

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	2nd June 2023
Directorate	Regeneration & Community Services
Date of meeting	15th June 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/2022/0265	1 Cross Brook Cottages, Trefil, Tredegar
C/2023/0060	Unit 21, Rising Sun Industrial Estate, Abertillery, Blaina. NP23 3JW
3. Recommendation/s for Consideration	
Please refer to individual reports	

Planning Report

Application No: C/2022/0265	App Type: Full
Applicant: Mr Ian Morris 1 Cross Brook Trefil Tredegar NP22 4ER	Agent: Mr Ian Morris 1 Cross Brook Trefil Tredegar NP22 4ER
Site Address: 1 CROSS BROOK COTTAGES TREFIL TREDEGAR	
Development: To retain the development of the new house as built, renovation of existing outbuilding into garage with room above and replacement parking.	
Case Officer: Jane Engel	

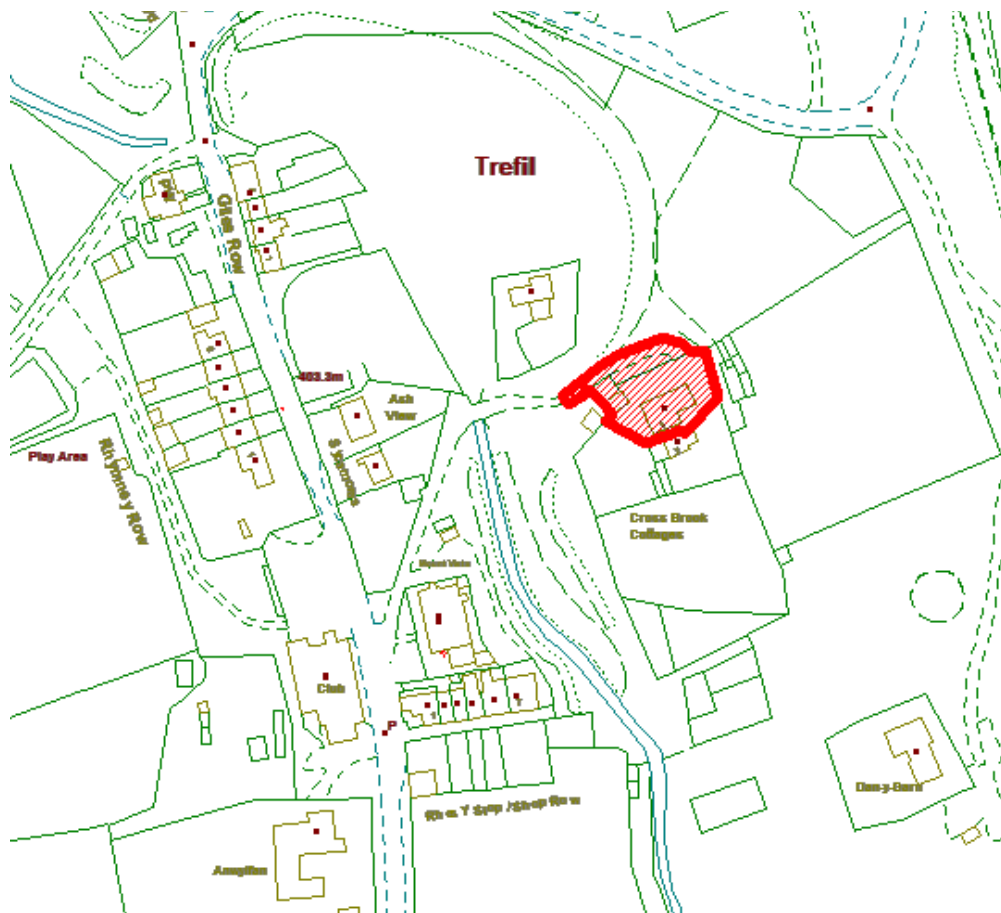


Figure 1 Application Site

1.0 Background, Development and Site Context

- 1.1 The application site is a detached property which is located to the east of residential properties on Trefil Road with access via an unclassified lane.
- 1.2 A planning application was received for the property in 2015 (2015/0181 refers). The site lies outside the settlement boundary as defined by the Local Development Plan. Without any agricultural, forestry or rural enterprise justification the development was considered contrary to planning policy. Additionally, there were concerns that the scale of the development was such that it was considered to be uncharacteristic of its rural location. The application was reported to planning committee with a recommendation that the application be refused.
- 1.3 Following a site meeting Members decided to the approve the application and planning permission was granted for the house in September 2015. The permission also included the removal of an outbuilding to facilitate the provision of a parking area for the development. The permission included a condition requiring the parking areas to be provided prior to the occupation of the dwelling.
- 1.4 The house has been constructed and occupied. However, following an enquiry from the owner in relation to making alterations to the outbuilding it was noted that the parking area had not been provided as indicated on the approved plans.



Figure 2. The existing outbuilding and the dwelling as constructed.

- 1.5 The owner was advised, they could either implement the permission as approved and provide the required parking provision which would remove the breach of planning or apply to retain the development with alternative parking provision and proposed alterations to the outbuilding.

