

BLAENAU GWENT COUNTY BOROUGH COUNCIL	
Report to	The Chair and Members of Planning, Regulatory and General Licensing
Report Subject	Planning Appeal Update: Land at 3 Glandwr Street, Abertillery
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Directorate	Regeneration and Community Services
Date of meeting	12th November 2020

1. Purpose of Report

1.1 To advise Members of the decision of the Planning Inspectorate in respect of a planning appeal against the refusal of planning permission (Ref: C/2019/0219). The development was for the proposed conversion, extension and change of use of an existing domestic garage and workshop (related to No.3 Glandwr Street) to a new dormer dwelling. Additional car parking spaces were proposed in an already approved garage to rear of Glandwr Street. The application was refused under delegated powers on 26th September 2019.

2.0 Scope of the Report

2.1 The application was refused on 3 grounds;

- a) The risk of flooding and failure to meet the tests set out in national planning policy (TAN 15) for highly vulnerable development within Flood Zones C1/C2;
- b) Highway safety grounds. It was considered that the street already exceeds capacity and that further development will exacerbate access, parking and highway safety issues; and;
- c) The form and design of the proposed dormer dwelling would be out of character with the area and have a detrimental visual impact

upon the street scene.

- 2.2 The Inspector highlighted that national planning policy (PPW) stipulates that Local Planning Authorities (LPAs) should adopt a precautionary approach and avoid development in areas at risk of flooding. The Inspector confirmed that the site is highly vulnerable development which falls largely within Flood Zone C1 with a strip of land adjacent to the rear boundary, (where a proposed conservatory would be), falling into Zone C2, as defined in Technical Advice Note (TAN)15.
- 2.3 Whilst a Flood Consequence Assessment (FCA) was submitted in support of the application, the Inspector agreed with the Council that the FCA failed to meet the tests laid out in national policy TAN 15. In any event, the Inspector made it clear that an FCA cannot justify or outweigh the strong presumption against residential development on land in Zone C2 (even if the proposed conservatory was removed from the scheme). The Inspector concluded that the development would result in a risk to flooding and is contrary to national policy.
- 2.4 In reference to the form and design of the proposed dwelling, the Inspector advised that whilst the existing garage occupies a stand-alone prominent position that is detached from the adjacent terrace, it remains a modest and subservient building within the street. As such, the Inspector agrees with the Council that the proposed dormers would be out of context with the surrounding area in this prominent location and that the orientation and layout of the proposed dwelling (fronting the side lane) would jar with the character of the street. The Inspector agreed that the proposed development would have a harmful effect on the character and appearance of the surrounding area.
- 2.5 It was fully acknowledged by the Inspector that significant amounts of on-street parking takes place in the area and that two-way traffic is restricted. He also acknowledged that traffic movements to and from Abertillery Park contribute to current highway capacity issues.
- 2.6 Nevertheless, the Inspector disagreed with the Council's argument that the proposed dwelling would exacerbate existing highway issues. The Inspector advised that the parking demand for a single modest dwelling would not be significant and that there are no parking controls or restrictions in the vicinity of the site which

would normally indicate excessive parking or highway pressures. The Inspector therefore concluded that the development would not result in a material change to existing traffic and parking conditions to the extent that would harm highway safety.

2.7 Whilst the Inspector was mindful of the personal circumstances of the case and did not agree with the reason for refusal on highway safety grounds, he stated that the risk of flooding and harm to the character and appearance of the area were overriding considerations.

2.8 The Inspector accordingly DISMISSED the appeal.

3. Recommendation/s for Consideration

3.1 That Members note for information the appeal decisions for planning application C/2019/0219 as attached at **Appendix A**.