

BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	Planning Applications Report
Report Author	Team Manager Development Management
Report Date	28th October 2022
Directorate	Regeneration & Community Services
Date of meeting	10th November 2022

Report Information Summary

1. Purpose of Report	
To present planning applications for consideration and determination by Members of the Planning Committee.	
2. Scope of the Report	
Application No.	Address
C/2022/0110	55 Beaufort Street, Brynmawr, Ebbw Vale, NP23 4XD
C/2022/0205	Vacant Garage Plot Opposite 66 Attlee Avenue, Roseheyworth Abertillery, Np13 1sw
C/2022/0219	Plot 2, Land adjoining Brentwood Place, Willoughtown Ebbw Vale NP23 6JR
3. Recommendation/s for Consideration	
Please refer to individual reports	

Planning Report

Application No: C/2022/0110	App Type: Full
Applicant: Mr Dewi Durban 58, Beaufort Street Brynmawr NP23 4AE	Agent: Creation Design Wales Mr Paul Parsons 88 Bailey Street Brynmawr NP23 4AN
Site Address: 55 Beaufort Street, Brynmawr, Ebbw Vale, NP23 4XD	
Development: Change of use of the former ground floor bank (A2) to provide a retail unit (A1/ A2) and an additional residential flat with rear access. Including, alterations to the front elevation of the building to provide a new shop front, external wall insulation and new windows.	
Case Officer:	Sophie Godfrey



1. Background, Development and Site Context

1.1 This application seeks planning permission to change the use of the former ground floor bank (A2) to provide a retail unit (A1/ A2) with an additional residential flat with rear access. In addition, alterations to the front elevation of the building are proposed to provide a new shop front, external wall insulation and new windows. No alterations are proposed to the four existing flats at first and second floor level.

1.2 The site consists of a mid terrace three storey property at 55 Beaufort Street, Brynmawr. The site is within the settlement of Brynmawr, within the Brynmawr Town Centre but outside of the primary retail area.

1.3



Fig. 1.1 Existing Property at 55 Beaufort Street

1.4 The last known use of the ground floor of the property was as a bank, with residential flats to the first and second floors. The ground floor is currently empty and it is proposed to use the front section of this floor as class A1/A2 usage, and divide off the rear section for use as a residential flat. Access to the flat would be gained from the rear of the site. The retail unit would cover 85 square meters to the front of the ground floor. The flat would be 54 square metres and would comprise of a lounge/kitchen, bathroom and 1no. bedroom.

1.5

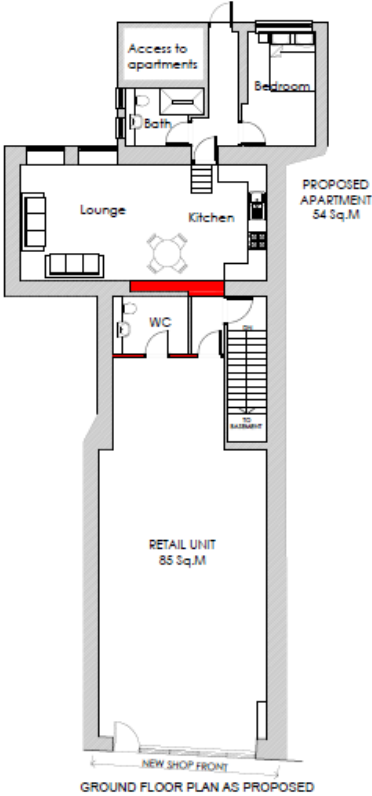


Figure 1.2 Proposed Floor Plans for 74 A King Street

1.6

It is also proposed to install a new shopfront to the property. The existing front of the property has fallen into a state of disrepair. The works proposed include a new hardwood shop frontage, with hardwood frame and decorative timber mouldings. A roller shutter would be installed with the top half perforated and the shutter and track hidden behind timber panels and fascia. External alterations would also include external wall insulation which would be rendered and painted in a pale colour and new sliding sash windows.

1.7



Figure 1.3 Proposed Shop Front

1.8

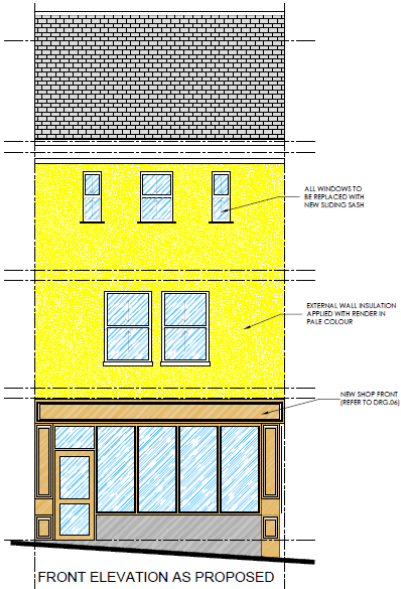


Figure 1.4 Proposed Front Elevation

1.9

This application is being presented to committee as it is contrary to Policy DM5 which states that, the change of use of the ground floor units to residential use in the town centre will not be permitted (criterion d).

2. Site History

	Ref No	Details	Decision
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2.1	C/2011/0076	Improved roller shutters, new windows and general refurbishment	Approved
2.2	C/2011/0363	Convert first, second and roof space into 5 self contained flats.	Approved
2.3	C/2012/0153	Provision of disabled access by raising of existing paved footpath.	Refused

3. Consultation and Other Relevant Information

3.1 Internal BG Responses

3.2 Service Manager Infrastructure:

3.3 Highways:
No objections.

External Consultation Responses

3.4 Welsh Water:
Request the applicant contact Dwr Cymru Welsh Water to establish the location and status of the sewer as the presence of such assets may affect the proposal.

3.5 NRW:
No objection.

3.6 Brynmawr Town Council:
No objection.

3.7 Public Consultation:

- 7 letters to nearby houses
- 2 site notices
- website public register of applications
- ward members by letter
- all members via weekly list of applications received

Response:
No objections have been received.

4. Planning Policy

4.1 Team Manager Development Plans:

The Blaenau Gwent Local Development Plan indicates that the site lies within the settlement boundary (Policy SB1) within which development is normally permitted subject to policies in the Plan and other material considerations. The property is also located within the boundary of Brynmawr (District) Town Centre (Policy SP3) and outside of the Primary Retail Area. There are no further constraints affecting the property according to the Local Development Plan Constraints Map.

In terms of the proposed change of use, **Policy DM5 Principal and District Town Centre Management** states that outside the Primary Retail Area, a diversity of uses are encouraged. Mixed use developments combining retailing with entertainment and leisure uses should be encouraged to promote lively centres as well as reducing the need to travel to visit a range of facilities and therefore the proposal is in keeping with this Policy.

The Conversion to a Self-Contained Flat at Ground Floor Level

Criterion d states that within town centres the change of use of the ground floor premises will not be permitted. Part of the proposal is to provide a self-contained flat at ground floor level. Residential development at ground floor level within a town centre is contrary to Policy DM5.

However, in this instance there are other material considerations which should be taken into account:

- The flat does not face onto Beaufort Street and is located to the rear of the property where rear access will also be provided. The proposal therefore does not form part of the town centre street frontage and does not contribute towards the vitality and viability of the town centre.
- The town centre boundary was drawn to follow a logical line which includes the rear of the properties.

Other issues to be considered:

Policy SP4 Delivering Quality Housing provides a framework for the delivery of 3,500 new dwellings in Blaenau Gwent over the plan period (criterion 1a). Section 2a states that the LDP will seek to deliver a mix of dwelling types, sizes and tenure in order to meet the demand of Blaenau Gwent's current and future population. The proposal is for self-contained flats which will contribute to the mix of dwelling types in the County Borough.

Policy SP5 Spatial Distribution of Housing Sites Criterion b is relevant to this proposal as it identifies the anticipated contribution of small sites, windfall developments, conversions and demolitions to the overall housing requirement. When combined with previous completions an allowance of 826

dwelling is made across the county borough. The proposal represents a conversion that would contribute to this housing requirement.

Policy DM1 New Development is a general development management policy that sets out criteria for new development. Criterion 2 b, c, and d will be relevant to the acceptability of this application.