- 1.6 The owner subsequently submitted the current application to retain the house as built, provide alternative parking provision to the rear of the property, and make alterations to the outbuilding to provide a garage with room above. The works to the outbuilding consist of the provision a roller shutter door, rendering of the front elevation to match the house and cladding of the remaining elevations with wood(elder). The roof will be finished with slate to match the house and it is proposed to insert two velux windows on the front roof slope. In addition is it proposed to insert a window in the western elevation of the outbuilding.
- 1.7 The site lies outside the settlement boundary. Although a precedent has been set by the original approval for a dwelling on site, the scheme of delegation is such that any decision on the application must be taken by planning committee.

2.0 Site History

	Ref No	Details	Decision
2.1	C/2014/0348	The demolition of the existing semi-detached cottage and associated out buildings and the construction of a new detached two storey house	Withdrawn 22/1/15
2.2	C/2015/0181	The demolition of the existing semi-detached cottage and associated out buildings and the construction of a new detached two storey house	Approved 24/9/15
2.3	C/2016/0260	DoC 3 demolition method statement	Approved 4/10/16
2.4	C/2016/0261	DoC 2 programme of building recording and analysis, 4 drainage scheme, 5 site investigation, 7 walls fences & 8 landscaping scheme	Approved 7/11/16
2.5	C/2017/0155	NMA to make changes to proposed materials	Approved 13/6/17
2.6	C/2018/0034	Application for the NMA of condition 1 of C/2015/0181 - revised plans to omit the sun lounge at the rear and alter the rear elevation to enclose the dining/kitchen area.	Approved 15/2/18

3.0 Consultation and Other Relevant Information

3.1 Internal BG Responses

Service Manager Infrastructure:

Highways:

The three car parking spaces are to be fully constructed and retained thereafter.

Drainage:

No objections to this application in relation to surface water and land drainage.

Ecology:

Following the submission of a preliminary roost assessment which confirmed that the outbuilding was not being used by bats, there are no objections to the proposed development.

External Consultation Responses

Town / Community Council:

No objections

Welsh Water:

No objection

Public Consultation:

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- 1 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.
- ~~other~~

Response:

None received at the time of preparing my report.

The application has been advertised in the press as a departure to the development plan due to its location outside the settlement boundary. Should any representations be received before planning committee these will be reported verbally.

4.0 Planning Policy

4.1 Team Manager Development Plans:

- 4.2 The site lies outside the settlement boundary identified through policy SB1 of the Local Development Plan (LDP). The aim of the policy is to prevent inappropriate development in the countryside.
- 4.3 In the absence of any specific policies which deal with development in the countryside, the LDP relies on national guidance set out in Planning Policy Wales (PPW) (Edition 11) to control any development outside the settlement boundary.
- 4.4 Paragraph 3.60 states that development in the countryside should be located within and adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat, and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, where they meet a local need for affordable housing, or it can be demonstrated that the proposal will increase local economic activity. However, new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be a scale and design that respects the character of the surrounding area.
- 4.5 Paragraph 4.2.23 states that infill and windfall sites can make a useful contribution to the delivery of housing. Proposals for housing on infill and windfall sites within settlements should be supported where they accord with the national sustainable placemaking outcomes.
- 4.6 Policy DM8: Affordable Housing Exception Sites of the Blaenau Gwent LDP supports paragraph 3.60 of PPW and sets out the circumstances when affordable housing development for local needs will be permitted.
- 4.7 Although the 2015 approval for the dwelling was contrary to Officer's recommendation, the development has now already been carried out, albeit not strictly in accordance with the approved plans.
- 4.8 LDP Policies:
Adopted Blaenau Gwent Local Development Plan (LDP) 2012
SP1- Northern Strategy Area – Sustainable Growth and Regeneration
SP4- Delivering Quality Housing
SP5- Spatial Distribution of Housing
SP10- Protection and Enhancement of the Natural Environment
DM1- New Development
DM2- Design and Placemaking
DM7- Affordable Housing Exception Site
DM16- Trees, Woodlands and Hedgerow Protection

SB1- Settlement Boundaries
M1- Safeguarding of Minerals

Supplementary Planning Guidance

Access, Car Parking and Design (March 2014)

Model Design Guide for Wales Residential Development (March 2005)

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.

National Planning Policy and Technical Advices Notes (TANs)

Planning Policy Wales (PPW) (Edition 11)

Future Wales: The National Development Plan for Wales 2040 (February 2021)

5.0 Planning Assessment

5.1 Principle of development

5.2 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.

5.3 Paragraph 3.60 of PPW states that development in the countryside should be located within and adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat, and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, where they meet a local need for affordable housing, or it can be demonstrated that the proposal will increase local economic activity. However, new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly

controlled. All new development should be a scale and design that respects the character of the surrounding area. Being mindful of the previous planning permission for the site, the alterations proposed as part of this application are considered compliant with this policy.

