

BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

SUBJECT: PLANNING, REGULATORY & GENERAL LICENSING COMMITTEE – 7TH NOVEMBER, 2019

REPORT OF: DEMOCRATIC SUPPORT OFFICER

PRESENT: COUNCILLOR B. SUMMERS (CHAIR)

Councillors D. Bevan
G. L. Davies
D. Hancock
W. Hodgins
J. P. Morgan
K. Pritchard
K. Rowson
T. Smith
B. Thomas
G. Thomas
D. Wilkshire
B. Willis
L. C. Winnett

WITH: Service Manager – Development & Estates
Team Manager – Development Management
Team Manager – Built Environment
Team Leader – Development Management
Solicitor Commercial Services
Team Leader Estates/Valuation

AND: Public Speakers
Terry Morgan (Agent) and Councillor G. Collier (Ward Member) – Application No. C/2019/0225 – 5 Surgery Road, Cwmcelyn Road, Blaina

Rhian Lees, RPS Group – Application No. C/2019/0237 – Tredegar Health Centre & Tredegar General Hospital

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><u>SIMULTANEOUS TRANSLATION</u></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><u>APOLOGIES</u></p> <p>Apologies for absence were received for Councillors M. Moore and G. Thomas.</p>	
No. 3	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>No declarations of interest or dispensations were reported.</p>	
No. 4	<p><u>APPEALS, CONSULTATIONS AND DNS UPDATE OCTOBER 2019</u></p> <p>The report of the Service Manager Development & Estates was submitted.</p> <p>The Service Manager Development & Estates referred to the Development of National Significance in respect of the proposed solar farm at Wauntysswg Farm, Abertysswg (Application CON/2006/0001). The Planning Committee had objected to the proposal on the grounds that the scale of the development would have a harmful effect on the local landscape. CADW had also objected and the Planning Inspector agreed with these arguments and recommended to the Welsh Ministers that the application be refused. However, the application was approved by the Minister for Housing and Local Government.</p> <p>The Officer confirmed that he had written to the Minister, on behalf of the Committee with an invitation to visit the site. A letter had been received declining the invitation, and the Officer read the contents of the letter and circulated to copy to Members.</p> <p>A Member expressed concern and felt that the Minister's decision diminished the role of the Planning Committee</p>	

and Officers. He referred to Planning Policy Wales, and said he hoped the guidelines of that Policy would allow Local Authorities to retain an element of control over the siting of solar farms.

The Officer said the Authority's response to the Draft National Development Framework would be submitted to Welsh Government next week. One fundamental change was that the Authority was now in an agreed area for renewable energy, and as a result would likely see an influx of applications for wind turbines and solar farms in the future.

A brief discussion ensued when the Officer confirmed that Members' concerns would be built into the Authority's response on the Draft National Development Framework, and an Executive Member Briefing held last week also reflected the concerns raised.

In response to a question raised, the Team Leader Development Management said due to the scale of the proposed solar park it was classed as a Development of National Significance and was therefore subject to a different regime than the standard planning process. However, a Section 73 application had now been received to vary the time granted from 30 to 40 years from the development being constructed and operational, thus extending the original proposal by 10 years. This application would come before Planning Committee for consideration in due course.

RESOLVED, subject to the foregoing, that the report be accepted and the information contained therein be noted.

No. 5

PLANNING APPEAL UPDATE: 23 PANTYFFOREST, EBBW VALE

Consideration was given to the report of the Planning Officer.

The Service Manager Development & Estates spoke to the report and highlighted points contained therein. He confirmed that the Inspector concluded that the proposed development would have an unacceptable adverse visual impact on the townscape, contrary to the adopted Local

	<p>Development Plan (LDP) Policy DM1(2)b, and that the proposal conflicted with Policy DM2. The Inspector therefore dismissed the appeal.</p> <p>RESOLVED that the report be accepted and the appeal decision be noted.</p>	
<p>No. 6</p>	<p><u>LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS 22ND AUGUST AND 18TH SEPTEMBER 2019</u></p> <p>Consideration was given to the report of the Senior Business Support Officer, whereupon:-</p> <p><u>C/2019/0194 Bridge Street Offices, Bridge Street, Ebbw Vale</u></p> <p>Following a request from a Member for an update on the development of the site, the Team Leader Development Management confirmed that permission was granted in 2018 and work had commenced on site and a number of conditions have been discharged. However, there was a delay due to the discharge of conditions relating to a retaining wall and parking area, as the details approved were not implemented. The Officer confirmed that discussions were ongoing to resolve these issues.</p> <p><u>C/2019/0152 22 Marine Street, Cwm, Ebbw Vale</u></p> <p>In response to a question raised by a Member, the Team Manager Development Management said the garage was partly built when the original application was submitted and had since been completed. The LPA refused the application on the grounds of the detrimental impact on the neighbouring occupiers, and Officers were now in correspondence with the applicant regarding options moving forward.</p> <p><u>C/2019/0200 Former District Council Office, High Street, Blaina</u></p> <p>A Member sought clarification that this was not a HMO, and the Officer confirmed that this application was for different types of self-contained flats with parking provision and new access arrangements.</p>	