No off street parking has been provided for the proposed additional residential flat. Criterion 3d requires off street parking, however in this instance, a public car park is located directly behind the property.

Policy DM2 Design and Placemaking is a design policy setting out criteria for development proposals. The most relevant criteria relating to this proposal are: b, e, and f.

Planning policy support the proposed change of use to a retail unit. Although the residential development at ground floor is contrary to policy DM5 the case officer should be minded to give weight to the material considerations set out in the response.

The following issues should also be taken into account:

- There would be no unacceptable adverse visual impact on townscape or landscape
- Amenity
- In the case of residential development including extensions and sub-division of dwellings, dwellings must be of appropriate size to provide satisfactory levels of amenity
- They are of good design which reinforces local character and distinctiveness of the area
- For new and replacement shopfronts and signage, they make a positive contribution to the street scene. Roller shutters should be sensitively designed and integrated into the overall design of the shopfront
- In the case of the public realm and key locations such as town centres, major routes and junctions, the character and quality of the built form is to a high standard of design

Under the provisions of the 2015 Planning (Wales) Act, any development plan adopted prior to 4 January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. Therefore, the Blaenau Gwent County Borough Council Local Development Plan up to 2021, which was adopted on November 2012, remains the extant statutory development plan for the area beyond the specified 2021 plan period.

	<p><u>LDP Policies:</u> SP3 – The Retail Hierachy and Vitality and Viability of the Town Centre SP4 – Delivering Quality Housing SP5 – Spatial Distribution of Housing Site SB1 – Settlement Boundaries DM1 – New Development DM2 – Design and Placemaking DM5 – Principal and District Town Centre</p> <p>Shopfronts and Advertisements Supplementary Planning Guidance (Adopted November 2015)</p> <p><u>PPW & TANs:</u> Planning Policy Wales Edition 11 (February 2021) Future Wales: The National Development Plan for Wales (February 2021)</p>
<p>5. Planning Assessment</p>	
<p>5.1</p>	<p>Future Wales - the National Plan 2040 was published on the 24th February, and therefore is relevant to this application as it now forms part of the Development Plan. Policy 1 The Welsh Government supports sustainable growth in all parts of Wales. Cardiff, Newport and the Valleys is identified as one of three National Growth Areas where there will be growth in employment and housing opportunities and investment in infrastructure.</p>
<p>5.2</p>	<p>The Welsh Government has adopted a ‘Town Centre First’ approach. Policy 6 Town Centre First states that significant new commercial, retail, education, health, leisure and public service facilities must be located within town and city centres. This puts the health and vibrancy of town centres as the starting point of locational decision-making. It also directs facilities and services to where intended users can easily walk, cycle and/or use public transport to access them. It is considered the proposal is in accordance with Policies 1 and 6.</p>
<p>5.3</p>	<p>In terms of the proposed change of use, Policy DM5 Principal and District Town Centre Management states that outside the Primary Retail Area, a diversity of uses are encouraged. Mixed use developments combining retailing with entertainment and leisure uses should be encouraged to promote lively centres as well as reducing the need to travel to visit a range of facilities and therefore the proposal is broadly in keeping with this Policy (with the exception of the residential element at ground floor).</p>

5.4	<p>Being mindful of the nature of the proposal and its location, the application is considered compliant with the relevant policies of Future Wales and Planning Policy Wales.</p>
5.5	<p>The proposal has been assessed against policies SP3, SB1, DM1, DM2 and DM5 of the adopted Local Development Plan (LDP).</p>
5.6	<p><u>Change of use of front part of ground floor</u></p> <p>The change of use of the front portion of the ground floor from an A2 Bank to A1/A2 use does not require planning permission as there is a display window at ground floor. Notwithstanding this, it is considered that the use class of A1/A2 is acceptable within a town centre.</p>
5.7	<p><u>The Conversion to a Self-Contained Flat at Ground Floor Level</u></p> <p>The application site is situated within the settlement boundary and therefore the principle of changing the use to residential would normally be considered acceptable. However, the site is also situated within the boundary of the Brynmawr (District) Town Centre. Policy DM5 'Principal and District Town Centre Management' states that the change of use of ground floor units to residential uses will not be permitted. The proposed change of use to residential is therefore contrary to this policy. It is however considered that there are other material considerations which should be taken into account when determining this application.</p>
5.8	<p>The proposed flat would not face onto Beaufort Street, but would be located to the rear of the property where rear access will also be provided which is encouraged. As the active shopfront will be retained, the residential flat would not form part of the town centre street frontage and would not harm the vitality and viability of the town centre.</p>
5.9	<p>In addition, the town centre boundary was drawn to follow a logical line which includes the rear of the properties. Therefore, although the proposed flat would be within the town centre boundary, it would not be visible from within the town centre, and would not have a detrimental impact on visual amenity of the town centre.</p>
5.10	<p>The self-contained flat would contribute to the mix of dwelling types within the County Borough, therefore would be in accordance with Policy SP4 which seeks to deliver a mix of dwelling types, sizes and tenure in order to meet the demand of Blaenau Gwent's current and future population.</p>

5.11	<p>It would also be in accordance with Policy SP5 as the flat would contribute towards the housing requirement of small sites, windfall developments, conversions and demolitions to the overall housing requirement.</p>
5.12	<p>Accordingly, in land use terms whilst the conversion of part of the ground floor is contrary to Policy DM5, for the reasons outlined above there are material planning considerations to justify deviating from the Policy. It is not considered that this development would undermine the implementation of the Local Development Plan.</p>
5.13	<p>In terms of amenity there are no external changes proposed to the front or rear elevation in relation the proposed ground floor flat. The flat would utilise the existing rear entrance/access used by the existing flats at the first, and second floors, as such it is not considered there would be detrimental impact on visual amenity. Immediately to the rear of the property is a public car park, with residential properties found beyond. There are also residential flats above the proposal and in the immediate surrounding area. As there are no additional windows proposed and no existing windows face directly towards any neighbouring dwelling (with the nearest dwelling to the rear approximately 23 metres away), the use is considered acceptable and there would not be any detrimental impact in terms of overlooking or overbearing impact.</p>
5.14	<p>The proposed flat is quite small in size at 54 square metres, however it is considered acceptable in amenity terms for future occupiers. There is no outdoor amenity space proposed for the flat, however this is not unusual for flats within town centres, therefore is considered acceptable and is in accordance with policies DM1 and DM2.</p>
5.15	<p>Policy 2 ‘Shaping Urban Growth and Regeneration’ - Strategic Placemaking’ of the Future Wales- The National Plan 2040 states that ‘To create activity throughout the day and enable people to walk and cycle, rather than being reliant on travelling by car, places should have a rich mix of residential, commercial and community uses within close proximity to each other’. There is no off street parking proposed for the additional residential flat. I also acknowledge that whilst on-street car parking is restricted due to its siting within the town centre and parking restrictions, there is a public car park located directly behind the application site and the site is within a sustainable location. The Council’s Highways Manager has been consulted on the application and confirmed they have no objection to the proposal and I am satisfied that the proposal is acceptable and there would not be a detrimental impact on highway safety.</p>

