members and the lack of objections from neighbours, however, the Member felt that the development could be adjusted to house a smaller shed. The Member thereupon proposed the officer's recommendation. This proposal was not seconded.

Further discussions ensued in relation to the application and Members concurred with the comments raised by Ward Members.

The Team Manager Development Manager asked if the Committee was minded to approve the application that officers be granted delegated powers to impose a condition regarding the materials to be used. The Team Manager felt that control over the materials to be used would ensure the shed was in keeping with the surrounding area.

A Member proposed that the application be approved with delegated powers given to officers to control the materials and finishes to be used on the proposed shed. This proposal was seconded.

Upon a vote being taken, 11 Members voted in favour of the proposal and 1 Member voted in favour of the officer's recommendation. It was thereupon,

RESOLVED that planning permission be **APPROVED.**

The Chair did not take part in the vote.

C/2021/0386

Land to Southern end of Lime Avenue, Ebbw Vale NP23 6GL
Construction of employment units for B1, B2, and B8 uses, new
access road and junction off Lime Avenue, drainage,
landscaping, car parking, and associated works

The Planning Officer provided a detailed overview of the application and informed that planning permission sought approval for the construction of 5 steel portal frame buildings, a new access road with junction off Lime Avenue, associated car parking areas and ancillary infrastructure on land to the southern end of Lime Avenue, Ebbw Vale. The buildings would be subdivided to provide 10 employment units with a combined floor area of 4,065 square metres that would be used for B1, B2 or B8 use and the Planning Officer noted the overall size and number of units within each building as detailed in the report.

The Planning Officer provided a detailed explanation of the site as outlined in the layout plans noted in the application.

A comprehensive overview of the internal and external consultation responses were provided along with the planning assessment in relation to the following:-

- Principle of the Development
- Layout, Scale and Appearance
- Sustainable Design
- Amenity
- Highways and Parking
- Ecology
- Landscaping
- Flooding
- Drainage
- Ground Stability and Contamination

In conclusion, the Planning Officer advised that whilst the uses classes proposed are not wholly in accordance with the provisions of the LDP, the delivery of a mixture of B1 and B2 employment uses and the provision of a small proportion of B8 storage and distribution use would make a significant contribution to meeting the LDP's regeneration and employment related strategic objectives.

It was considered that the uses proposed would be compatible with neighbouring land uses in the locality providing the B2 and B8 are restricted to the lower, southern development plateau of the application site. Although larger in form and taller in height than the proposal approval, it was considered that the applicant had identified a market for the units and that the scale, design and external materials would also be in keeping with the character and appearance of the surrounding area, and would not have an unacceptable impact on the amenity of neighbouring buildings. In terms of highway and parking matters, the Planning Officer felt that the new access junction at Lime Avenue was acceptable in principle and the amount of parking provision was sufficient to meet the needs of the proposed employment development. It was therefore concluded, on balance, the proposed employment development was broadly in accordance with the Local Development Plans and the conflict within the Local Development Plan's land use allocation was outweighed by the regeneration and economic benefits of the proposal. The Planning Officer, thereupon referred Members to the officer's recommendation for approval.

At the invitation of the Chair, Mr. J. Hurley, the Planning Agent, addressed the Committee.

Mr. Hurley advised that he had been appointed by the Coalfield Regeneration Trust who are the Applicant for the Application. Mr. Hurley advised that the Planning Application had been submitted just before Christmas and wished to thank the Planning Team for how quickly and professionally the application had been dealt with and considered by the Committee.

Mr. Hurley advised that detailed discussions had been undertaken with the Planning Team in relation to the use of the employment units. The application was submitted on the basis that the units would be B1, B2 and B8 as reported by the Planning Officer. Mr. Hurley appreciated the Works Masterplan and LDP policies focussed on B1 units, however, following a request from the Planning Team justification had been submitted to support a more flexible use to attract tenants. It was felt that B1, B2 and B8 uses across the scheme which would provide that flexibility and meet the current demand in the market.

Mr. Hurley referred to the conditions included on the application and was thankful that these had been agreed with the Planning Team.

It was added that the Coalfield Regeneration Trust had a good track record in similar schemes across the UK which secured jobs and attracted investment. Mr. Hurley reiterated that permitting B8 uses on units in Block A-C would be useful to let these units

In conclusion, Mr. Hurley advised that if planning permission was approved there would be a requirement for further discussions with the Planning Team and Estates Department in relation to units A-C and the use classes on those units as it currently stands looking at possibly B8 to ensure the scheme remained viable.

Mr. Hurley thanked the Committee and hoped that the officer's recommendation would be supported for the application.

The Planning Officer noted the concerns of the Applicant in relation to the decision to limit buildings A-C to B1 uses only. The Planning Officer advised that the LDP and SPG Policy's specifically allocated this site for B1 use and any further uses would be a diversion from the Plan. This had been made clear throughout the process and there had been greater flexibility afforded to the southern site. The Planning Officer stated that the conditions would be needed otherwise the site could become wholly B8 which would be wholly contrary to LDP Policy and Masterplan for the Site. It was important to maintain units A-C in an active and economically generating use as well as to protect investment for the Borough. It was also important that the support for start-up and move on businesses was maintained to continue the site as an active site. The Planning Officer felt that without condition 2 the site could be wholly B8 and would be contrary to the LDP.