	<p>RESOLVED that the report be accepted and the list of applications decided under delegated powers between 22nd August and 18th September, 2019 be noted.</p>	
<p>No. 7</p>	<p><u>PLANNING REPORT</u></p> <p>Consideration was given to the report of the Team Manager Development Management.</p> <p>The Service Manager Development & Estates explained the following planning applications to Members with the aid of slides:-</p> <p><u>Application No. C/2019/0050 – Land at Waun-y-Pound Road and College Road, Ebbw Vale – Residential Development of 277 Units including Associated Works</u></p> <p>The Service Manager Development & Estates presented the application. He briefly explained the layout and access arrangements. He confirmed that drainage would be subject to a further planning application to be discharged by the LPA as outlined in Recommendation 2.</p> <p>A Member said he welcomed the development but expressed concern that the Section 106 Agreement was limited to Glyncoed and Willowtown Primary Schools. He said all four Primary Schools in the area should be included, namely Rhos-y-fedwen and Beaufort Hill, as children from the development may attend those schools.</p> <p>The Officer said this issue was discussed with the Education Department, and their reason for the two schools mentioned was that they were the designated catchment area schools for the site, and they anticipate children from the development would in the main attend those schools. However, they did acknowledge that there was potential for an impact on Rhos-y-Fedwen and investment could come via the Council’s Capital Programme. They are currently investigating this.</p> <p>In relation to the Section 106 Agreement, a Member asked whether there was scope for the developer to renegotiate the agreed sum in the event of the impact on Education not being realised.</p>	

In response the Officer confirmed that a payment schedule had been agreed with the developer, and which was acceptable to the Education Department to allow for mitigation when residents from the site begin to impact on education services. If circumstances changed, it would be open for a request to vary the s106 to be submitted but this would need to be supported with evidence if the Council were to agree to any change.

Another Member expressed concern that the Education Department had referred to the 'catchment' area, when the current Blaenau Gwent admissions process allowed parents to apply to send their children to any school.

The Officer undertook to raise the issue with the Education Department.

A brief discussion ensued when a Member said she was disappointed that there were no bungalows proposed for the site as they were in high demand throughout the Borough.

Another Member also referred to the provision of 20% affordable housing units, and asked whether there would be provision for rentable properties.

In response the Officer explained that details in relation to tenure would be subject to further discussion.

The Chair expressed concern regarding access to the site off Waun-y-Pound road, and the Team Manager Built Environment confirmed that a dedicated right turn waiting lane was considered appropriate for a development of this size and the applicant had redesigned the access to accommodate this. Some improvements to Waun-y-Pound road were also required and these would be delivered by planning condition.

RESOLVED that the developer be required to enter into a S106 obligation regarding a contribution to the Education Department to mitigate for the impact of the development on local primary schools.

FURTHER RESOLVED, subject to the foregoing, that

planning permission be **GRANTED**, subject to the conditions outlined in the report of the Team Manager Development Management.

Application No. C/2018/0323 – Land Adjoining Sunny Rise, Merthyr Road, Tredegar, NP22 3AE – Detached Dwelling, Vehicular Access and Parking

The Service Manager Development & Estates presented the application which was recommended for approval, contrary to Officer recommendation, at Planning Committee on 3rd October, 2019. However, based on the Committee resolution to approve the application the Officer advised that approval should be subject to the conditions highlighted in the report.

RESOLVED that planning permission be **GRANTED**, subject to the conditions outlined in the report of the Team Manager Development Management.

Application No. C/2019/0225 – 5 Surgery Road, Cwmcelyn Road, Blaina, Abertillery, NP13 3DD – Proposed Two Storey Extension on Side Elevation and Single Storey Extension at Rear of Dwelling

A brief discussion ensued regarding the Public Speaking Policy for the Planning Committee, when the Solicitor explained that the policy stated that Ward Members, when attending to address the Committee, must do so prior to the public speaker.

