

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	30th January 2023
Directorate	Regeneration & Community Services
Date of meeting	9th February 2023

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/2022/0281	44 Commercial Street, Tredegar, NP22 3DJ
C/2022/0347	16 Market Street, Ebbw Vale
C/2022/0250	Land adjacent to KFC, Waun-Y-Pound Road, Ebbw Vale, NP23 6LE
C/2022/0332	Brookfield Hawthorn Road Beaufort Ebbw Vale NP23 5HS
3. Recommendation/s for Consideration	
Please refer to individual reports	

Planning Report

Application No: C/2022/0281	App Type: Full
Applicant: Mr Ozgur Palo Flat 3 113 High Street Merthyr Tydfil CF47 8AP	Agent: Mr Philip Harris 3dcadwales Limited 5 Ashlea Drive Thomastown Merthyr Tydfil CF47 0NY
Site Address: 44 COMMERCIAL STREET TREDEGAR NP22 3DJ	
Development: Change of use of ground floor to Takeaway (A3) and new windows to front elevation.	
Case Officer:	Joanne Clare



1. Background, Development and Site Context

- 1.1 This application seeks planning permission for a change of use of the ground floor of the building from an A1 Retail to an A3 takeaway use. The works also include a new window to the first floor front elevation.
- 1.2 The property is a two storey building located in the Town Centre and Primary Retail Area of Tredegar as defined by the Blaenau Gwent Local Development Plan (LDP). The neighbouring properties are commercial with residential at first floor to no.43A. The Gwent Shopping Centre is situated opposite.
- 1.3 The proposed ground floor plan will comprise of a waiting area, serving counter, cooking area and separate food preparation area with store behind. With the exception of two toilets, the first floor will remain vacant.
- 1.4 The external works include a new window at first floor level to the front elevation and a new flue which will be positioned on the main roof. I note from a site visit that the first floor window has already been installed.

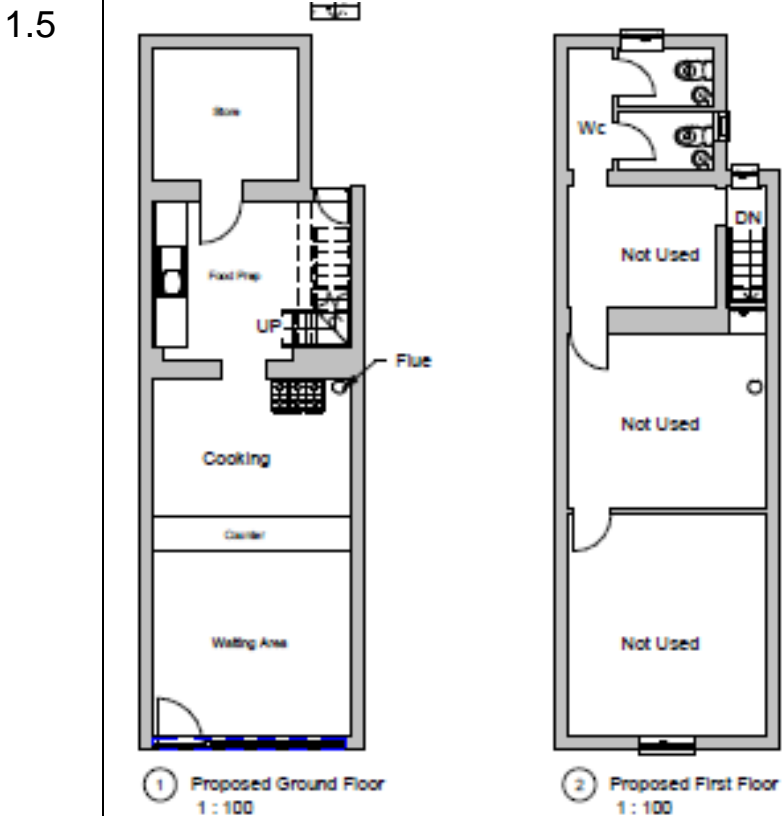


Figure 1. proposed floor plan

1.6



Figure 2. Existing front elevation

Figure 3. Proposed front elevation

1.7



1 Proposed Front Elevation with Roller Shutter 1:100 2 Proposed Front Elevation 1:100

Figure 3. Proposed front elevation.

2. Site History

	Ref No	Details	Decision
2.1	None		

3. Consultation and Other Relevant Information

3.1	<p><u>Internal BG Responses</u> <u>Team Leader Building Control:</u> No response received</p>
3.2	<p><u>Service Manager Infrastructure:</u> Highways: No objections</p>
3.3	<p><u>Environmental Health:</u> No objection subject to conditions in regards to restricting plant noise and fume extraction.</p>
3.4	<p><u>External Consultation Responses</u> <u>Town / Community Council:</u> No objections.</p>
3.5	<p><u>Welsh Water:</u> No objections subject to conditions</p>
3.6	<p><u>Local Environment Record Centre (LERC):</u> Identify common pipistrelle (bats) within 183m of the site.</p>
3.7	<p><u>Public Consultation:</u></p>
3.8	<ul style="list-style-type: none"> • 4x letters to nearby houses • site notice • website public register of applications • ward members by letter • all members via weekly list of applications received
3.9	<p><u>Response:</u> Two letters of objection have been received. The main concerns raised are as follows:</p>
3.10	<ul style="list-style-type: none"> • concerns of disruption to local residents due to increase in footfall and people congregating and creating noise late at night (if the takeaway is open late);
3.11	<ul style="list-style-type: none"> • concerns of odours;
3.12	<ul style="list-style-type: none"> • Rear garden is overgrown with vegetation including Japanese knotweed as well as fly-tipping – concerns that this creates a fire hazard by preventing use as an escape route;

4. Planning Policy

4.1	<p><u>Team Manager Development Plans:</u> In order to maintain a high proportion of A1 uses in the Primary Retail Area, Policy DM5 criterion (a) restricts changes of use within the primary retail area of district town centres, such as Tredegar, to A1 uses only. Therefore, the change of use of this proposal to A3 would conflict with the requirements of</p>
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	<p>policy DM5, and accordingly an objection is raised to this proposal. It is also worth noting that the current use class attached to 44 Commercial Street is A1 therefore the proposal would result in the loss of an A1 use. The Blaenau Gwent Annual Monitoring Report (AMR) monitors the percentage of A1 uses in the primary retail area. The 2022 AMR shows that the percentage of A1 uses in the primary retail area declined by 7% between 2009 and 2022, and the primary retail area's vacancy rate in 2022 was higher (24%) than that of the district town centre as a whole (15%). It is also worth noting that the percentage of A3 uses in Tredegar town centre as a whole is 17% and within the primary retail area is 5%. The case officer could therefore give due consideration to this evidence as a material planning consideration.</p> <p>4.2 <u>LDP Policies:</u> SB1 Settlement Boundaries SP3 The Retail Hierarchy and Vitality and viability of the Town Centre DM1 New Development DM2 Design and Placemaking DM5 Principal and District Town Centre Management</p> <p>4.3 <u>SPGs</u> Supplementary Guidance (SPG) for 'hot food and drinks uses in town centres'</p> <p>4.4 <u>PPW & TANs:</u></p> <p>4.5 Planning Policy Wales Edition 11 (February 2021) Future Wales: The National Development Plan for Wales (February 2021) Technical Advice Note 4: Retail and Commercial Development (November 2016)</p> <p>4.6 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>
<p>5. Planning Assessment</p>	
<p>5.1</p>	<p>The proposal has been assessed against policies SP3, SB1, DM1, DM2 and DM5 of the adopted Local Development Plan (LDP).</p>
<p>5.2</p>	<p>The application site is situated within the settlement boundary (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 Tredegar Town Centre and lies within the primary retail area.</p>

5.3	<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. 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. Opportunities and growth in strategic economic and housing growth; essential services and facilities; advanced manufacturing; transport and digital infrastructure will be supported.</p>
5.4	<p>Policy 6 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.</p>
5.5	<p>Being mindful of the nature of the proposal and its location, the application is considered compliant with the relevant policies of Future Wales.</p>
5.6	<p>Planning Policy Wales (PPW) Edition 11 sets out the Welsh Governments objectives in respect of retail and commercial centres, which include the promotion of viable retail and commercial centres as the most sustainable locations to live, work, shop, socialise and conduct business (paragraph 4.3.3). Whilst this objective recognises that a complementary mix of uses contributes to the vibrancy of those centres, the important role of retailing (A1 uses) continues to be acknowledged with a recommendation to define primary shopping areas, where appropriate (paragraph 4.3.31). Primary shopping areas are designated to help promote and maintain an effective distribution and balance of uses and activities, and are typically characterised by a high proportion of A1 shopping uses.</p>
5.7	<p>In order to maintain a high proportion of A1 uses in the Primary Retail Area, Local Development Plan (LDP) Policy DM5 criterion (a) restricts changes of use within the primary retail area of district town centres, such as Tredegar, to A1 uses only. Therefore, the change of use of this proposal to A3 would conflict with the requirements of Policy DM5, and would result in the loss of an A1 use.</p>
5.8	<p>Notwithstanding this, PPW paragraph 4.3.36 states “<i>planning authorities should assess retail and commercial centre performance and the effectiveness of development plan policies by monitoring their health. They should use the strategy in their development plan to manage change and take action where necessary to address this. Where economic decline is impacting on a retail and commercial centre, emphasis on retaining A1 uses in premises either in</i></p>

