



**Adroddiad i Gyngor
Bwdreisdref Sirol Blaenau
Gwent**

**Report to Blaenau Gwent
County Borough Council**

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Arolygydd a benodir gan Weinidogion Cymru
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an Inspector appointed by the Welsh Ministers
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PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 64

**REPORT ON THE EXAMINATION INTO THE
BLAENAU GWENT COUNTY BOROUGH COUNCIL
LOCAL DEVELOPMENT PLAN**

Plan submitted for examination on 3 February 2012

Examination hearings held between 26 June and 17 July 2012

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Summary

The Blaenau Gwent County Borough Council Local Development Plan (the Plan) provides an appropriate basis for the planning of the area to 2021, subject to a number of changes. These can be summarised as:

- Redrafting Policies SP10 and DM5 on strategic environmental policy and climate change to make them more locally distinctive and consistent with national policy;
- Adjusting the settlement boundary at Trefil;
- Revising Policy DM2 so as not to stifle innovative development and in order to promote higher density;
- Removing imprecise references about the application of affordable housing policies and contributions to outdoor sports and playing fields and specifying that such contributions will only be sought subject to viability;
- Removing inappropriate distinctions within the A3 Use Class in Policies DM6 and DM7, and clarifying that functions which complement town centres should be directed to such locations first;
- Amending minerals policies to be consistent with national policy and the findings of the Regional Technical Statement;
- Deleting transport projects that have little likelihood of being delivered; and
- Revising two monitoring indicators to ensure compliance with national policy.

All but five of these changes were proposed by the Council.

I conclude that, with these recommended changes, the Plan satisfies the requirements of section 64(5) of the 2004 Act and meets the tests of soundness in LDP Wales.

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1 Introduction

- 1.1 Under the terms of Section 64(5) of the Planning & Compulsory Purchase Act 2004 (the Act), the purpose of the independent examination of a Local Development Plan (the Plan) is to determine:
- (a) whether it satisfies the requirements of sections 62 and 63 of the Act and of the regulations pursuant to section 77; and
 - (b) whether it is sound.
- 1.2 This report contains my assessment of the Plan in terms of the above matters, along with recommendations and the reasons for them, as required by section 64(7) of the Act. The starting point for this examination is that the Council considers it has produced a strategy, policies and allocations that are sound.
- 1.3 In this case, the Council requested that the examination proceed on the basis of the deposit Plan¹ as modified by a range of Focussed Changes (FCs)². These FCs were the subject of a separate consultation and a refresh of the Sustainability Appraisal (SA)³. Accordingly, it is appropriate that the examination should proceed on this basis. These FCs have been incorporated into an updated version of the Plan dated March 2012⁴.
- 1.4 In addition to the requirements of the Act and the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005, I have considered the Plan against the soundness tests in paragraph 4.35 of Local Development Plans (LDP) Wales, 2005. Since the purpose of the examination is to determine whether the Plan is sound I have recommended changes in this report only where there is a clear need to amend the Plan in the light of the legal requirements and/or the tests of soundness. These binding changes are set out in Appendices A and B to this report, where they are highlighted in **bold type**. I am satisfied these changes are in line with the substance of the overall Plan and its policies and do not fundamentally alter the strategy or undermine the Sustainability Appraisal (SA) or participatory processes undertaken.
- 1.5 All duly made representations and the matters raised orally at the hearings have been considered. Given the focus of the

¹ Council reference SD01. A full list of documents referred to in this report can be found on the Council’s examination website <http://www.blaenau-gwent.gov.uk/environment/17467.asp> Appendix C to this report explains the various references used by the Council to code documents it prepared and submissions made by other parties that were examined.

² SD10a and SD10b

³ SD04a, SD04b and SD04c

⁴ PH1

examination on soundness, the report does not generally refer to the individual representations made in each case. Matters raised by individuals are referred to only where they raise substantive issues concerning the Plan’s soundness or relate to concessions made by the Council during the hearings.

Matters Arising Changes (MACs) after the examination hearings and other changes to the Plan

- 1.6 The Council prepared a range of MACs that arose from discussions that took place at the different hearing sessions. These include the re-writing of the Plan’s monitoring indicators. These were collated in one document⁵. The Council helpfully sought to distinguish between changes which it considered necessary to make the Plan sound and many others which either clarify policies, correct typographical errors or provide factual updates.
- 1.7 These MACs were the subject of a separate consultation programme which ran until 19 September 2012. All participants in the examination and others with a known interest in land affected by the deletion of site H1.20 (land at Farm Road, Swffryd) as a housing allocation were invited to comment on the changes. The Council acknowledged a minor error in the revised monitoring indicator for new housing (Objective 3) after first publishing it. This was corrected on 30 July 2012 and all participants attending the relevant housing and urban settlement sessions were given a copy of the corrected monitoring indicator. I reviewed all comments received during this consultation programme before finalising my report.
- 1.8 Some MACs are plainly necessary as the Plan would be unsound without them. Others add clarity and precision or improve its coherence and consistency but are not strictly necessary for reasons of soundness. Whilst not the subject of a binding recommendation, I endorse the Council’s wish to incorporate all the changes in document PH2, as amended by way of alterations (Table 4 p53 of PH2 and PH2_BGCBC, PH2a and PH2b). MAC changes are only discussed in this report where a reference would clarify my reasoning and conclusions.
- 1.9 The Council acknowledged during the examination some typographical errors that it intends to correct. For example, replacing the word “houses” with “homes” in various parts of the Plan reflects the fact that new housing proposed will comprise a mix of houses and flats. I authorise the Council to make final editorial changes to correct this point and any other minor outstanding typographical and other matters to improve the Plan’s readability (for example, adding north signs on maps and adopting

⁵ PH2. The revised monitoring indicators are shown in Appendix 2 to PH2.

a consistent way of spelling the settlement Swffryd/ Sofrydd in the Plan, accompanying appendices and Proposals/Constraints Maps, identifying MU1 in the Delivery and Implementation section as targeted to deliver 805 homes to be consistent with other references in the Plan). Adding the names of key towns and settlements would make Figure 2: Key Diagram easier for an outsider to read. The Council will also need to make other minor updates to this figure to reflect various MACs.

Other matters raised after the hearings

- 1.10 The Minister for Transport approved the dualling of the Heads of the Valleys Road (A465) between Gilwern and Brynmawr on 19 July 2012⁶. I have taken his decision into account in preparing my report.
- 1.11 Mynydd Llangynidr was designated as a Site of Special Scientific Interest (SSSI) in August 2012⁷. I heard submissions at the hearings that this designation could be subject to judicial review. For the purposes of this report, I assume its status as an SSSI will stand.
- 1.12 The Council responded to correspondence from the Home Builders Federation in connection with MAC C39 and MAC C40 around the merged housing allocation and commitment sites Policy H1/HC1. The Council has suggested a rewording of these MAC changes⁸. I have written my report on the basis of the revised wording offered.

Structure of report

- 1.13 Section 2 of this report considers procedural issues in the Plan. Thereafter I have identified and addressed the following main topics on which the soundness of the Plan turns. These are:
- the spatial strategy and vision including settlement boundaries and overview of policies to support the strategy (section 3);
 - housing numbers, site selection phasing and densities (section 4);
 - affordable housing, housing for gypsies and travellers and sheltered housing (section 5);
 - town centre management and retail development (section 6);
 - employment and tourism (section 7);
 - community life, education and open space provision (section 8);
 - sustainable development, environmental management and landscape considerations (section 9);

⁶ PH3 and PH3a

⁷ PH4

⁸ PH2_BGCBC

- minerals and waste (section 10);
- transport (section 11);
- design, heritage and the role of the Welsh language (section 12); and
- infrastructure provision, implementation and monitoring (section 13).

1.14 At Section 14 of this report, I briefly review other topics raised in the examination such as the use of the Constraints Map and agriculture and thereafter conclude why I consider the Plan to be sound subject to the changes identified.

2 Procedural Tests

- 2.1 The LDP has been prepared to meet the deadlines set out in the Council’s revised Delivery Agreement⁹ and is consistent with its Community Involvement Scheme. On this basis, the Plan complies with the requirements of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 including requirements relating to the consultation, advertisement and the publication and availability of prescribed documents.
- 2.2 The Plan has also been subject to Sustainability Appraisal (SA) including Strategic Environmental Assessment (SEA). FCs put forward by the Council as part of the examination process have likewise been tested where necessary for any impacts they have upon the SA and SEA¹⁰.
- 2.3 In accordance with the Habitats Directive¹¹ a Habitats Regulations Assessment (HRA) of the Plan has been undertaken¹². An HRA Screening report was undertaken along with a subsequent Appropriate Assessment. This research concluded that no significant effects upon the integrity of the European sites¹³ within the Plan area or in adjacent areas are likely to occur (either alone or in combination with other plans or projects) as a result of implementing the Plan.
- 2.4 Accordingly, procedural tests P1 and P2 have been satisfied and the relevant legal requirements complied with.

