

COUNTY BOROUGH OF BLAENAU GWENT

REPORT TO: THE CHAIR AND MEMBERS OF THE COUNCIL

**SUBJECT PLANNING, REGULATORY &
GENERAL LICENSING COMMITTEE –
4TH FEBRUARY, 2021**

REPORT OF: DEMOCRATIC & COMMITTEE SUPPORT OFFICER

PRESENT: COUNCILLOR D. HANCOCK (CHAIR)

Councillors W. Hodgins

D. Bevan

G.L. Davies

J. Hill

C. Meredith

K. Pritchard

T. Smith

B. Willis

D. Wilkshire

WITH: Service Manager Development and Estates
Team Leader – Development and Management
Team Manager – Built Environment
Planning Officer
Solicitor

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.	

<p>No. 2</p>	<p><u>APOLOGIES</u></p> <p>The following apologies for absence were received from:-</p> <p>Councillor M. Day Councillor B. Thomas Councillor G. Thomas Councillor K. Rowson Councillor L. Winnett</p>	
<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>SOLAR FARM, LAND AT WAUNTYSSWG, TREDEGAR</u></p> <p>Consideration was given to the report of the Service Manager – Development & Estates.</p> <p>The Committee noted their disappointment in the Minister’s response as it had not addressed any of the concerns raised. The Vice-Chair stated that the impression given in the original letter was that the Planning Committee had acted irresponsibly when consideration had been given to the Planning Application. The Vice-Chair felt that Officers had drafted an excellent letter on behalf of the Planning Committee and the Minister’s response had not acknowledged any comments raised.</p> <p>In response to a question raised about costs, the Service Manager – Development and Estates confirmed that the costs to be incurred by the Council had not yet been received.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	

<p>No. 5</p>	<p><u>APPEALS, CONSULTATIONS AND DNS UPDATE: FEBRUARY 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. 6</p>	<p><u>PLANNING APPEAL UPDATE: 51 CORONATION STREET, BLAINA</u></p> <p>Consideration was given to the report of the Planning Officer.</p> <p>RESOLVED that the report be accepted and the information for the appeal decisions for planning application C/2020/0024 be noted.</p>	
<p>No. 7</p>	<p><u>PLANNING APPEAL UPDATE: 19 RAILWAY VIEW, TREDEGAR</u></p> <p>Consideration was given to the report of the Planning Officer.</p> <p>RESOLVED that the report be accepted and the information for the appeal decisions for planning application C/2020/0203 be noted.</p>	
<p>No. 8</p>	<p><u>LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 14TH DECEMBER, 2020 AND 18TH JANUARY, 2021</u></p> <p>Consideration was given to the report of the Senior Business Support Officer.</p> <p>The Vice-Chair referred to Application No. C/2020/0286 and asked if the condition removed was in respect of the Social Housing aspect linked to the Section 106 agreement approved by the Committee.</p>	

	<p>The Service Manager – Development & Estates explained that the affordable housing still stands as it was also part of the Section 106 agreement, therefore this application removed the condition from the planning application, although it remained in the Section 106 agreement.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 9</p>	<p><u>PLANNING APPLICATIONS REPORT</u></p> <p>Consideration was given to the report of the Team Manager Development Management.</p> <p><u>C/2020/0287</u> <u>Garden of the Nag’s Head Merthyr Road,</u> <u>Tafarnaubach, Tredegar</u> <u>New House Build</u></p> <p>The Planning Officer advised that the application sought planning permission for a new house in the garden of the Nag’s Head Public House, Merthyr Road, Tafarnaubach, Tredegar. The site was located to the east of the existing Public House and was identified on the plans as a beer garden. The Officer noted the site, design and location with the assistance of diagrams and explained that the single storey garage on the site would be removed to accommodate the development. The proposed dwelling would be set behind the building line of the existing building and would front onto Merthyr Road. The proposed dwelling would be of three storeys and feature a gabled frontage, a flat roofed projection which would be used as a first floor balcony and a Juliette balcony onto the roof space.</p> <p>The proposed finishes are cement render and Cambrian slate. Three car parking spaces are proposed to the front and side of the house and a small garden would be provided to the rear. The application was a resubmission of an earlier application which had been withdrawn. Prior to its withdrawal discussions took place with the applicant in relation to concerns regarding the design.</p>	

The current proposal was a revision to the withdrawn scheme, the Officer confirmed that the same concerns remained, however the Applicant wished the application to be presented in its current form.