5.16	<p>The site is located within the catchment of the River Usk Special Area of Conservation (SAC). Under the Habitats Regulations, where a plan or project is likely to have a significant effect on a European site, either alone or in combination with other plans or projects, and where it is not directly connected with or necessary to the management of the site previously (designated pursuant to EU retained law) the competent authority must carry out an appropriate assessment of the implication of the plan or project in view of the site's conservation objectives. Natural Resources Wales has set new phosphate standards for the river SACs in Wales. Any proposed development within the SAC catchments that might increase the amount of phosphate within the catchment could lead to additional damaging effects to the SAC features and therefore such proposals must be screened through a HRA to determine whether they are likely to have a significant effect on the SAC condition.</p>
5.17	<p>This application has been screened in accordance with Natural Resources Wales' interim advice for planning applications within the river Special Areas of Conservation (SACs) catchments (issued on 20th January 2021). As a result of the submittal of a Drainage Statement (by Grays Consulting Engineers) it is considered that this development is unlikely to increase phosphate inputs as it would not increase the volume or concentration of wastewater above the current use.</p>
5.18	<p>Following consultation, NRW have confirmed they agree with the above perspective and are satisfied that the proposal is unlikely to increase the amount of phosphorus entering the catchment and is therefore unlikely to have a significant effect on the River Usk SAC.</p>
5.19	<p><u>New Shopfront</u></p> <p>At present the ground floor the property has been empty for a number of years, and the shopfront has fallen into a state of disrepair. It is proposed to install a new shopfront to the property which include a hardwood shop frontage, with hardwood frame and decorative timber mouldings. A roller shutter would be installed with the top half perforated. The roller shutter and track would be hidden beneath timber panels. The first and second floor windows would be replaced with new sliding sash windows, and it is proposed to install external wall insulation, rendered and painted in a pale colour. The installation of a new hardwood shop frontage with decorative timber mouldings are considered to be welcome additions to the existing property and will give the appearance of a more traditional shopfront design. It is therefore considered that the replacement shopfront would be a betterment to the existing and to the overall</p>

	street scene and wider townscape in accordance with LDP Policies DM1 and DM2.
5.20	<p>The Shopfronts and Advertisements SPG states that external roller shutters may be considered, depending on the type and location of the building. Solid metal shutters are not acceptable, the housing of any proposed roller shutters must be a minimum 2.1 m above ground level, and that the locking system and guides of the roller shutters must not encroach onto the public highway. External roller shutters that are lattice or brick bond grille style allow the shopfront to be seen and is generally less foreboding than a solid metal shutter and the housing box should be hidden behind the fascia. The proposed shutter would be perforated to the top half, the housing would be greater than 2.1 metres above ground level and they would be concealed in timber boxing with decorative mouldings. Given the location and design of the roller shutter, it is considered that they comply with the SPG and would not result in a detrimental impact on the character and appearance of the host property or wider streetscene.</p>
5.21	<p>In accordance with guidance issued by the Welsh Government, each application for planning permission must now propose ecological mitigation and enhancement. Section 6 of the submitted Design and Access Statement confirms a bat box and sparrow terrace will be installed to the rear elevation of the property. As such the application is considered compliant with the requirements of policy DM1 of the LDP, PPW 11 and the Environment (Wales) Act 2016.</p>
5.22	<p>Under the provisions of the 2015 Planning (Wales) Act, any development plan adopted prior to 4 January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. Therefore, the Blaenau Gwent County Borough Council Local Development Plan up to 2021, which was adopted on November 2012, remains the extant statutory development plan for the area beyond the specified 2021 plan period.</p>
5.23	<p>In conclusion, the proposed change of use of the former ground floor bank (A2) to provide a retail unit (A1/ A2), additional residential flat with rear access, new shopfront and external alterations are considered to be acceptable in compliance with LDP Policies SP3, SB1, DM1, DM2 and DM5 and the adopted SPGs. I therefore recommend approval accordingly.</p>

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 Planning permission be **GRANTED** subject to the following condition(s):
1. The development shall begin not later than five years from the date of this decision notice.
Reason: To comply with the requirements of Section 91 of The Town and Country Planning Act 1990.
 2. The development shall be completed in full accordance with the following approved plans and documents:
 - Site Location Plan, drawing number 22-011/P/01, received 11.04.2022;
 - Floor Plans as Proposed, drawing number 22-011/P/06, received 11.04.2022;
 - Front Elevation as Proposed, drawing number 22-011/P/06, received 11.04.2022;
 - Shop Front Details, drawing number 22-011/P/06, received 11.04.2022;
 - Design and Access Statement, dated 30th September 2022

Reason: To clearly define the scope of this permission.
 3. The bird and bat box as outlined in the submitted Design and Access Statement, dated 30th September 2022 shall be installed within 6 months of the development being brought into beneficial use and shall be maintained as such thereafter.
Reason: In the interests of the ecological and biodiversity value of the site.

	<p><u>Informatives:</u></p> <p>1 The proposed development site is crossed by public sewers. No operational development is to take place within 3 metres either side of the centreline of the sewers. Welsh Water request that prior to commencing any operational development the location of these assets are to be determined. If operational development is to take place within 3 metres either side of the centreline of the sewers please stop works and contact them. Under the Water Industry Act 1991 Welsh Water has rights of access to its assets at all times.</p> <p>2. 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. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com</p> <p>4. The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.</p>
<p>8. Risk Implications</p>	
<p>8.1</p>	<p>No risks identified</p>

Application No: C/2022/0205	App Type: Full
Applicant: Mr Paul Watkins 43 Attlee Avenue Abertillery NP13 1SW	Agent: Mr T Morgan Clifton House Westside Blaina NP13 3DD
Site Address: VACANT GARAGE PLOT OPPOSITE 66 ATTLEE AVENUE, ROSEHEYWORTH ABERTILLERY, NP13 1SW	
Development: Proposed domestic garage	
Case Officer: Jane Engel	

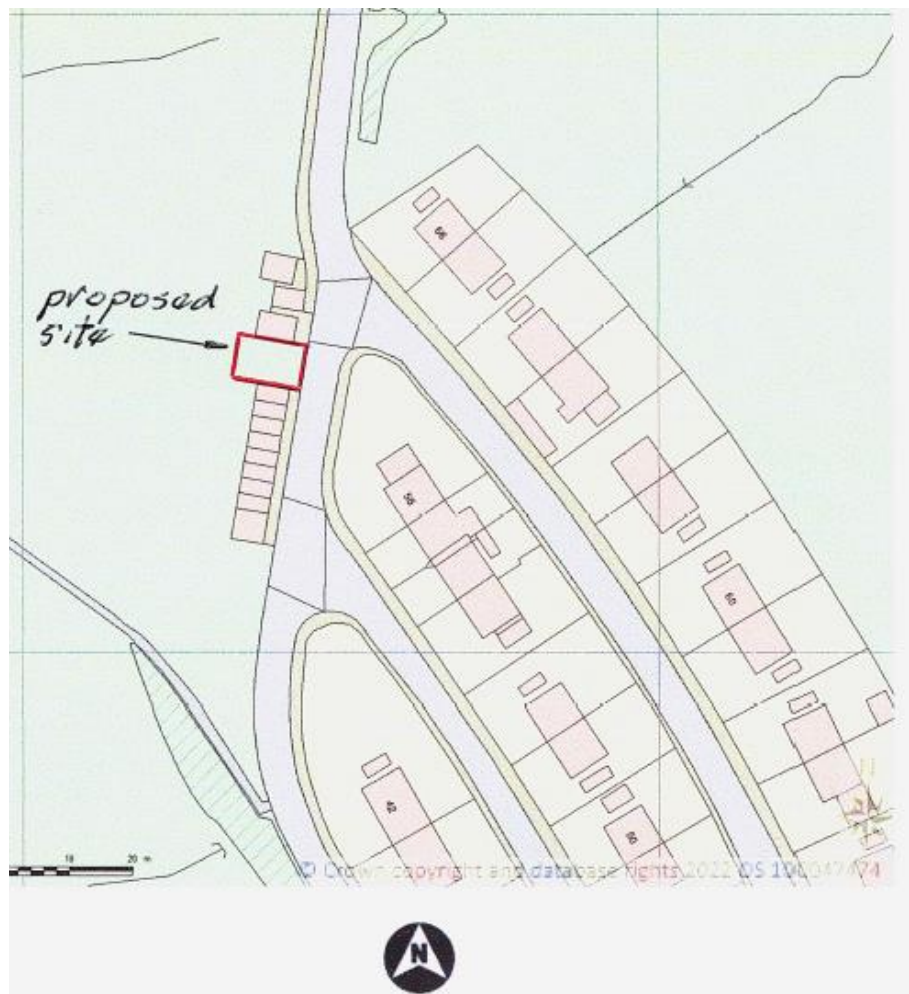


Image 1

1. Background, Development and Site Context

1.1 This application seeks planning permission to construct a domestic garage on land at Attlee Avenue, Abertillery. The site is located to the west of Attlee Road in Abertillery and is located within between a number of existing garages fronting onto the road.

