

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT: PLANNING, REGULATORY &
GENERAL LICENSING COMMITTEE –
3RD DECEMBER, 2020**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR D. HANCOCK (CHAIR)

Councillors W. Hodgins

D. Bevan

M. Day

G.L. Davies

J. Hill

C. Meredith

K. Pritchard

K. Rowson

T. Smith

B. Thomas

B. Willis

L. Winnett

D. Wilkshire

WITH: Service Manager Development & Estates
Team Manager, Development Management
Team Manager Built Environment
Team Manager Building Control and Development
Planning Officer
Solicitor
Press Officer

AND: Public Speaker
Mr. O. Griffiths, Avison Young UK
Former Rhyd y Blew Reservoir Site,
Beaufort Road, Ebbw Vale

DECISIONS UNDER DELEGATED POWERS

<u>ITEM</u>	<u>SUBJECT</u>	<u>ACTION</u>
No. 1	<u>SIMULTANEOUS TRANSLATION</u> It was noted that no requests had been received for the simultaneous translation service.	
No. 2	<u>APOLOGIES</u> An apology had been received from Councillor G. Thomas.	
No. 3	<u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u> There were no declarations of interest or dispensations reported.	
No. 4	<u>APPEALS, CONSULTATIONS AND DNS UPDATE DECEMBER 2020</u> Consideration was given to the report of the Service Manager Development and Estates. The Service Manager Development and Estates outlined the report and provided an update to Wauntysswg Farm, Abertysswg, Tredegar which had been confirmed since the report had been published. The Services Manager advised that the Appeal had been approved with full costs awarded. The Inspector had felt that the Planning Committee had not given sufficient reasons for the refusal. A Ward Member noted his disappointment in this decision and felt that Julie James should be made aware as she advised that it would only be for short length of time, however 10 years was not a short time period.	

	<p>Further discussions ensued around the Inspectors decision and Members felt that it should be challenged. The Services Manager advised that a full report would be presented to the Planning Committee in due course and all these aspects could be included. There was an option to challenge the decision through the courts and this could be included along with costs.</p> <p>RESOLVED that the report be accepted and the information therein be noted.</p>	
No. 5	<p><u>LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 26TH OCTOBER, 2020 AND 20TH NOVEMBER, 2020</u></p> <p>Consideration was given to the report of the Senior Business Support Officer.</p> <p>A Ward Member asked the reason why 30 Queen Street, Blaina had been refused.</p> <p>The Planning Officer advised that the application had been refused based on the size of the extension, however this had now been resolved.</p> <p>RESOLVED that the report be accepted and the information therein be noted.</p>	

No. 6

PLANNING APPLICATIONS REPORT

Consideration was given to the report of the Team Manager Development Management.

Application No. C/2013/0170

Former Rhyd y Blew Reservoir Site, Ebbw Vale

Outline application for residential development together with associated access, Car parking and servicing, open space and landscaping and all other ancillary works and activities

The Team Manager, Development Management presented the planning application which had been reported to Planning Committee in 2014. It was noted that Members previously resolved to approve outline planning permission in accordance with officer's recommendation. This required the applicants to enter into Section 106 Agreement before permission would be granted. The Section 106 had not been completed in the intervening period and the application remained undetermined, therefore the report outlined the reasons for the application remaining undetermined.

The Team Manager further spoke to the report and noted that having been made aware of the findings of the independent assessment undertaken, further discussion had been carried out with a view to clarify whether the applicant would be prepared to offer any contribution either in the form of affordable housing or a financial contribution. In response, the agenda has confirmed his client's willingness to provide 10% affordable housing. In this context the agent contended that this could be secured via a planning condition which would negate the need for a s106 agreement. It was also suggested that clauses should be included in the agreement to ensure that viability of the scheme was re-evaluated at a future date and this concept was agreed in principle to the introduction of a mechanism that would require a review of the viability assessment.

In conclusion, the officer's recommendation for approval was noted for the reasons detailed in the report.

At this juncture, the Chair invited Mr. Owain Griffiths was invited to address the Committee.