⁹ SD13

¹⁰ SD24, SD04a, SD04b and SD04c

¹¹ European Union Habitats Directive (92/43/EEC)

¹² SD05, SD06

¹³ Refer Planning Policy Wales Edition 4, paragraph 2.4.6. This document can be found in W41 in the examination library. It is hereafter referred to as PPW4 in this report.

3 Spatial Strategy and Vision including Settlement Boundaries

Is the spatial strategy and vision appropriate?

- 3.1 There is a broad consensus that the Plan should seek to promote the economic, social and environmental regeneration of the county borough. The only realistic alternative to a strategy that actively promotes growth would be one of further population decline or stagnation¹⁴.
- 3.2 The Plan acknowledges challenges over recent decades following the decline of the coal and steel industries and associated manufacturing which have been reinforced by current economic conditions. It seeks to reverse population decline by promoting major new development to help attract private investment which will diversify the local economic base allied with extensive public infrastructure investment to support economic growth and raise skills levels among local people. At the same time, the Plan seeks to preserve, enhance and promote the county borough’s distinctive landscapes and environmental assets.
- 3.3 The vision and spatial strategy for the county borough is clearly articulated and derived from an extensive evidence base underpinned by a lengthy consultation programme¹⁵. The vision and spatial strategy and supporting policies are also consistent with the Blaenau Gwent Community Strategy¹⁶ and therefore consistent with Soundness Test C4.
- 3.4 This Plan seeks to deliver regeneration through a number of site allocations re-using previously developed land (PDL). The two most significant sites are located in Ebbw Vale (MU1 – Ebbw Vale Northern Corridor - and MU2 – “The Works”). MU1 will deliver two thirds of the county borough’s planned new employment space and over 20% of its new housing while protecting ecologically sensitive parts of the site. The redevelopment of the former Corus Steel Works (MU2) is underway and will deliver a mix of uses including a new Learning Centre, other civic uses and 520 homes. The balance of the county borough’s new housing and employment land will be delivered across a number of smaller sites.

North: south split of new development

- 3.5 The Plan envisages most new housing in the north of the county borough (Tredegar, Ebbw Vale and the Upper Ebbw Fach) rather than the south (Lower Ebbw Fach). This seems appropriate since opportunities to promote development in the south are severely

¹⁴ SD23, p14. The report clarifies three options for development that were the subject of consultation.

¹⁵ Evidenced and audited in SD07a and SD07b, SD17 and SD18 to SD21

¹⁶ SD121

restricted due to the lack of suitable sites within existing settlements, topographical constraints, relatively poor access to services and a desire to preserve hillside areas of significant landscape quality adjacent to these settlements.

- 3.6 In reviewing those submissions which argue for a higher level of housing in the south of the county borough¹⁷, I appreciate that some residents in the Lower Ebbw Fach may look southwards towards Caerphilly for some services. Some submissions assert that without substantial new development in the south, young people will migrate into neighbouring local authorities. There is some evidence (for example, in SD76) that the south of the county borough falls within a distinct “Mid Valleys” housing market area which extends into Caerphilly as opposed to a “Heads of Valleys” housing market area. The Mid Valleys area could be affected by interventions in the housing market to the north or further south closer to the M4 motorway corridor.
- 3.7 However, submissions arguing for significantly more housing in the south of the county borough ignore the possibility that the absence of private sector investment in this part of the county borough might be conceivably for the reasons identified above. There is no planning justification for increasing the role of Cwmtillery in meeting new housing demand in this Plan as it does not enjoy the same levels of access to services as Ebbw Vale, Tredegar or Brynmawr. A review may be appropriate at a later date if and when Abertillery gets the rail link and park and ride (projects T2.4 and T2.5) scheduled towards the end of this decade that would improve the area’s connectivity.
- 3.8 Improved transport infrastructure plays a critical part in delivering the policies in the Plan, the principal project being the dualling of the A465 Heads of the Valleys Road (T6.1) that will improve connectivity from West Wales to the English Midlands. The extension of Network Rail services from Ebbw Vale Parkway to Ebbw Vale Town (T2.1) and direct rail links between Ebbw Vale and Newport will give a local population with low levels of car ownership improved connectivity to major employment centres and might also improve the county borough’s attractiveness as an area for first time home buyers.

Plan objectives and review of policies to support vision and spatial strategy

- 3.9 The Plan has 16 objectives. These cover a broad range of aspects of the built and natural environment. It is not necessary to amend the wording of Objectives 7 and 12 to make the Plan sound as the Council has satisfactorily addressed matters such as landscape

¹⁷ ES19.3, PH2_80 and PH2_265

protection and the management of the natural environment in accordance with national policy in its strategic and development management policies.

- 3.10 The housing and employment objectives (Objectives 3 and 9 respectively) are particularly challenging given that economic viability is a key factor in assessing the viability of projects. This reflects both low house prices and abnormal costs associated with redeveloping PDL in an area with a substantial manufacturing and mining legacy. I assess these matters in detail below.
- 3.11 The Council has clearly had regard to the Wales Spatial Plan (WSP), PPW4, other national policies, initiatives in the Heads of the Valleys area and across South Wales in areas such as waste, minerals and transport planning as well as neighbouring LDPs in the articulation of these objectives and supporting policies. In this respect, the Plan is consistent with Soundness Tests C1 to C3.

Overview of policies to support spatial strategy and vision

- 3.12 The Council has prepared strategic policies setting out how the different objectives in the Plan will be achieved. These are supported by development management policies, site allocations and monitoring indicators (as revised by MACs¹⁸) which follow logically from the strategic policies.
- 3.13 The Council accepted a number of its policies were not locally distinctive or only serve to replicate national policy and would, in the form presented at the examination, be inconsistent with national policy. Its MACs address these such that they either echo national guidance or have a sufficiently local twist such that they do not repeat national policy. Policy SP10 is more locally distinctive and clarifies how the Council aims to apply national policy on environmental matters by references to specific Special Areas of Conservation (SACs) and local SSSIs. I recommend changes to Policy DM5 in **MAC S12** and **S13** which have the effect of emphasising how the Council will apply climate change Policy SP7. The merger of Policy DM3 with Policy DM1 (refer MAC C20, C23 and C24) improves the readability of the Plan without compromising the need for development proposals to address local water and air quality issues.

Settlement boundaries and green wedges

- 3.14 The settlement boundaries of the 2006 Unitary Development Plan (the UDP)¹⁹ have been reviewed. This has involved contracting the boundary in Cwmtillery and Abertillery to reflect more accurately where urban land uses end. The Council has made other decisions

¹⁸ Appendix 2 to PH2

¹⁹ SD127b

that remove sites formerly allocated for housing but which did not, as of 2009, benefit from an extant grant of planning permission. The logic for the Plan’s settlement boundaries is soundly based especially since more than enough housing land has been identified within these more sharply defined boundaries to meet the county borough’s future needs.

- 3.15 The Council altered its position on the settlement boundaries during the hearings in relation to Tredegar and Trefil. It is appropriate that the former H1.4 site (Jesmondene Stadium) be brought back inside the settlement boundary (refer MAC S31) since this site is PDL and its re-use for urban related activity, including housing, should be encouraged provided issues around land stability and contamination can be resolved. If this site were to come forward for housing, then it would be as a windfall site.
- 3.16 I recommend **MAC S33** as it relates to Tafarn Ty Uchaf at Trefil as the proposed change covers a site which has the benefit of planning permission. In this respect the final boundaries of this settlement are consistent with the logic adopted elsewhere of including sites with the benefit of an extant planning permission. By contrast, the full extent of the revision to the settlement boundary sought in submission reference AS(SB)02²⁰ would represent an unjustified incursion into the open countryside.
- 3.17 Policy SB1 is appropriately phrased. The supporting text to this policy makes clear that limited sensitive infilling outside the settlement boundaries may be supported. Policy DM9 (as revised by MAC C27) confirms that development for affordable housing may also be exceptionally allowed provided it meets a specific local need. The Council’s approach to the planning of its settlement boundaries is thus logical and pragmatic at the same time.
- 3.18 Two green wedges are proposed. These are principally necessary to prevent the coalescence of Tredegar with Ebbw Vale and Beaufort with Brynmawr and the wedge boundaries take account of local features too. A further justification of the Tredegar/ Ebbw Vale green wedge²¹ is that it will provide a wildlife corridor connecting MU1 with Rassau. The Council’s analysis and approach to establishing green wedges is in all other ways consistent with PPW4. It is therefore appropriate that these wedges be retained for the duration of the Plan and that these areas should not be considered for additional housing.

