

COUNTY BOROUGH OF BLAENAU GWENT

**REPORT TO: THE CHAIR AND MEMBERS OF THE PLANNING,
REGULATORY & GENERAL LICENSING
COMMITTEE**

**SUBJECT: PLANNING, REGULATORY & GENERAL LICENSING
COMMITTEE - 4TH MARCH, 2021**

**REPORT OF: DEMOCRATIC SERVICES AND 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

G. Thomas

B. Willis

L. Winnett

D. Wilkshire

WITH: Service Manager Development and Estates
Team Manager – Built Environment
Team Manager - Environmental Protection
Planning Officer x 2
Solicitor x 2
Press Officer

Public Speakers

Mrs L. Winnett, Ward Member - Application No. C/2020/0290, Garden Land of 46 Surgery Road, Blaina, NP13 3AZ - Development for one dwelling (outline)

Mr. G. Jones, Agent - Application No. C/2020/0282
Maes y Dderwen Charles Street Tredegar NP22 4AF
5 bedroom supported living unit and associated works

Mr. S. Kerr, Applicant - Application No. C/2021/0001
Unit 21 Rising Sun Industrial Estate, Blaina, NP13 3JW
Installation of 2no external exhaust stacks to serve 2no
internal spray booth ovens

DECISIONS UNDER DELEGATED POWERS

ITEM	SUBJECT	ACTION
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> There were no apologies for absence reported.	
No. 3	<u>DECLARATIONS OF INTEREST AND DISPENSATIONS</u> The following declaration of interest was made:- <u>Councillor L. Winnett</u> Item No. 6 – Planning Applications Report Application No. C/2020/0290 Garden Land of 46 Surgery Road, Blaina, NP13 3AZ Development for one dwelling (outline)	
No. 4	<u>APPEALS, CONSULTATIONS AND DNS UPDATE MARCH 2021</u> Consideration was given to the report of the Service Manager – Development & Estates. Councillor W. Hodgins left the meeting at this juncture.	

	<p>The Service Manager – Development and Estates updated Members in relation to the lost appeal for DNS solar farm in Tredegar and reported that although an invoice had not yet been received costs would be in the region of £20,000 with no specific budget to meet those costs.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 5</p>	<p><u>LIST OF APPLICATIONS DECIDED UNDER DELEGATED POWERS BETWEEN 19TH JANUARY 2021 AND 18TH FEBRUARY 2021</u></p> <p>Consideration was given to the report of the Senior Business Support Officer.</p> <p>RESOLVED that the report be accepted and the information contained therein be noted.</p>	
<p>No. 6</p>	<p><u>PLANNING APPLICATIONS REPORT</u></p> <p>Consideration was given to the report of the Team Manager Development Management.</p> <p><u>Application No. C/2020/0290</u> <u>Garden Land of 46 Surgery Road, Blaina, NP13 3AZ</u> <u>Development for one dwelling (outline)</u></p> <p>The Planning Officer spoke to the application and advised that the site formed part of the garden of 46 Surgery Road. The site benefits from an existing disused garage and access gate located at the rear of the plot which leads onto a rear access track. The site could be accessed off Surgery Road via the existing driveway serving No. 46. The Planning Officer outlined the application with the assistance of diagrams/photographs and noted that the street comprised of a mixture of two-storey terraced houses and bungalows and the proposed building would be sited between a 2 storey property and a bungalow.</p>	

The Planning Officer continued that the application sought outline permission for one dwelling, with the exception of a new access off Surgery Road, all other matters are reserved for future consideration.

The Planning Officer noted that no objections had been received from internal or external statutory consultees, however objections had been received from residents and a Ward Member which was outlined in the report.

The Planning Officer added that the site falls within the settlement boundary within which new development was acceptable subject to policies in the Local Development Plan. The Officer noted that there are two main considerations in determining this application, whether the principle of residential development was acceptable and the adequacy of the proposed access. The Officer reminded Members that all other matters are reserved for future consideration.

