

**COUNTY BOROUGH OF BLAENAU GWENT**

**REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL**

**SUBJECT: PLANNING, REGULATORY & GENERAL  
LICENSING COMMITTEE – 13<sup>TH</sup> DECEMBER, 2019**

**REPORT OF: DEMOCRATIC SUPPORT OFFICER**

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**PRESENT: COUNCILLOR B. SUMMERS (CHAIR)**

Councillors D. Bevan  
W. Hodgins  
J. P. Morgan  
K. Pritchard  
K. Rowson  
T. Smith  
B. Thomas  
B. Willis

**WITH:** Service Manager, Development & Estates  
Team Manager, Building Control & Development Plans  
Team Manager, Built Infrastructure  
Team Leader, Development Management  
Principal Project Officer  
Team Leader Building Control  
Team Manager Regeneration Opportunities  
Solicitor Commercial Services

**AND: Public Speaker**  
Elle Morgan – Application No. C/2019/0269  
Change of Use from former butchers to bar and restaurant  
with internal adaptations and 3 No. external lights.

## DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<p><b><u>SIMULTANEOUS TRANSLATION</u></b></p> <p>It was noted that no requests had been received for the simultaneous translation service.</p>	
No. 2	<p><b><u>APOLOGIES</u></b></p> <p>Apologies for absence were received for Councillors M. Moore, G.L. Davies, L. Winnett, D. Wilkshire and D. Hancock.</p>	
No. 3	<p><b><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></b></p> <p>Councillors T. Smith and B. Willis declared an interest in the following item on the grounds of pre-determination.</p> <p>Item No. 8 Planning Applications Report – Application No. C/2019/0269 – 10 Castle Street, Tredegar</p> <p>The Service Manager Development &amp; Estates explained that the quorum for the Committee was 8 Members. However, 2 Members had declared an interest in the application which meant that the Committee would become inquorate while the application was being considered, and no formal decision could be taken. It was therefore agreed that the application be deferred.</p> <p>RESOLVED accordingly.</p>	
No. 4	<p><b><u>QUARTERLY PERFORMANCE INFORMATION – QUARTER 2 JULY TO SEPTEMBER 2019</u></b></p>	

The Committee considered the report of the Service Manager Development & Estates.

The Service Manager presented the performance information for Quarter 2 for the period July to September 2019. Performance remained consistent and Blaenau Gwent was in joint second position in Wales for planning applications determined 'on time'. Table 2 on page 8 of the report showed that Blaenau Gwent was in 10<sup>th</sup> position in terms of the average time taken to decide applications, and the Officer said he would like to see improvement on that position. Table 3 showed the rank positions of LPA's taking decisions contrary to Officer recommendation, and Blaenau Gwent was ranked 22<sup>nd</sup> with 33%. This figure was very high and above the Wales average.

In response to a Member's comments regarding the number of decisions taken against Officer recommendation, the Officer acknowledged that planning decisions were never 'clear cut'. However, he expressed concern that this figure was consistently high for the Council given the volume of applications received, and needed to be looked at.

RESOLVED that the report be accepted and the information contained therein be noted.

**No. 5**

**BUILDING CONTROL ACTIVITY FOR JANUARY 2019 – OCTOBER 2019**

Members considered the report of the Team Manager Building Control & Development Plans.

The Team Manager presented the report which outlined the work of the Building Control Team, covering work such as building regulation applications, enforcement/unauthorised development and dangerous

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structures, and made comparisons with work undertaken the previous year (2018) for the same timeframe. The report also set out general management changes, and changes to regulations and performance information.

The Officer went through the report and highlighted points contained therein.

A Member asked whether the Building Control Team were providing quotes to large scale developers coming into the area, and the Building Control Officer confirmed that developers were contacted at the pre-planning stage to see if they were interested in procuring Blaenau Gwent CBC building control work.

The Service Manager Development & Estates also confirmed that a price match guarantee was offered to Developers, and Planning Officers were also promoting building control services when meeting with Developers at preliminary enquiries etc.

A Member referred to the number of dangerous structures and asked whether this included damaged street-lighting columns as a result of car accidents.

The Officer said these type of incidents would be included in the figures for the number of 'call-outs'. He confirmed that a Building Control Officer would respond to an incident, and determine whether it should be classed as a dangerous structure.

In response to a question raised by the Chair the Building Control Officer explained that Building Notices were associated with smaller projects or changes to existing buildings, where a Building Inspector would approve the works as it progressed. Whereas a full plans application was associated with larger new developments, and

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	<p>commercial or industrial buildings, and would require full details of the proposed works be submitted for approval prior to any works being carried out on site.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<b>No. 6</b>	<p><b><u>APPEALS, CONSULTATION AND DNS UPDATE – DECEMBER 2019</u></b></p> <p>Consideration was given to the report of the Service Manager Development &amp; Estates.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<b>No. 7</b>	<p><b><u>LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 28<sup>TH</sup> OCTOBER AND 27<sup>TH</sup> NOVEMBER, 2019</u></b></p> <p>Consideration was given to the report of the Senior Business Support Officer.</p> <p>In response to a question raised, the Service Manager Development &amp; Estates explained the process for an application for a Lawful Development Certificate.</p> <p>RESOLVED that the report be accepted and the list of applications decided under delegated powers between 28<sup>TH</sup> October and 27<sup>th</sup> November, 2019 be noted.</p>	
<b>No. 8</b>	<p><b><u>PLANNING REPORT</u></b></p> <p>Consideration was given to the report of the Team Manager Development Management.</p>	