Mr. Griffiths, Agent informed the Committee that the site formed part of an important housing allocation area in the LDP. It was reported that the Planning Committee had already resolved to grant outline planning permission subject to s106 agreement. The application submitted was to seek approval on the revised s106 agreement to ensure scheme financially viable and deliverable.

A report was presented last year which demonstrated that the scheme was not financially viable. It was added that the planning officer had sought independent advice from an independent valuer and a report was recently issued which agreed with our findings which concluded that the scheme was not financially viable of any financial contributions, however it was informed that the client had agreed to provided 10% affordable housing in line with LDP policy in this area.

There had been interest in the site, however the outline planning permission would need to be progressed. Mr. Griffiths referred Members to the national housing crisis and advised that there was limited supply of land deliverable for new homes, which was a challenge in Wales. This area was a vacant brownfield site and would be ideal to be used for family housing and would be a major boost for the local economy. Mr. Griffiths noted that it would generate approximately £1m in expenditure, create jobs and regenerate the site.

It was further noted that a great deal of money had been spent on viability assessment works and the Officer's recommendation was based on evidence of the district valuers report that any financial contributions could not be justified. Therefore, Mr. Griffiths urged Members of the Planning Committee to take on board the advice of the District Valuer and approve planning permission.

At this juncture, the Chair invited questions from Members of the Committee.

A Member referred to the affordable housing clause and asked what form of housing would be on the site. Mr. Griffiths confirmed that the affordable housing to be used for this site would be social rented units. It was noted that this was the most common form, however the applicant was flexible it was felt that rented social units was the most appropriate.

A Member asked if any opportunities would be lost in the area due to the lack of education and leisure contributions. The Service Manager confirmed that there would be no impact on education and leisure services. Another Member felt that contributions for education would be welcomed in the area and would enhance local schools, therefore he noted his disappointment in the lack of contributions to be gained from the application.

In response to concerns raised around the highways and the need for traffic control in the area, the Team Leader Built Environment confirmed that a condition of the application was that traffic calming measures be placed on College Road and the road fronting Morrison's Supermarket. In response to who would incur costs for these measures, it was confirmed that the developer would be responsible for costs.

Further concerns were raised in relation to the lack of Section 106 agreement and the perception it set to previous and future planning applicants. The Service Manager advised that an independent expert had fully considered the application on its merit and felt that the development did not warrant a contribution. The Service Manager also noted that the recommendation stated that a Section 106 Agreement would be revisited at a future date.

It was also stated that not all applications are subject to contributions as a matter of course. The contributions are based upon the profits of each development and on this occasion an independent valuer deemed this application was not acceptable and would not generate the appropriate profit to justify contributions acceptable.

RESOLVED that

- (1) it be accepted that there was insufficient viability within the submitted scheme to justify requiring a financial contribution towards the education service and that the applicants offer to provide 10% Affordable Housing on the site be accepted.
- (2) That the applicants are required to enter a s106 agreement that would commit them to the following heads of terms:-
 - to provide 10% affordable housing (social rented) on site; and
 - accept clauses that would introduce a requirement to provide a review of the submitted viability assessment at agreed trigger points.
- (3) That on completion of the agreement outlined in recommendation 2 above that planning permission be granted subject to conditions that reflect those conditions reported to Committee in 2014 and any other additional and updated conditions deemed appropriate by officers

Application No. C/2020/0221

Former School Site, Chapel Road, Blaina NP13 3BX

**Residential development of 4 pairs of
semi-detached houses (8 in total)**

The Planning Officer advised that the site was a vacant former school site located on a hillside at Westside, Blaina. Due to the steep topography of the area, terraced dwellings along Mount Pleasant are located at a much higher level to the site, whilst properties along Railway Terrace are at a lower level with a self-contained playground that sits above road level which was accessed by steps off Chapel Road. The area was a brownfield site which was rectangular in shape and measures approximately 19.8m wide/deep and 59.5m long. A high stone retaining wall bounds the site to the rear and part of the northern side boundary and the Planning Officer further outlined the site with photographs as contained in the report.