- 5.4 With regards to the LDP, the site lies outside the settlement boundary and as advised by the planning policy manager the provision of a new dwelling in the open countryside must be strictly controlled. As outlined above, the original planning application for the dwelling was considered contrary to planning policy and officers recommended refusal of the application. However, Members overturned this recommendation and approved the application, this set a precedent for a dwelling to be constructed in this location.
- 5.5 The current application seeks to retain the dwelling as approved previously with alternative parking arrangements and alterations to the outbuilding.
- 5.6 In strict planning policy terms, the retention of the dwelling remains contrary to planning policy. However, the fallback position must be considered in this case; the dwelling itself has been built in accordance with the original approval apart from the parking provision. If this current application were to be refused the applicant could simply implement the previous permission in full by removing the outbuilding and providing the parking areas as previously approved.
- 5.7 Given the original application has positively established the principle of residential development, and that permission has been implemented and the applicant's fallback position outlined above, it is considered unreasonable to recommend refusal of the principle to retain the dwelling in this instance.
- 5.8 Amenity
The property is a detached double fronted dwelling sited to the east of Trefil Road. The dwelling is finished in render and has a slate roof and I consider its appearance to be acceptable. Concerns were raised by officers at the time of the original application regarding the scale of the rear projection. However, it is noted that a subsequent non-material amendment application removed the rear sunroom which has alleviated some of these concerns.
- 5.9 It is acknowledged that the dwelling is larger than the neighbouring cottage. However, the relative position of the dwellings is such that that it is considered that the dwelling as built has limited impact upon the residential amenity of this neighbouring property and does not result in any loss of privacy, overshadowing or resulting in an overbearing impact.

- 5.10 The proposed alterations to the outbuilding, to include rendering and cladding the external elevations, reroofing and the insertion of a roller shutter door to the front are considered in keeping with the host dwelling and would ensure the structure appears as a subservient, ancillary out-building. It is considered the works proposed would little impact upon the residential amenity of the neighbouring dwelling.

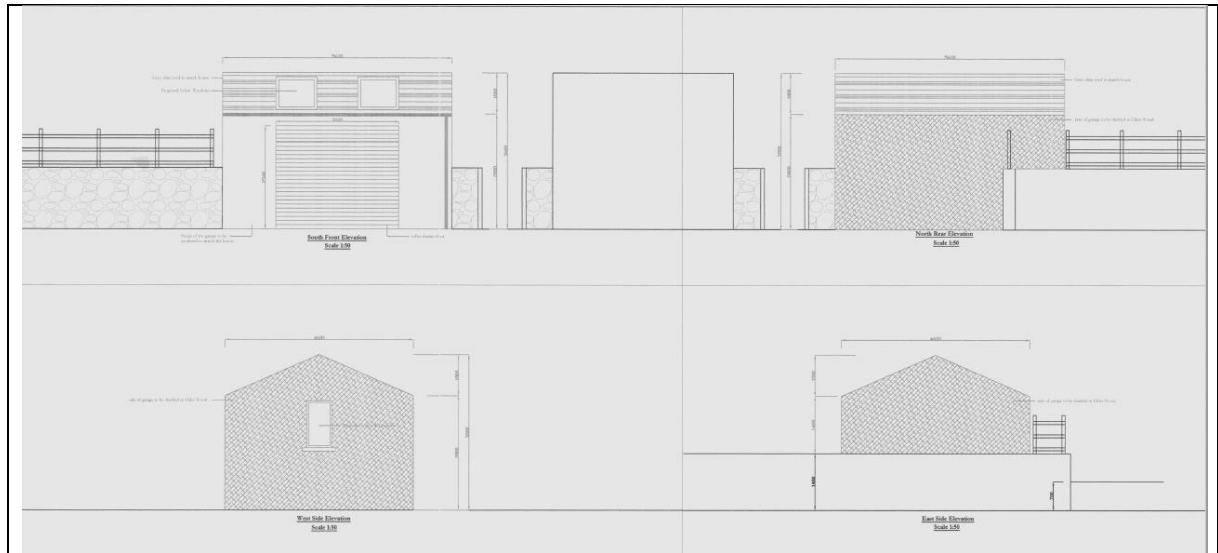


Figure 3 Outbuilding

- 5.11 Highways and Parking
The plans submitted detail the provision of three parking spaces to the rear of the dwelling. Following consultation, the Council's Highway Manager has confirmed that the replacement parking area is acceptable and has raised no objections to the proposal.



Figure 4 Parking Arrangements

5.12 Ecology

The bat survey which accompanied the original planning application, identified that the outbuilding was being used as a bat roost. However, an updated survey report has been sought to support the current application. The report, by I&G Ecological Consulting Ltd, concludes that there is no evidence of the building being used by bats. Following consultation, the Council's Ecologist has accepted the findings and has raised no objection to the proposal.

5.13 The submitted survey report makes several recommendations for ecological enhancement. I propose that these measures be secured by condition should Members approve the application before them.

6.0 Legislative Obligations

6.1 The Council is required to decide planning applications in accord with the Local Development Plan unless material considerations indicate otherwise. The planning function must also be exercised in accordance with the principles of sustainable development as set out in the Well-Being of Future Generations (Wales) Act 2015 to ensure that the development and use of land contributes to improving the economic, social, environmental and cultural well-being of Wales.

6.2 The Council also has obligations under other legislation including (but not limited to) the Crime and Disorder Act, Equality Act and Human Rights Act. In presenting this report, I have had regard to relevant legislation and sought to present a balanced and reasoned recommendation.

7.0 Conclusion and Recommendation

7.1 The creation of a new dwelling within the countryside is contrary to planning policy. However, the fall-back position relative to the current proposal is such that it would be considered unreasonable to refuse the current application. Therefore, having regard to all relevant matters I consider the current application acceptable and recommend approval of the application.