²⁰ This original submission can be found in SD33a. The revised boundary that I am recommending is shown on Appendix 7 to PH2.

²¹ As amended by FC10.A and FC10.B

4 Housing Numbers, Site Selection, Phasing and Density

Housing numbers

- 4.1 Consistent with a desire to promote growth and regeneration, Objective 3 of the Plan and Policy SP4 establish a target of 3,500 net²² new homes built between 2006 and 2021 with the aim of increasing the estimated population of the borough by nearly 2,000 people. The increased demand for new housing will be fuelled principally by natural growth in the county borough’s ageing population and an increase in the number of small households forming. To achieve this objective, provision is made for over 3,900 new dwellings²³, an oversupply of nearly 12%. This comprises 3,081 homes on housing site allocations (this figure having been amended by MAC C39 to take account of adjustments made at the hearings) with the remainder likely to come forward from windfalls, other small sites and changes of use.
- 4.2 Linked to this increase in the number of new homes, the Council seeks to reduce the high proportion of vacant properties that could meet a proportion of the county borough’s forecast household increase. A target reduction from 5.7% to 4%²⁴ appears reasonable given the Council’s performance to April 2012 (reduction to 4.9%) and other initiatives underway. The Council’s housing targets are grounded in the Welsh Government 2008 population and household projections²⁵. Its residual land supply methodology²⁶ accords with Technical Advice Note 1 (TAN1). The Council has more than five years’ land supply.
- 4.3 There is little justification in increasing the housing target. New house building might have economic benefits such as promoting local construction-related employment. However, an increase would put pressure on the open countryside, much of which contributes to the distinct landscapes of the county borough. More importantly, it might result in an oversupply of housing that would thwart efforts to reduce the number of vacant homes and, in doing so, promote further urban dereliction.
- 4.4 Some submissions suggest the housing target should be reduced as it is unrealistic. The Council accept that 3,500 net new homes would require year on year rates of house building not seen over the last 30 years. It is not always appropriate to rely on past performance to

²² This figure includes some housing estate based demolition and redevelopment taking place.

²³ Adjusted from 3,932 homes to 3,907 dwellings to take account of the removal of H1.20 and the increase in the yield at MU1 (refer MAC C08).

²⁴ Paragraph 6.30 of the Plan

²⁵ SD73 and SD75

²⁶ As revised in MA2.1

assess future projections. Such a “business as usual” approach fails to take account of efforts to promote regeneration through the catalyst of new rail and road infrastructure which will improve the area’s connectivity to major employment centres and potentially make the area more attractive to external investors. It further fails to take account of Welsh Government statistics which anticipate an element of natural growth in the population. A revised monitoring indicator now indicates a trigger review by the end of 2016 should the Council fail to meet its housing target.

- 4.5 The Council has merged by way of MAC C39 Policies H1 and HC1 which cover housing allocation sites (“H” sites) and housing commitment sites (“HC” sites) which benefit from planning permission. These changes help the reader understand more clearly on an area by area basis where new housing has been approved or is likely to be supported. The Home Builders Federation raise concern that the effect of this merger is to give HC sites the same status as H sites and, in doing so, complicate the Housing Land Availability process. I recommend the revisions to **MAC C39 and C40**²⁷ which make clear that they do not and that steps will be taken to review why any of the HC sites have not been developed when a planning permission has expired in a future review of the Plan.

Principles of housing site selection

- 4.6 The Council has adopted a carefully audited process for assessing candidate sites for housing. The screening criteria chosen pay close attention to Government guidance in PPW4²⁸.
- 4.7 The performance of allocated sites was tested in the examination. This has led to the Council reviewing individual sites²⁹ and removing H1.20 but this has not fundamentally changed the Council’s logic for site allocation and the identification of HC sites as expressed in its closing statement³⁰. In summary, the Council has prioritised PDL sites inside settlement boundaries or identified those HC sites on the urban fringe where there is an extant planning permission. No new greenfield sites are proposed. There are no housing allocations on Sites of Interest for Nature Conservation (SINCs). All alternative sites promoted by objectors to the Plan have been soundly ruled out for a mix of landscape and ecological reasons or because they would represent inappropriate development in a green wedge.
- 4.8 A number of representors propose alternative sites to those allocated in the Plan suggesting the settlement boundaries be extended. Given that the Council has demonstrated more than enough housing land

²⁷ As amended by PH2_BGCBC

²⁸ PPW4, paragraph 9.2.9

²⁹ MA4.R

³⁰ MA21

within settlement boundaries to meet future need and the foregoing logic for its final allocations, there is no need to allocate any additional sites³¹. Nonetheless, four sites warrant more discussion.

Tŷ Pwdr (AS(N)21)

- 4.9 There is no doubt that the Council at one time actively supported this site’s development for housing although planning permission on the land has now lapsed. A fresh planning application for 73 homes was subsequently refused and an appeal dismissed in January 2010³².
- 4.10 The smaller site area that formed the subject of discussion at the hearings may be suitable for live-work but only in the same way that others inside the settlement boundary may be. The provision of such accommodation is not a strategic issue for the county borough. There is therefore no obvious case to support the development of this site for such purposes. I do not consider it necessary that the site be allocated for other forms of housing either.
- 4.11 Significant residential development would be likely to conflict with its designation within a Special Landscape Area of high visual and sensory value that would be visible from a number of receptors. There are conflicting views on how the site’s SINC status came about but my decision has not turned on this matter. Moreover, I have indicated elsewhere in this report why I am satisfied with the approach the Council has adopted in establishing SINC’s across the county borough and their role in alerting a potential developer to the site’s nature conservation importance.

H1.20 (Farm Road, Swffryd)

- 4.12 The Council deleted this site following detailed scrutiny at the hearings. I am not persuaded of the need to include it given the challenge to deliver the amount of new housing planned for the rest of the life of the Plan. I do not attach much weight to submissions that housing development is necessary to deter anti social behaviour and flytipping. I have not seen any substantive evidence to challenge the Council’s view on the nature conservation value of the site.

H1.14 (Six Bells Colliery Site) and H1.15 (Warm Turn)

- 4.13 A number of submissions emphasise how some local residents value the open character of these previously developed sites especially in the context of the recently built Guardian monument and adjacent parkland. These areas are now grassed over. H1.14 appears to be used as informal recreational space. However, it has plainly been the Council’s intention for some time that they be redeveloped for housing. This is reflected in their designations as housing allocations in the UDP. I have seen no firm costed proposals or other worked up

³¹ This is particularly pertinent to AS(N)17 and AS(N)18.

³² SD09, Schedule E to ALT_SITE 80

plans to indicate that an alternative built form or other land use on these two sites would be financially viable.

- 4.14 Both sites relate logically to adjacent built forms in the area and are located outside the Six Bells SINC (ENV3.111). However, their most important attribute as development sites is that they are two of the very few parcels of land in the Lower Ebbw Fach inside the settlement boundary that can be easily developed for housing. With the removal of H1.20 in Swffryd, there is additional expectation that land in Six Bells should deliver a proportion of the south of the county borough’s housing needs. The designation of these two sites for housing is soundly based, especially in combination with a new school (ED1.2).
- 4.15 The Council acknowledges the distinctiveness of the Guardian monument in MAC S24. It is likely to appear on a future schedule of locally listed buildings. The reference in the supporting text to Policy DM18 (as amended by MAC S23) makes clear that its setting will have to be taken into account in any final development proposals on adjacent land. It is not necessary to impose a viewing corridor or other designation on the Constraints or Proposals Maps to show how its setting should be protected. It has been suggested the proposed school (ED1.2) be located on the upper plateau at Six Bells instead. This is likely to be a significantly more intrusive form of development and would adversely affect the setting of the Guardian by reason of its height and raised position in a way that well designed housing would not.
- 4.16 Outside of the development plan adoption process, the Council stated it would prepare a revised planning brief to guide development on the site and will work with local community groups to publicise it. The version of the brief I saw pre-dated the construction of the Guardian monument. This deficiency does not make the site allocations in this area unsound.