The Committee supported the application and felt that employment units would be welcomed in Blaenau Gwent.

Another Member welcomed the development, however raised concerns in relation to the B2 uses in terms of the welfare and visual impact on the patients in the hospital. Therefore, the Member felt that it was paramount that the development was monitored to ensure the area was not blighted by unsightly units.

Upon on vote being taken, it was unanimously

RESOLVED that planning permission be **APPROVED.**

No. 5

APPLICATION:
C/2021/0253 PREMIER CLUB, WILLIAM STREET,
CWM, EBBW VALE

Consideration was given to the report of the Planning Officer.

The Team Manager Development Management gave an overview of the report and reminded Members that the application had been considered at the last meeting. It had been the determination of the Committee that contrary to the officer's recommendation the application be approved and the Team Member referred Members to the recommendation and conditions to be issue for the development. It was thereupon

RESOLVED that the report be accepted and the inclusion of the following conditions on the planning permission to be issued for the development:-

1. The development hereby approved shall be carried out in full accordance with the following plans and details:-
 - Site location plan (scale 1:1250) received 5th August 2021;
 - Drg ref 21/AP/105 – Proposed elevations received 5th August 2021;
 - Drg ref 21/AP/104 – Proposed floor plan layouts received 5th August 2021;
 - Drg ref 21/AP/103 – Proposed site location plan (scale 1:125) received 5th August 2021;
 - Drg ref 21/AP/106 – Proposed refuse enclosures received 22nd June 2021,

Unless otherwise specified by conditions 2 to 7 below.

REASON: To clearly define the scope of this permission.

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2. No development shall take place until details of the flood risk measures to be incorporated within the dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. Such measures as may be approved shall be implemented in full before the dwellings are occupied.

REASON: To ensure the development is carried out in a safe and satisfactory manner and to mitigate the risk of flooding to future occupants.

3. No development shall take place (including demolition, ground works or vegetation clearance) until a Construction Environmental Management Plan (Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP (Biodiversity) shall include details of the following:-

- a risk assessment of any potentially damaging construction activities;
- identification of “biodiversity protection zones”;
- practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- the location and timing of sensitive works to avoid harm to biodiversity features;
- the times during construction when specialist ecologist need to be present on site to oversee works;
- responsible persons and lines of communication;
- the role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person; and
- the use of protective fences, exclusion barriers and warning signs.

The CEMP shall be strictly implemented and adhered to throughout the construction period in full accordance with the approved details.

REASON: To protect biodiversity interests and ensure that suitable measures are taken to mitigate any adverse impacts on biodiversity.

4. Notwithstanding the details outlined in the Tree Survey submitted with the application, no development shall take place until a revised tree survey that accords with BS5857 has been submitted to and approved by the Local Planning Authority. The revised survey must have due regard for all trees located within the vicinity of the site, including those to the north west boundary that are the subject of a Tree Preservation Order. It shall include, but is not restricted to the following:-

- full details of excavation methods to be used within the root protection zones of trees;
- details of surfacing materials to be used for the proposed driveway;
- full details of protective measures to retained trees to be in effect for the duration of the development.

REASON: To ensure adequate protection of the landscaped features of the site and the surrounding area, and to ensure no harm occurs to protected trees as a result of the development.

5. Notwithstanding the details shown on the approved plans, none of the dwellings hereby approved shall be occupied until the access, driveway and parking areas are constructed, surfaced and drained in accordance with details which must be submitted to and approved in writing by the Local Planning Authority before works commence on site. The areas provided shall be retained for their designated purposes at all times.

REASON: To ensure the parking needs of the development are adequately met and to safeguard highway interests.

6. None of the dwellings hereby approved shall be occupied until all external finishes shown on the approved plans have been applied in full.

REASON: To safeguard visual amenity interests.

	<p>7. No development shall take place on site outside of the following hours – 8.00hrs to 17.00hrs Monday to Friday; 8.00hrs to 13.00hrs on Saturdays. No development shall take place on Sundays or Bank Holidays.</p> <p><u>REASON:</u> To safeguard the residential amenity of the occupiers of nearby properties.</p> <p>8. Standard time limit (full planning permission).</p>
<p>No. 6</p>	<p><u>APPEALS, CONSULTATIONS AND DNS UPDATE: MARCH 2022</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>PLANNING APPEAL UPDATE AND APPEAL DECISION: LAND ADJOINING COED CAE FARM HOUSE, RASSAU, EBBW VALE</u></p> <p>Consideration was given to the report of the Planning Officer.</p> <p>RESOLVED that the report be accepted and the information of the appeal decision for Planning Application C/2021/0182 be noted.</p>
<p>No. 8</p>	<p><u>LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 24TH JANUARY, 2022 AND 16TH FEBRUARY, 2022</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>

No. 9

**ENFORCEMENT CLOSED CASES BETWEEN
10TH DECEMBER, 2021 AND 10TH FEBRUARY, 2022**

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.

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).

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

RESOLVED that the report which contained information relating to a particular individual be accepted and the information contained therein be noted.