7.2 On the expiry date of the press notice and should no issues be raised that have not been considered within the report, it is recommended that planning permission be **GRANTED** subject to the following condition(s):

1	The development shall be completed in full accordance with the following approved plans and documents: House elevations: Drawing No: 302A <ul style="list-style-type: none">• Ground Floor Plan Drawing No: 301B• Floor Plans Drawing No: 201C
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	<ul style="list-style-type: none"> • Proposed Outbuilding Drawing No: IM 102 date July 2021 • Parking Details IM 103 Dated July 2021 • Site location Plan • Bat Survey Report I&G Ecological Consulting Ltd <p>Reason: To clearly define the scope of this permission.</p>
2	<p>The parking areas as indicated on the approved plans shall be shall be provided within three months of their approval and retained for their designated purposes at all times.</p> <p>Reason: To ensure the parking needs of the development are adequately met.</p>
3	<p>The ecological mitigation measures as outlined in the submitted Bat Survey Report shall be implemented within 3 months of the works to the outbuilding being completed.</p> <p>Reason: To ensure adequate ecological mitigation measures are undertaken.</p>
4	<p>The finishes to the outbuilding hereby approved shall be applied within 3 months of it being brought into beneficial use.</p> <p>Reason: In the interests of visual amenity.</p>
5	<p>No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.</p> <p>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.</p>

8.0 Risk Implications

8.1 None

Planning Report

Application No: C/2023/0060	App Type: Full
Applicant: Mr Dominic Connor Blackwood Engineering Ltd Blaina Enterprise Centre Unit 21 Rising Sun Industrial Estate Blaenau Gwent Blaina NP13 3JW	Agent: Salt Consultancy Mr Tom Griffin Suite 17 Business Development Centre Main Avenue Treforest Industrial Estate CF37 5UR
Site Address: Unit 21, Rising Sun Industrial Estate, Abertillery, Blaina. NP23 3JW	
Development: The erection of a manufacturing building which extends at the rear of the existing main building and wraps around the building to increase manufacturing footprint, upper-level storage facility with goods in/out yard space and subsequent perimeter landscaping with additional car parking	
Case Officer:	Helen Hinton



Figure 1 – Site location plan

- 1.4 Externally the building extensions would be finished with Kingspan vertical profile composite cladding finished in a light grey colour. The external material of the existing buildings would also be upgraded to match the extensions, with the main office/ visitor entrance finished with a dark grey coloured silicone render.



Figure 4- Proposed front elevation.

- 1.5 As specified above, the works would be positioned to the side and rear of the main existing building with car and HGV access gained from the main industrial estate to the south-west. A total of 60 car parking spaces to include dedicated enhanced access and ultra-low emission vehicle parking, separate motorcycle and pedal cycle parking would be provided to the front of the building. A separate HGV access, parking and turning area would be provided to the north-west of the development. A waste management area would be provided to the north-west of the HGV facilities. Areas of landscaping would be retained and enhanced in the northern most part of the site and along the eastern boundary.
- 1.6 38 employees currently work from the site, and it is anticipated that this would increase to 60.
- 1.7 The application site is a roughly triangular shaped, enclosed parcel of land extending to 2.3 hectares. The site is set over two levels.
- 1.8 The lower level consists of the main manufacturing buildings – a larger steel portal frame building with hipped roof, which is visible from the main estate road, that also accommodates office spaces on both the ground and first floor level, and a smaller detached steel portal frame building located on the eastern side of the site. To the front of the main building there is an employee and visitor car park containing 51 spaces. The perimeter of the site is bound by metal palisade fencing supplemented by trees and vegetation in varying forms.



Figure 5- Existing front elevation



Figure 6- Existing rear elevation



Figure 7- Existing detached building in south-eastern corner of the site and open air storage

- 1.9 The lower and upper levels are split by a covered culvert passing through the site from east to west. The levels are demarked by the existing palisade fencing, change in levels and single access ramp. The upper level comprises an area of floodlit hardstanding, used for external

storage and goods in/out. To the north of the upper level there is a green space segregated by fencing and the east features manmade embankments with trees and vegetation with several residential dwellings beyond which back onto the site.



Figure 8- Existing good in/ out access with adjacent external storage area and dwellings to the rear of the site.

- 1.10 In terms of context, the application site is located roughly centrally within the industrial estate with other industrial and/ or commercial buildings to the north, south and west. Several residential dwellings are located to the east (rear) of the site.
- 1.11 In addition to the drawing pack the application is supported by:
- Design and Access Statement (DAS)
 - Phase 1 and 2 Geotechnical reports which include gas monitoring data
 - Drainage CCTV survey report
 - Cola Mining Risk Assessment
 - Transport Assessment
 - Draft Travel Plan
 - Arboricultural Report
 - Preliminary Ecological Appraisal; and
 - Energy Statement.
- 1.12 As the application proposes development with a cumulative floor area more than 1,000 square metres, in compliance with the definition given in the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, the application is deemed to be a major development. The applicant has therefore undertaken a pre-application consultation (PAC) prior to the submission of the planning application with the summary report submitted for consideration.