Housing densities

- 4.17 The Council stated it had calculated yields on its housing allocation sites on the assumption that they will deliver on average 35 dwellings per hectare (dph). It became clear under examination that the Council had underestimated the potential yield on MU1. Other major sites such as MU2 with good access to public transport are likely to be built out at densities in excess of 35 dph. On the other hand, the final yield on other sites may be reduced owing to topographical and landscape features (H1.19) or, potentially, the need to address coach access to the new Willoughtown school when the former school site (H1.1) is redeveloped.
- 4.18 There is conflicting evidence on the density of sites under construction. Those who challenge the 35 dph principle make the case for land release outside of settlement boundaries. The Plan now

aims to promote higher density development, an appropriate course of action in an area with a predominantly urban population and one that is consistent with PPW4³³. I recommend revisions to Policy DM2 (**MAC S08** and **MAC S09**) which remove the requirement for new development to have regard to the density of surrounding uses as the changes will help make more effective use of existing urban land located close to existing and planned infrastructure. The Council’s revised monitoring indicators back up this commitment to higher density by requiring development on its MU sites to meet or exceed 35 dph³⁴.

- 4.19 Overall, planning for an average development of 35 dph is broadly sound. Any slippage below this average density across the county borough in total housing yield could be easily caught up in the oversupply of land and other windfall sites that might come forward such as Jesmondene Stadium without the need to extend settlement boundaries.

Housing delivery and phasing

- 4.20 Most new housing will come on stream towards the end of the decade. Policy SP5 sets a target of 700 new homes to be completed in the period 2006-2011, rising to 1300 homes between 2011 and 2016 and 1500 homes in the last five years of the Plan. An initial indication that the Council’s housing target is challenging is the fact that there was a 25% shortfall in homes completed in the first five years of the Plan. The revised monitoring indicators and triggers for Objectives 2 and 3 state more clearly when failure to meet a target will trigger a review of this policy.

³³ PPW4, paragraphs 8.6.2 and 9.3.4 in particular.

³⁴ PH2

5 Affordable Housing, Housing for Gypsies and Travellers and Sheltered Housing

Evidence base for affordable housing policy

- 5.1 The Council has had regard to PPW4 and TAN2 in articulating Policies SP4, DM4, DM8 and H1/HC1. It has an extensive evidence base outlining local housing need³⁵ and has also assessed the viability of meeting this need. Accordingly, its policies set a target of at least 335 new affordable homes and establish minimum site area and unit triggers above which affordable housing policy will apply.
- 5.2 The 2007 Local Housing Market Assessment suggests 34% of all new dwellings should be either socially rented or intermediate housing to meet future housing needs³⁶. However, viability is the principal challenge to providing this level of affordable housing especially when such contributions are sought on top of developer contributions towards infrastructure reasonably required with new development and abnormal land costs in an area with a legacy of mining and industrial activity. A 2010 DVS study³⁷ recommended at least 10% affordable housing units should be sought on sites of 10 or more dwellings and 15% on sites over 100. These recommendations were made on the caveat that the figures be reviewed periodically and that affordable housing requests be considered on a scheme by scheme basis. The Council reviewed this report and found it unlikely ever to achieve more than 10%, having conducted its own more detailed assessment of individual sites³⁸.

Review of thresholds for affordable housing trigger

- 5.3 Policy DM8 sets two triggers when affordable housing policy will apply. The first of these is for all developments of 10 or more dwellings consistent with DVS’s advice. The Council also seeks to apply affordable housing contributions on sites over 0.28 hectares. This second area-based trigger has been established on the assumption that sites should deliver a yield of 35 dph. The use of a site area trigger is locally justified and has two planning advantages. First, it is a lever to promote higher density in a predominantly urban local authority. Secondly, it prevents developers from avoiding affordable housing contributions by not making effective use of sites and reducing housing yield.
- 5.4 Some submissions suggest the trigger be lowered consistent with recent DVS advice elsewhere in Wales. House building conditions in a predominantly rural local authority area such as Ceredigion are likely to be quite different to those in Blaenau Gwent. Indeed, Blaenau

³⁵ Summarised in SD43

³⁶ SD62, p75

³⁷ SD69

³⁸ SD43, p13

Gwent is more akin to those of neighbouring Heads of Valleys urban local authorities where 10 unit thresholds have generally been applied in adopted LDPs³⁹. In the absence of any firm alternative numerical and site area trigger, I find the Council’s position to be soundly based.

Review of percentages sought

- 5.5 The requirement of “at least 10%” provision of affordable housing causes more concern. It is unclear because it is imprecise and effectively requires every development to be the subject of negotiation including the preparation of Three Dragons or equivalent viability studies. This in itself raises the cost and time taken to deliver development. I therefore recommend the revisions to Policy DM8 in **MAC S18** and **MAC S19** which propose a 10% figure for on site contributions subject to viability as this would provide a let out if the project were to be unprofitable otherwise.
- 5.6 It has been suggested that even a 10% provision is too high as house prices in Blaenau Gwent have fallen since the DVS study was released. An extract from a Savills forecast for Wales would imply that local house prices may not reach the values in the DVS study until after 2016⁴⁰. The house building sector is also likely to face additional costs due to changes in the Building Regulations. Falling or stagnant house prices in combination with unquantified increases in the cost of house building will act as barriers to viability over the short to medium term.
- 5.7 Nonetheless, the Plan sets out local planning policy until 2021. Local house prices may perform differently to the Savills forecast for Wales due to local betterment initiatives such as improved transport links. It is appropriate that some provision of affordable housing be sought consistent with national policy. The revised position of 10% subject to viability broadly accords with the evidence submitted.

100% affordable housing sites and part contributions

- 5.8 I recommend revisions to the merged Policy H1/HC1 in **MAC C39** which remove references to sites where 100% affordable housing will be sought (marked # in the Plan) initially because these references may not be accurate. More importantly, though, the Council’s stated position is not consistent with revised Policy DM8. Removing references to 100% affordable sites does not prevent them being developed by registered social landlords as solely affordable schemes.

³⁹ Appendix 1 to MA3.R provides a useful comparison between Blaenau Gwent and other Heads of Valleys authorities. The 2005 South East Wales Regional Housing Study (SD76) also demonstrates how the subregional Heads of the Valleys and Mid Valleys housing markets straddle local authority areas.

⁴⁰ ES3.2

- 5.9 The Council agreed at the hearings that detailed guidance on the application of affordable housing policy will be set out in a revised Supplementary Planning Guidance (SPG) on Planning Obligations⁴¹ (acknowledged in a number of minor changes and most notably MAC M16, MAC M17 and MAC M23). A revised SPG is also the proper document to clarify detailed minor matters such as the application of “part dwelling” contributions on schemes over the threshold of 10 dwellings as well as the exceptional circumstances when off site contributions may be appropriate.

Provision of rural affordable housing

- 5.10 Blaenau Gwent is a largely urbanised local authority with a very limited rural economy⁴². It is not one where households outside settlement boundaries face competition in the housing market from outsiders seeking holiday homes. It follows that there is not great pressure to provide rural affordable housing, especially given the challenges in delivering the amount of housing allocated in urban parts of the county borough. These challenges are heightened by the upward adjustment in the yield anticipated at MU1 and by acknowledging that the former Jesmondene Stadium site could also come forward as a windfall site. In this context, Policy DM9 as published has the potential to extend settlement boundaries across the whole of the county borough with no obvious pressing justification given the challenges anticipated in delivering the current target and a housing policy that seeks to direct new development within settlement boundaries at higher densities.
- 5.11 MAC C27 acknowledges an untidiness in the articulation of published Policy DM9. It still recognises the importance of planning for affordable rural housing consistent with TAN2 but seeks instead to apply national policy only to rural settlements separated from Tredegar, Ebbw Vale and Brynmawr as well as the Lower Ebbw Fach which is characterised by a string of smaller settlements and where there are noticeably fewer development opportunity sites. The effect of this MAC is to make clear the locations where rural affordable housing should be prioritised as an exception to other development plan policies without unduly promoting urban sprawl. As such, it improves the Plan.

Housing for gypsies and travellers

- 5.12 The Council has assessed the needs of travelling showpeople, gypsies and travellers consistent with Welsh Office Circular 78/91 and the Welsh Government Circular 30/2007⁴³ and shown no need to plan for travelling showpeople. The Cwmcrachen site can accommodate the growth of gypsy and traveller households anticipated up until 2021.