	<p><i>primary or secondary areas, which have been vacant for a period of time, may undermine a centre's viability and vitality. In such circumstances planning authorities should consider how non-A1 uses may play a greater role to increasing diversity and reducing vacancy levels."</i></p>
5.9	<p>In terms of the number of A3 uses permitted within the town as a whole, the adopted Supplementary Guidance for 'hot food and drink uses in town centres' specifies that no more than 25% of business premises shall be taken up by A3 uses. Planning policy have confirmed that according to the latest Town Centre Survey (November 2021) this figure has not been exceeded; with 17% of A3 uses being located within the whole town centre of which only 5% are located within the primary retail area.</p>
5.10	<p>Moreover, the figures collected by the Blaenau Gwent Annual Monitoring Report (AMR) support a justification to allow an A3 use within the Primary retail area. The figures identify that the percentage of A1 uses within the primary retail area have declined by 7% between 2009 and 2022 despite the vacancy rate within the primary retail area in 2022 being higher (24%) than that of the whole town centre as a whole (15%). Members should also note that the application site has been vacant for at least 4 years. It is therefore considered, on balance, that the provision of an A3 use within the primary retail area will not undermine the viability and vitality of the town centre but will assist in reducing vacancy levels.</p>
5.11	<p>Whilst the proposal is for an A3 takeaway, the property will be open from 9am-11pm and therefore it could be argued that the property could provide day-time activity and thus assist in contributing to the vitality to the town centre.</p>
5.12	<p><u>Neighbouring Amenity</u> In respect of potential noise, the Environmental Health Officer has confirmed he has no objection to the proposal. Albeit, he has requested a condition restricting the noise level emitted from any plant and equipment in the interests of protecting neighbouring amenity. The proposed opening hours are currently 9am – 11pm Mon – Sat and 4pm – 11pm Sunday/Bank Holidays. It is considered that these times are reasonable and would not cause any adverse disturbance to neighbouring residential properties.</p>
5.13	<p>In respect of potential odours, Environmental health have requested a condition be imposed seeking details of the extraction equipment (including scaled schematics, location plans, odour attenuation measures and future maintenance) Subject to such condition, I am satisfied the development will not have a detrimental impact upon the neighbouring amenity in compliance with DM1(2)c.</p>

5.14	<p><u>Ecology</u> Following a LERC (Biodiversity Information & Reporting Database) representation it has been indicated that there are common pipistrelle within 183m of the site. Given the nature of the application, it is considered that the proposal would not detrimentally impact the protected species identified and the proposal would not harm the ecological value or biodiversity of the site or wider area.</p>
5.15	<p>Notwithstanding the above, in accordance with guidance issued by the Welsh Government, each application for planning permission must now propose ecological mitigation and enhancement. Although these details have not been indicated as part of the application, they could 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, PPW 11 and the Environment (Wales) Act 2016.</p>
5.16	<p>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>
5.17	<p>In response to objector comments made regarding Japanese Knotweed within the rear garden I acknowledge the concerns raised by the objector. However, the proposal does not include any development within the rear garden. Nevertheless, an informative note will be added advising the applicant of their responsibilities under the Wildlife and Countryside Act (1981).</p>
5.18	<p><u>Other Matters</u> In regards to the objectors concerns in relation to fire safety, this will be controlled by Building Regulations. In reference to the claim of potential rodents in the garden and fly tipping, this would be dealt with under Environment Health Legislation.</p>
5.19	<p><u>Conclusion</u> In land use terms, whilst the change of use to A3 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>
5.20	<p>Furthermore, approval of this application does not set a precedent for any future applications which would be determined on their own merits and could be refused where the circumstances are different. I therefore recommend approval subject to conditions.</p>

6. Legislative Obligations

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| 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

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| 7.1 | <p>Planning permission be <u>GRANTED</u> subject to the following condition(s):</p> <ol style="list-style-type: none"> 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: <ul style="list-style-type: none"> • Location Plan • Proposed Plans & Elevations – CS-02 • Site Plans – CS-03 Reason: To clearly define the scope of this permission. 3. The rating level of the noise emitted from Fixed Plant and equipment (mechanical and electrical) located at the site shall not exceed the existing background level at any premises used for residential purposes when measured and corrected in accordance with BS 4142: 2019.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected. 4. Fumes from the food preparation areas shall be mechanically extracted and the extraction system shall be provided with de-greasing and de-odorising filters. Details of the extraction equipment (including scaled schematics, location plans, odour attenuation measures and future maintenance) shall be |
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submitted to and approved in writing by the Local Planning Authority prior to its installation, and the equipment shall be installed in accordance with the approved details prior to the commencement of use for the cooking of food. The equipment shall thereafter be maintained in accordance with the approved details.

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected and in the interests of visual amenities.

5. 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.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

6. The approved use shall not commence until an adequate grease trap has been fitted in accordance with details that have been submitted to and approved in writing by the local planning authority. Thereafter the grease trap shall be maintained so as to prevent grease entering the public sewerage system.

Reason: To protect the integrity of the public sewage system and ensure the free flow of sewage.

7. Prior to commencement of development, details of bat and bird mitigation (to include location, position and specification) to be provided as part of the development or within the wider curtilage of the site shall be submitted to and approved in writing by the Local Planning Authority. The mitigation shall be installed within six months of the details being approved and shall be maintained as such thereafter.

REASON: In the interests of the ecological and biodiversity value of the site.

Informative Notes:

1. Control of Japanese Knotweed.
2. Shopfront and Adverts not approved as part of this application.
3. Standard bat and bird advisory notes
4. Standard Welsh Water informative notes

8. Risk Implications

8.1 None

Planning Report

Application No: C/2022/0347	App Type: RSB
Applicant: Mr Goksel Temel 16 Market Street Ebbw Vale NP23 6HL	Agent: Creation Design Wales Mr. Paul Parsons 88 Bailey Street Brynmawr NP23 4AN
Site Address: 16 Market Street Ebbw Vale	
Development: Replacement shop front and roller shutter, 4 storey rear extension, creation of 5 flats and provision of sun tanning salon at lower ground floor in conjunction with the existing barber shop at ground floor (street level).	
Case Officer: Jane Engel	



SITE LOCATION PLAN 1:500

1. Background, Development and Site Context

- 1.1 This application seeks planning permission for a replacement shop front and roller shutter, 4 storey rear extension, creation of 5 flats and provision of sun tanning salon at lower ground floor in conjunction with the existing barber shop at ground floor (street level).
- 1.2 The site consists of a mid-terrace four storey property at 16 Market Street, Ebbw Vale. The site lies within the settlement of Ebbw Vale, within Ebbw Vale Town Centre but outside the primary retail area.



- 1.3 The ground floor is currently occupied as a barbers, the lower ground floor is used as storage and the upper floors are vacant. The proposal includes a four storey extension to the rear to facilitate the provision of a flat to the rear of the barbers shop at ground floor, 2 flats at first floor and another 2 flats on the second floor. It is proposed to use the lower ground floor as a tanning salon.

1.4 Each flat would comprise of an open plan living room and kitchen, separate bedroom and a bathroom. Access to the flats is via an internal staircase accessed from the rear of the property.



Figure 1 Lower Ground and Ground Floor – Proposed Layout



Figure 2 First and Second Floor – Proposed Layout

1.5

It is also proposed to install a new shopfront to the property. The works proposed include a new hardwood framed shop front with powder coated aluminium framed windows, decorative timber mouldings and ceramic finish stall riser. A partially perforated roller shutter would be installed, with the shutter and track hidden behind timber panels and fascia. New sliding sash windows are proposed for the first and second floor.

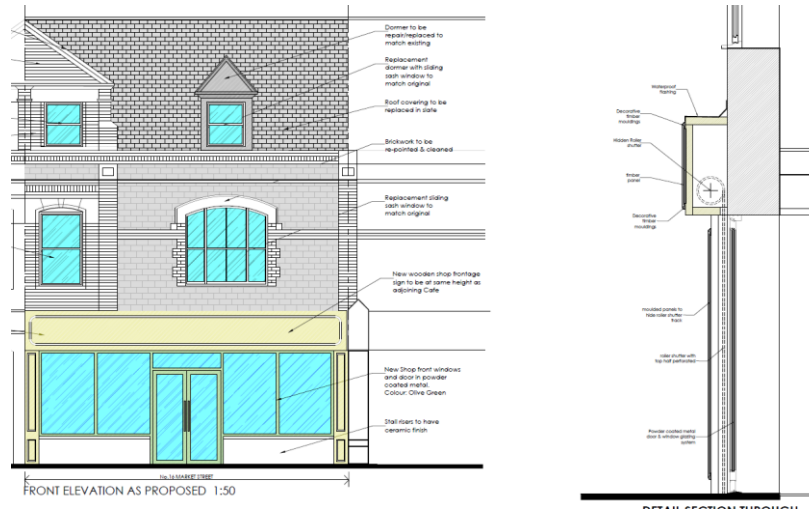


Figure 3 Proposed Front Elevations and Roller Shutter

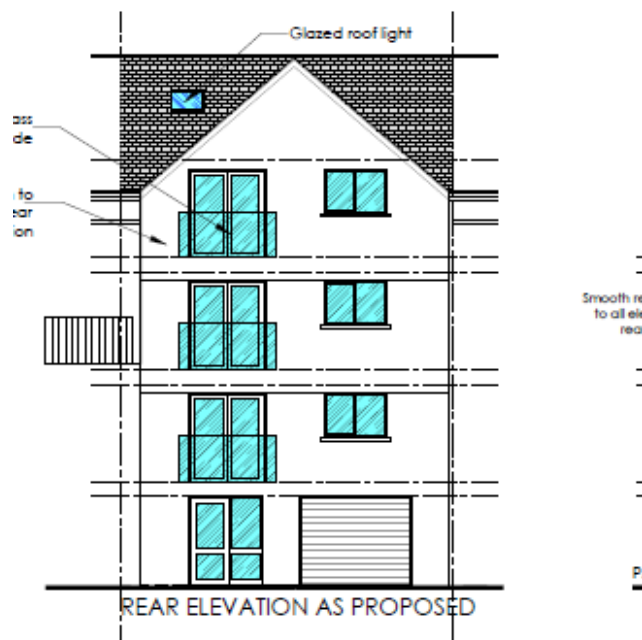


Figure 4 Proposed rear elevations

1.6

The application is being presented to committee as it is contrary to Policy DM5 which states, 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
2.1	7591	Proposed rear extension of Retail Premises	Refused 14/3/1991
2.2	9186	Two storey extension	Approved 6/3/91
2.3	C/2015/0014	Extension to rear, conversion of first and second floors to 4 flats and provision of shop premises at lower ground floor	Approved 31/3/2015
2.4	C/2022/0323	Replacement shop front and roller shutter, 4 storey rear extension, conversion of first and second floors into 5 flats and provision of sun tan salon at lower ground floor in conjunction with the existing barber shop at ground floor	Withdrawn