1.2

Application Site



Image 2

1.3



Image 3

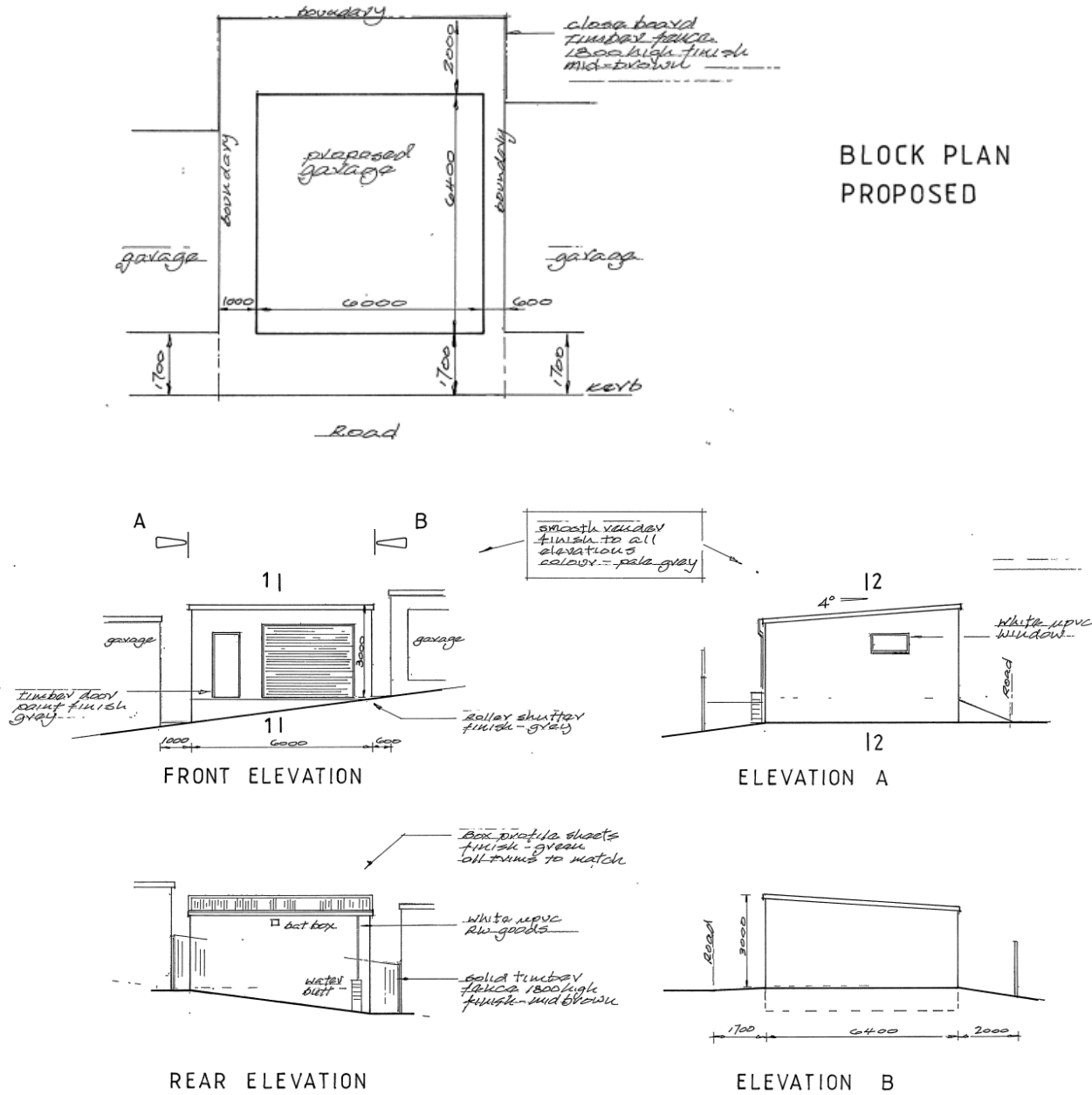
1.4

As can be seen from Image 3 above the site is sloping and is currently overgrown with scrubby vegetation.

1.5

The proposed garage measures 6.4 x 6m x 3m high with a lean-to type roof. To account for the slope of the road a ramp is proposed to the front of the garage to allow vehicular access. The proposed block plan and elevation plans are shown below:

1.6



2. Site History

Ref No	Details	Decision
2.1	None	

3. Consultation and Other Relevant Information

3.1	<u>Internal BG Responses</u>
3.2	<u>Team Leader Building Control:</u> No response received.
3.3	<u>Service Manager Infrastructure:</u> Highways: No objections.
3.4	<u>External Consultation Responses</u>
3.5	<u>Town / Community Council:</u> No objections.
3.6	<u>Welsh Water:</u> No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
3.7	<u>Public Consultation:</u> <ul style="list-style-type: none"> • 3 letters to nearby houses • 1 site notice • press notice • website public register of applications • ward members by letter • all members via weekly list of applications received • other
3.8	<u>Response:</u> No responses have been received however,during my site visit I was approached by a member of the public who alleged that he owned the site.

4. Planning Policy

4.1	<u>Team Manager Development Plans:</u> Planning Policy broadly support the proposed development without prejudice to the following issues which need to be taken into account: <ul style="list-style-type: none"> • There will be no loss in connectivity of the Green Infrastructure or unacceptable impact on trees • There would be no adverse visual impact on townscape or landscape • There would be no unacceptable impact upon the amenities of neighbouring occupiers
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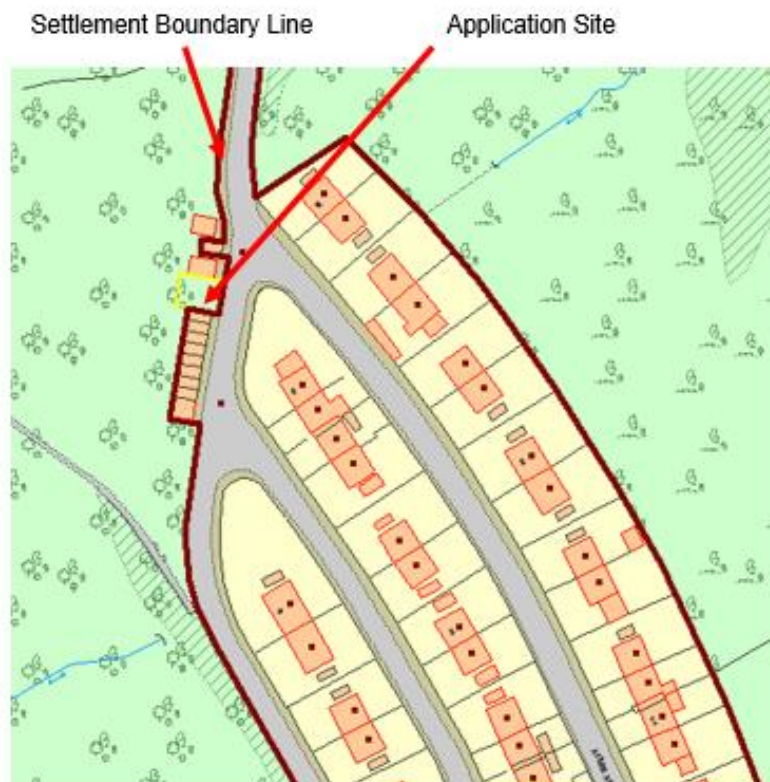
4.2 LDP Policies:
SB1 Settlement boundary
DM1 New development
DM2 Design and Placemaking

4.3 Under the provisions of the 2015 Planning (Wales) Act, any development plan adopted prior to 4 January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. Therefore, the Blaenau Gwent County Borough Council Local Development Plan up to 2021, which was adopted on November 2012, remains the extant statutory development plan for the area beyond the specified 2021 plan period.

5. Planning Assessment

5.1 The reason this application is being presented to the Planning Committee is because the application site lies outside the settlement boundary (see image below) as defined by policy SB1 of the adopted Blaenau Gwent Local Development Plan. Settlement boundaries are a key mechanism for helping to deliver the LDP's objective of maximising land use. They define the areas within which development will normally be permitted subject to other policies within the plan and material considerations. The site also forms part Eastern Ridge and Mynydd James Special Landscape Area (Policy ENV2.2).