⁴¹ SD128

⁴² ES9.1

⁴³ SD63 and SD64

MAC C29 improves the reading of Policy DM10 by making it consistent with the terminology in Appendix 6 of the Plan.

Sheltered housing

- 5.13 Some local people object to the demolition of the Cartref Aneurin Bevan residential care home (H1.2) and question whether the Plan makes suitable provision for sheltered housing. The Council’s evidence base⁴⁴ points to a disproportionately high number of sheltered housing units and elderly mentally infirm spaces. Some sheltered housing proves hard to fill owing to the form of accommodation on offer and locational factors⁴⁵. Tai Calon is reviewing why this housing option is unpopular.
- 5.14 Other sites close to the Cartref Aneurin Bevan care home (for example, Greenacres (H1.3)) could accommodate sheltered housing. Other sheltered housing schemes have recently been built replacing spaces lost by the closure of the Cartref Aneurin Bevan site (Sites H1.10 and HC1.6). The Plan has taken sufficient account of the need to plan for sheltered housing although I consider that other Council and multi agency strategies are more appropriate arenas for the detailed planning of this form of housing. The designation of H1.2 for general housing is sound given its proximity to Tredegar town centre. It is not appropriate that the Plan set out the detailed form of development on this site or its tenure.

⁴⁴ SD70 is the principal source but the Council’s position is also reflected in SD43, SD49 and ES12.3

⁴⁵ ES2.1 (answers to questions 1 and 3)

6 Town Centre Management and Retail Development

Hierarchy of centres – the role of Ebbw Vale

- 6.1 Ebbw Vale’s identification in Policy SP3 as a principal town centre above Tredegar, Brynmawr and Abertillery is consistent with the WSP which acknowledges this town as a sub-regional hub. It enjoys some of the best public transport links in the county borough which will be improved through the extension of rail services from Ebbw Vale Parkway and an improved bus interchange. New civic uses in the vicinity will reinforce its role.
- 6.2 The introduction of a primary retail area for this centre and the boundaries identified appear logical as this development management tool identifies areas where the loss of A1 uses (shops) will be resisted. The Council has also identified two areas outside this core where it seeks to promote new retail uses (sites AA1.1 and AA1.2). The identification of these sites appears soundly based.

Tredegar, Brynmawr and Abertillery District Town Centres

- 6.3 The boundaries for each of these centres and primary retail areas appear appropriate and logically drawn.
- 6.4 Much of the retail offer associated with Brynmawr town centre is located at the Lakeside Retail Centre which is situated within the Nantyglo and Blaina Town Council boundaries. Notwithstanding this administrative matter, there is no merit in considering an extension of the town centre boundaries as far as the Lakeside Retail Centre until Site MU3 is redeveloped. The former Kwiksave site forms part of a fringe parade of retail and leisure uses that is physically connected to the rest of the centre. It is therefore not appropriate that the site in isolation, or the block of which it forms a part, be considered as a separate mixed use allocation. Policy DM6 would not rule out a mixed use development on the site provided it contained retail uses at ground floor level.

Development management Policy DM6

- 6.5 The establishment of a policy to manage town centre land uses is, in principle, soundly based and consistent with PPW4. However, Policy DM6 has two serious flaws. First, it seeks to distinguish between different uses within the A3 (food and drink) Use Class. In the absence of any firm commitment from the Welsh Government to amend the law, the imposition of a policy that makes such a distinction risks being *ultra vires* as it favours some activities such as restaurants over others such as hot food take aways and aims to prevent developers from carrying out a change of use which does not require planning permission. Secondly, the research to support the policy shows that a number of centres exceed the combined 11% threshold of hot food take aways and public houses. The effect of the

policy, as written, would be to prevent any such uses in these centres.

- 6.6 **MAC S14** addresses these shortcomings because it removes the distinction between different A3 uses. The removal of the phrase “in close proximity” is also necessary as it is imprecise. Detailed Council-wide guidance on how hot food take aways and public houses should be managed can be left to an updated SPG note. I also recommend amendments to the supporting text of this policy (**MAC S15**) to be consistent with MAC S14.
- 6.7 Other revisions to the policy such as substituting the word “restrictions” with “management” in MAC S14 make the policy sound more positive and generally improve the Plan by giving greater certainty to the types of uses which will be supported. References to the A2 Use Class (financial and professional services) and other uses including places of worship and community facilities are helpful. It is appropriate that such uses be supported on town centre sites.

Blaina

- 6.8 Blaina is smaller than Tredegar, Abertillery and Brynmawr centres in terms of floorspace and has no obvious retail core to protect given the mix of housing, retail and other uses that exist side by side. These factors justify its status as a local town centre rather than as a district town centre but it is nonetheless one where retail uses should still be protected. The Council propose to contract the centre’s southern boundary relative to the UDP boundary. These alterations appear logical as the revised boundaries remove a concentration of properties that have already been converted to housing.
- 6.9 Policy DM7 has similar flaws to Policy DM6. I therefore recommend revisions to the policy (**MAC S16**) which clarify why additional A3 uses are not likely to be acceptable given the high concentration of such uses here already. It is also necessary to alter the supporting text to this policy in **MAC S17** to make clear that the interpretation of revised criterion (b) to this policy will be left to a later revised SPG.
- 6.10 The revised policy also states more positively the range of uses that will be encouraged and it generally improves the Plan. The inclusion of the Market Square project within the local town centre boundaries (MAC C52) makes clear where additional retail activity will be actively promoted. This change along with alterations to employment land policy (MAC S20) would, theoretically, reduce the possibility of the centre losing its retail and other uses to nearby industrial estates by directing such uses to Blaina and the county borough’s other centres.
- 6.11 I have given considerable attention to concerns that the revised Policy DM7 still allows for the possibility of further shops being converted to housing. A number of shops have been converted to

housing but still lie vacant. The Council’s revised policy clearly states that conversion would only be considered as a last resort. The revised wording of the test that a developer would have to comply with is straightforward. I heard no firm evidence on how alternative solutions such as putting up temporary signs on vacant shops would be funded or whether this type of initiative would actively address the decline the centre has experienced over time.

Retail and leisure provision

- 6.12 The bulk of the 10,200 sqm of additional retail development is anticipated to be delivered at two locations not far from Ebbw Vale town centre (Rhyd y Blew - R1.1 - and Tesco North West Approach R1.3) and an extension to the Festival Shopping Outlet Centre (R1.2) close to Ebbw Vale Parkway station. These sites already have some retail floorspace and/or benefit from an extant grant of planning permission. None of these sites are in a town centre and I have not seen any evidence of sequential testing of other sites. Works on R1.1 have technically started. I do not have any indication that R1.2 and R1.3 will not be implemented. Therefore, as these three sites are existing commitments and there is no realistic possibility of the Council revoking these grants of planning permission, it would be inappropriate to review the identification of retail floorspace on these sites in the Plan.
- 6.13 MU2 could not be easily developed as an extension to Ebbw Vale town centre given the difference in site levels between the two areas. Significant amounts of new retail floorspace would risk creating two competing centres adjacent to one another. In any case, it is not appropriate that this site play a significant retail role in the county borough. Instead, the Council has identified two sites (AA1.1 and R1.4) where modest extensions of the centre’s retail offer could be achieved. The delivery of Market Square (AA1.2) is dependent on project T5.2 as the site is presently cut off from the rest of the centre. On the basis of the evidence submitted at the examination, I conclude there is a realistic chance of this road project being completed and subsequent improved pedestrian connectivity between Market Street and the rest of the town centre being provided.
- 6.14 None of the sites inside Ebbw Vale centre could accommodate a commercial leisure scheme of the scale anticipated to compete with Merthyr Tydfil. It follows that MU1 is appropriate for such a use. A commercial leisure development would also act as a catalyst to release a much larger site.
- 6.15 I have considered whether sites MU1 and MU2 should be identified for any additional retail provision at all. Notwithstanding their proximity to Ebbw Vale centre and other sites where there is a commitment for additional retail development, there may be some merit in a “corner shop” scale of development to meet the very localised needs of the

1,325 new households anticipated to live on these two sites. However, any new retail use would have to be incidental to the scale of housing and other uses anticipated to protect the viability and vitality of Ebbw Vale principal town centre. It is not necessary for reasons of soundness to alter the list of land uses shown against these two sites in the Plan as these are plainly the primary uses sought and are not exhaustive.