3. Consultation and Other Relevant Information

3.1	<u>Internal BG Responses</u>		
3.1	<u>Service Manager Infrastructure:</u> Highways: No objections		
3.2	<u>Welsh Water:</u> Request a condition advising the applicant/developer that no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network		
3.3	<u>Environmental Health</u> Request a condition requiring the submission of a scheme of sound insulation works		
3.4	<u>Public Consultation:</u> Strikethrough to delete as appropriate <ul style="list-style-type: none"> • 8 letters to nearby properties • site notice • website public register of applications • ward members by letter • all members via weekly list of applications received 		

3.5	<ul style="list-style-type: none"> • other <p><u>Response:</u> No responses have been received</p>
4. Planning Policy	
4.1	<p><u>Team Manager Development Plans:</u></p> <p>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 other policies in the Plan and other material considerations. The property is also located within the boundary of Ebbw Vale 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.</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 in keeping with this Policy.</p> <p><u>The Conversion to a Self-Contained Flat at Ground Floor Level</u></p> <p>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.</p> <p>However, in this instance there are other material considerations which should be taken into account:</p> <ul style="list-style-type: none"> • The flat does not face onto Market 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. <p><u>Other issues to be considered:</u></p> <p>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</p>

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 dwellings 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 residential flats. Criterion 3d requires off street parking, however in this instance, a public car park is located within walking distance and a bike store is to be provided to the rear of the property. Ebbw Vale bus station is also located directly behind the property providing public transport.

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, d, 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 of a lattice or brick bond grille style which allows the shopfront to be seen and is generally less foreboding than a solid metal shutter.

	<ul style="list-style-type: none"> • 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 <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> <p><u>LDP Policies:</u> SP3 – The Retail Hierarchy 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>Supplementary Planning Guidance: Shopfronts and Advertisements Supplementary Planning Guidance (Adopted November 2015)</p>
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5. Planning Assessment

5.1	<u>Principle of Development</u>
5.2	Future Wales - the National Plan 2040 was published on the 24 th February, and therefore is relevant to this application as it now forms part of the Development Plan. Policy 1 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.
5.3	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’.
5.4	Policy 6 Town Centre First, states that significant new commercial, retail, education, health, leisure and public service facilities must be located within

	<p>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.</p>
5.5	<p>Planning Policy Wales para 4.3.3 identifies that the planning system must promote viable urban centres as the most sustainable locations to live work, shop, socialise and conduct business. The planning system must sustain and enhance retail and commercial centres vibrancy, viability and attractiveness. 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>
5.6	<p>With regard to the Local Development Plan it is noted that the site falls within the defined Settlement Boundary (Policy SB1), is within the boundary of Ebbw Vale Town Centre (Policy SP3) but outside of the Primary Retail Area. Policy DM5 states that outside the Primary Retail Areas, 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. Given the retention of the commercial unit at ground floor level, the proposal is broadly in keeping with this Policy (with the exception of the residential element at ground floor).</p>
5.7	<p>On the basis of the above, the principle of development is considered broadly acceptable, subject to the application satisfying a number of material considerations which are detailed below.</p>
5.8	<p><u>Proposed change of use</u></p>
5.9	<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 Ebbw Vale (District) Town Centre where the requirements of LDP Policy DM5 are applicable.</p>
5.10	<p>The proposed change of use of the lower ground floor from storage to a tanning salon accords with policy DM5 of the adopted Local Development Plan which encourages a diversity of uses within the town centre (outside the primary retail area). It is therefore considered that the proposed use is considered acceptable in this location.</p>

5.11	<p>The principal of residential accommodation on the upper floors of properties within the town centre is supported by policy DM5. Such development can provide a useful addition to the residential stock, bring new life to town centres and contribute to the mix of dwelling types within the County Borough, in compliance with LDP Policies SP4 and SP5.</p>
5.12	<p>However, criterion d of Policy DM5 states that the change of use of ground floor units to residential uses will not be permitted. Therefore, the partial change of use of the ground floor as proposed is contrary to this criteria of the policy. However, it is considered that there are other material considerations which should be taken into account when determining this application.</p>
5.13	<p>The proposed flat would not face onto Market Street, but would be located to the rear of the property from where access would also be gained. As the active commercial unit and shopfront will be retained, the residential flat would not form part of the town centre street frontage. Although the town centre boundary was drawn to follow a logical line which includes the rear of the properties, meaning the proposed flat would be therefore be within the town centre, it would not be visible from within the town centre. As such it is considered that it would not have a detrimental impact on the vitality, viability or visual amenity of the town or streetscape.</p>
5.14	<p>As with the flats proposed for the upper floors of the building, it is considered that self-contained flat ground floor unit would contribute to the mix of dwelling types to meet the demand of Blaenau Gwent's current and future population and would bring new life to the town centre in compliance with LDP Policies SP4 and SP5.</p>
5.15	<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>
5.16	<p><u>Design and Amenity</u></p>
5.17	<p>As detailed above, the plans propose the installation of a new shop front, installation of a roller shutter and alterations to the existing upper storey windows.</p>
5.18	<p>The alterations as proposed 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</p>

	<p>betterment to the existing and to the overall street scene and wider townscape in accordance with LDP Policies DM1 and DM2.</p>
5.19	<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.</p>
5.20	<p>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 to 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>The premise currently has an existing 7.25m deep two storey extension which projects to the rear boundary of the site. The proposed extension will infill the gap remaining at lower ground and ground floor level and provide additional floors at first and second floor level.</p>
5.22	<p>It is acknowledged that the extension is quite large and bigger than what would be allowed on a residential property. However, there are a number of existing extensions of a similar scale within the street and as such I consider the proposal will not be out of keeping with streetscene.</p>
5.23	<p>In terms of amenity, there are flats in the upper floors of the adjoining properties and the extension will undoubtedly have an impact on the outlook from these flats. However, it is noted that the outlook is unimpeded in all other directions and as such the impact on the amenity is not so severe as to justify refusal of the application. I am also mindful that an application for a similar scheme was approved in 2015 (Application C/2015/0014 refers).</p>
5.24	<p>As no windows are proposed in the side elevations of the proposed extension, I am satisfied that no loss of privacy will result.</p>
5.25	<p>Following direct neighbour notification and the erection of a site notice, no public objections or representations have been received.</p>

5.26	Although the proposed flats are quite small in size, varying between 48.5 and 49.5 square metres, given the likely number of occupants, on balance the amenity level are considered acceptable. Whilst there is no outdoor amenity space proposed, this is not unusual for flats within town centres, therefore the proposal is considered acceptable and is in accordance with policies DM1 and DM2.
5.27	<u>Highways</u>
5.28	There is no off street parking proposed for the additional residential flats. Whilst on-street car parking is restricted due to its siting within the town centre and on street parking restrictions, there is a public car park within walking distance of the application site and the site is within a sustainable location.
5.29	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’.
5.30	Following consultation, the Council’s Highways Manager has confirmed they have no objection to the proposal and I am satisfied that the proposal is acceptable and there would not have a detrimental impact on highway safety.
5.31	<u>Ecology and Biodiversity</u>
5.32	In accordance with guidance issued by the Welsh Government, each application for planning permission must now propose ecological mitigation and enhancement. No details have been submitted with the application however these details can be secured by condition.
5.33	<u>Conclusion</u>
5.34	In conclusion, the proposed development as set out in my report is considered to be acceptable in compliance with LDP Policies SP3, SB1, DM1, DM2 and the adopted SPGs and is an acceptable departure from the criteria d of Policy DM5. I therefore recommend approval accordingly.
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

6.2	<p>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.</p> <p>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.</p>
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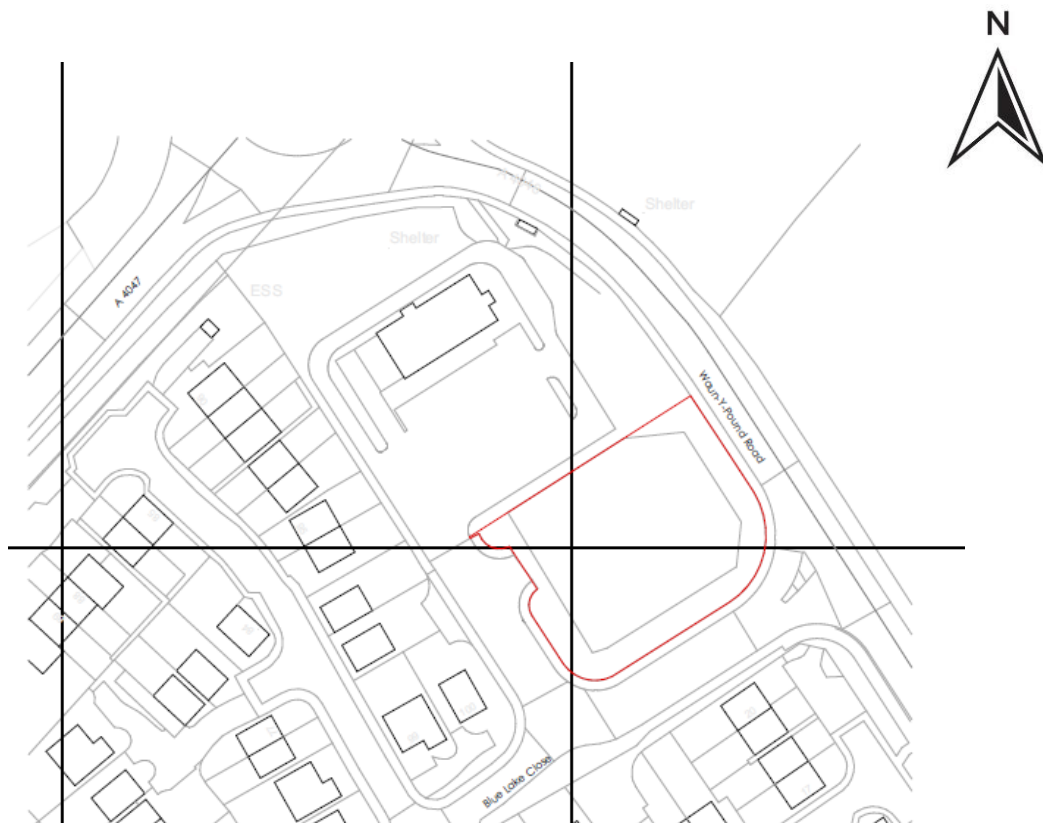
7. Conclusion and Recommendation