5.2



5.3	<p>National Planning Policy is also clear that there needs to be strict controls on development in the open countryside. Planning Policy Wales 11 (PPW) (Paragraph 3.60) states that development in the countryside should be located within and adjoining those settlements where it can be accommodated in terms of infrastructure, access, habitat and landscape conservation. All new development should be of a scale and design that respects the character of the surrounding area.</p>
5.4	<p>In terms of the proposed development and the acceptability of the proposal in land use terms, a number of observations have been identified by Planning Policy:</p>
5.5	<ul style="list-style-type: none">• The location of the proposed development will form part of a single row of existing garages. The proposed development is a small area of vacant land situated along this row, with existing garages on either side. The proposal is therefore considered compliant with Policy DM1 2a in terms of land use compatibility and Planning Policy Wales terms scale and design.
5.6	<ul style="list-style-type: none">• The proposed site immediately adjoins the settlement boundary. The majority of the existing garages along the row are all within the settlement boundary, however the boundary excludes three garage plots which are at various intervals along the row. Planning Policy have advised that they will re-look at the settlement boundary in this area as part of the Replacement Local Development Plan to include all the garages within the settlement boundary.
5.7	<p>Based on the above, planning policy do not object to the proposal in land use terms. I agree with their conclusion and consider the principle of the proposed development acceptable. A condition will however be imposed to ensure the garage is not used for commercial or business activity which may not be an acceptable land use in this location given the close proximity to residential properties.</p>
5.8	<p>In terms of design, the proposed garage is in-keeping with the scale and appearance of the existing garages within the row and will have no unacceptable impact on the visual amenity of the wider area. The garage is a sufficient distance away from any residential properties to ensure there will be no impact in terms of the garage appearing overbearing or creating overshadowing. The garage is considered to be compliant with policies DM1 (2b and c) and DM2(a and b).</p>

5.9	The Highway Authority have confirmed they have no objection to the proposed garage and I am satisfied it is compliant with relevant criteria within Policy DM1(3)
5.10	It is noted that there are trees to the west of the site however these are at a lower level than the proposed garage and it is not considered that the development will impact upon these trees.
5.11	In accordance with guidance issued by the Welsh Government, each application for planning permission must now proposed ecological mitigation and enhancement. This can be achieved through the incorporation of bat and bird boxes into the development. Although these details have not been indicated as part of the application they can be adequately secured by the imposition of a condition. Subject to such a condition, the application would be compliant with the requirements of policy DM1 of the LDP, PPW11 and the Environment (Wales) Act 2016.
5.12	With regards to landownership and the claim made by a member of this public whilst I was on site, I can confirm that notice has been served on Tai Calon who have subsequently confirmed that they own the land and have rented it to the applicant.

6. Legislative Obligations

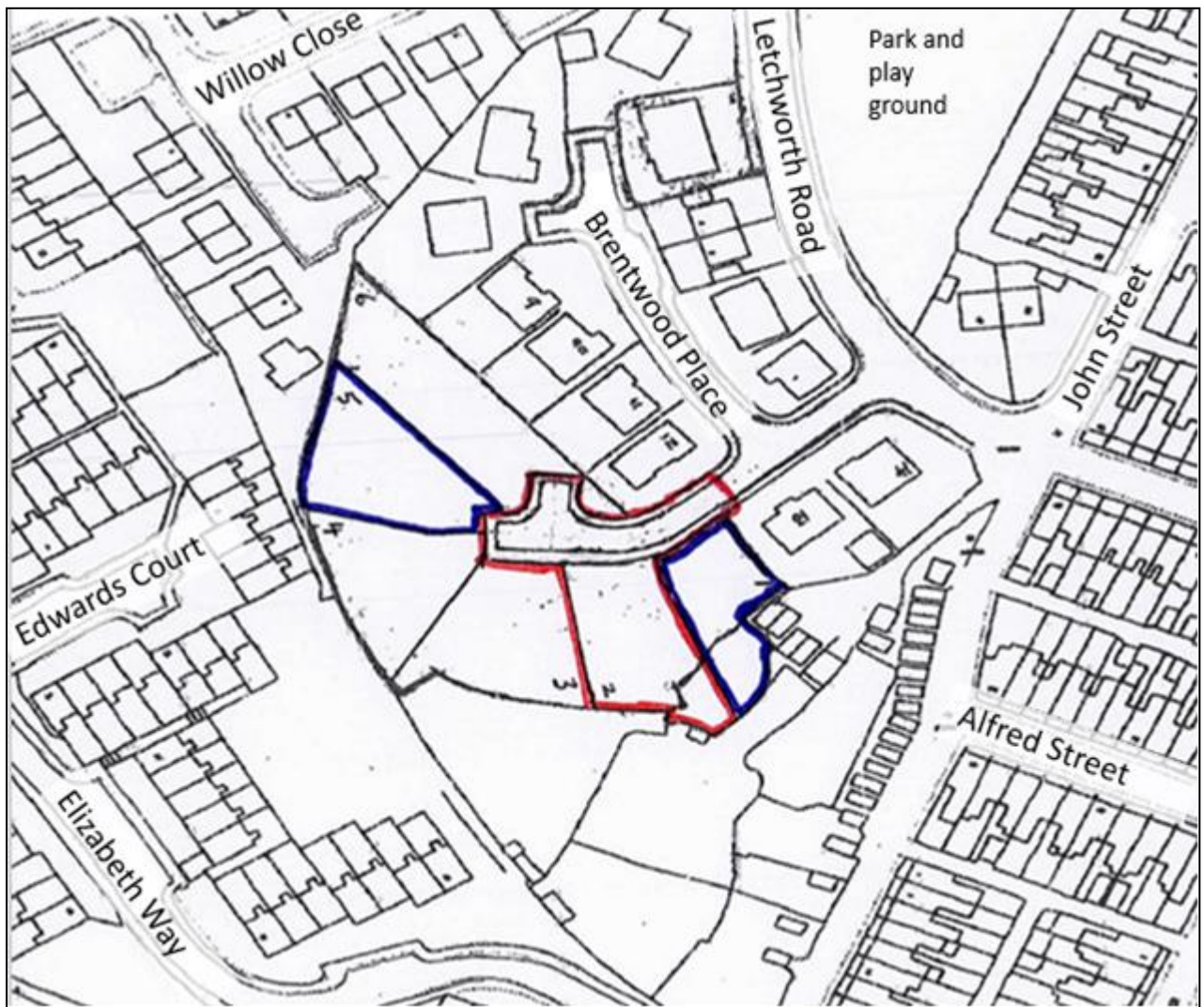
6.1	The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (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	In conclusion, although the site lies outside the settlement boundary its position is such that it will not undermine the implementation of the Local Development Plan. The proposal does not have an adverse visual impact upon the wider area or highway network. It is my recommendation that planning permission be GRANTED subject to the following condition(s):
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	<ol style="list-style-type: none">1. Time Condition2. Approved plans3. External finishes to be applied before beneficial occupation4. The garage shall not be used in conjunction with any business or commercial use5. Ecological enhancements
8. Risk Implications	
8.1	None

Application No: C/2022/0219	App Type: Full
Applicant: Mr R Gunter Ellerby Homes Limited The Beeches Ebbw Vale NP23 6WJ	Agent: Mr C Meredith 8 Beech Grove Victoria Ebbw Vale
Site Address: Plot 2, Land adjoining Brentwood Place, Willoughtown Ebbw Vale NP23 6JR	
Development: 1 pair of semi-detached houses (2 units) incorporating adjoining land to rear and 1 no. garage	
Case Officer:	Helen Hinton