7 Employment and Tourism

Employment land designation and protection

- 7.1 The geographic distribution of employment land in the Plan appears broadly justified. It is appropriate to direct the majority of new employment generating uses to the north of the county borough, especially to sites that will benefit from the dualling of the Heads of the Valleys Road such as MU1 and Rassau Platform A and B (EMP1.4 and EMP1.5).
- 7.2 There is also merit in distributing employment use sites across the county borough including those close to town centres (for example, the Crown Business Park in Tredegar – sites EMP1.8 and 9) given the difficulties of connectivity and low levels of car ownership. The distribution of employment sites further justifies the retention of the Glandwr and Llanhilleth Industrial Estates (EMP2.20 and 2.21) for employment rather than housing despite their proximity to Llanhilleth station. The Marine Colliery site (EMP1.7) has the potential to service the quarry south east of Cwm or possibly be developed in its own right.
- 7.3 The designation of existing employment land in Policy EMP2 into strategic, primary and secondary sites and business parks along with Policy DM11 derive from the employment background paper⁴⁶. The types of uses anticipated on strategic sites, primary sites and business parks logically follow from surrounding uses and the quality of individual sites’ road accesses.
- 7.4 Some flexibility should be applied to uses on secondary sites that do not have the same locational attributes as other employment sites. This would include offering support for *sui generis* and waste management-related uses. However, the supporting text to Policy DM11 inappropriately allows uses outside the B Use class such as gyms and crèches on such sites when it would be more appropriate to direct them in the first instance to town centres which benefit from better public transport and to help them fulfil their roles as the most appropriate locations for retail, leisure and other complementary functions consistent with Welsh Government policy⁴⁷. I therefore recommend **MAC S20** which addresses this shortcoming.

Employment land allocation

- 7.5 The allocation of 50 hectares of employment land for “delivery” over the lifetime of the Plan in Objective 3 and Policy SP8 involves the development of 10 cleared sites on PDL identified in EMP1. Assuming a very low average plot ratio of 0.3:1 across all the sites would require the Council to deliver 150,000 sqm of B1/ B2/ B8 space over

⁴⁶ SD46

⁴⁷ PPW4, paragraph 10.1.1

the next nine years. A plot ratio closer to 0.4:1 - as other participants in the examination hearings have suggested - would imply an additional 200,000 sqm space being brought onto the market.

- 7.6 From the outset the Council accepted this target is ambitious. I saw no convincing evidence to indicate that, even with Enterprise Zone status, the delivery of the Heads of the Valleys Road dualling, EU Convergence support and a dramatic improvement in the UK’s economic activity, all of these sites could be delivered over the next nine years. Three factors lead me to this view.
- 7.7 First, the Employment Sites and Premises Study recommends the de-designation of sites that the Council has kept in the Plan⁴⁸. Secondly, I heard evidence that some developers obtain planning permission but have not progressed sites but, rather, seek to renew these consents. Thirdly, all of the LDP sites have been carried over from the UDP. None of them have been progressed. No planning application has been submitted on the Rhyd y Blew parcel of land on MU1. It is difficult to see how the county borough could deliver up to 200,000 sqm of additional employment floorspace in nine years. At face value, the Council’s employment land allocation policy might be said to be inconsistent with Soundness Test CE2.
- 7.8 Nonetheless, none of these sites could or should be considered for other land uses. By way of example, it would be wholly inappropriate to consider the Rassau Platform A and B sites for uses other than Use Class B1, B2 and B8 activity given their surrounding uses and proximity to the Heads of the Valleys Road. Retail development would run counter to initiatives that seek to promote the county borough’s existing centres. The provision of housing on other sites such as the vacant parts of the Crown Business Park would be detrimental to surrounding businesses. Finally, it is not unreasonable for Councils to promote or make provision for more sites than they actually need given its desire to make the county borough an attractive location for a range of potential employers and investors with the widest range of business premises on offer. On balance, the designation of these sites for employment represents the optimal land use designation.

Tourism

- 7.9 The Council has identified a number of sites where it anticipates some small scale visitor-related development over the lifetime of the Plan. This scale of development reflects the fact that Blaenau Gwent does not yet have the tourist offer to make it a destination similar to neighbouring areas such as the Brecon Beacons⁴⁹. The Garden

⁴⁸ SD77 and ES6.1

⁴⁹ SD107

Festival and Blue Lakes sites (TM1.2 and TM1.3) may be environmentally sensitive given their proximity to SINC’s. However, it is not necessary for reasons of soundness to specify the extent of landscaping required or to clarify how nearby habitats should be addressed as other policies (DM1, DM15 and DM16) will be applied when a planning application is submitted.

- 7.10 Based on the evidence before me, there is no obvious tourism project in Six Bells or immediate environs that is likely to need planning permission during the lifetime of the Plan and which could not be assessed by other policies. The absence of a specific site allocation does not imply that Six Bells is not used for recreation or that people from the UK and overseas do not visit the site. “Pit Parties” have taken place on site presumably without the need for planning permission. It is therefore not necessary for reasons of soundness to designate Six Bells or the Guardian monument as a tourism allocation.

8 Community Life, Education and Open Space Provision

Community life

- 8.1 An extensive review has been carried out of local community infrastructure⁵⁰. There is not a pressing demand to provide new community infrastructure given the negligible growth in population anticipated until 2021. The allocation of land for new outdoor leisure activity and a community centre in Policies L1 and CF1 have been based on known initiatives by the Council and others. Works on new healthcare provision at MU2 have been completed.
- 8.2 The Council has attempted to record the number of community and youth centres but has not audited them to assess how well they are used or their state of repair. It is therefore not clear if the county borough has a surplus of facilities or if buildings are underused. This in itself is not a reason to find the Plan unsound. It suffices that Policy DM12 should require community facilities to be replaced as a result of development proposals except when the facility is surplus to requirements. The changes in MAC C30 improve the Plan further in that they clarify that a replacement facility need not necessarily be one of the same floorspace. The revised policy would also allow for this facility to be re-provided in one of four integrated community hubs proposed.
- 8.3 Policy ENV5 identifies cemetery extension site allocations. The Dukestown cemetery (ENV5.2) is likely to be full by 2019. This factor and the possibility that some graves may need to be exhumed due to works associated with the dualling of the strategically important Heads of the Valleys Road (T6.1) make a very strong case for the acquisition of land to extend this facility. The proposed allocation would involve taking 1.4 hectares of low quality (grade 5) agricultural land. There is no requirement in national policy⁵¹ that this land be retained for agricultural purposes. I have received no conclusive evidence that this would adversely affect the adjacent farm’s viability either. Accordingly, I find the site’s allocation justified in planning terms. Delivery of this site might require compulsory purchase but this does not imply that the project cannot be completed over the lifetime of the Plan.

New schools provision

- 8.4 The Council’s Schools Asset Management Plan⁵² confirms the need to reduce surplus school places and consolidate schools in the secondary sector; to improve or replace inadequate school buildings dating largely from the Victorian era; and to establish schools of sufficient

⁵⁰ Summarised in SD49

⁵¹ PPW4, paragraph 4.9.1

⁵² SD95

size in terms of school numbers to be educationally and financially viable. Linked to this, the Council seeks to promote high quality schools as a manifestation of its commitment to transform historically low levels of educational attainment⁵³. A number of former schools across the county borough have already been demolished or converted to community use. Others have appropriately been allocated as housing sites. New secondary school provision for the 14-19 year old cohort will be accommodated at The Works site (MU2). This site will also accommodate a relocated special school.

- 8.5 Turning to mainstream primary sector provision, Ysgol Gymraeg at Brynmawr has already relocated to a new site (ED1.1). A new primary school is proposed at Six Bells (ED1.2) to serve the south of the county borough. The case for developing this site is that it will replace and consolidate Bryngwyn and Queen Street primary schools which both have limited play space and cannot be easily adapted for disabled access⁵⁴. I am not convinced the former Arael School could accommodate a 300 place primary school and provide sufficient play space and associated facilities to meet modern day requirements.
- 8.6 By contrast, the Six Bells site has a number of locational advantages, two of which are that it is flat and located outside the functional floodplain. A new development brief and planning application will determine the final footprint of the building and matters such as vehicle sightlines as well as the relationship of any new development with the locally valued Guardian monument.
- 8.7 The inclusion of a small part of the allocated school site within a SINC does not imply this area should not be incorporated within the school boundary. The affected part of the site could, for example, be used for a local nature conservation project associated with the school. Policy DM15 places sufficient controls on development on the affected part of the site to protect its inherent nature conservation worth. The revisions to its site boundaries (MAC S32) acknowledge the use of land on the northern edge of the site for local visitor parking associated with the Six Bells Community First organisation and for users of the adjacent park and thereby improve the Plan.