7.1	<p>Planning permission be <u>GRANTED</u> subject to the following condition(s):</p> <ol style="list-style-type: none"> 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: <ul style="list-style-type: none"> Plan No 22-099/P/01 Site location plan Plan No 22-099/P/04 Rev B Proposed plan 1 Plan No 22-099/P/05 Rev A Proposed plan 2 Plan No 22-099/P/06 Rev A Proposed Front Elevation Plan No 22-099/P/07 Proposed elevations Plan No 22-099/P/08 Rev A Proposed site plan Reason: To clearly define the scope of this permission. 3. Prior to the commencement of development a scheme of ecological enhancement shall be submitted for the approval of the Local Planning Authority. Such measures as approved shall be installed within 3 months of the development being brought into beneficial use. Reason: In the interests of the ecological and biodiversity value of the site. 4. Prior to the commencement of development a scheme of sound proofing shall be submitted for the approval of the Local Planning Authority. Such details as approved shall be installed prior to the occupation of the flats hereby approved.
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	<p>Reason: In the interests of residential amenity.</p> <p><u>Informative Advice</u></p> <p>1. 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>2. 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>3. 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>None</p>

Planning Report

Application No: C/2022/0250	App Type: Full
Applicant: Mr James Marshall Commercial Development Projects Ltd Huddersfield Rd Elland HX5 9BW	Agent: Mr Matthew Gray Montagu Evans LLP 70 St Mary Axe London EC3A 8BE
Site Address: Land adjacent to KFC, Waun-Y-Pound Road, Ebbw Vale, NP23 6LE	
Development: Erection of a drive thru bakery (Class A1/A3 use) and associated development	
Case Officer:	Sophie Godfrey



1. Background, Development and Site Context	
1.1	This application seeks full planning permission for the erection of a drive thru bakery with internal and external seating area (Use Class A1/A3) and other

associated development at land adjacent to KFC, Waun-y-Pound Road, Ebbw Vale.

1.2

At present the site consists of an unused parcel of grassland. KFC drive thru is located to the north, Waun-y-Pound Road to the east, and residential development known as Blue Lake to the south and west. The site is broadly rectangle in shape and measures approximately 0.2ha. The topography of the site is a gentle slope from north-west to south-east. The site is within the settlement of Ebbw Vale, with Ebbw Vale Town Centre approximately 1.42km to the south east. The application site is allocated in the adopted Local Development Plan (LDP) under Policy MU1 for mixed use development as part of the Ebbw Vale Northern Corridor.



Figure 1.1 Existing Site

1.3

The proposal would include the erection of a drive thru bakery, with access gained off Waun-y-Pound Road to the east of the site and then via an internal road to the west. The drive thru would wrap around a centrally positioned building within the application site. The main customer/ pedestrian entrance would be located to the south east of the site through glazed double doors. The drive thru service window would be located to the east of the site.

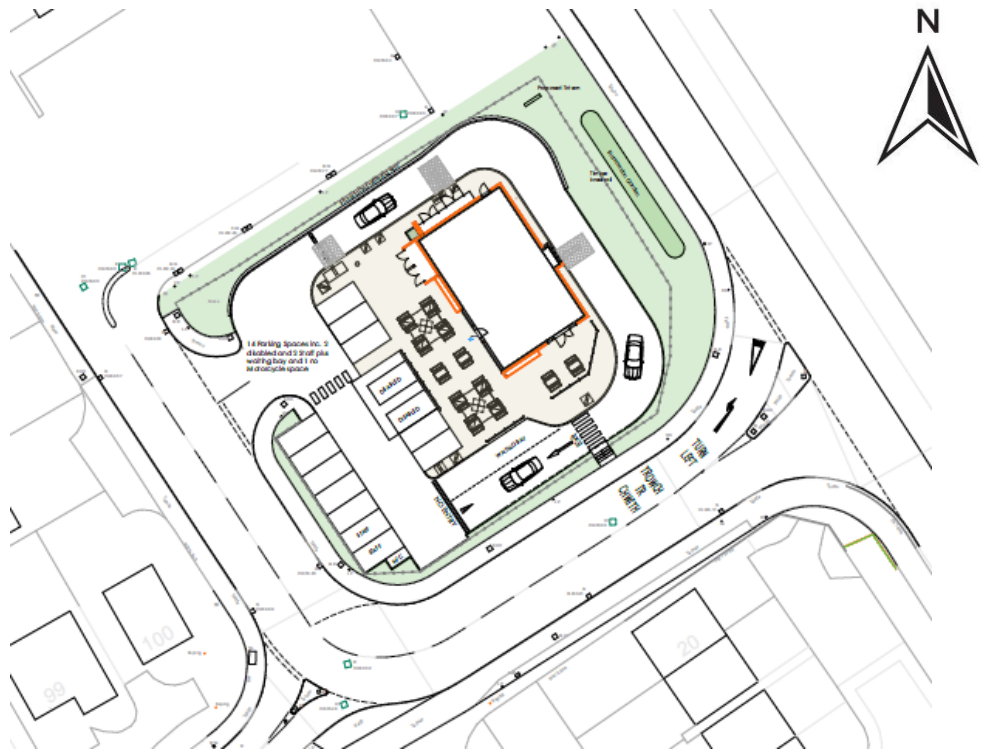


Figure 1.2 Proposed Site Plan

1.4

The building would be typical of a 'Greggs' building; clad in anthracite grey and cornflower blue feature panels, with the company logo on all elevations (which will require separate Advertisement Consent).



Figure 1.3 Proposed Elevations

1.5	The internal layout would comprise of a kitchen area, toilet facilities and dining area to enable customers to consume food and drink on the property. Further outdoor seating/dining facilities are to be provided to the south/south west of the property. 14no. parking spaces would be provided to the south west of the site, in addition to 1no motorcycle space and a waiting bay to provide a waiting area for 2no. cars.						
1.6	This application is being presented to committee as several objections have been received from neighbouring properties, which raise some concerns that are considered to be of wider public interest.						
2. Relevant Site History							
	<table border="1"> <thead> <tr> <th data-bbox="225 909 512 1088">Ref No</th> <th data-bbox="512 909 1289 1088">Details</th> <th data-bbox="1289 909 1540 1088">Decision</th> </tr> </thead> <tbody> <tr> <td data-bbox="225 1088 512 1133">2.1</td> <td colspan="2" data-bbox="512 1088 1540 1133">None</td> </tr> </tbody> </table>	Ref No	Details	Decision	2.1	None	
Ref No	Details	Decision					
2.1	None						
3. Consultation and Other Relevant Information							
3.1	<p><u>Internal BG Responses</u></p> <p><u>Service Manager Infrastructure:</u></p> <p>3.2 Highways:</p> <p>3.3 Highway observations: The submitted planning application complies with the Council's 'Access, Car Parking and Design SPG', and Policy DM 1 (3 a, b, c & d). There are no objections subject to the following:</p> <p>3.4 1. The proposed car parking and servicing areas are to be fully constructed prior to the facility becoming operational and retained thereafter.</p> <p>3.5 2. Two cycle stands are to be provided. It is stated in the Transport Statement that 'Sheffield' cycle stands will be provided for cyclists however no details have been submitted or indicated on the site layout plan. This can be a planning condition.</p> <p>3.6 Drainage: No objections in principle providing it meets all the requirements of the SAB. This development will have to obtain SAB Approval before commencing work on this site.</p> <p>3.7 Landscape:</p>						

3.8	No objections in principle. The native hedgerow, flowering lawn and trees go some way to improving biodiversity and connectivity to existing green infrastructure.
3.9	The proposed trees need to be of a more advanced stock, not only for initial impact but also to be robust enough to deter being vandalised/snapped (Minimum 18-20cm girth required).
3.10	Ulmus 'New Horizon' tree planting should be increased by an additional 4 trees at the same spacing distances as the 3 proposed, north-west adjacent proposed hedgerow and ornamental shrub bed.
3.11	Ecology:
3.12	No objection in principle. If the proposal is approved more biodiversity enhancements should be implemented on site to provide net gain.
3.13	<u>Service Manager Public Protection:</u>
3.14	The Noise assessment concludes that the noise levels from the site will be of low impact. However, the following conditions should be added: <ul style="list-style-type: none">• Plant Noise – 0dBA Above Background• Delivery Times• Fume Extraction• Floodlighting• Standard Land Contamination• Air Quality
3.15	<u>External Consultation Responses</u>
3.16	<u>Welsh Water:</u> No objection subject to standard informatives and condition regarding the installation of an adequate grease trap.
3.17	<u>Western Power:</u> Identified Assets in the vicinity.
3.18	<u>W&W Utilities:</u> Identified Assets in the vicinity.
3.19	<u>Coal Authority:</u> No objection subject to conditions requiring an intrusive site investigation, associated remedial works where necessary and verification that such works have been carried out.