1. Background, Development and Site Context

- 1.1 This application seeks full planning permission for the development of a pair of semi-detached dwellings on an irregularly shaped parcel of land, forming part of a larger residential development to the south-west of an existing residential cul-de-sac known as Brentwood Place, Ebbw Vale.
- 1.2 The site has a long history of planning permission dating back to at least 2003. Application C/2003/0098 granted outline planning permission for the development of the site to provide six residential plots. This permission was subsequently renewed by applications C/2006/0501; C/2009/0366 and C/2015/0437.
- 1.3 The most recent application- C/2021/0084 (approved on the 31/08/2021) granted consent to vary condition 1 (to allow the phasing and implementation of site wide reserved matters) and condition 12 to renew permission C/2015/0437. The conditions imposed as part of C/2021/0084 allow the developer to seek reserved matter consents for the wider site to allow the provision of shared infrastructure, such as the primary access and main drainage system and then plot specific reserved matters with regards to design, appearance and layout of the dwellings.
- 1.4 The extant outline permission does not prevent the submission of new, full applications to provide additional dwellings on the site.
- 1.5 The wider development site is currently the subject of the following detailed applications or consents:

App Number	Plot Number	Application Type	Proposal	Decision
C/2022/0219	Plot 2	Full	Two dwellings	Pending
C/2022/0145	Plot 3	Full	One dwelling	Approved
C/2022/0286	Plot 4	Reserved matters	One dwelling	Pending
C/2022/0267	Plot 5	Reserved matters	Two dwellings	Pending
C/2022/0218	Plot 6	Reserved matters	Two dwellings	Pending

- 1.6 To date, no application has been received for plot 1. A reserved matters application for the development of plot 1 could result in the provision of nine dwellings on the whole site. A full application could increase the number of dwellings further.

1.7 As the plot the subject of this application is larger in area than that approved as part of the proceeding outlines, full planning permission is needed for the proposal.

1.8 The plans submitted detail the provision of a pair of mirrored dwellings. Each property would measure (at their greatest) 5.9m wide, 13.2m deep with a ridge height of 8.55m. Externally the dwellings would be finished with brick elevations, white upvc framed windows and door and a concrete tiled roof. Internally the accommodation would comprise a hallway with wc, lounge and open plan kitchen family area at ground floor level with three bedrooms, a bathroom, cupboard and ensuite bathroom at first floor level. The proposed sections indicate a further room within the attic space served via roof lights in the rear roof plane.

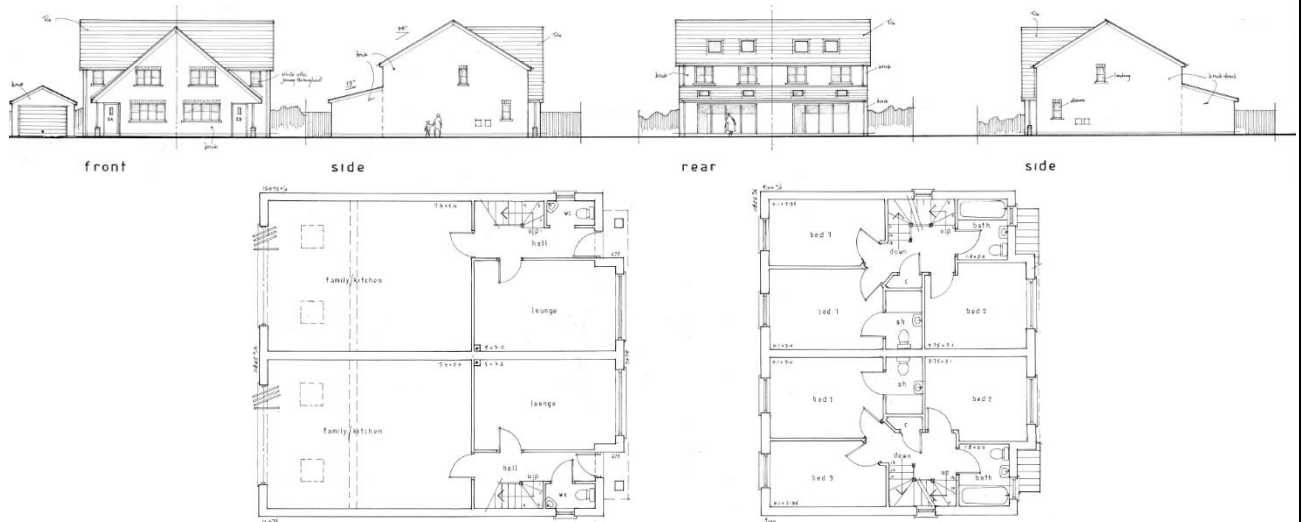


Figure 1. Proposed elevations and floor plans.

1.9 Access would be gained via the adopted road serving Brentwood Place which would be extended to provide a 5m wide carriageway terminating in a turning head within the new development site. Each dwelling would benefit from three off street parking spaces provided on driveways to the front and side of the dwellings with the eastern dwelling also benefitting from a detached garage measuring 4.0m wide, 6.0m deep with a pitched roof with a maximum height of 3.8m. Externally the garage would be finished in materials to match the dwelling.

1.10 The dwellings would benefit from an open front garden laid to lawn and an enclosed garden to the rear defined by 1.8m high close boarded fence along the side boundaries and a native deciduous hedge with interspersed trees along the rear boundary.

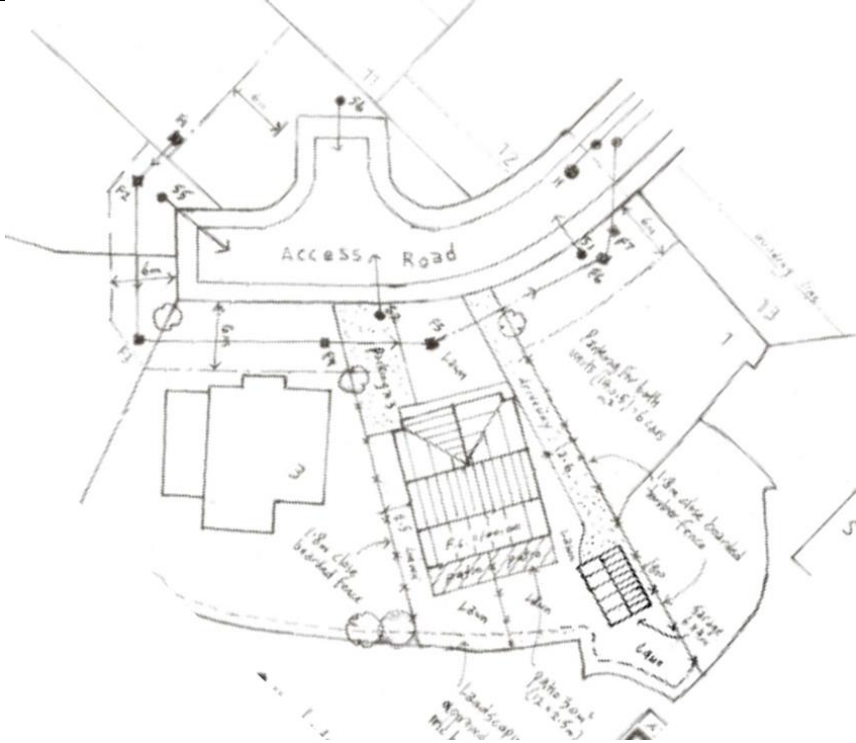


Figure 2- Proposed site layout

1.11 The wider development site comprises an irregularly shaped area of land measuring approximately 0.3 hectare located within the settlement boundary of Ebbw Vale as defined by the Blaenau Gwent Local Development Plan (LDP). The land is surrounded on all sides by residential development with a small commercial garage to the south-east. Significant lengths of the site's boundary are demarcated by close boarded fencing. Immediately north of the site lies the cul-de-sac of detached dwellings built as phase 1-2 of the site with terraced and semi-detached dwellings to the west, south and south-east. The site slopes gently from south-west to north-east.