2.0 Site History

	Ref No	Details	Decision
2.1	C/2012/0467	Retention of exhaust stack and storage unit	Approved 07/02/2013
2.2	C/2016/0133	Application for removal of condition 10 of planning permission C/1997/0317 (no materials, products or refuse of any kind shall be stored in the open on the site)	Approved 02/06/2016
2.3	C/2016/0343	Proposed change of use from vacant land to storage & display facility including boundary fence and new access	Approved 24/07/2017
2.4	C/2017/0021	Steel framed wood store and dry goods store.	Approved 12/05/2017
2.5	C/2017/0065	Extend site storage area (retention)	Approved 12/05/2017
2.6	C/2017/0345	Provision of 13 No. lighting columns (8 of these columns to include CCTV unit and horn speakers)	Approved 27/07/2018
2.7	C/2021/0001	Installation of 2no external exhaust stacks to serve 2no internal spray booth ovens.	Approved 05/03/2021
2.8	C/2021/0070	Application for Discharge of Conditions: 2 (Noise impact assessment report and 3 (Odour management plan) of planning permission C/2021/0001 (Installation of 2 no. external exhaust stacks to serve 2 no. internal spray booth ovens).	Discharged 31/03/2021
2.9	C/2022/0068	Removal of 2no existing external wall exhaust stacks and install 4no. External roof exhaust stacks to serve internal spray booth ovens	Approved 11/05/2022

3.0 Consultation and Other Relevant Information

3.1 Internal BG Responses

3.2 Service Manager Infrastructure:

3.3 Highways:

No objections subject to conditions requiring all parking and operational services areas to be provided prior to beneficial occupation of the extensions and retained as such thereafter.

3.4 Drainage:

No objections in principle. The works will require SAB approval and Ordinary Watercourse Consent.

- 3.5 **Ground Stability:**
No objections in principle, subject to the submission of an intrusive investigation report, the details of which must be submitted before development commences on site. *(This report has now been received and is subject to further consultation. A verbal update will be provided at Committee)*
- 3.6 **Landscape and Green infrastructure:**
A tree protection plan, arboricultural method statement, and an arboricultural Implications assessment should be submitted in support of the proposal.
- 3.7 **Ecology:**
No objections subject to the submitted PEA and Ecological Enhancement Plan being approved documents.
- 3.8 **Service Manager Public Protection:**
A verbal update will be provided at Committee.
- 3.9 **External Consultation Responses**
- 3.10 **Town / Community Council:**
No objections.
- 3.11 **Natural Resources Wales:**
Advice provided and conditions recommended regarding the submission of a Preliminary Risk Assessment, a remediation strategy and Unsuspected Contamination.
- 3.12 **Welsh Water:**
Advice provided and conditions recommended with regards to foul and surface water disposal, the location of apparatus within the site and the potential need for an upsized potable water connection.
- 3.13 **Western Power and Wales and West Utilities:**
Advice provided with regards to apparatus within the vicinity of the site.
- 3.14 **Coal Authority:**
No objections subject to conditions requiring the submission of an intrusive site investigation report and gas monitoring details plus a validation report to confirm all necessary remediation works have been

undertaken, prior to works commencing on the construction of the extensions.

3.15 Wales Biodiversity and Reporting Database:

Hedgehogs and various birds have been reported within 150m and 500m of the application site.

3.16 Public Consultation:

- 3.17
- 36 letters to nearby premises
 - site notice
 - press notice
 - website public register of applications
 - ward members by letter
 - all members via weekly list of applications received

3.18 Response:

No objections or representations have been received.

4.0 Planning Policy

4.1 Team Manager Development Plans:

4.2 Local Development Plan (LDP) Policies:

- SP1 Northern Strategy Area – Sustainable Growth and Regeneration
- SP7 Climate Change
- SP8 Sustainable Economic Growth
- SP10 Protection and Enhancement of the Natural Environment
- DM1 New Development
- DM2 Design and Placemaking
- DM4 Low and Zero Carbon Energy
- DM10 Use Class Restrictions – Employment
- DM14 Biodiversity Protection and Enhancement
- DM15 Protection and Enhancement of the Green Infrastructure
- DM16 Trees, Woodlands and Hedgerow Protection
- EMP2 Employment Area Protection
- SB1 Settlement Boundaries

4.3 Supplementary Planning Guidance:

- Access, Car Parking and Design (March 2014)

- 4.4 Under the provisions of the 2015 Planning (Wales) Act, any development plan adopted prior to 4 January 2016 will remain the LDP for determining planning applications until replaced by a further LDP. Therefore, the Blaenau Gwent County Borough Council Local Development Plan up to 2021, which was adopted on November 2012, remains the extant statutory development plan for the area beyond the specified 2021 plan period.
- 4.5 National Planning Policy and Technical Advice Notes
- Future Wales: The National Plan 2040
 - Planning Policy Wales (Edition 11, February 2021)
 - Technical advice note (TAN) 4: retail and commercial development
 - Technical advice note (TAN) 11: noise
 - Technical advice note (TAN) 12: design
 - Technical advice note (TAN) 23: economic development

5.0 Planning Assessment

5.1 Principle of Development

- 5.2 Future Wales - the National Plan 2040 was published on the 24th February, and is therefore 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. Policy 2 seeks to support a rich mix of residential, commercial and community uses within close proximity to each other, to create activity and sustainable development. Being mindful of the nature of the proposal and its location, the application is considered compliant with these policies.
- 5.3 Subsection 5.4 of Planning Policy Wales, (ed 11 February 2021), advocates the allocation of land for economic development purposes to support the growth in output and employment within Wales. Paragraph 5.4.4 specifies that wherever possible, planning authorities are encouraged to support developments which generate economic prosperity and regeneration with sites identified for employment use in a development plan protected from inappropriate development.
- 5.4 With regards to the Local Development Plan, the application site is located within the settlement boundary (Policy SB1) and forms part of

the Rising Sun Industrial Estate which is designated as a primary site in the employment hierarchy and protected as an employment area (Policy EMP2.10).