The Planning Officer noted the consultation and advised that no objections had been raised from statutory consultees or neighbours. The Officer further outlined the planning assessment and provided an overview of the design and layout of the proposed dwelling. The Officer outlined the concerns in relation to the design of the property and concluded that whilst there was no objection in principle to such a development the form and design of the house proposed raises concerns. Although the site could accommodate a dwelling of this proportion designed to respect the orientation and roof lines of existing properties in the locality, the shape and orientation of the dwelling proposed raises concerns from a visual and compatibility perspective. Therefore, the Planning Officer stated that it was the officer's recommendation that planning permission be refused.

A Member pointed out that the car park utilised for the public house would be taken up by the proposed development and therefore felt that this would have an impact on access, the surrounding area and could cause highway implications.

The Team Leader – Built Environment noted that there was existing access in the area which was the principle access for the development. With regard to the public house car park this would be lost and the Applicant was aware of the risks involved, however there was parking to the rear of the property which could be used for customers.

Concerns were raised around the reason for refusal and the Planning Officer advised that there was a combination for the recommendation which was mainly based on the poor design of the proposed property with regard to the front roof and projected balcony.

A Ward Member referred to the application and noted a number of discrepancies in the report. He advised that the narrow lane to the side of the development was a one-way road and had always been classed as a highway. The road leads to 14 properties and backed onto the former Alan Davies Training Centre. With regard to the loss of a garage, the Member stated that this was never a garage more a storage facility which originally could have been a stable.

The Member advised that he had requested it be placed before the Planning Committee for consideration as a number of homes in the area ranged in different designs and sizes, however the closest homes to the proposed development was a very similar design with balconies. The Ward Member was unclear for the reasons for refusal as no objections had been raised with neighbours or statutory consultees, therefore proposed that the application be granted.

It was felt that the officer's recommendation based on design, however the design of a building was a person's choice. There had been no objections from neighbouring properties or any statutory consultees, therefore it was proposed that the application be granted.

Another Member concurred with the comments raised and advised that it was good to see family homes being developed in the Borough. The Member felt the new build would support the existing business and be an asset to the area. It was felt that if no major concerns had been raised the design was the choice of the developer and therefore seconded the proposal to grant the application.

A Member asked if further dialogue could be undertaken with the Applicant to ascertain if they would be willing to amend the application. The Planning Officer advised that these discussions had been undertaken with the Applicant during the planning application process and they had requested it be presented as submitted.

Upon a vote being taken, 7 Members agreed to the amendment to grant the application and 1 Member agreed with the officer's recommendation, it was thereupon

RESOLVED that Planning Permission be **GRANTED**.

C/2020/0201

Land at Northgate Steelworks Road,

Ebbw Vale NP23 8AU

**Proposed Residential Development and
Associated Works**

The Planning Officer advised that the planning application sought permission for residential development on a vacant plot of land known as the 'Northgate site' located at the northern end of 'The Works' regeneration site, Ebbw Vale. It would comprise of 56 residential properties, including 5 affordable units. The proposed houses would comprise of two and three storey buildings in the form of a mixture of flats, short terraces, and semi-detached and detached dwellings. The number of house types are as follows:-

- 2 - 1 bedroom affordable flats;
- 3 - 2 bedroom affordable houses;
- 37 - 3 bedroom houses; and
- 14 - 4 bedroom houses.

The proposed residential development has been oriented to provide a strong street frontage onto Lime Avenue and the proposed houses within the site would front on to the adjacent streets and lanes. The belt of existing protected trees adjacent to the eastern boundary of the site would be retained, continuing to separate the site from Steel Works Road. A smaller group of protected trees would also be largely retained, as well as the existing stone boundary wall adjacent to Lime Avenue, in the north-western corner of the site.