Figure 3- View of the wider site from Bentwood Place

1.12 The application is presented to Committee as the scheme is considered to be financially unviable to provide an affordable housing contribution, contrary to

	the requirements of policy DM7 of Blaenau Gwent County Borough Council Local Development Plan.
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2.0 Site History

	Ref No	Details	Decision
2.1	C/2022/0286	Detached dwelling and garage. Plot 4	Pending
2.2	C/2022/0267	Pair of semi-detached dwellings. Plot 5	Pending
2.3	C/2022/0218	Pair of semi-detached dwellings. Plot 6	Pending
2.4	C/2022/0145	Detached house and parking. Plot 3	Approved
2.5	C/2022/0002	Application for the approval of 'Site Reserved Matters' Condition No. 4, of outline planning permission C/2021/0084 (Variation of Conditions: 'No. 1' - To introduce phasing of submission of reserved matters, and 'No. 12' - Extend the life of the permission for planning permission ref. C/2015/0437, outline residential permission for 6 plots).	Approved
2.6	C/2021/0084	Variation of conditions: '1' - To introduce phasing of submission of reserved matters, and '12' - Extend the life of the permission of planning permission ref. C/2015/0437, outline residential permission for 6 plots	Approved
2.7	C/2015/0437	Removal of conditions 6 and 7 (Code for Sustainable Homes) and variation of condition 8 (time scale) in relation to outline application C/2009/0366	Approved
2.8	C/2009/0366	Renewal of outline permission C/2006/0501 (residential development for six plots)	Approved
2.9	C/2006/0501	Renewal of application 2003/0098 (residential development for 6 plots)	Approved
2.10	C/2003/0098	6 Plots for residential development (Out)	Approved

3. Consultation and Other Relevant Information

3.1	<u>Internal BG Responses</u>
3.2	<u>Team Leader Building Control:</u> Building regulations application required.
3.3	<u>Service Manager Infrastructure:</u> Highways:

	<p>No objection subject to conditions requiring the driveway/garage parking areas to be fully constructed prior to occupation of dwellings, the provision of an internal plot footpath to serve one of the dwellings and specification with regards to the width of one of the proposed driveways.</p>
3.4	<p>Drainage: No objection but a SAB application will be required.</p>
3.5	<p>Ground Stability: No objection. Condition recommended with regards to a Desk Top Study (DTS) of the shallow ground conditions be undertaken to ascertain the geotechnical and geoenvironmental characteristics of the site, which will help inform the foundation design for the development and whether any intrusive investigation is required.</p>
3.6	<p><u>External Consultation Responses</u></p>
3.7	<p><u>Welsh Water:</u> No objection. Conditions recommended and advice provided regarding identified apparatus within the vicinity.</p>
3.8	<p><u>Western Power:</u> No objection. Identified apparatus within the vicinity.</p>
3.9	<p><u>Wales & West Utilities:</u> No objection. Identified apparatus within the vicinity.</p>
3.10	<p><u>Coal Authority:</u> No objection following the submission of additional information.</p>
3.11	<p><u>Public Consultation:</u></p> <ul style="list-style-type: none">• 8 letters to nearby houses• site notice(s)• website public register of applications• ward members by letter• all members via weekly list of applications received
3.12	<p><u>Response:</u> Two letters of objection have been received and are summarised as follows:</p> <ul style="list-style-type: none">• Concerns raised regarding scale and density of development• Increased overshadowing and loss of light

	<ul style="list-style-type: none"> • Overbearing impact as a result of the finished floor level and proximity to party boundary • Access location, position of highway and parking requirements • Design • Hours of operation
4. Planning Policy	
4.1	<u>Team Manager Development Plans:</u>
4.2	Based on the financial information submitted, any additional cost in the form of affordable housing contribution will render the scheme financially unviable. Therefore, in accordance with policy DM7 no affordable housing contribution should be sought.
4.3	<u>LDP Policies:</u> SP1- Nother Strategy Area Sustainable Growth and Regeneration SP4 – Delivering Quality Housing SP7 – Climate Change SP8- Sustainable economic growth SP10- Protection and enhancement of the Natural Environment DM1- New Development DM2- Design and Placemaking DM7- Affordable Housing DM14- Biodiversity Protection and Enhancement SB1- Settlement Boundaries
4.4	Under the provisions of the 2015 Planning (Wales) Act, any development plan adopted prior to 4 January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. Therefore, the Blaenau Gwent County Borough Council Local Development Plan up to 2021, which was adopted on November 2012, remains the extant statutory development plan for the area beyond the specified 2021 plan period.
4.5	<u>Supplementary Planning Guidance</u> Access, Car Parking and Design Supplementary Planning Guidance Model Design Guide for Wales Residential Development Nature Conservation Planning Guidance
4.6	<u>PPW & TANs:</u> Future Wales: The National Plan 2040 (policy 19); Planning Policy Wales Edition 11 (February 2021)

	<p>Technical advice note (TAN) 2: planning and affordable housing</p> <p>Technical advice note (TAN) 5: nature conservation and planning</p> <p>Technical advice note (TAN) 12: design</p>
5. Planning Assessment	
5.1	<u>Principle of development</u>
5.2	<p>Future Wales - the National Plan 2040 was published on the 24th February 2021, and therefore is relevant to this application as it now forms part of the Development Plan. Policies 1 and 33 support sustainable growth in all parts of Wales with Cardiff, Newport and the Valleys identified as one of three National Growth Areas. Emphasis is given to supporting opportunities and growth.</p>
5.3	<p>Policy 2 seeks to support a rich mix of residential (providing a variety of housing types and tenures) commercial and community uses within close proximity to each, to create activity and sustainable development. Policy 7 encourages the planning system to facilitate the provision of additional market and affordable housing.</p>
5.4	<p>Chapter 3 of Planning Policy Wales, (ed 11 February 2021) identifies that design is an inclusive process, which can raise public aspirations, reinforce civic pride and create a sense of place and help shape its future. Subsection 4.2.2, specifies that Local Authorities must seek to enable the provision of a range of well-designed, energy efficient, good quality market and affordable housing that will contribute to the creation of sustainable places. Whilst chapter 5 advocates Local Authorities to support developments that have demonstrate integral sustainable building design principles to reduce energy demand and improve efficiency.</p>
5.5	<p>Being mindful of the nature of the proposal and its location, the application is considered compliant with these documents and policies.</p>
5.6	<p>The application site lies within an established residential area within the settlement boundary (SB1) as defined by the proposals map of the Blaenau Gwent County Borough Council Local Development plan. In such areas development will normally be permitted subject to compliance with policies in the Plan and other material considerations. As noted above, the wider site has an extensive history of planning permission for residential development and currently benefits from an extant outline permission for the development of six plots. As a result, the principle of residential development on the site has been positively established. Given the context, the proposal is considered</p>

	compatible with the area and acceptable in principle, subject to the application satisfying a number of material considerations which are outlined below.
5.7	<u>Affordable Housing</u>
5.8	Policy DM7 of the LDP specifies that where there is evidence of need the council will seek 10% affordable housing on all residential proposals that: <ul style="list-style-type: none"> a. Contain 10 or more dwellings; or b. Exceed 0.28ha in gross site area, or c. Exceed the threshold in a. or b above for adjacent sites.
5.9	Information available via the Commons Housing Register confirms there is a need for one, two and four-bedroom social rent homes within the Borough. Although the plot proposed as part of the current application is less than 0.28ha, the development must be viewed in relation to the wider development site area which is in excess of the trigger given in criteria b.
5.10	Although affordable housing contributions were not sought as part of the previous and extant outline permissions, as this application seeks full planning permission it would be independent of the previous consents and is therefore liable to make a commuted sum contribution. In response, the Agent has provided a challenge to the request on the basis of viability.
5.11	Following a review of the financial information provided, the Planning Policy Team have advised that any additional cost in the form of an affordable housing contribution would render the scheme financially unviable. Therefore, it is recommended that no affordable housing contribution should be sought. Although contrary to the requirements of policy DM7, it is recognised that the proposal would make a welcome contribution towards the housing provision in the borough and on balance, approving the development, would not undermine the principle objections of the Local Development Plan to such an extent to warrant refusal of the application on such.
5.12	<u>Design, Layout, Scale and Appearance</u>
5.13	Policy DM2 requires development to be appropriate to the local context in terms of type, form, scale and mix.
5.14	Whilst the site lies within a built up area characterised by dwellings of a variety of styles, sizes and external finishes, the dwellings immediately to the north, and in relation to which this development would be viewed, are predominately generously proportioned, detached dwellings set centrally within their plots. Whilst the provision of a pair of dwellings on the plot would introduce a new