The Planning Officer referred to outline planning which was previously granted for a dwelling on the site in 2003 and reported that the site circumstances had not significantly changed. The site currently formed part of a residential curtilage within an established residential area and the proposed plan illustrated that the site was large enough to accommodate a dwelling with sufficient amenity space for both the proposed dwelling and the garden of No. 46. Therefore, the principle of development was considered to be compatible with surrounding uses and complies with LDP Policies.

The Planning Officer further noted matters in relation to access, neighbour amenities and drainage as outlined in the report. In conclusion, the Planning Officer had given consideration to the development against the relevant LDP Policies and was of the opinion the residential development and the proposed access was acceptable, subject to the approval of reserved matters. The Planning Officer therefore noted the officer's recommendation for approval.

At the invitation of the Chair, Mrs. Lisa Winnett, Objector/Ward Member noted the planning application and advised that she disagreed with the officer's recommendation. Mrs. Winnett advised that there are significant issues with parking on Surgery Road and in most instances cars park along the double yellow lines and in front of driveways. There was limited visibility from driveways and another driveway in the area would result the loss of more spaces.

Mrs. Winnett felt that the proposed development was not in keeping with the surrounding area as there was a number of OAP bungalows in the area and therefore felt a bungalow may be better suited. Mrs. Winnett also referred to the design and layout which would result in a bedroom being situated next to a driveway. It was felt that the property would be overbearing on neighbouring properties.

In response to highways concerns raised, the Team Manager – Built Environment advised that the Highways Section was aware of the on-street parking in the area. The Team Manager added that there were traffic orders in place and these needed to be reinforced as this was now the responsibility of the Local Authority. The Team Manager explained that he had visited the site and had identified unrestricted parking further up the road.

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

A Member noted the concerns raised, however he felt that the development did not infringe on the privacy of neighbours and suggested off street parking for residents as this would help manage the parking issues. The Member felt there was options around the objections and supported the officer's recommendations.

A number of Members supported the observations of the Objector/Ward Member who would be aware of the parking issues in her Ward. A Member suggested that a site visit be made after the working day to have sight of the full impact of the highways and parking issues.

A Member referred to the rear lane and asked if this could be used as an access to assist in elevating the parking problems.

Mrs. Winnett (Objector/Ward Member) explained that the rear lane was an old railway track used by the former Beynons Pit, however due to the amount of severe potholes the lane could not be used by residents.

The Team Manager – Built Environment noted the comments made in relation to the rear access lane/track and advised that these are not material to the determination of this application as the applicant does not propose any new access from the rear.

It was noted that although there were objections to the application in relation to parking issues the Highways Inspector had not identified any highway concerns. Therefore, another Member supported the officer's recommendation.

Another Member seconded a site visit in order to make an informed decision.

The Vice-Chair asked if a site meeting was permitted during the pandemic as he was of the opinion that this was not Corporate Policy under the current restrictions.

A Member suggested that planning permission be deferred until a site meeting could be arranged. The Chair referred to the Legal Advisor and questioned whether a site meeting could take place at present. It was advised that no site meetings were permitted at the present time due to Covid.

The Service Manager – Development and Estates advised that if Members felt a site visit was justified that was a decision to be made by Members of this Committee. Although the Service Manager – Development and Estates advised that advice would need to be taken on this course of action due to Covid-19 restrictions and informed Members that if approved the application could be hold for some time.

It was proposed and seconded that a site meeting be arranged.

Councillor L. Winnett did not take part in the vote.

Members took a vote, and following a vote 7 Members were in favour of a site meeting and 7 Members voted in favour of the officer's recommendation, the Chair had a casting vote and it was, therefore

RESOLVED that planning permission be **GRANTED**.

Application No. C/2021/0001

Unit 21 Rising Sun Industrial Estate, Blaina, NP13 3JW

Installation of 2no external exhaust stacks to serve 2no internal spray booth ovens

Councillor L. Winnett requested it be recorded that she had not raised objections to this planning application. Councillor Winnett explained that she had requested further information around pollution levels which had been addressed and therefore had she raised no objection.

The Planning Officer advised that the site was located in the Rising Sun Industrial Estate, Blaina and noted that Blackwood Engineering currently occupied a unit at Glandwr Industrial Estate, Aberbeeg. The Aberbeeg site would remain as the main production site with the Blaina site being used for specific products and overspill.