<p>3.20</p> <p>3.21</p>	<p><u>Public Consultation:</u></p> <ul style="list-style-type: none"> • 22 letters to nearby houses • 2 site notice(s) • website public register of applications • ward members by letter • all members via weekly list of applications received <p><u>Response:</u></p> <p>9 letters have been received from neighbouring properties raising the following concerns:</p> <ul style="list-style-type: none"> • Impact on highway safety due to increased traffic movements around the site and into the access road for the housing estate at Blue Lake Close. Traffic already queues to KFC; • Negative Impact on value and saleability of nearby houses; • Increase in smells; • The proposal will encourage unhealthy eating; • The proposal would be better suited in a different location away from residential areas; • Increase in anti-social behaviour; • Many of the surrounding properties have already seen many rodents in gardens and this will undoubtedly attract more; • There is a significant amount of debris and rubbish, already coming from KFC, including strong smells, let alone having to contend with additional debris, general waste and further cooking smells that a drive through Gregg's will 100% cause; • Negative impact on air quality due to additional idling cars; • Negative impact on Ebbw Vale Town Centre - There is an existing Greggs in the town centre and as a council maintaining the footfall of the town should be a priority. There are cafe facilities at the store and it is busy throughout the day with people queuing at busy times. Do the Council want to jeopardise that business? • When surrounding residents purchased their homes from Lovell, they were advised that KFC would be moving; this did not happen.
<p>4. Planning Policy</p>	
<p>4.1</p>	<p>Following initial consultation, Planning Policy were satisfied that the sequential tests had been met. However, further information was required from the</p>

	<p>applicant to demonstrate qualitative need and requested a Retail Impact Assessment to demonstrate compliance with PPW11 and TAN 4.</p>
<p>4.2</p>	<p>Following receipt of additional information, Planning Policy accept that the use is a leisure use which is different in operation and usage to a convenience store in the town centre. The use will primarily attract passing vehicles on the highway network.</p>
<p>4.3</p>	<p>The Council's Retail and Leisure Study identifies capacity for additional leisure spend on a year by year basis up to 2.9% on the basis of a growth in expenditure. The study also identifies a shortfall of existing food and drink facilities within the County Borough.</p>
<p>4.4</p>	<p>The proposed development will positively contribute to closing this shortfall and Planning Policy have no objections to the proposal.</p>
<p>4.5</p>	<p><u>LDP Policies:</u></p>
<p>4.6</p>	<p>SP1 – Northern Strategy Area – Sustainable Growth and Regeneration SP3 – The Retail Hierachy and Vitality and Viability of the Town Centre SB1 – Settlement Boundaries DM1 – New Development DM2 – Design and Placemaking DM3 – Infrastructure Provision MU1 – Ebbw Vale Northern Corridor R1 – Retail Allocation</p>
<p>4.7</p>	<p><u>Supplementary Planning Guidance</u> Access, Car Parking and Design (March 2014) Supplementary Planning Guidance</p>
<p>4.8</p>	<p><u>PPW & TANs:</u> Future Wales 2040 Planning Policy Wales 11: section 4.3 (February 2021) Technical Advice Note 4: Retail and Commercial Development (November 2016)</p>
<p>4.9</p>	<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</p>

	<p>adopted on November 2012, remains the extant statutory development plan for the area beyond the specified 2021 plan period.</p>
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<p>5. Planning Assessment</p>	
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<p>5.1</p>	<p>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. The application site is allocated for mixed use development as part of the MU1 Ebbw Vale Northern Corridor allocation. There are no known constraints as per the Constraints Map.</p>
<p>5.2</p>	<p>Strategic Policy SP1 requires proposals within the ‘Northern Strategy Area’ to deliver sustainable growth and regeneration. This will be achieved by: Supporting the creation of a network of sustainable hubs around the principal hub of Ebbw Vale (criterion a);</p> <ul style="list-style-type: none"> • Promoting Ebbw Vale as the principal hub for Blaenau Gwent, where majority of social and economic growth will be accommodated including major retail expansion...(criterion b); and • Deliver strategic sustainable regeneration flagship schemes at The Works and Ebbw Vale Northern Corridor (criterion c).
<p>5.3</p>	<p>The application site is allocated for mixed use development. Policy MU1 identifies the Ebbw Vale Northern Corridor for the construction of 805 homes, a commercial leisure hub, road side services, employment, a strategic mixed use employment and a network of green links. An indicative concept plan accompanies the policy and identifies the application site as white land i.e. no specific land use has been identified for the site.</p>
<p>5.4</p>	<p><u>Out of Centre Retail Development</u></p> <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. Welsh Government has adopted a town centre first approach and requires that significant new commercial, retail, education, leisure and public service facilities must be located within town centres. They should have good access by public transport to and from the whole town and, where appropriate the wider region. A sequential approach must be used to inform the identification of the best location for these developments.</p>
<p>5.5</p>	<p>This is further supported by Planning Policy Wales (PPW) 11 para 4.3.2 which identifies that that retail and commercial centres should be identified in</p>

	<p>development plans and include established city, town, district, local, village and neighbourhood centres.</p>
5.6	<p>The LDP does not contain a development management policy that deals specifically with out of centre retail developments, but instead, relies on the requirements set out in national planning policy. PPW and TAN 4 sets out the tests that need to be applied when determining a retail application:</p>
5.7	<p><u>Quantitative Need</u> It is important that communities have access to adequate levels of retail provision. Evidence should demonstrate whether retail provision is adequate or not, by assessing if there is further expenditure capacity in a catchment area (quantitative need) or if there is a lack of retail quality, range of goods or accessibility (qualitative need). PPW is clear that precedence should be given to quantitative need for the proposed development (paragraph 4.3.15).</p>
5.8	<p>As part of the evidence base for the preparation of the replacement LDP (RLDP) the Council commissioned a 'Blaenau Gwent Retail and Leisure Study' (the 'Retail Study' or the 'Study'). The Retail Study was finalised in August 2021 and provides the best available information. Whilst the Study does not form part of the adopted LDP its should be considered as a material planning consideration. The Study concludes that the there is no quantitative retail need for additional food (convenience) and non-food (comparison) retail floor space in the Borough during the plan period 2018-2033, even before an allowance is made for committed retail developments.</p>
5.9	<p>However, the proposal is for a mixed use (A1/A3) which incorporates both an A1 use (bakery) and an A3 use (café). An A3 use is defined as being the sale of food and drinks for consumption on the premises. Inherently, cafes have become places to socialise and as such, the study identifies A3 uses as a leisure use.</p>
5.10	<p>Given the nature of the development, it is considered that the proposal would be classified as a leisure use, rather than solely retail.</p>
5.11	<p>The Study identifies capacity for additional leisure spend on a year by year basis up to 2.9% on the basis of a growth in expenditure. The study also identifies a shortfall of existing food and drink facilities within the County Borough. The proposed development will therefore positively contribute to meeting this shortfall. It is therefore considered the applicant has demonstrated the quantitative need of the development.</p>

5.12	<p>In response to objector comments regarding the loss of business at the town centre Greggs, it is considered that the proposal would be different in operation and customer draw relative to a store in the town centre. The existing Greggs located within the Town Centre would primarily attract footfall from people already within the town for shopping/work purposes whilst the proposed new unit with drive-thru will primarily attract passing vehicles on the highway network. It may also draw customers from a wider area, such as those travelling along the A465 who otherwise would by-pass the area. The impact upon the existing Greggs stores is also discussed in turn under Retail Impact Assessment.</p>
5.13	<p><u>Qualitative Need</u></p>
5.14	<p>Qualitative need identifies if there is a lack of retail quality, range of goods or accessibility.</p>
5.15	<p>Proposals based on this approach should be closely scrutinised to ensure that their development does not have unintended consequences and detrimental impact on existing retail activity within retail and commercial centres (Technical Advice Note 4, paragraph 6.6). PPW sets out a number of criteria which should be considered as part of a qualitative assessment and TAN 4 indicates that a combination of these criteria will need to be met in order to justify new retail development:</p>
5.16	<ul style="list-style-type: none"> • support the objectives and retail strategy of an adopted development plan or the policies in this guidance
5.17	<ul style="list-style-type: none"> • are highly accessible by walking, cycling or public transport and/or contributes to a substantial reduction in, or alleviation of, car journeys, traffic congestion or over-trading
5.18	<ul style="list-style-type: none"> • contribute to the co-location of facilities in retail and commercial centres identified in the retail hierarchy; and/or significantly contributes to the vibrancy, attractiveness and viability of such a centre.
5.19	<ul style="list-style-type: none"> • address locally defined deficiencies and alleviates a lack of convenience provision in a disadvantaged area.
5.20	<p>It is not considered that the above points can be applied to the proposed development as the site is in an out of centre location and proposes a drive thru which is therefore car dependent.</p>
5.21	<p>However, TAN 4 recognises that regeneration and additional employment benefits may be a material consideration in making a decision on a planning application such as this. This has been raised as a consideration in the applicants supporting statement, with confirmation that the development will create 15-20 jobs.</p>

5.22	<p><u>The Sequential Test</u></p> <p>PPW 11 (February 2021) outlines The Welsh Government operates a 'town centres first' policy in relation to the location of new retail and commercial centre development. In implementing this policy, planning authorities should adopt a sequential approach to the selection of new sites in their development plan and when determining planning applications for retail and other complementary uses. By adopting a sequential approach first preference should be to locate new development within a retail and commercial centre defined in the development plan hierarchy of centres. If a suitable site or building to meet identified need is not available within a retail and commercial centre or centres, then consideration should be given to edge of centre sites and if no such sites are suitable or available, only then should out-of-centre sites in locations that are accessible by a choice of travel modes, including active travel and public transport, be considered. Developers should demonstrate that all potential retail and commercial centre options, and then edge-of-centre options, have been thoroughly assessed using the sequential approach before out-of-centre sites are considered.</p>
5.23	<p>It is noted that a sequential test has been completed for both Ebbw Vale and Tredegar Town Centres. The Test concluded that there were no available sites that would offer the floor space required for the development, therefore there were no suitable, available and viable alternatives to the Site. Planning Policy agree with the findings in respect of the existing development opportunities in Tredegar Town Centre and Ebbw Vale.</p>
5.24	<p><u>Retail Impact Assessment</u></p> <p>The national requirement for impact assessments to be undertaken for proposed retail uses as set by PPW is 2,500 sq. m. The proposed leisure use sits at just 6.6% of the threshold. Notwithstanding this, an assessment of Retail Impact is provided in the Planning and Retail Statement which supported the Application.</p>
5.25	<p>The applicant undertook a Retail Impact Assessment which concluded that any impact from the proposal would be limited to bakeries, predominantly the existing Greggs located in the town centres of Ebbw Vale and Tredegar. However, as the main trade of the proposed unit would be passing motorists, the impact on the existing shops is considered to be minimal. The assessment concludes the new unit can operate in addition to existing stores without a detrimental impact upon their operation and the existing Ebbw Vale and Tredegar stores will remain in open. Planning Policy have confirmed they are satisfied with this conclusion.</p>

5.26	Having considered all of the above, Planning Policy have confirmed they have no objection in terms of land use. I concur with this view and consider that the proposal in land use terms is acceptable and compliant with local and national planning policy and will not result in an unacceptable detrimental impact on Ebbw Vale or Tredegar town centres.
5.27	<p><u>Layout, Scale, Design</u></p> <p>In terms of layout and scale, the proposal is considered to be of a suitable scale, with adequate space to allow for planting and landscaping. The building is positioned towards the north east of the site, away from the residential dwellings at Blue Lake Close which is welcomed. The drive thru service window would be located to the eastern elevation of the building facing Waun-y-Pound, creating an active frontage facing the public highway.</p>
5.28	<p>In terms of design, the proposal is typical of a drive thru restaurant, clad in anthracite grey and cornflower blue panels, with the company logo on all elevations (which will require separate Advertisement Consent). In addition, there is a planting/hedgerow scheme proposed around all boundaries of the site. Given the presence of the existing KFC drive thru to the north of the site, it is considered the proposal is acceptable in terms of layout, scale and design and would not have a detrimental impact upon the visual amenity of the surrounding area and wider landscape.</p> <p><u>Amenity</u></p>
5.29	The nearest residential dwellings would be located approximately 21 metres away to the south and west of the site. Given the separation distance and as the proposal would be single storey in height, it is not considered that there would be a loss of privacy, loss of light or overbearing impact on any neighbouring residential property.
5.30	It is acknowledged that eating establishments have the potential for smells and noise which can impact on neighbouring properties. However, a Noise Impact Assessment has been submitted with the application which concludes that noise from the site will be of a low impact. The Council's Environmental Health Officer has confirmed he has no objections subject to conditions including a condition that restricts noise levels. I am therefore satisfied that the imposition of such conditions will ensure noise levels can be adequately controlled.
5.31	The Planning Statement and Application Form submitted with this application states the site is required to operate 24 hours a day in accordance with other Greggs Drive Thru. Given the location of the site in close proximity to residential properties, I have concerns that there would be a detrimental impact upon neighbouring amenity in terms of noise and disturbance from

	<p>customers and deliveries entering the site should it operate on a 24-hour basis. Therefore, in order to protect neighbouring amenity, conditions will be attached restricting delivery times and customer opening times between the hours of 07:00 to 22:00. The applicant is in agreement for such conditions to be attached to any subsequent permission.</p>
5.32	<p>No details have been provided in regards to extraction equipment from the food preparation areas. To ensure there is not a detrimental impact in terms of smell pollution, the Environmental Health Officer has requested a condition requiring details of fume extraction together with a condition for details of a lighting scheme to ensure no light pollution would be experienced by nearby residential properties. These conditions are considered to be necessary to protect amenity of neighbouring properties.</p>
5.33	<p>Concerns from residents regarding increased levels of rubbish and rodents in the area are noted. The Council's Environmental Health Section has appropriate powers to deal with noise, pest and odour nuisance complaints. Nevertheless, a condition requiring adequate waste facilities to be provided on site can be imposed.</p>
5.34	<p>In terms of impact upon the existing cemetery to the south, it is noted that the site is in excess of 90m away with residential properties and the access road separating the land uses. It is therefore considered that the development would have a negligible impact upon the cemetery.</p>
	<p><u>Air Quality</u></p>
5.35	<p>It is noted concerns have been raised by neighbouring properties in regards to the impact on air quality from increased traffic movements and cars idling at the site. An Air Quality Assessment has been submitted in support of the application. The report states that the impact on air quality at existing receptor locations will be negligible and the pollutant concentrations will remain below the appropriate air quality standards. The Council's Environmental Health Officer has reviewed the information and confirms he has no objections in terms of impact on air quality.</p>
	<p><u>Highways</u></p>
5.36	<p>Access to the site would utilise the existing access that is used by the residential development at Blue Lake Close and the existing KFC unit. The drive thru would wrap around the building, with 14no. parking spaces provided to the south west of the site, in addition to 1no motorcycle space and a waiting bay to provide a waiting area for 2no. cars.</p>
5.37	<p>The submitted Transport Assessment has been completed by an independent consultant which has concluded that:</p>

5.38	<ul style="list-style-type: none"> • A swept-path analysis has been undertaken for a 7.5 tonne Box Van which demonstrates that the required delivery vehicles will be able to safely manoeuvre within the proposed development site.
5.39	<ul style="list-style-type: none"> • The highway accident data has been reviewed for the most recently available three-year road safety record for the area surrounding the site. The data does not demonstrate any pre-existing patterns or trends of incidents that could be affected by the development proposals.
5.40	<ul style="list-style-type: none"> • The accessibility of the site for non-car modes of travel has been assessed. It is considered that the site is located to allow for some journeys by sustainable modes for both customers and staff.
5.41	<ul style="list-style-type: none"> • The trip generation assessment shows that the proposed drive-thru food-to-go unit would generate a maximum of 72 trips during the peak-hour periods. However, as the proposed development is located to draw a large proportion of trade from passing vehicle traffic on the surrounding highway network, the proposals are likely to generate a relatively low level of 'new' or 'primary' vehicular trips.
5.42	<p>The Council's Highways Manager has confirmed that the planning application complies with the Council's 'Access, Car Parking and Design SPG', and Policy DM 1 (3 a, b, c & d). There are no objections subject to conditions requiring the parking and servicing areas to be fully constructed prior to development and details of cycle stands to be provided.</p>
5.43	<p>I appreciate the concerns raised by local residents with regards to the impact on highway safety and air quality through increased traffic visiting and idling at the application site. However as outlined above, the Council's Highways Manager has confirmed there no objections to the proposal and it is in accordance with the relevant LDP policies and SPG. There is sufficient parking proposed at the site and as the drive thru wraps around the building and there is a waiting area proposed for customers using the drive thru, it is not considered it would result in increased congestion on the access road and junction leading off Waun-y-Pound Road. The submitted Transport Assessment further states that it is likely a large number of customers would be passing trade so the proposals are likely to generate a relatively low level of 'new' or 'primary' vehicular trips.</p>
5.44	<p>Having taken the above into consideration, subject to conditions suggested by the Highways Manager, I am satisfied that the access, parking and servicing provisions, are acceptable and the development complies with LDP Policy DM 1 (3 a, b, c, d & e).</p>

5.45	<p><u>Drainage</u></p> <p>Since 7th January 2019 any development proposals that have a hard surface area exceeding 100m² 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). The Council's Drainage Manager has confirmed he has no objections in principle to this application providing it meets all the requirements of the SAB. 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>
5.46	<p><u>Ground Conditions</u></p> <p>The site is located within a development high risk area as defined by the Coal Authority and as such a Coal Mining Risk Assessment has been submitted. The Coal Authority has been consulted on the application and confirmed they have no objections to the proposal subject to conditions requiring the intrusive site investigation and verification report being submitted.</p>
5.47	<p>In respect of contamination, the Council's Environmental Health Officer has confirmed the site is approximately 300m away from a closed former domestic refuse landfill site and is adjacent to an industrial estate where there have been historical solvent spillages/ incidents on the industrial estate. The site is also approximately within 25m of a residential estate. They do not object to the proposed development but advise that the standard land contamination condition and air quality condition are imposed.</p>
5.48	<p><u>Landscape & Ecology</u></p> <p>The applicant has submitted a detailed soft landscape plan and Landscape Design Statement, Specification & Management Plan with the application. The Council's Landscape Officer has confirmed they have no objection to the proposal subject to conditions requiring more advanced tree stock to be planted and an increase in the number of trees. Conditions would therefore be imposed.</p>
5.49	<p>In line with WG guidance and for compliance with PPW 11, the Environment (Wales) Act 2016 and LDP policies DM1, SP10 and SP14 each application for planning permission must now propose ecological and biodiversity mitigation and enhancement. The Council's Ecologist was consulted on the application and confirmed whilst in principle they have no objection to the development biodiversity enhancements should be implemented on site to provide net gain. An appropriately worded condition will ensure this is achieved.</p>

5.50	<p><u>Other matters:</u></p>
	<p>Other concerns raised such as the relocation of KFC, increase in anti-social behaviour, unhealthy eating and the negative impact on value and saleability of nearby houses are not material planning considerations.</p>
5.51	<p>In conclusion, whilst the development is out-of-centre it is considered to be a leisure use and would not have a detrimental impact upon the town centres of Ebbw Vale or Tredegar. Inherently, as a drive thru it will attract vehicular traffic. However, it has been demonstrated that a large proportion of trade will be from passing vehicular traffic on the surrounding highway network rather than ‘new’ or ‘primary’ vehicular trips. It is also worth noting that the ‘eat in’ restaurant element would serve the recently constructed residential developments at both Blue Lake Close and Carn-y-Cefn (old college site), both of which are within walking distance to the site.</p>
5.52	<p>On balance it is considered that the erection of a drive thru bakery (Use Class A1/A3) and other associated development is considered to be acceptable in compliance with LDP Policies SP1, SP3, SB1, DM1, DM2, DM3, MU1 and R1 and the adopted SPGs. I therefore recommend approval accordingly.</p>

6. Legislative Obligations

6.1	<p>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.</p>
6.2	<p>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.</p>