	<p>property type to this immediate development, it is noted that the cumulative building width, depth and height would remain comparable albeit smaller than, the scale parameters approved as part of the previous and most recent outline permissions.</p>
5.15	<p>Although public objections have been raised to the provision of two dwellings on the plot and the density of development this would generate, in this instance, it is considered that the development would make efficient use of the land and the plot is large enough to accommodate a pair of dwellings of the size and scale indicated whilst providing sufficient areas of amenity space and onsite parking without appearing as overdevelopment. It is noted that the proposed dwellings would replicate the building line approved for the for the development on plot 3.</p>
5.16	<p>Whilst the design and form proposed would differ relative to the dwellings in Brentwood Place, it is noted that there is no singular, dominant architectural style within the cul-de-sac, although the dwellings are predominantly finished with brick elevations and benefit from front facing gable features. It is noted that the same dwelling design is proposed for plots 5 and 6 and is also evident on Clos Trehelyg (to the rear of Tesco's). In this instance, given the pallet of external materials proposed would be in keeping with the original design brief for the wider site, the recessed position of the plot to the rear of the dwellings in Brentwood Place and the variances already evident, it is considered that the design of the dwellings would not be so detrimental to the overall character and appearance of the area to warrant refusal of the application on such grounds.</p>
5.17	<p>Although no renewable energy systems are proposed, following discussions the agent has confirmed verbally that the proposal will adopt a material first approach to reducing energy demand as required by Part L of the Building Regulations.</p>
5.18	<p>Whilst cumulatively the dwellings would be sizeable and would introduce new architectural features and a property type to Brentwood Place, on balance it is considered that the size and scale of the plot, the position, layout and orientation of the dwellings and the use of external material proposed would prevent the application from being significantly or inherently harmful to the character and appearance of the area and is therefore compliant with LDP policies DM1 2b and DM2 b.</p>
5.19	<p><u>Neighbouring amenity</u></p>

5.20	<p>As specified above, the proposed dwellings would front a new cul-de-sac highway leading from the existing adopted road of Brentwood Place. Based on the plans submitted the dwellings would be positioned approximately 21m to the south and west of the front and side elevation of numbers 12 and 14 Brentwood Place respectively with a greater distance, rising topography and land outside the application site maintained between the development and the dwellings along Elizabeth Way to the rear. Given the position and distanced maintained, it is considered that there would be no significant loss of privacy, overshadowing, loss of light or overbearing impact to any of the existing residences. A standard hours of operation condition could be added to any grant of consent to limit disruption during construction and to protect existing residential amenity further.</p>
5.21	<p>Although the adjoining plots have yet to be developed, it is considered that the position and design of the dwellings would not adversely impact their amenity in the future. Whilst two small windows proposed for the side elevations, these would serve non habitable rooms.</p>
5.22	<p>Whilst public objections have been received on the basis of amenity, it is noted that these concerns primarily relate to the proposed application for plot 6 (application C/2022/0218 refers) which is positioned to the rear of numbers 9-12 Brentwood Place. That application is currently undetermined.</p>
5.23	<p>On the basis of the above, it is considered that the application would not have a significantly detrimental impact on the residential amenity of those living closest to the site and the application is considered compliant with LDP policy DM1 2c.</p>
5.24	<p><u>Access and parking</u></p>
5.25	<p>The layout plan indicates that each dwelling would benefit from a driveway leading from the new primary access, that would be capable of accommodating three onsite parking spaces. Reserved matters consent for the site wide highway access was approved as part of reserved matters application C/2022/0002. This aspect of the development is now under construction following the grant of SAB approval.</p>
5.26	<p>Following consultation and the submission of revised details, the Team Manager Built Infrastructure has confirmed he has no objections to the proposal subject to the access and parking areas being provided prior to the occupation of the dwelling, and an on plot footpath and driveway of at least 5.2m wide being provided to serve the western most dwelling. Based on the</p>

	<p>site layout these requirements can be accommodated and, in the interests of highway safety, the conditions are considered reasonable and necessary.</p>
5.27	<p>Although an objection has been received with regards to the position of the wider site access, as specified above, it is noted that these details were the subject of public consultation and subsequently approved as part of application C/2022/0002.</p>
5.28	<p>On the basis of the response received and subject to conditions, it is considered that the development would not be detrimental to highway safety and the application is compliant with LDP policy DM1 3 a, b, and d.</p>
5.29	<p><u>Ground Conditions</u></p>
5.30	<p>Although part of the site falls within a high risk coal mining area, following the submission of a Coal Mining Risk Assessment and additional information the Coal Authority have removed their objection to the proposal. Following consultation, the Council's Geo-tech team have raised no objection subject to a condition requiring the submission Desk Top Study of the shallow ground conditions be undertaken to ascertain the geotechnical and geoenvironmental characteristics of the site, which will help inform the foundation design for the development and whether any intrusive investigation is required. Although the Coal Authority have removed their objection, the considered is deemed to be necessary and relevant to inform the development of the site and in the interests of the health and safety of any future residents. Subject to the imposition of such conditions, the application is considered compliant with LDP policy DM1 2.i.</p>
5.31	<p><u>Drainage and Infrastructure</u></p>
5.32	<p>Following consultation Welsh Water have confirmed that there is capacity in the foul drainage system to accommodate the development but have requested a condition with regards to the provision of foul and surface water drainage details. Given potential implications associated with hydraulic overloading of the mains sewer system, the condition is considered necessary and relevant.</p>
5.33	<p>The Council's Drainage Officer has confirmed that the proposal will also need to be the subject of a SAB application with regards to surface water disposal. The Agent has been made aware of this requirements and an informative note could be added to any grant of consent.</p>

5.34	It is noted that the proposed development would not be located within the buffer zone of any gas and electrify apparatus within Brentwood Place
5.35	On the basis of the responses received, the application is considered compliant with LDP policy DM1.
5.36	<u>Ecology</u>
5.37	In compliance with Welsh Government guidance, each application for planning permission, irrespective of size and scale must provide ecological mitigation and enhancement. As part of the current application it is proposed that a new hedge with interspersed trees be provided along the rear (rear) boundary of the site to bolster and enhance the adjacent landscape buffer. Details submitted specify that the hedgerow would comprise a double row of staggered plants consisting of a mix of field maple, hazel, hawthorn and holly. The trees would comprise a mix of field maple, birth, plumb, oak and rowan. The landscaping details are in accord with details approved for the wider site as part of application C/2022/0002. In this instance the provision of such a feature is considered to be sufficient mitigation that would enhance the ecological and biodiversity value of the site. The application is therefore considered compliant with the requirements of LDP policies DM1 and DM14.
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	On the basis of the above report and subject to the imposition of conditions to clarify and secure additional information, it is considered that the development proposed would not have a significantly detrimental impact on the character and appearance, neighbouring amenity or highway safety of the site. Although the proposal would not make an affordable housing contribution, it is

<p>7.2</p> <p>7.3</p>	<p>considered that the lack of provision in this instance would not be so significant to warrant refusal of the application on such grounds.</p> <p>On balance the application is considered compliant with the relevant policies of the Blaenau Gwent County Borough Council Local Development Plan and it is recommended that planning permission be <u>GRANTED</u> subject to the following condition(s):</p> <ol style="list-style-type: none"> 1 Time limit full 2 Approved plans 3 Desk Top Study (DTS) of the shallow ground conditions be undertaken to ascertain the geotechnical and geoenvironmental characteristics of the site, which will help inform the foundation design for the development and whether any intrusive investigation is required. Submission of a Construction Environmental Management Plan to 4 include details of hours of operation, parking for site operatives, enclosure of site and storage of construction materials. 5 External materials- details and samples to be submitted. 6 Driveway and garage parking areas being fully constructed prior to occupation of dwellings. 7 Provision of an onsite footpath and width of driveway being a minimum of 5.2m wide on westernmost plot 8 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network 9 Landscaping provision and retention <p>Informative</p> <ol style="list-style-type: none"> 1 Need to secure SAB consent
<p>8. Risk Implications</p>	
<p>8.1</p>	<p>None identified</p>