Open space provision

- 8.8 The Council has audited local open space in a number of documents⁵⁵ consistent with PPW4, TAN16 and best practice including the CCW guidance⁵⁶ and the long-established Fields in Trust (FiT) 6 acre/ 2.4 hectares standard per 10,000 population. I see no reason to challenge the Council’s reliance on the generic FiT standard.

⁵³ A point emphasised in the Schools Asset Management Plan (SD95)

⁵⁴ Appendix 9 of SD95

⁵⁵ Summarised in ES12.3 and SD55. Other studies have considered aspects of open space provision (SD102 to SD105).

⁵⁶ SD106

- 8.9 All local residents live within 2km of major green spaces but only 65% of residents live within 400m of local green space. Improvements to existing rights of way referred to in supporting text to Policy SP6 over the period 2009 to 2014 will significantly increase the number of residents who can access local green space.
- 8.10 The Council’s research also confirms a quantitative shortfall of outdoor sport and playing fields - as opposed to natural greenspace - relative to the FiT standard on a ward by ward basis⁵⁷. This provides a sound basis for Policy DM13 which requires new development to make financial contributions in those parts of the county borough with a deficiency. I recommend **MAC C31** which deletes the term “qualitative deficiency”. This term is imprecise and could be potentially used to demand contributions in association with any development where the Council considers that local play space is not well maintained.
- 8.11 Policy DM4, as amended by **MAC S10**, also makes the important and necessary clarification that requests for infrastructure provision such as play space will only be sought subject to viability. I recommend this change as necessary for reasons of soundness given that economic viability is a critical issue in securing new development across the county borough. Overall, the Council’s approach to planning for open space provision is soundly based.

⁵⁷ The Council’s position was adjusted during the examination. MA12.R corrects an error in an earlier calculation.

9 Sustainable Development, Environmental Management and Landscape Considerations

Sustainable development

- 9.1 The Council has had regard to European, UK, national and regional policies and initiatives in the articulation of its policies to support sustainable development⁵⁸. A commitment to addressing climate change in Policy SP7 is reflected in housing policies that make more efficient use of land inside settlement boundaries at higher densities, thereby reducing the need to extend urban settlements into the countryside. Transport policies prioritise more sustainable modes while recognising that the dualling of the A465 (T6.1) is critical to promoting local economic regeneration.
- 9.2 The Council wishes to promote greater take up of renewable energy and has paid close regard to the Welsh Government Practice note⁵⁹ in the articulation of its policies. The Council’s research demonstrates there are only limited opportunities to generate wind, solar and hydro electricity to meet the county borough’s future energy needs. The revised Policy DM5 therefore has the effect of encouraging all major development to incorporate some on-site renewable energy. This redrafted policy on top of other local initiatives referred to in the Plan - for example, the proposed Energy Centre on MU2 and other district heating systems being developed on sites such as the Learning Centre and Council’s Leisure Centre - represents an appropriate and pragmatic response. It is not national policy to require all new development to generate its own energy so it is not necessary to lower the threshold suggested by the Council.

Environmental management

- 9.3 Policy SP10 (as revised by MAC S04) identifies a strategic approach to protecting the county borough’s environmental assets. The indicative layouts of individual sites of environmental importance such as MU1 and other development management policies clearly show how sites of environmental and nature conservation interest will be preserved and/ or enhanced.
- 9.4 I have indicated above that Policy SP10 as amended is more locally distinctive. However, there is one minor but important change that would better align this revised policy with national policy. Criterion (f) of the redrafted policy refers to biodiversity and falls short of the broader definition of “nature conservation” set out in TAN5⁶⁰. I recommend therefore this textual change to ensure the policy is more accurately aligned with national policy and embraces features such as rivers (**IC 1**). The other changes in MAC S04 as they relate to Policy

⁵⁸ SD58

⁵⁹ SD50, SD118

⁶⁰ W54, paragraph 1.4.1

SP10 greatly improve the Plan in that they state more clearly which sites will be protected and enhanced without repeating national policy. These changes provide further reinforcement to Policy DM15. It is not necessary for reasons of soundness to alter Policy DM16 to confirm that river and terrestrial SINCs have the same status as there is nothing in the Plan that implies they should be handled differently.

- 9.5 None of the other very detailed challenges to the articulation of the Plan’s policies relating to the natural environment amount to a serious challenge to its soundness. For example, the absence of a specific reference to SINCs or the environment in either the spatial strategy or Policy SP1 does not make it unsound as the Council has already drafted broad objectives on such matters. More importantly, it has demonstrated through strategic and development management policies and site allocations how such matters will be addressed.
- 9.6 I am content with the broad approach by which the Council has established SINCs. A policy designation existed in the UDP although no site designations were identified at the time of its preparation. The methodology for the identification of SINCS was agreed in 2004 and reviewed in 2008⁶¹. The designation of 137 sites over two phases since then⁶² will have been labour intensive. It may have involved assessing individual sites from public land. This in itself does not undermine the process of their establishment. Rather, to paraphrase from the 2008 guidance to the Council, the establishment of a SINC serves only to ensure a site’s values receive proper consideration during a planning application. The designation also helps inform the need for additional survey and assessment work required before an application is lodged. It is theoretically possible to revise the final boundaries of part of a site where development should take place in the context of such work. This approach would be especially appropriate for mosaic habitats which comprise a mix of semi natural habitats and are a key feature of the Mid Valleys area.
- 9.7 Turning to the Northern Strategy Area and MU1 in particular, MAC C36 clarifies the areas where development will be promoted and those areas that will be protected or retained as open space. The development of this major site need not be incompatible with its environmental status and other commitments in the Plan such as the March 2012 grant of planning permission at Bryn Serth Road⁶³.

Land reclamation schemes

- 9.8 The Plan identifies in Policy ENV4 four sites where it is in the public interest to reclaim land that currently blights its surrounds. There is

⁶¹ SD113

⁶² SD58 summarises the approach adopted.

⁶³ SD132 and SD132a

sound planning sense in the Council prioritising areas⁶⁴ as this will inform future bids for Welsh Government support.

- 9.9 The identification of Llanhilleth Pithead Baths (ENV4.4) is appropriate given its prominence on the public highway and the constraints in developing it. It has benefited from planning permission for housing but this has expired. There is some uncertainty about Welsh Government funding to help release this site but this should not stop it from being identified as a priority over the rest of the life of the Plan. It is not necessary and indeed inappropriate to identify firm end uses for this site now as they will depend on the final cocktail of grant and private sector investment. The merits of any development proposal can be assessed at the planning application stage.

Landscape considerations

- 9.10 The Council has commissioned research to identify SLAs⁶⁵, areas so defined on the basis that they are locally important, are of high quality and value and contribute to the image of the area and where Policy ENV2 requires development to conform to the highest standards of design appropriate to the character of the area. The Council’s methodology is consistent with the Countryside Council for Wales (CCW) guidance⁶⁶ and therefore with PPW4.
- 9.11 Blaenau Gwent has a distinctive geography characterised by linear settlements along the Sirhowy and Ebbw Valleys surrounded by countryside extending up the valley side which has a high visual and sensory value because it has been unspoilt by urban development. The SLAs broadly reflect these distinctive features and the need to protect distinctive rural areas. Their designation is clearly justified.
- 9.12 I particularly concur with the assessment of land around the edge of Cwmtillery and its subsequent designation within the Cwm Tileri and Cwm Celyn SLA (ENV2.3), given the distinct contrast between existing built development at lower levels and the adjacent strongly rural landscape further uphill. Acknowledgement of the area’s special landscape value through SLA status provides further justification for the Plan’s settlement boundaries and the importance of restricting major housing development in the open countryside.

⁶⁴ By contrast, the UDP identified 15 sites.