The Planning Officer further spoke of the report and explained the proposed layout of the site as outlined in the application presented. A detailed overview of the consultation and responses were provided and the Planning Officer drew Members attention to the advice provided by Natural Resource Wales (NRW) in respect of flooding on the site.

It was confirmed by NRW that the application site was partially within a Flood Zone C2 and the 0.1% (1 in 1000 year) probability of the River Ebbw flooding. The Officer noted that attention had also been drawn to Section 6 of Technical Advice Note 15: Development and Flood Risk and the Chief Planning Officer letter from Welsh Government, dated 9th January 2014, which affirms that highly vulnerable development should not be permitted in Flood Zone C2. Notwithstanding the policy position, the submitted Flood Consequence Assessment (FCA), including the additional technical information on the rate of rise of flood water, had been reviewed and NRW confirmed that the risk and consequences of flooding could be managed to an acceptable level provided that the finished floor levels were set at a minimum of 274.23m AOD as recommended by the submitted FCA.

The Planning Officer further explained the extent of Flood Zone C2 with the assistance of diagrams.

Further details were provided in relation to design, scale and layout as well as landscaping and trees all with the assistance of diagrams. In conclusion, the Planning Officer stated that the proposed residential development was acceptable in land use terms and would not have a detrimental impact on residential amenity, protected trees, local biodiversity or the character and appearance of the street scene and surrounding area. The proposal was acceptable in terms of access and car parking provision and would be in keeping with the surrounding listed buildings. Although the proposed residential development would partly fall within a Flood Zone C2, the proposed houses and gardens would largely fall outside of this high risk flood zone and the consequences of flooding has been found to be acceptable under the most extreme flooding. The Planning Officer noted the recommendation for approval subject to the conditions outlined in the application and the completion of a Section 106 agreement securing affordable housing provision and the leisure related planning obligation.

At the invitation of the Chair, Members noted that they supported the officer's recommendation as their concerns had been around flooding, however this had been fully addressed by the Planning Officer in the application.

Another Member supported the application and welcomed new homes to Blaenau Gwent. However, the Member raised concerns around the £130,000 to be paid by the developer. The Member advised that this land had been allocated for housing during the design of The Works Site, therefore if it had been allocated at that time for housing why did the builder need to pay £130,000 towards the education and leisure aspect if designed for houses in the initial stages. The Member felt that the school and leisure facilities on site would have been adjusted to suit this allocation. The Member further expressed concerns around previous planning applications and monies lost to 106 Section Agreements and yet this application requests these monies. The Member felt that this request was unfair and should not be allowed.

The Planning Officer was not aware of the details of any original leisure allocations related to the design of The Works Site and advised that the £130,000 was not just randomly agreed. There are policies within the Local Development Plan for new developments to make contributions to leisure facilities. Therefore, the Officer explained that based on evidence and guidance from National standards around play facilities it was recognised that this Ward did not meet the National standard and this was investigated in partnership with the Leisure Department who calculated with the use of a formula and evidence presented that £130,000 would be the contribution to be secured via the Section 106 agreed in line with National Policy. The Planning Officer added that this amount had been agreed by the Applicant.

In response to a question raised around the allocation of affordable housing, it was reported that the number of home were based on 10% of the total homes to be developed. This planning application included a total of 5 affordable homes.

Following a discussion and vote it was unanimously

	RESOLVED that subject to a s106 agreement, Planning permission be <u>GRANTED</u> subject to following conditions outlined in the report.	
No. 10	<u>AREAS FOR MEMBER BRIEFINGS/TRAINING</u> No areas for members briefing of training was raised.	

No. 7	<u>AREAS FOR MEMBERS BRIEFINGS/TRAINING</u> It was agreed that training in relation to signage in conservation areas be pursued. Councillor B. Thomas left the meeting at this juncture.	