Councillor G. Collier addressed the Committee, and referred to the original plans for the proposed extension which provided a two-storey side extension, and redesign of the property to create a double fronted dwelling. Councillor Collier expressed concern that these plans were considered to be excessive and visually unacceptable and unlikely to be recommended for approval. Therefore, a planning application was then submitted with amended plans, which meant that the extension would be set back from the original dwelling and also a drop in the roof height to the extension. He said, in his opinion this would have a detrimental impact on the overall appearance of the dwelling.

He also expressed concern that the original plans proposed an extension of 4m, and this was also considered excessive. The application now proposed a 3.4m extension. However, he said the extension would cause no issues to neighbouring properties, and on the basis of this he asked the Committee to grant planning permission.

At the invitation of the Chair, Mr. Terry Morgan the agent acting on behalf of the applicant, addressed the Committee. He said the proposed extension was set back from the original dwelling and the roof was also dropped down, in line with the SPG. He said there were no issues of 'over-looking' with neighbouring properties, and by extending the side element of the properties, there would be no over bearing impact on the neighbours, as also recommended by the SPG.

He said the property benefitted from a large side garden and therefore there would be no significant reduction in amenity space. All materials and finishes to be used would reflect the character of the property and contribute to the quality of the area. The proposal to convert this small house to a modest family home was reasonable and would be an improvement to the local area and also compliant with the SPG. He therefore asked the Committee to consider the application and hopefully come to a favourable decision.

A Member said she fully supported the application as the proposed development would be in keeping with the existing varied styles of housing on Surgery Road. However, she also felt that the appearance of the development would be improved if the front of the extension and the roof were in line with the existing dwelling. She concluded that she fully supported the application and proposed that planning permission be granted.

Another Member supported the proposal, and also agreed that the extension should be in line with the existing dwelling.

The Service Manager Development & Estates pointed out that if Members decided to grant the application, it would

be against all principles of good design and guidance contained within the Householder SPG. He also confirmed that any alterations to the plans etc. would be subject to a further application.

RESOLVED that planning permission be **GRANTED**.

Application No. C/2019/0160 – Tredegar Health Centre & Tredegar General Hospital, Park Row, Tredegar, NP22 3NG – Application for Conservation Area consent for Partial Demolition of Former Tredegar General Hospital Building and Full Demolition of Tredegar Health Centre

The Team Leader – Development Management presented the application to Members and highlighted points contained therein. In particular, he drew attention to the fact that the former general hospital is recognised as a building that makes a positive contribution to the Conservation Area and as such, there is a presumption in favour of retaining the building. The objections raised by the Victorian and Twentieth Century Societies to the demolition of the hospital's earlier pre-war extensions were also highlighted, along with their concerns over the design approach and scale of the proposed replacement building.

He stated that the proposed partial demolition of the general hospital had been assessed against the same broad criteria as proposals to demolish listed buildings and, on balance, the proposal is considered to be justified and the character and appearance of the Conservation Areas would be preserved subject to the approval of appropriate details at reserved matters stage. The necessity of imposing a condition that prevents the demolition works being undertaken before all reserved matters for the proposed health and wellbeing centre are approved and a contract is in place for the redevelopment works was also highlighted.

He also indicated that a number of bat species had been found within the buildings and the proposed bat mitigation measures had been confirmed as being acceptable. The mitigation measures could be adequately secured via condition to prevent any harm to the bat species.

A Member said he welcomed the development, and had attended the public consultations undertaken by the Aneurin Bevan UHB. The Developers have been sympathetic to the history of the site and listened to the people of Tredegar.

RESOLVED that planning permission be **GRANTED**, subject to the conditions outlined in the report of the Team Manager Development Management.

Application No. C/2019/0237 – Tredegar General Hospital, Tredegar Health Centre and Bedwellty Park, Park Row, Tredegar, NP22 3NG – Outline Application for Demolition of Tredegar Health Centre, Partial Demolition of Tredegar General Hospital and Erection of a New Class D1 Health and Wellbeing Centre including Revised Access, Car Parking, Landscaping and Ancillary Works (All Matters Aside from Access Reserved)

The Team Leader – Development Management presented the application to Members and highlighted points contained therein. In particular, he clarified that only the principle of development and access were being considered as part of this outline application with all other matters relating to layout, scale, appearance and landscaping reserved for future consideration.