The Service Manager – Development & Estates/Team Manager - Development Management explained the following planning applications to Members with the aid of slides:-

**Application No. C/2019/0269 – 10 Castle Street, Tredegar, NP22 3DE – Change of Use from Former Butchers to Bar and Restaurant with Internal Adaptions and 3 No. External Lights**

Councillors T. Smith and B. Willis declared an interest in the application on the grounds of pre-determination.

RESOLVED that the application be **DEFERRED**.

**Application No. C/2019/0296 – 38 Commercial Street, Tredegar – Change of Use from Shop (Ground Floor) to Café, Replacement Shopfront and Roller Shutter and Windows to Upper Floors**

The Service Manager Development & Estates presented the application which sought planning permission for the change of use of the ground floor of 38 Commercial Street, Tredegar, from a shop (A1 use) to a café (A3 use), replacement shop front and roller shutter and windows to the upper floors. The property was located within the Primary Retail area of the Tredegar District Centre, and was currently vacant, but formerly occupied by a butchers.

The Officer went through the application and highlighted points contained therein.

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

**Application No. C/2019/0054 – Land Off Southern End of Lime Avenue (Opposite Aneurin Bevan Hospital) Ebbw Vale, NP23 6GL – Construction of 6 Buildings to Provide 25 Employment Units for B1 and B2 Uses, New Access Road and Junctions Off Lime Avenue and Associated Parking and Other Infrastructure**

The Team Leader Development Management presented the application which sought approval for the construction of 6 employment buildings, a new access road and junction off Lime Avenue and associated car parking areas and ancillary infrastructure. The buildings would provide 35 individual employment units with a combined floor area of 4,260 metres, and would be used for B1 (research and development or light industrial) or B2 (general industrial) employment uses.

The Officer went through the application and highlighted points contained therein.

A Member referred to the area of reclaimed land adjoining the northern boundary of the site, which was allocated for mixed use development, including housing, and asked whether the proposed employment units would have a detrimental impact on any future housing developments.

In response the Officer confirmed that B1 use buildings were acceptable within a residential area, and why the decision was taken for those units to be located on the northern plateau, at the same level as Lime Avenue.

He confirmed that Environmental Health were aware of land use, and had statutory powers to deal with any noise nuisance should they arise. If an application was received for a specific use, we could analyse details of the impact, but it was difficult to do this at this stage. However, the Officer assured that B1 use was generally acceptable in

	<p>residential areas.</p> <p>The Service Manager Development &amp; Estates pointed out that if any substantial noise was identified from a B1 use premises, they would clearly be operating outside their conditions.</p> <p>The Chair questioned the need for two entrances at the site and the Team Leader Development Management said from a planning perspective, the access arrangements at the site was acceptable. He said Highways also considered the proposed development to be acceptable in terms of the safe and efficient use of the highway network.</p> <p>The Principal Projects Officer confirmed that the access arrangements had been considered, and explained that one access junction would require a turning circle, and due to the restricted size of the site, would result in the loss of 5 units, and would also create significant traffic flow.</p> <p>A brief discussion ensued regarding the external appearance of the proposed units. The Team Leader Development Management confirmed that the proposed materials were in-keeping with other buildings on The Works site, and samples of external finishes have been requested as part of the planning conditions. However, any changes to the external materials would have to be approved, and resubmitted as part of the discharge of conditions.</p> <p>RESOLVED that planning permission be <b><u>GRANTED</u></b>, subject to the conditions outlined in the report of the Team Manager Development Management.</p>	
9.	<p><b><u>ANY AREAS FOR MEMBER TRAINING/BRIEFINGS</u></b></p> <p>The Service Manager Development &amp; Estates confirmed</p>	



	<p>that a briefing session on HMO's (Houses of Multiple Occupation) would be held in March 2020.</p>	
<p>10.</p>	<p><b><u>ENFORCEMENT CLOSED CASES BETWEEN 26<sup>TH</sup> OCTOBER AND 28<sup>TH</sup> NOVEMBER 2019</u></b></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 &amp; Estates.</p> <p>A brief discussion ensued when the Team Leader Development Management clarified points raised by a Member.</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>	
<p>No. 11</p>	<p><b><u>ENFORCEMENT REPORT</u></b></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>	

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).

Consideration was given to the report of the Team Manager Development Management, whereupon:-

*Ty Shon Farm, Land r/o Glanyrafon Terrace, Bournville, Blaina*

A lengthy discussion ensued regarding the materials being imported to the site, and the source of the materials. The Service Manager Development & Estates confirmed that investigations were ongoing, and a response was awaited from Natural Resources Wales. He confirmed that an update would be brought to the next meeting of the Committee.

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.