The Planning Officer advised that planning permission was sought to construct eight properties on the site - four pairs of two storey, semi-detached dwellings. The Officer further provided detail of the design and layout of the properties as illustrated in the report.

The Planning Officer referred to consultation and noted that no internal objections had been received, however objections had been received by residents and summarised the main issues.

The Planning Officer continued that the site was situated with the settlement boundary as defined by the Council's adopted Local Development Plan (LDP). The principle of residential development was therefore considered acceptable subject and satisfied policies contained within the LDP. The area was mainly terraced dwellings, however these were a varying scale. The Officer felt that with the existing street scene she had considered that the proposed dwellings are of an appropriate scale and form in keeping with the existing housing in the area. In terms of design it was reported that the area had a mixture of finishes including stonework, render and spar. The proposed development had regarded the local properties and incorporated stonework dwarf retaining walls and ivory render finish to the proposed dwellings.

It was noted that the development provided 2 off-street spaces per 3-bed-roomed property and therefore complied with the requirements of the SPG. Due to the concerns raised by residents in terms of access and parking the Highways Manager gave careful consideration to the existing highway capacity, access to and from the site from the surrounding highway as well as the required space needed for future residents to access the proposed driveways. The Highways Manager acknowledged that there are areas of the highway network that could be considered as sub-standard. However, it was reported that there are two different routes to the development site and that the route via Shop Row/Chapel Road was capable of accommodating the additional traffic.

It was added that Highways was satisfied that cars would still be able to access and exit new driveways if vehicles were parked on the carriageway opposite the proposed new driveways. The Officer added that this could be further supplemented by ensuring that drop kerbs be incorporated as part of the development frontage.

The Planning Officer further addressed concerns raised by residents in terms of overlooking which was detailed in the report. The Officer had given consideration to all these matters and acknowledged that plot 8 may cause some overshadowing on the adjacent property at 1 Ebenezer Cottages, however it was not a cause for concern and the loss of a neighbours view was not a planning material consideration.

Another concern of residents was regarding the retaining wall to the rear. The Officer advised that she had visited the site and shared the concerns and the Senior Structural Engineer had requested that a condition survey of wall be carried out prior to development to ascertain the stability of the wall. The Planning Officer added that a condition could be imposed which required the necessary report to be submitted prior to works commencing on site and for any remedial action to be undertaken within an agreed timeframe. Although, the Planning Officer reminded Members that the responsibility and liability for safe development rested with the developer.

It was thereupon concluded that the Planning Officer's recommendation was to grant this planning application.

A Ward Member raised a number of concerns which had also been raised by residents in relation to parking, narrow road restrictions with increased parking and that residents would not be able to park opposite driveways therefore car parking availability would be reduced. The Ward Member felt that plot 8 was overbearing on the neighbouring property and also raised concerns around flooding in the area with the additional safety concerns of the mountain slippage to the rear of the area. However, the Ward Member stated that her greatest concern was with the retaining wall and referred to problems in similar circumstances with another development in the Blaina Ward.

	<p>The Planning Officer reiterated that a surveyors report had been requested in relation to the retaining works and upon receipt of the report, any works that was required would need to be carried out prior to works commencing on the development.</p> <p>The Team Manager – Built Environment advised that in terms of highways concerns, dropped kerbs could be placed on pavements in front of the new properties which would allow for easier access for vehicles. This would also allow residents to legally park opposite driveway on the highway.</p> <p>The Ward Member felt she could not support the officer's recommendation until an engineer's structural report in relation to the retaining wall had been received and therefore proposed that the planning application be deferred until the retaining wall structural report it could be presented to the Planning Committee for consideration.</p> <p>Upon a vote being taken, 5 Members agreed to the amendment to refuse or defer the application and 7 Members agreed with the officer's recommendation, it was thereupon</p> <p>RESOLVED that Planning Permission be <u>GRANTED</u> subject to the conditions contained in the report.</p>	
No. 12	<p><u>AREAS FOR MEMBERS BRIEFINGS/TRAINING</u></p> <p>No areas for Members briefing or training were raised.</p>	