The Planning Officer outlined the site with the assistance of visual aids and noted a band of trees bound the site to the east, separating the site from residential properties beyond. The topography was such that the site was located at a lower level in comparison to the residential properties in the area.

The Planning Officer pointed out that planning permission was only required for the external physical alterations to the building i.e. the stacks. The building already benefits from a permitted B2 use and therefore the use of the building (including installation of internal spray booths) does not require planning permission. However, the applicant had provided supporting information with the application as to how the spray booths would operate and the Officer reported the working hours and estimated spray times as outlined in the report. The same processes and paints was used at the Aberbeeg site and details were provided. The stack height calculation was used to identify how high the stacks needed to be to allow for adequate dispersion of emissions and in this case, the required height was 11m above ground level and 3m above ridge level.

The Planning Officer further outlined the external and internal consultation and noted the feedback received accordingly.

In terms of the planning assessment, the Planning Officer noted that the site was within the settlement boundary as defined by the Council's adopted Local Development Plan (LDP). The principle of development was therefore considered acceptable subject to the satisfaction of policies contained within the LDP.

The Planning Officer noted the main issues for consideration of this application in terms of the visual impact of the stacks on neighbouring amenities and wider landscape and the environmental impact of any emissions or odours from the stacks.

In relation to airborne emissions, the Planning Officer noted that the Environmental Health Team have confirmed that the stacks are proposed at an appropriate height to allow for adequate dispersion of pollutants and the proposed filter abatement technology was considered to be sufficient.

The Environmental Health Team have further confirmed that the proposed annual solvent/chemical usage was considered to be low and well below the threshold for the requirements of an environmental permit. In the event that the development did exceed chemical consumption thresholds then emission monitoring and dispersion modelling would be required from an air quality perspective. The Planning Officer stated that these requirements would all be controlled by Environmental Health Legislation and thereupon noted the officer's recommendation for approval.

At the invitation of the Chair, Mr. Steven Kerr was invited to speak to the Committee.

Mr. Kerr advised that he represented Blackwood Engineering and welcomed the opportunity to present the Planning Committee. Mr. Kerr thanked the officer for a report and positive comments received.

Mr. Kerr informed that Blackwood Engineering had been in operation in Aberbeeg for many years. The Company had factories in the UK and Belgium, however their base was South Wales, particularly Blaenau Gwent and this was where the highest number of employees were based.

Mr. Kerr added that the operation had outgrown the site in Aberbeeg and therefore Blackwood Engineering was keen to expand within Blaenau Gwent. The Unit in the Rising Sun was currently being used for storage, however due to the need to expand the unit had been considered.

The operation in Blaina would be a smaller version to that based in Aberbeeg which had been operating for the past 25 years. Mr. Kerr stated that Blackwood Engineer was a responsible employer who took their responsibilities serious and had a good working relationship with the Local Authority and neighbouring units.

Mr. Kerr concluded that the expansion to Blaina was essential to the business and it was hoped that he would obtain the Planning Committee's support.

Members supported the report and officer's recommendation, however a Member noted that although very little objections had been received from residents he had concerns around pollution. In response, an Officer confirmed that the volume of pollution for the Blaina unit would be less than produced in Aberbeeg. The solvent would only be used for 1 hour per day, therefore the actual volume of pollution was very small. In Aberbeeg the solvent was used for much longer periods with no complaints about odour from nearby properties.

Following further discussions, it was

RESOLVED that planning permission be **GRANTED**.

Application No. C/2020/0287

Garden of the Nag's Head Merthyr Road,

Tafarnaubach, Tredegar NP22 3AP

New house build

The Service Manager – Development and Estates noted that this application had been presented to the Planning Committee on 4th February, 2021 and the officer's recommendation had been for refusal due to concerns around the design. The Planning Committee discussed the site and proposed development in detail and agreed that the design was down to the discretion of the applicant. It was thereupon resolved to grant planning permission subject to appropriate conditions.

The Authority was delegated to compile a list of relevant planning conditions and present those conditions to this Committee for consideration.

Following discussions, it was

RESOLVED that planning permission be **GRANTED**.

Councillor K. Rowson left the meeting at this juncture.

Application No. C/2020/0282

Maes y Dderwen Charles Street Tredegar NP22 4AF

5 bedroom supported living unit and associated works

The Planning Officer spoke to the report which outlined the development site which was located within the grounds of the existing Maes y Dderwen. The application proposed to provide a 5 bedroom two storey supported living unit for residents with mental health disabilities to the east of the car park serving Maes y Dderwen. The proposed unit was a two storey building adjoining the footpath which was situated between the site and the adjoining Coach and Horses Public House. A small staff room, kitchen/dining room/utility room and living room are provided at ground floor and 5 en-suite bedrooms are provided at first floor. The Planning Officer added that the property was set back slightly behind the front building and three car parking spaces are provided to the rear of the property with vehicular access via the existing car park. The Officer noted that none of the existing parking spaces which serve Maes y Dderwen would be lost as a result of the development.

The proposed development and site was outlined by the Planning Officer with the assistance of diagrams as detailed in the report.

The Planning Officer noted that there were concerns over the design of the proposal when the application was initially received. However, following discussions with the agent an amended application was submitted and the Planning Officer advised that the amended plans formed the basis of this report.

The Planning Officer referred to the consultation received and advised that although the report stated that no response had been received from the Police, a response had been received yesterday and no objections were raised. The Officer further outlined the objections received and addressed the objections accordingly.

The Planning Officer further spoke to the report and outlined the planning assessment. The Officer advised that the Blaenau Gwent Local Development Plan (LDP) indicated that the proposed site was within the settlement boundary. The proposed parking provision of one space per member of staff and one space for visitors met the requirements of the highway authority. Therefore, no parking spaces serving the existing facility at Maes y Dderwen would be lost. The Officer further referred to the design and appearance of the development which was in keeping with the area. In terms of the impact on residential amenity, the Officer advised that the distance was considered sufficient to ensure there was no loss of privacy to neighbouring properties or have an overbearing impact.

The Planning Officer addressed concerns raised by an objector in respect of the loss of view due to the development which could result in a loss of value to their home. However, the Planning Officer was satisfied that this would not be the case and the loss of value to existing property prices was not a material planning consideration.

The Planning Officer continued with a detailed overview of the report in relation to trees/ecology, drainage and referred to third party concerns. In conclusion, the Planning Officer was of the opinion that the proposal would provide living accommodation in an established residential area that was designed to make good use of brownfield land as directed by national planning policies. It has been designed to accord with site circumstances and was in keeping with the local settlement pattern. The proposal raised no Planning Policy objections, nor objections from other consultees and therefore noted the officer's recommendation for approval.

Mr. G. Jones, Applicant addressed the Committee at the invitation of the Chair.

Mr. Jones wished to thank the case officer for a thorough report and welcomed the officer's recommendation.

Mr. Jones explained that the proposed development was an extension of the current facility and would provide an additional 5 bedrooms supported living units. The site was an ideal location for the applicant as both facilities would be operated by the Applicant, Shaw Healthcare.

Mr. Jones wished to address the main areas of concerns raised through the application which included access, car parking, design and proposed end users and supervision on site.

In terms of access, this would be achieved via the existing access to the Maes y Dderwen facility and this would not result in any loss of car parking. The residents have complex care needs and are not able to drive. Mr. Jones added that this would also be the case for any future residents, therefore car parking was for staff and visitors only. The proposed development would require 3 new spaces - 2 for staff and 1 visitor car parking space as per Blaenau Gwent Planning Policy.

There are 10 car parking spaces in the existing facility serving 24 beds in main facility which results in a ratio of 0.42 spaces per unit. The new facility has an additional 5 beds and 3 additional car parking which equated to 29 units and 13 car spaces. This resulted in a ratio of 0.44 per unit which was better than existing facility.

Notwithstanding the improved car parking the facility provided sufficient car parking in its own right as confirmed by the local authority's highways authority who raised no objections to the development, subject to conditions that the car parking spaces must be built prior to the occupation of the development.

In terms of traffic generation, the facility had food deliveries on Monday, Thursday and Friday as well as refuse collections on Wednesday as per the existing arrangements for Charles Street. The development would not result in increased traffic nor would there be a need to relocate the refuse compound.

Mr. Jones referred to the design and advised that the Applicant had worked with the Planning Department to achieve a property within keeping with the residential context along Charles Street and post application a number of changes had been made to design in response to officer comments; namely the orientation of roof which was switched through 90 degrees to match other houses. The ground floor bay window was added to reflect houses opposite and changes to the fencing to have a more uniformed appropriate and also reflect the houses in Charles Street. The proposed building was reduced in size and moved 1m from road in keeping with Public House. This resulted in an increased distant between the facility and the houses on the opposite side of the road.

Mr. Jones further referred to the residents of the facility had complex care needs and the supporting living scheme would help individuals to live independently and be offered work experience and training through care plans. Mr. Jones confirmed that residents are under constant supervision.

Mr. Jones concluded all materials consideration have been addressed and there are no objections to highways, design, noise, landscaping, ecology/trees or public protection from technical consultees and thereupon asked that the Planning Committee supported the officer's recommendation.

At this juncture the Chair invited the Planning Committee to provide their comments.

A Member raised concerns around the comments made by the Applicant and noted he disagreed with a number of those comments. The Member informed that he was a local Ward Member who resided on Charles Street and wished to point out that the existing building was a well-designed purpose made structure with an excellent mix of car parking and garden space. The building was designed approximately 20 years ago, however, the owners of the building now wish to expand this building for an additional 5 beds. The Member felt that the facility worked well in its current condition and residents have no issues as it stands.

Therefore, it was felt that there was no need to add another 5 beds to the already 25 bed accommodation which would result in the facility housing approximately 30 clients. The Member also pointed out that the garden space would need to be removed to accommodate the proposed building.

The Member read a statement which he had taken from the Shaws Healthcare website "the Maes y Dderwen was a facility which specialise in schizophrenia" and Members would be aware this affects a person's ability to think logically. Therefore, the Member stated that the proposed building would allow possibly 30 people to live in a residential street, a nice street, who had significant health care needs.

The Member added that the clients have been seen urinating in the front garden and it was also the preferred spot for clients to smoke. The clients are seen smoking in the garden constantly and they dispose of their cigarette ends on the public footpath. The Member advised that he had complained to the Manager a number of times, however the complaints had been ignored.

The proposed building would be within 3m/10 feet of a very busy Public House and the Member felt that this was a serious problem in itself. The Member added that Charles Street was a pleasant Street with a good mix of ages and it would be wrong to affect the lives of residents in Charles Street by adding and overloading this facility. This would definitely be an over development and the Member asked that the Planning Committee support a refusal on this application. The Member also felt this application would benefit from a site meeting, although the Member noted that due to the current pandemic this could not be the case.

The Member strongly felt that by adding this additional building the facility would be spoilt and reiterated the need for a site meeting in order for the Planning Committee to have sight of the facility, the proximity to the Public House and how the area would be generally affected by the proposed development.

Another Member raised concerns in relation to the close proximity of the care facility which housed some of our most vulnerable residents in the Community to the Public House. The Member added that the Coach and Horses Public House was a lively community pub and on times very busy. The Member felt that to site the facility next door was unfair on the clients and the owners of the Public House. The Member felt that the Applicant was putting profit before the needs of the clients in its care, which are as Mr. Jones pointed out very vulnerable.

The Member further referred to point 5.16 of the report which stated that the facility would be using the street parking, however, on that same side of the street was the Public House, a hairdressers and Maes y Dderwen. The application proposed a further 5 beds to be added to the property and the Member felt that report contradicts itself as its noted that Charles Street was already a congested Street.

In relation to comments raised by Mr. Jones, the Member referred to the complex needs of residents and advised that if the residents had mobility issues the clients would be permitted to have a mobility car. If this was to be the case it would add an additional 5 cars in the area, therefore it was felt that this also needed to be considered.

The Member further raised concerns about the lack of response from the Police albeit no objections was received yesterday. The Member informed that as a neighbouring Ward Member he had received a great deal of anti-social behaviour complaints from the area which he had reported accordingly. Another matter of disagreement in the report was in relation to the alleyway. In the report it was noted that the alleyway would form part of the Maes y Dderwen site, however the Member confirmed that the alley was a right of way to Martindale Close and therefore not private to the estate.

The Member thereupon concurred that the application should be refused.

Another Member concurred with the comments raised and reiterated that the main issues of concern were increased parking in the area. The staff very rarely parked in the car park which caused on street parking issues. There are frequent complaints of criminal behaviour and car parking problems in the area.

The Member advised that he had visited the car park some weeks ago and it was empty, however upon a visit earlier this week the car park was full and the Member felt that this was now being used in case of a site visit from the Planning Committee.

The Member thereupon stated that he was unable to support this application.

Another Member informed that she had been aware of the support needed for such vulnerable clients due to personal circumstances. The proximity of the facility to the Public House was of great concern and therefore felt that she had unable to support the officer's recommendation.

In response to a question raised in relation to supervision, Mr. Jones confirmed that clients are supervised and the facility was manned 24 hours a day.

Another Member asked for an explanation for a class C2 use and the Service Manager advised that planning legislation divided land uses into classes and Class C2 was residential care uses and C3 was a private dwelling house. However, Class C3 was sub divided into 3 categories. The proposal falls into Class 3b which was a dwelling house of not more than 6 residents living together as a household where care was provided. As such the proposal was still a residential use and was compatible with its located in a predominately residential area.

In response to a questions raised in relation to the health issues of clients, Mr. Jones confirmed that clients have a range of mental health issues including Dementia and Schizophrenia.

The Member supported that local Members in terms of issues outside of the facility and noted that there appeared to be lack of support to address these issues with the management. The Member noted that there had been no objections raised by the Police and although he sympathised in how the facility was being managed he had no concerns on the actual proposed building.

Mr. Jones noted the main concerns being raised and reiterated that the parking was sufficient in accordance with the SPG. In terms of the relationship between the Public House and the Maes y Dderwen, Mr. Jones appreciated the concerns being raised by local Members and felt that the Applicant would be happy to work with Members to find solutions to these issues. Mr. Jones suggested that installation of CCTV cameras in the area and again reiterated the opportunity to work with local Members.

At this juncture it was noted that Mr. Alan Protheroe wished to address the Planning Committee. However, this request had not been made prior to the Planning Committee and Service Manager – Estates and Development advised that at this point permission to allow the public speaker was the decision of the Chair as a request to speak at the Planning Committee needed to be placed in writing prior to the meeting.

The Chair agreed that Mr. Protheroe, Objector would be permitted to speak to the Planning Committee.

Mr. Protheroe advised that had he witnessed residents of Maes y Dderwen actually entering the Pub and coming out intoxicated. In relation to parking, Mr. Protheroe informed that the car park was always overcrowded which resulted in staff/visitors parking outside houses in Charles Street where parking was already limited. Mr. Protheroe referred to the recently installed traffic measures on the Dram Road which have resulted in more traffic in Charles Street and the increase in lorries frequenting the Street.

The delivery vans to Maes y Dderwen park up on the pavement due to the lack of space in the car park.

Mr. Protheroe noted that these concerns are both his and those of his neighbours and it was important that the health and safety welfare of residents were noted. Mr. Protheroe also concurred with the amount of anti-social behaviour in the areas and an increase in road traffic accidents due to limited parking in the area.

Members noted the comments raised by local Members and could not support the officer's recommendation.

In response to a question raised in relation to the height of the boundary wall, the Planning Officer advised that the property itself would be the hard boundary.

A Member reported that he had to leave the meeting due to a personal appointment, however he wished it recorded that he supported the local Ward Members in refusing the application.

Councillor D. Wilkshire left the meeting at this juncture.

The Service Manager wished to point out that although Members are here to represent the views of their constituents they are equally here to represent those views of the applicants which are proposing the schemes. The Members should apply planning policy as it exists in the LDP and Welsh Government planning policy and the Service Manager added it was therefore not just not for Members to take into the views of residents that oppose the scheme. It was reminded that Members need to take a balanced view.

The Service Manager referred to comments made in relation to a HMO and informed Members that this application was not for a HMO.

The Service Manager also pointed out to Members that if there was an amendment to refuse planning permission, as officers we need clarity on the exact reasons for refusal.

A Member asked if conditions could be added on how the facility was managed and maybe defer the application until such a time when it could come back to the Planning Committee for consideration.

The Service Manager – Estates and Development advised that it was possible to agree a scheme of screening between the buildings and noted Mr. Jones had mentioned CCTV and any other issues that Members feel necessary to mitigate the impact of the Public House on residents of the facility.

A local Member failed to see how screening the building would alleviate concerns. The Member was of the opinion that a C2 facility was too close to the Public House and he reiterated his concerns of vulnerable people being placed in that situation, however he did not know what the reasons for refusal would be for the application.

In terms of the boundary, the local Member advised that the boundary would be the lane. The area already attracted anti-social behaviour although it was a right of way to Martindale Close and erecting a wall to form an alley would create greater problems. The Member advised that the Public House had installed CCTV cameras, however he does not feel that this would resolve the issue and further reiterated that the facility was an inappropriate building for vulnerable people 10 feet away from the Public House.

Another Member noted the concerns of local Members and advised that individuals with mental health issues also have addiction issues which could affect them greatly living next to a Public House. The Member also noted the parking concerns and supported the comments raised by local Members.

The Vice-Chair noted that it was supported living but residents are able to come and go as they please and would not be supported when they leave the facility. The Member thought that supported living meant that the clients were accompanied everywhere they go. The Vice-Chair felt that if the application was to be refused on anti-social behaviour or how the clients behaved in the community it could not be justified in planning terms as you could not impose conditions on these individuals when outside of the facility.

The management of the operation have been raised and it lies with the management to address these concerns. The matters raised in relation to parking were not shared by the Highways Inspector as the application adhered to SPG, therefore it was felt that there was limited grounds to refuse the application.

A Member noted previous applications which had been refused and felt it was important that the officer's advice be supported on this occasion.

Another Member felt the concerns being raised were weak for refusing for refusal.

The Team Manager – Built Environment wished to address the highway concerns and noted that there was no objection from Highways. The Team Manager noted that his professional advice to the Planning Committee was that the application not be refused on highway grounds as the parking complied with the adopted Council policy. The Team Manager felt that the existing car park had outgrown itself over the years but this was approved as part of the original application and therefore could not be taken into consideration.

The Chair concluded discussions and a Member seconded that a site meeting be arranged.

The Service Manager asked if the application was being refused or that a site meeting be arranged.

In response to the proposed site meeting the Chair asked when it could be arranged, the Service Manager advised that it was unsure when a site meeting could be arranged during the current pandemic's strict restrictions. The Service Manager added that if the application was to be refused the reason for refusal would need to be clarified.

Therefore, the Member proposed that the application be refused on the grounds that it was not in the best interests of vulnerable individuals to be placed into care facility next to a Public House, over development of the facility, not in the best interest of the community, major highway concerns as raised during consideration of the application and a Class C3 building should not be built next to a Public House.

It was proposed and seconded that the application be refused.

Members took a vote, and following the vote, 7 Members were in favour of refusal and 6 Members voted in favour of the officer's recommendation it was, therefore

RESOLVED that the planning permission be **REFUSED**.

No. 7

AREAS FOR MEMBER BRIEFINGS/TRAINING

No areas for members briefing of training was raised.

No. 8

**ENFORCEMENT CLOSED CASES BETWEEN
17TH SEPTEMBER 2020 TO 23RD FEBRUARY 2021**

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.

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 12, Schedule 12A of the Local Government Act 1972 (as amended).

Consideration was given to the report of the Service Manager Development & Estates.

RESOLVED that the report which contained information relating to a particular individual be accepted and the information contained therein be noted.