⁶⁵ SD110

⁶⁶ ES9.2

10 Minerals and Waste

Minerals policies

- 10.1 The Plan takes full account of the significant minerals and aggregate resources within the county borough outside of the Brecon Beacons National Park Authority area. The Council’s minerals policies display a high level of consistency with MPPW, MTAN1 and MTAN2⁶⁷ in articulating how applications for minerals and aggregates extraction will be considered and other matters such as buffer zones. The evidence base for minerals and aggregates allocations is derived from the 2008 Regional Technical Statement (RTS)⁶⁸. The identification of preferred areas has also paid close regard to a report seeking to safeguard aggregates sites across the former Gwent county area⁶⁹.
- 10.2 I recommend **MAC S05** and **MAC S06** which amend Policy SP12 by stating more accurately the obligation in national policy for the Council to keep a minimum 10 year land bank of permitted aggregates reserves and the RTS requirement that the county borough outside of the National Park is obliged to provide at least 3 million tonnes of new capacity.
- 10.3 Gryphonn Quarries confirmed at the hearing it did not wish to pursue a challenge to RTS allocations for Blaenau Gwent. The review of the RTS due to start in 2013 is the most appropriate setting to reconsider the methodology for future allocations. For the same reason, it is not appropriate at this examination to review the RTS to determine whether other sites - including dormant quarries outside of Blaenau Gwent - should be prioritised for aggregates extraction given the change in economic conditions since it was first issued.
- 10.4 Policy DM19 supports Policy SP12 and provides a bespoke set of controls for the assessment of minerals applications over and above the cover-all policy in DM1. Policy DM19 is improved by making clear that the policy will be used for applications for pre-extraction too (MAC S25). Adding a specific reference in the supporting text to this policy for the need for health and social impact assessments to accompany an application, where appropriate, more explicitly accords with the expectations in national policy regarding the information that an applicant may be expected to provide. Nonetheless, there remains a tension between DM19(I) and national guidance in MPPW in connection with SSSIs. I address this below.
- 10.5 The principle of establishing different buffer zones to protect sensitive uses from minerals and aggregates extraction - 500m for coal and 200m for aggregates - accords with national policy. The Council

⁶⁷ W24, W25 and W26

⁶⁸ SD98

⁶⁹ SD99

acknowledged at the hearings there will be deemed exceptions and other situations in relation to pre-working where a shorter buffer may be supported and within the urban settlement boundary too that is consistent with MTAN2. MAC C17 emphasises that pre-working will be encouraged and improves the Plan. More importantly, MAC S25 and MAC S28 ensure the approach to pre-working is now better aligned with national policy by emphasising the circumstances under which pre-extraction will be supported including inside settlement boundaries. This may involve adjustment of buffers. I recommend **MAC S25** and **MAC S28** for this reason. MAC S29 makes clear that development within buffer zones is exceptional and is consistent with MTAN advice. It is not necessary to amend this.

Coal mining areas

10.6 No new coal mining areas are proposed over the lifetime of the Plan. The buffer zones on the Proposals Map associated with the existing Six Bells and Vivian Tips site (M2.2) and the Blaentillery Drift mine in Torfaen (M2.3) that extends into Blaenau Gwent are appropriately drawn.

Cwm and Tir Pentwys preferred areas for aggregates extraction

10.7 Three preferred areas have been identified for new aggregates extraction. The land south east of Cwm (M4.3) is relatively isolated and does not have any fundamental landscape or other ecological constraints that would cast doubt on its preferred area status.

10.8 Tir Pentwys (M4.2) straddles the county borough boundary. A planning application has been received for quarrying in Torfaen and it is anticipated that land within Blaenau Gwent would be used as an extension to the quarry at a later stage. This preferred area is located some distance from the nearest dwelling. The final areas where aggregates extraction might be allowed to address amenity and landscape considerations would only be determined following the submission of relevant technical studies. MAC C50 specifies the site can only be accessed from Torfaen. It is difficult to control how vehicles access a site but, based on my observations of the surrounding area, it is unlikely that aggregates vehicles would access it from St Illtyd/ Llanhilleth Mountain Common given the width and gradient of this local road. The resolution of any relevant highway access issues including traffic management within Blaenau Gwent could be addressed at the planning application stage.

Trefil quarry

10.9 The Trefil quarry extension (M4.1) differs from the other preferred areas in that it alone can provide limestone which is an aggregate that is specifically sought after in the RTS⁷⁰ whereas the other preferred areas can only provide sandstone. Opportunities to exploit

⁷⁰ SD98

limestone are limited in the whole of the former Gwent county area⁷¹. The Council could not deliver its RTS target without this site.

- 10.10 However, there are three key challenges to its suitability as a preferred area. These are: (a) its geological significance; (b) its ecological value; and (c) the visual impact of quarrying including when viewed from the Brecon Beacons National Park. I address each of these points below. In assessing the site’s suitability as a preferred area, I have had regard to national policy set out in paragraph 14 of MPPW which identifies these areas as having “known resources with some commercial potential, and where planning permission might reasonably be anticipated”. The test for the suitability of preferred area status does not require the same degree of scrutiny necessary in determining a planning application.
- 10.11 Mynydd Llangynidr - of which the preferred area forms a part - is geologically distinctive. This is due not only to dolines that are visible at the surface and in greater concentrations towards the east of the area but its other subterranean features too including its cave formations which provide further insights into the development of interstratal karst. This is the principal justification for its designation as an SSSI⁷². The SSSI notification states that any extension of quarrying would result in permanent destruction of karst and cave features. It has also been suggested that it would be likely to have an adverse impact on the surrounding groundwater which makes the site unsuitable for quarrying in the first place. CCW’s expert witness told me the research benefits of exposing the area’s geomorphology through quarrying are outweighed by the harm to the SSSI.
- 10.12 Notwithstanding the strategic approach to protecting, managing and enhancing SSSIs set out in Policy SP10 (as amended by MAC S04), SSSI status does not preclude Trefil from being considered as a preferred area for quarrying. Rather, paragraph 25 of MPPW states that development likely to affect an SSSI should be very carefully considered, and where the impact is likely to be significant, should be subject to the most rigorous examination. The need for the mineral must be balanced against environmental and other relevant considerations. In planning policy terms, SSSI status differs from National Park or an Area of Outstanding Natural Beauty land where national policy clearly states that minerals development should not take place save in exceptional circumstances⁷³.
- 10.13 Policy DM19(I) currently states that minerals extraction will be permitted where there is no adverse impact on nationally protected geological and geomorphological features. This is not quite the same

⁷¹ SD99

⁷² ES18.2 and PH4

⁷³ W24, Paragraph 21

test as national policy. I therefore recommend that this policy be reworded to accord with the foregoing advice in MPPW and I also recommend that the supporting text to this policy refer to MPPW as a source on how this policy would be applied (**IC 2** and **IC 3**).

- 10.14 Subject to these changes, the policy would not rule out the possibility that a portion of the preferred area may be considered suitable for this purpose when subjected to the rigorous scrutiny of a planning application and when matters such as need are balanced against environmental issues. A developer would have to submit more detailed studies and show that groundwater matters could be addressed satisfactorily. I note on this point that the Environment Agency has not objected to the area’s designation for quarrying.
- 10.15 A number of studies have been prepared which indicate the site could be developed without a significant impact on local fauna and flora⁷⁴. These studies have influenced the reduction in the preferred area shown in FC13.A and FC13.B made prior to the submission of the Plan for examination. I have read conflicting views about the findings of the studies but discovered no insurmountable ecological reason why the site could not continue to be considered as a preferred area.
- 10.16 The preferred area extends close to the National Park boundary. The landscape in the immediate surrounds is characterised as one of open moorland. It is also designated as an SLA (ENV2.7) in part due to the fact that the area forms a continuous belt of Brecon Beacons fringes. Opportunities to screen an extension to the quarry from the National Park are therefore limited. Land levels rise marginally to the north of the edge of the preferred area such that land within the National Park is somewhat higher. The preferred area is some distance from the nearest private road inside the National Park although the area of moorland is likely to be used by walkers. It is possible that the final boundary of any extended area for quarrying that is the subject of a planning application may change to take account of the topography of the site and other features. The exact area would only be ascertained following the completion of detailed surveys.
- 10.17 Any development would have to address other challenges such as its proximity to a scheduled ancient monument located to the west. The Council’s archaeologist/ heritage officer advised me this could in principle be satisfactorily addressed.
- 10.18 Returning to the test set out in paragraph 14 of MPPW, the site is likely to be able to deliver aggregates with some commercial potential. Given the site’s sensitivity, it is possible that only some of the preferred area may be suitable for quarrying. The actual extent

⁷⁴ ES18.7

will only be apparent when studies have been submitted for the purposes of planning application and other consents. A detailed geological appraisal may reveal that planning permission should not be granted. This is a commercial risk the developer would have to undertake. