

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT PLANNING, REGULATORY &
GENERAL LICENSING COMMITTEE –
7TH JANUARY, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR D. HANCOCK (CHAIR)

Councillors W. Hodgins

D. Bevan

M. Day

G.L. Davies

J. Hill

K. Pritchard

T. Smith

B. Thomas

B. Willis

L. Winnett

D. Wilkshire

**WITH: Service Manager Development & Estates
Head of Legal and Corporate Compliance
Press Officer**

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> No apologies for absence were received.	

<p>No. 3</p>	<p><u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u></p> <p>There were no declarations of interest or dispensations reported.</p>	
<p>No. 4</p>	<p><u>APPEALS, CONSULTATIONS AND DNS UPDATE JANUARY 2021</u></p> <p>Consideration was given to the report of the Service Manager – Development & Estates.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 5</p>	<p><u>QUARTERLY PERFORMANCE INFORMATION QUARTER 2: JULY – SEPTEMBER 2020</u></p> <p>Consideration was given to the report of the Service Manager – Development & Estates.</p> <p>The Service Manager – Development and Estates spoke to the report and noted that the Council had decided 100% of all applications during Quarter 2. This compared to a Welsh average of 80%. The Service Manager added that from registration to Committee was an average of 85 days against the Wales average of 94 days. He further advised that 0% of Planning Committee decisions were approved contrary to officer recommendation.</p> <p>The Service Manager reported that two Committees were held during Quarter 2 and advised that during this time virtual meetings were still being embedded across all Councils.</p> <p>Councillor D. Wilkshire joined the meeting at this juncture.</p> <p>The Vice-Chair commended the Service Manager and his Team on their performance. The Team had a number of officers during this time seconded to deal with the emergency response and therefore these figures were welcomed. The Vice-Chair felt that the performance showed value for money for the service provided.</p>	

	<p>The Committee concurred with the comments raised and congratulated the Service Manager and his Team on their performance.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 6</p>	<p><u>PLANNING APPEAL UPDATE: 30MW SOLAR PARK AT WAUNTYSSWG FARM, ABERTYSSWG, RHYMNEY, TREDEGAR</u></p> <p>Consideration was given to the report of the Service Manager – Development & Estates.</p> <p>The Service Manager – Development and Estates spoke to the report which had been presented to inform Members of the decision of the Planning Inspectorate in respect of a planning appeal against the refusal of permission to extend the operational life of the proposed 30MW solar park at Wauntysswg Farm from 30 to 40 years (Ref: C/2019/0280). The Services Manager referred to the Planning Committee held on 6th February, 2020 where it was resolved that planning permission be refused contrary to officer’s advice and delegate authority to officers to issue a reason for refusal. The Service Manager advised that following an appeal to the Planning Inspectorate the applicant also made an application for costs to the Council.</p> <p>The Service Manager further outlined the appeal decision which had been allowed by the Planning Inspectorate and had also awarded full costs to the appellant.</p> <p>A Member noted that the Minister had overturned the original decision and now an Inspector had imposed a further 10 years. The Member felt that local democracy had been overturned and Tredegar Town Council as statutory consultees had written to the Minister to place on record their disappointment in the decision.</p> <p>Another Member felt that the solar park could be further extended at the end of the agreed period. The Service Manager confirmed that the developer was able to make an application vary the conditions of the permission at any time.</p>	

	<p>Members raised further concerns around the tone of the Inspectors report and asked what information were the Planning Inspectorate provided as maybe the debate had not been reflected in the minutes.</p> <p>The Service Manager advised that reports, background papers, minutes and any related documents are all provided to the Planning Inspectorate.</p> <p>RESOLVED that the report be accepted and the information related to the appeal and cost decisions for planning application C/2019/0280 as attached at Appendix 1 be noted.</p>	
<p>No. 7</p>	<p><u>AREAS FOR MEMBERS BRIEFINGS/TRAINING</u></p> <p>It was agreed that training in relation to signage in conservation areas be pursued.</p> <p>Councillor B. Thomas left the meeting at this juncture.</p>	
<p>No. 8</p>	<p><u>PLANNING APPEAL: SOLAR FARM AT WAUNTYSSWG, TREDEGAR</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 16 and 17, 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>The Service Manager Development and Estates spoke in detail to the report and outlined the key points contained therein. The Service Manager referred to the options for consideration which were debated at length along with the report.</p>	

Following discussions, it was unanimously

RESOLVED that the report which related to Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and Information which, if disclosed to the public, would reveal that the Authority proposes:

- a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- b) To make an order or direction under any enactment.

Be accepted and option 1 and 2, namely to accept the decision of the Inspector with supporting correspondence to be sent on behalf of the Planning Committee to the Minister be agreed.