- 5.5 Policy DM10 - Use Class Restrictions, seeks to protect existing employment designations from non-employment uses, with criterion 3 specifying that proposals seeking to provide B1, B2 and B8 uses, suitable sui generis uses and ancillary facilities or services to existing and proposed employment uses will be supported.
- 5.6 Given the position of the site within the designated industrial estate and protected employment area, the proposed expansion of the existing B2 use, together with an associated storage area, is considered compliant with Policies EMP2 and DM10. The principle is therefore considered acceptable in land use terms, subject to the application satisfying a number of material considerations considered below.
- 5.7 Layout, Scale and Appearance
- 5.8 The current works are sought to support and implement Blackwood Engineering's growth strategy by increasing throughput capacity and providing the necessary facilities to support the business's expansion.
- 5.9 The proposal would increase the existing manufacturing footprint on the lower level from approximately 3400sqm to 6800sqm. The upper-level storage building which has an area of approximately 2400sqm, seeks to manage current external storage constraints and to enhance storage facilities for outward bound goods.
- 5.10 With regard to layout, the scheme has been designed in such a way as to expand on existing manufacturing spaces and connecting existing buildings for manufacturing flow. The office spaces would remain at the west (front) side of site in the existing main building which does and would act as the principle elevation, helping to maintain an active elevation with the estate road. See figure 2 above.
- 5.11 Although the area of the works proposed are substantial, it is considered that the site is large enough to accommodate the development and all the infrastructure indicated.
- 5.12 In terms of design, although sizeable, it is considered that the extensions would be utilitarian in form and would complement the existing hipped portal frame structure, with the ridgeline and eaves height of the main

building replicated, including on the upper-level storage section. On balance, it is considered that the offset position of the front elevations of the extensions, their positioning to the side and rear of the existing building and the use of simple external material palette would emphasise the developments ancillary nature, whilst the renovation of the main office building would ensure this aspect remains the visually dominate feature in the street scene.

- 5.13 Given the form, scale and external finish proposed, relative to the wider industrial estate context, it is considered that the extension works proposed would not have such an impact on the character and appearance of the area or wider landscape to warrant refusal of the application. The provision of additional buildings may also reduce visual impact by removing the open-air storage yards.
- 5.14 Although cumulatively the works would be substantial it is considered that the resulting building would be in commensurate with the area of the application site whilst the design and external finish would be in keeping with the overall character and appearance of the wider estate and schemes recently approved in the area. It is considered that the design and layout has due regard to reducing opportunities for crime and making provision for people with special access requirements with level thresholds and accessible internal facilities. As such, the proposal is considered to be in accordance with requirements of Policies DM1 and DM2 of the LDP and the aforementioned SPG in relation to design and placemaking matters.
- 5.15 Sustainable Design
- 5.16 Policy DM4 seeks to encourage major development proposals to incorporate renewable and/or low carbon technologies into their development scheme and requires the submission of an Energy Statement. The purpose of the latter is to examine the potential for energy generation from renewable and/or low carbon sources and to set out how the proposal can make an appropriate contribution.
- 5.17 The energy statement submitted in support of the application confirms that the development will seek to reduce the energy consumption on site by installing solar panels on and around southern roof planes, maximising natural light fall through the insertion of clear panels in the northern roof planes, making use of LED, passive infrared sensors and zonal lighting, utilising thermally efficient materials and construction

techniques and by providing a layout that promotes ease of vehicular and pedestrian movement and sustainable drainage.

5.18 Although not accessible by train and therefore reliant on HGV for the transportation of components to and from site, the development is within walking and cycling distance of Brynmawr, Nantyglo, Blaina and parts of Abertillery in terms of staff movements. The nearest bus stop is located 500m to the south-east of the site on High Street.

5.19 Based on the above, it is considered that the proposal will enable the beneficial use of under-utilised, allocated employment land within the urban area helping to reduce pressure on green field sites, reduce urban sprawl and promote a more sustainable pattern of development. It is considered that opportunities have been taken to reduce energy demand and consumption and incorporate low carbon technologies into the design of the proposal. The application is therefore considered compliant with the requirements Policy DM4.

5.20 Amenity

5.21 Being mindful of the application site's location within the established industrial estate in conjunction with the policy allocation, the use of the premise for B2 uses with ancillary storage class is considered compatible with the immediate area. However, there are several dwellings to the rear of the site, with the nearest being a recently approved dwelling on land adjacent to 168 near High St Blaina (application C/2022/0233 refers) which would be positioned approximately 35m to the east.



Figure 9- layout and distances to be maintained.

- 5.22 It is inevitable that, because of scale and positioning, the extensions, particularly the storage building, would be visible from the rear elevations and gardens of the dwellings to the rear of the site. However, these dwellings have been or will be developed at a level approximately 3m higher than the application site.