7. Conclusion and Recommendation

7.1	<p>Planning permission be <u>GRANTED</u> subject to the following condition(s):</p> <ol style="list-style-type: none"> 1. Standard time condition 2. Condition listing approved plans and documents. 3. Condition that surface water drainage not approved. 4. Condition requiring intrusive site investigation and any remediation to be carried out with a verification report submitted prior to occupation of the building.
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	<ol style="list-style-type: none">5. Standard condition in the event of unforeseen contamination.6. No surface water to drain directly or indirectly to public sewerage system.7. Condition limiting noise levels from plant equipment8. Submission of details and installation of fume extraction9. Details of grease trap as requested by Welsh Water10. Submission of details of floodlighting prior to installation11. Condition restricting delivery hours (no deliveries between 22:00 and 07:00 on any day.12. Condition restricting opening hours (The property shall not be open to customers outside the following times: 07:00 to 22:00 Mondays to Sundays inclusive).13. Condition requiring car parking and servicing areas to be fully constructed prior to the facility becoming operational and retained thereafter.14. Condition requiring details and installation of bicycle stands15. Condition requiring adequate litter bins provided on site16. Details of biodiversity and ecological mitigation17. Condition requiring further landscape details <p>Informatives:</p> <ol style="list-style-type: none">1. Requirements of SAB2. Applicant will need to apply for Advertisement Consent separately3. Dwr Cymru Welsh Water information4. Wildlife legislation obligations
8. Risk Implications	
8.1	None

Planning Report

Application No: C/2022/0332	App Type: Full
Applicant: Pauline Moody Brookfield Hawthorn Road Ebbw Vale NP23 5HS	Agent: Pauline Moody Brookfield Hawthorn Road Beaufort Ebbw Vale NP23 5HS
Site Address: Brookfield Hawthorn Road Beaufort Ebbw Vale NP23 5HS	
Development: Retention of change of use of land to incorporate it as residential curtilage including boundary treatments.	
Case Officer:	Sophie Godfrey



1. Background, Development and Site Context

- 1.1 This application relates to a detached dwelling known as 'Brookfield' located at Hawthorn Road, Beaufort.
- 1.2 The application site is surrounded by residential dwellings to the north, south and west. To the east is the Mynydd Carn-y-Cefn and Cefn yr Arail Special Landscape Area (SLA).
- 1.3 The existing dwelling and original rear garden lie within the settlement boundary as defined by the Adopted Local Development Plan (LDP) and outside the SLA. The extended area of garden lies outside of the settlement boundary in 'open countryside' and within the SLA.

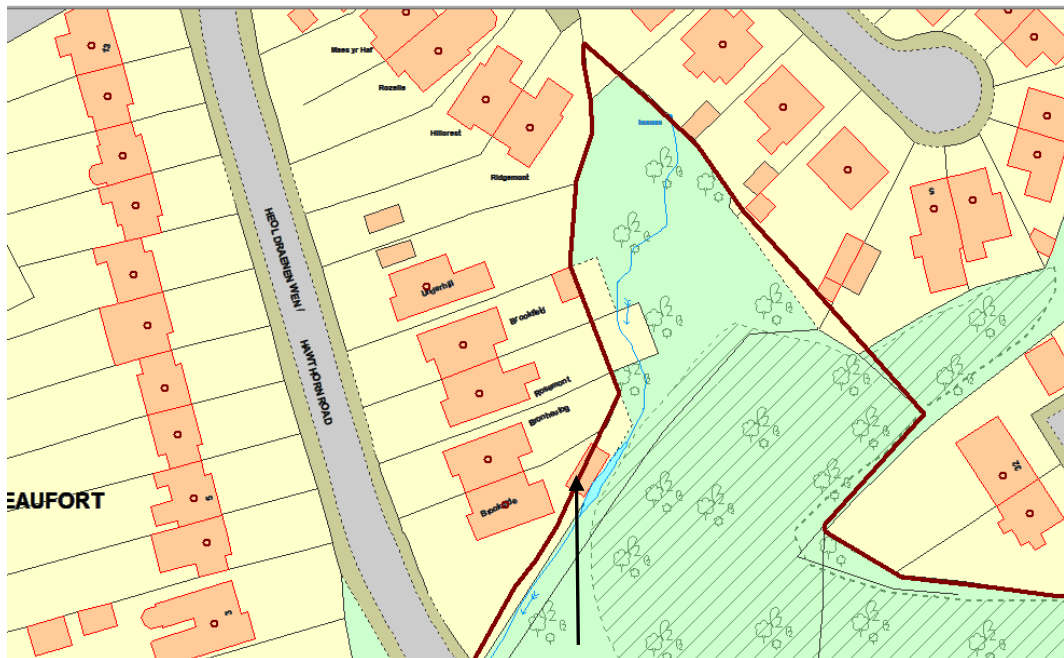


Figure 1 – Red line shows settlement boundary

- 1.4 Following a site visit from the Enforcement Officer it was established that the original rear garden of the site had been extended. As this extension changed the use of the land to residential amenity space, planning permission is required for the works.
- 1.5 This application now seeks planning permission for the retention of the change of use of the land to incorporate it as part of the residential curtilage of Brookfield and associated boundary treatments.

1.6 The extended parcel of residential curtilage is found to the east of the existing site, and measures a maximum of 7.2 metres in depth and 9 metres in width (a total area of 51.2sq metres).

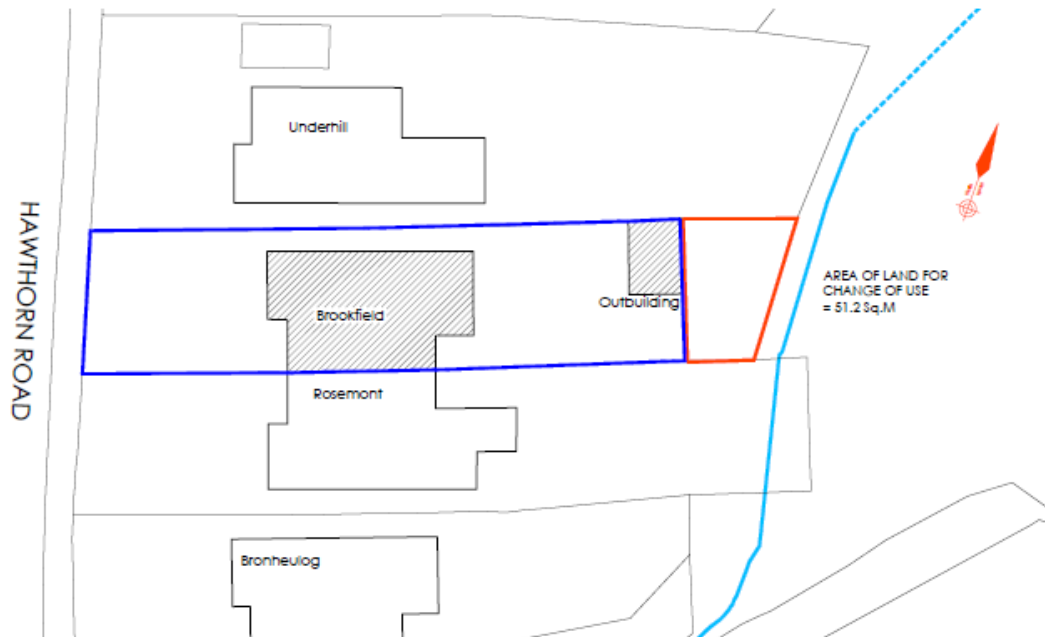
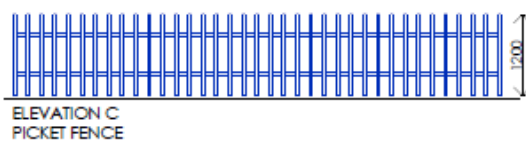
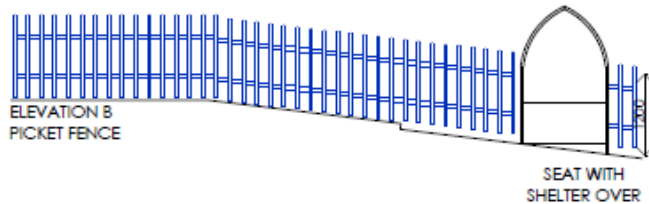
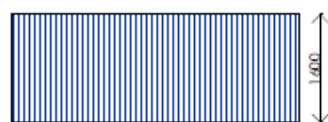


Figure 1.2 Red outline shows area of extended residential curtilage

1.7 The boundary treatments consist of 1.2 metre high picket fences to the north and east boundaries and a 1.6 metre high close boarded fence to the southern boundary.



BOUNDARY TREATMENT ELEVATIONS 1:50

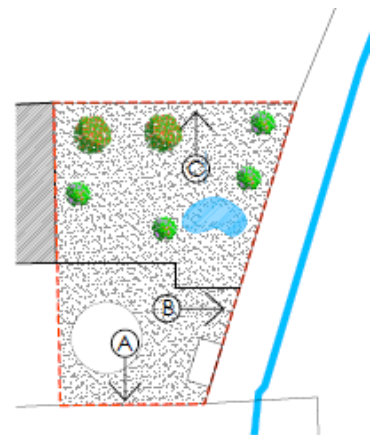


Figure 1.3 Boundary treatments

1.8 The extended area of residential curtilage comprises of a paved area, sheltered seat and pond.

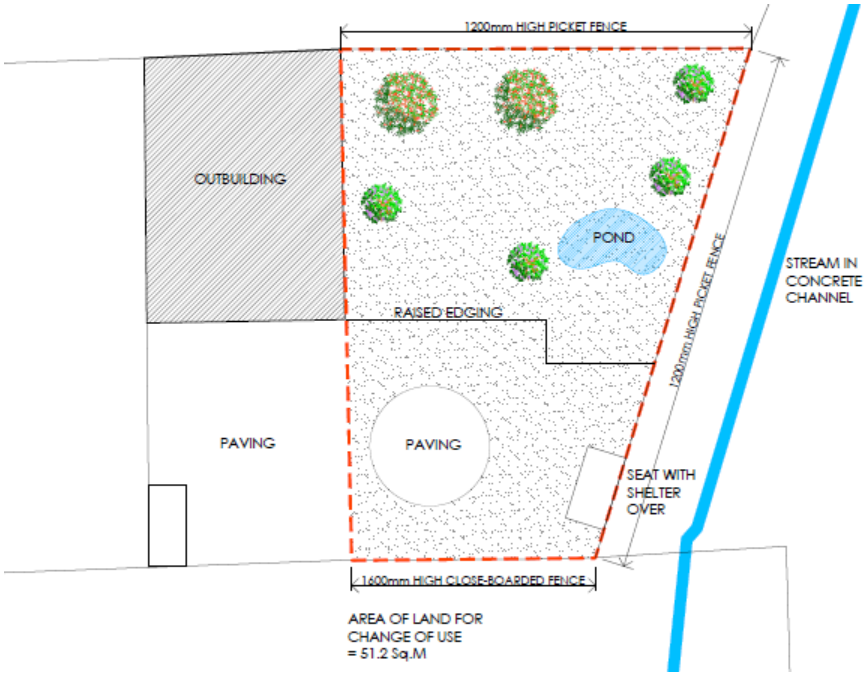


Figure 1.4 Site Plan



Figure 1.5 Photo of extended area of residential curtilage

2. Site History

None.