He gave an overview of the design approach to the proposed health and wellbeing centre and drew attention to the proposed vehicular accesses into the site, which are considered to be acceptable subject to appropriate visibility splays. The Team Manager Built Environment's concerns over the indicative number of proposed car parking spaces were also highlighted and he indicated that this matter could be considered in further detail at reserved matters stage.

At the invitation of the Chair, Rhian Lees of the RPS Group, acting on behalf of the Aneurin Bevan UHB and Keir Construction, addressed the Committee.

She said the applications before Members today proposed the demolition of the existing buildings on the site and the erection of a state of the art health and wellbeing centre.

The proposal was part of a wider Welsh Government strategy to improve access to health and social care services and bring them closer to people's homes. Aneurin Bevan University Health Board was delighted to be part of this step change in healthcare provision and welcomed the opportunity it presented to bring this redundant healthcare site back into beneficial use, particularly given its historical context.

As a design team they are acutely aware of, and sensitive to, the pride in which Tredegar holds its association with the formation of the NHS. Whilst retaining and repurposing the existing buildings would have been the first choice for the project, clinical needs and the cost of bringing them up to a 'fit for purpose' state have meant this has not been possible.

The application to redevelop the site was submitted in outline at this stage to provide comfort that the proposed scheme will respect its context within two conservation areas and its proximity to Bedwellty Park and Gardens. The scheme architects, IBI have produced a detailed design that will hopefully set aside any concerns you may have about how the building will sit in the streetscene. The proposed design does retain part of the original 1904 hospital building and it is hoped this will form the entrance to the centre and become a living museum to Tredegar and the NHS.

The Health Board and the wider team have been engaging with the local community since the Spring and we are aware of some of the issues concerning residents including parking, disruption through the construction phase and the impact on wildlife.

With regard to parking, 70 spaces are currently proposed and these will be for both staff and visitors. Many staff will be part time, or only using the centre as an occasional base and the Health Board is confident the number of spaces proposed is sufficient. Notwithstanding, parking will be considered in greater detail at reserved matters stage through the approval of the layout of the site.

During the construction phase, Kier will be using the car park of Tredegar Rugby Club as their site compound, to

	<p>include contractor parking and this will significantly lessen the impact on local residents.</p> <p>With regard to wildlife, you may be aware that the existing hospital buildings are home to a number of bat species. Prior to demolition, suitable mitigation will be in place to ensure no impact on them. The necessary licences will also be sought from Natural Resources Wales before any work takes place.</p> <p>Overall she said she was really pleased to note the positive Officer recommendations for both applications, and since first engaging with Officers in the Planning Department in January, they have given pragmatic, concise and clear advice on the best way through the process, and we very much appreciate the open and positive stance taken. I hope you can support the recommendations and approve the applications.</p> <p>A brief discussion ensued when the Team Leader Highways & Development clarified points raised by a Member regarding parking arrangements at the site.</p> <p>Members supported the application, and it was</p> <p>RESOLVED that planning permission be <u>GRANTED</u>, subject to the conditions outlined in the report of the Team Manager Development Management.</p>	
8.	<p><u>ANY AREAS FOR MEMBER TRAINING/BRIEFINGS</u></p> <p>The Service Manager Development & Estates reported that due to the forthcoming election, it was intended to convene the Member visit to a neighbouring Planning Authority, and the HMO training event in 2020. It was also likely that the January 2020 meeting would be cancelled.</p>	
9.	<p><u>EXEMPT ITEM(S)</u></p> <p>RESOLVED that the public be excluded whilst the following item of business is transacted as it is likely there would be a disclosure of exempt information as defined in</p>	

	Paragraph 14, Schedule 12A of the Local Government Act 1972 (as amended).	
10.	<p><u>ENFORCEMENT CLOSED CASES BETWEEN 24TH SEPTEMBER AND 25TH OCTOBER, 2019</u></p> <p>Having regard to the views expressed by the Proper Officer regarding the public interest test, that on balance the public interest in maintaining the exemption outweighed the public interest in disclosing the information and that the report should be exempt.</p> <p>RESOLVED that the public be excluded whilst this item of business is transacted as it is likely there would be a disclosure of exempt information as defined in Paragraph 14, Schedule 12A of the Local Government Act 1972 (as amended).</p> <p>Consideration was given to the report of the Service Manager Development & Estates.</p> <p>RESOLVED that the report which related to the financial or business affairs of any particular person (including the Authority) be accepted and the information contained therein be noted.</p>	