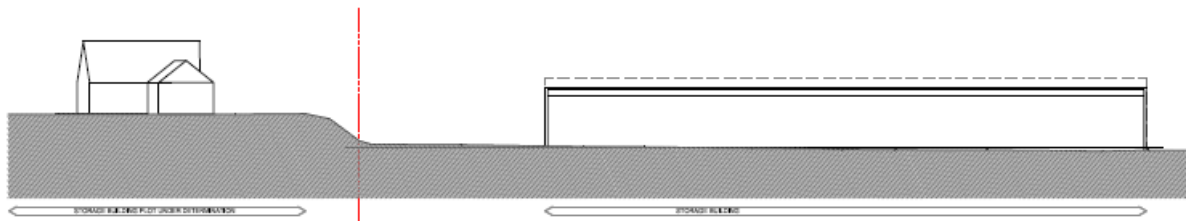


Figure 10 – Proposed section of proposed storage building relative to the existing dwellings to the rear of the site.

- 5.23 Given the maintenance of the existing ridge height across the site, the distances maintained, the orientation of the development and existing and proposed landscaping (as indicated on figure 8), it is considered that the impact of the development would not be so overbearing or generate such an increased level of overshadowing or loss of light to warrant refusal of the application on such grounds.
- 5.24 Following direct neighbour notification and the erection of site notices outside the site and along High Street to the east, no public objections or representations have been received.
- 5.25 A response is awaited from the Council's Specialist Environmental Health Officers. A verbal update will be provided to Members at Committee. It is noted that the Officer raised no objection to the scheme when reviewed at the pre-application stage, subject to conditions with regards to noise emissions, in the interests of protecting the residential amenity of those living closest to the site.
- 5.26 Given the factors detailed above, subject to conditions relating to noise generation, it is considered that the proposal meets the requirements of Policy DM1 in respect of amenity related matters.
- 5.27 Highways and Parking
- 5.28 The application site is well located in terms of both the local and strategic highway network with the internal estate roads providing direct access onto the A467.

- 5.29 The site is currently served by two accesses, one in the south-western part of the front boundary which serves the offices and car park and a separate goods in/ out access in the north-western part of the boundary, leading to an on-site turning and parking area capable of accommodating HGV vehicles. These would be maintained as part of the works. The wider industrial estate already benefits from pedestrian pavements as access alongside the western boundary. An enlarged parking area capable of accommodating up to 60 spaces, with 6 dedicated ULEV spaces, 3 enhanced access spaces, motorbike parking and pedal cycle storage would be provided to the front of the site. See figure 2 above.
- 5.30 A Transport Statement and Framework Travel Plan have been submitted in support of the application.
- 5.31 The Statement provides a 5-year summary of the accident records on the highway network closest to the site, congestion analysis of the roads local to the site and trip generation assessment. It is concluded that highway safety is not an area of concern, and the network has capacity to accommodate the increased traffic flows generated by the proposal.
- 5.32 Following consultation, the Team Manager – Built Infrastructure has confirmed that that he agrees with the conclusions of the Transport Assessment and the methodology of the submitted draft Framework Travel Plan. As a result, no objections are raised to the application subject to the imposition of conditions requiring all vehicle parking, cycle storage and operational service areas to be provided prior to the first beneficial occupation of the extensions and a full/ final travel plan being submitted. Given the scale of the development and the potential congestion and highway safety issues that could occur if such facilities were not provided promptly, the conditions requested are considered necessary and reasonable in the interests of sustainability and the highway safety. Subject to the imposition of the conditions, the application is considered compliant with LDP Policy DM 1 (3 a, b, c, d, & e).
- 5.33 Ground Stability and Contamination
- 5.34 Part of the site and proposed development is within a High-Risk Coal Field Area as defined by the Coal Authority. In response the application is supported by a Coal Mining Risk Assessment and a phase 1 Geo-

technical report, which seek to establish and clarify the risk of ground instability and contamination associated with previous mining activities.

- 5.35 Following consultation, the Coal Authority have raised no objection to the details submitted, subject to a condition requiring the submission of an intrusive site investigation report and details of any remediation works and/or mitigation measures to address land instability, prior to the commencement of development. This request has been seconded by the Council's Geo-technical Officer and Natural Resources Wales who have also requested the submission of contamination and ground gas summary results.
- 5.36 Following review of the consultation responses, the Agent has commissioned the intrusive site investigation works with the subsequent reports and data received by the Council on the 19th April and 23rd May 2023. The reports are currently the subject of consultation with the Coal Authority, Natural Resources Wales and the Council's Geo-Tech Team. A verbal update of any subsequent responses will be provided at Committee.
- 5.37 In the interim, being mindful of the initial responses received, it is considered that conditions requiring the submission of additional intrusive and verification reports demonstrating compliance with the approved remediation strategy could be added to any grant of consent. Subject to the imposition of these conditions the application is considered compliant with the relevant criteria of LDP policy DM1.
- 5.38 Ecology and Landscaping
- 5.39 Although the works would take place on brownfield/ previously developed land, there are areas of scrub, woodland, and hedgerows within the boundaries of the site. The Wales Biodiversity and Reporting Database also confirms there are species of conservation concern within 150 and 500m of the site. As a result, a Preliminary Ecological Appraisal (PEA) and arboricultural reports have been sought in support of the application.
- 5.40 The PEA submitted concludes that site is not subject to any statutory or non-statutory designation and is unlikely to have a detrimental impact on amphibians, reptiles, badgers, dormice, hedgehogs, riparian mammals or invertebrates. Although the proposal would result in the loss of small areas of scattered trees within the car park and would introduce lighting which could spill on to roosting, foraging or commuting habitat, deterring

bats and birds, mitigation measures are proposed in compensation. These have been detailed on an Ecological Mitigation, Enhancement and Management Plan and lighting strategy submitted as part of the application. The developer will also be required to provide betterment for biodiversity, ecology, and amenity as part of the surface water management techniques to be secured as part of the SAB process.