3. Consultation and Other Relevant Information

3.1 Internal BG Responses

Service Manager Infrastructure:

3.2 Landscape:

The proposal has no unacceptable adverse visual impact upon the landscape', and includes indications of soft landscaping and a pond which will provide connectivity to adjacent green infrastructure with additional benefits to biodiversity.

3.3 Ecology:

The proposal has no foreseen impact on the ecology of the site as the conversion to a garden has already occurred. It is council's duty under the Environment (Wales) Act 2016 to seek to 'maintain and enhance' biodiversity and also seek to 'promote the resilience of ecosystems. 'To comply with this we recommend that any future garden work that occurs ensures consideration for wildlife. Any planting should be comprised of native species.

3.4 Estates:

<p>3.5</p> <p>3.6</p> <p>3.7</p> <p>3.8</p>	<p>No observations from estates as land is private and in unknown ownership</p> <p><u>External Consultation Responses</u></p> <p>Welsh Water: No objection.</p> <p>Coal Authority: No objection.</p> <p><u>Public Consultation:</u></p> <ul style="list-style-type: none"> • 2 letters to nearby houses • 1 site notice • 1 press notice • website public register of applications • ward members by letter • all members via weekly list of applications received <p>Response: No responses received.</p>
<p>4. Planning Policy</p>	
<p>4.1</p>	<p><u>Team Manager Development Plans:</u></p> <p>Although the proposal is strictly contrary to policy SB1, planning policy consider that the fact that there is no built development proposed, just a pond and other garden features is a key consideration. The special landscape area evidence refers to the need to conserve the open character of the area. The development has achieved this (as shown in the retrospective photos). Planning Policy also consider that the development has met policy ENV2 and conformed to high standards of design. Therefore, planning policy consider that the above considerations should be taken into account by the case officer in the determination of the planning application.</p> <p><u>LDP Policies:</u></p> <p>ENV2 – Special Landscape Areas DM1 – New Development DM2 – Design and Placemaking DM15 – Protection and Enhancement of Green Infrastructure DM16 – Trees, Woodlands and Hedgerow Protection SB1 – Settlement Boundaries</p>

	<p>PPW & TANs: Planning Policy Wales (PPW) (Edition 11) Future Wales: The National Development Plan for Wales 2040 (February 2021)</p> <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. Planning Assessment	
5.1	<u>Principle of Development</u>
5.2	<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. The specific purpose of Future Wales is to ensure the planning system at all levels is consistent with, and supports the delivery of, Welsh Government strategic aims and policies. The relevant policies in relation to this development are Policies 1 and 2. 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. Being mindful of the nature of the proposal and its location, the application is considered compliant with these policies.</p>
5.3	<p>With regards to the Blaenau Gwent County Borough Council Local Development Plan (LDP), the original dwelling and rear garden sit inside the settlement boundary as defined by Policy SB1 However the parcel of land that forms the extended residential curtilage, that is the subject of this application, falls outside the settlement boundary. The extended area also falls within the Mynydd Carn-y-Cefn and Cefn yr Arail Special Landscape Area (SLA).</p>
5.4	<p>Settlement boundaries are a key mechanism for helping deliver the LDPs objective of maximising the use of land. They define the area within which development will normally be permitted subject to other policies in the Plan and material considerations. The other aim of the policy is to prevent inappropriate development in the countryside. The Plan relies heavily on national guidance set out in Planning Policy Wales (PPW) (Edition 11) to control any development outside of the settlement boundary. National policy</p>

	<p>is clear that there needs to be strict controls on development in the open countryside. Paragraph 3.60 of PPW states that: <i>"Development in the countryside should be located within and adjoining those settlements where it can be best accommodated in terms of infrastructure, access and habitat and landscape conservation."</i></p>
5.5	<p>Policy ENV2 states that development within special landscape areas will be expected to conform the highest standards of design, siting, layout and materials appropriate to the area. This is supported in PPW 11 (paragraph 3.60) which states that all new development should be of scale and design that respects the character of the surrounding area. Evidence to support the designation of the Mynydd Carn-y-Cefn and Cefn yr Arail SLA was prepared by Bronwen Thomas in a report entitled Proposals for Designation of Special Landscape areas in Blaenau Gwent. The site is within the north slopes of the Mynydd Carn y Cefn and Cefn yr Arail SLA where low values are recorded in LANDMAP. The primary landscape qualities and features in the North Slopes area area: Areas of 'patches' (early opencast workings) of historic value; and Backdrop to Ebbw Vale and Brynmawr, Key policies and management for the North Slopes section of the SLA identified are to conserve areas of patches and tips for historic value; and conserve the open character of the area.</p>
5.6	<p>Although the proposal is strictly contrary to policy SB1, Planning Policy consider that the fact that there is no built development proposed, just a pond and other garden features, is a key consideration. The special landscape area evidence refers to the need to conserve the open character of the area. The development has achieved this (as shown in the retrospective photos and submitted plans). Planning Policy also consider that the development has met policy ENV2 and conforms to high standards of design. Therefore, Planning Policy consider that the above considerations should be taken into account in the determination of the planning application. It is therefore considered to be in accordance with local and national policy.</p>
5.7	<p><u>Landscape</u></p>
5.8	<p>The site is located within an area designated in the LDP as a Special Landscape Area. Whilst LDP Policy ENV2 does not prevent development in these areas it does require development to 'conform to the highest standards of design, siting, layout and materials appropriate to the character of the area'. The Landscape Officer has been consulted on this application and confirmed that the proposal has no unacceptable adverse visual impact upon the landscape on the basis that it includes indications of soft landscaping and a pond which will provide connectivity to adjacent green infrastructure with</p>

	additional benefits to biodiversity. I am therefore satisfied the development has due regard to Policy ENV2.
5.9	<u>Ecology</u>
5.10	The Council's Ecology Officer has also been consulted on the application and confirmed the proposal has no foreseen impact on the ecology of the site as the conversion to a garden has already occurred. It is council's duty under the Environment (Wales) Act 2016 to seek to 'maintain and enhance' biodiversity and also seek to 'promote the resilience of ecosystems.' To comply with this, the Ecologist recommends that any future garden work ensures consideration for wildlife with any planting being comprised of native species.
5.11	<u>Amenity</u>
5.12	I consider the impact of the development upon neighbouring amenity will be negligible. The retention of the change of use of land to incorporate into residential curtilage is located to the end of the rear garden, and is not in close proximity to any neighbouring residential dwelling. The boundary fences are quite limited in height at 1.2m and 1.6m and as there are no permanent structures or outbuildings located on the extended area of garden it is not considered that there would be a detrimental impact on neighbouring amenity as a result of an unacceptable level of overshadowing, loss of light or overbearing impact.
5.13	Due to its location, the development is not visible from the streetscene or wider area. It is noted that there is no built development just a pond and other garden features which maintain the open character of the area. It is however considered pertinent to impose conditions onto the permission to remove permitted development rights, to prevent the erection of outbuildings etc. on the site which would have a detrimental impact on the openness of the area. Subject to these conditions, the development is considered to accord with LDP policies DM1 and DM2.
5.14	<u>Conclusion</u>
5.15	I acknowledge that the development to extend the residential curtilage of the property is a departure from policy SB1 of the LDP (and has been advertised as such). However, on balance, having considered the above, I am satisfied that the development is acceptable subject to conditions and accords with LDP Policies DM1, DM2 and ENV2. The retention of the change of use of land to incorporate it as residential curtilage including boundary treatments would not have a detrimental impact on neighbouring amenity, on the visual amenity of

	<p>the streetscene or wider SLA or countryside. I therefore recommend approval accordingly.</p>
<p>6. Legislative Obligations</p>	
<p>6.1</p>	<p>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.</p>
<p>6.2</p>	<p>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.</p>
<p>7. Conclusion and Recommendation</p>	
<p>7.1</p>	<p>Planning permission be <u>GRANTED</u> subject to the following condition(s):</p> <p>1. The development shall be completed in full accordance with the following approved plans and documents:</p> <ul style="list-style-type: none"> • Site Location Plan – Drawing No. 22-126/P/01 recorded received 23rd November 2022; • Block Plan – Drawing No. 22-126/P/02 recorded received 23rd November 2022; • Site Plan – Drawing No. 22-126/P/03 recorded received 23rd November 2022; • Boundary Treatment Elevations – Drawing No. 22-126/P/04 recorded received 28th November 2022; <p>Reason: To clearly define the scope of this permission.</p> <p>2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking or re-enacting that Order with or without modification), no garages or other outbuildings shall be erected other than those expressly authorised by this permission.</p> <p>Reason: In view of the restricted nature of the site and the need to retain effective planning control of the site in the interests of amenity.</p>

	<p>3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any Order revoking or re-enacting that Order with or without modification) no gates, fences, walls or other means of enclosure (other than those expressly authorised by this permission) shall be erected.</p> <p>Reason: In view of the restricted nature of the site and the need to retain effective planning control of the site in the interests of amenity.</p>
8. Risk Implications	
8.1	None.