- 5.41 Following consultation, the Council's Ecologist has confirmed that she agrees with the findings of the report and the mitigation measures, recommendations and further biodiversity enhancement measures recommended. Provided these are successfully implemented there should be no long-term negative impacts to key protected species.
- 5.42 With regards to tree loss the applicant has submitted an arboricultural report and a proposed layout plan indicating general tree and landscaping information. Following consultation, the Council's Arborist has requested additional information, to include a Tree Protection Plan, Arboricultural Method Statement and Arboricultural Implications Assessment, be submitted in support of the proposal.
- 5.43 Following review, the Agent has advised that whilst they acknowledge the request, given the submitted report advises the works would have limited or no impact on the existing features and the initial low risk posed, it is requested that such matters be secured by condition.
- 5.44 Being mindful that the trees on site are not protected, and the indicative details supplied which confirm the retention of woodlands and hedgerows within the site, the request to secure the details by condition is reasonable in this instance.
- 5.45 Subject to the imposition of such conditions, it is considered that the proposal would not have an unacceptable impact on the ecological interests of the site or surrounding area, and the proposal is compliant with the relevant requirements of LDP Policies SP10, DM1 DM2 and DM14.
- 5.46 Drainage
- 5.47 The proposed development is situated outside of a defined phosphate sensitive area and benefits from an existing foul and potable water connections. Following consultation, Welsh Water have provided details with regards to apparatus within the vicinity and boundaries of the site and advised that the developer may need to seek an upsized potable

water connection. Although discussions about this matter are ongoing, they do not prevent the current application from being determined.

- 5.48 From 7th January 2019, all applications where the construction area is 100m² or more, require Sustainable Drainage Systems for surface water (SuDS), to be designed and built in accordance with the statutory standards. Local Authorities are required to discharge their functions as a SuDS Approving Body (SAB) and approve SuDS schemes prior to the commencement of construction works.
- 5.49 Although details of the surface water drainage solutions, have not been submitted as part of the planning application, such matters are reviewed and determined by Sustainable Drainage Systems (SuDS) Approval Body. The proposed development's surface water drainage scheme will therefore be assessed under this separate regulatory regime and due regard will be given to the impact on the surrounding natural environment as part of this process. The developer is aware of the requirement.
- 5.50 As the site is crossed by a culvert, the design of the storage building has been amended to prevent encroachment into the easement. Following consultation, the Council's Drainage Engineers have confirmed that works within the easement and provision of an access over the culvert will require Ordinary Watercourse Consent. The development has been made aware of this requirement.

6.0 Legislative Obligations

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

7.0 Conclusion and Recommendation

- 7.1 Conclusion

- 7.2 In summary, although the proposed development would be significant in scale and form, it is considered that the proposal would provide opportunities to enhance economic development, business growth and employment in the area is compliance with National Policy with the intensified use of the site for general industrial (B2) and ancillary storage (B8) being compliant with allocations and policies of the Local Development Plan.
- 7.3 In terms of the material considerations discussed above, it is considered that sufficient information has been submitted, or could be secured by condition, to ensure the development does not have a detrimental impact on the area. The application is therefore considered to be compliant with the relevant policies of the Blaenau Gwent Local Development and it is recommended that planning permission be GRANTED subject to the following condition(s):
- 7.4
1. Time limit full
 2. Approved plans
 3. Phase 2 intrusive geotechnical report and gas monitoring
 4. Verification report demonstrating completion of works set out in the approved remediation strategy
 5. The rating level of the noise emitted from (Fixed Plant and equipment (mechanical and electrical), manufacturing process, the loading and unloading of goods, mobile plant and vehicles) located at the site must not exceed the existing background level at any premises used for residential purposes when measured and corrected in accordance with BS 4142: 2019.
 6. Construction Environmental Management Plan (CEMP) Hours of construction, dust suppression
 7. Drainage and potable water connection strategy
 8. All parking and operational service area provisions, to include cycle parking provision, being fully provided prior to beneficial completion of the development and retained there-after.
 9. Submission of a full travel plan.
 10. A tree protection plan,
 11. Arboricultural method statement,
 12. Arboricultural Implications assessment
 13. Landscape implementation and maintenance
- 7.5 Advisory Notes:

1. As of 7th January 2019, all construction work in Wales with drainage implications, of 100m² or more, is now required to have Sustainable Drainage Systems (SuDS) to manage on-site surface water. The developer is advised to contact the Councils SuDS Approving Body to determine whether the works hereby approved require consent. Further information is available via:

<https://www.blaenaugwent.gov.uk/en/resident/drainage-flooding/permission-for-drainage/>

2. Need to secure ordinary watercourse consent.

8.0 Risk Implications

8.1 No risks identified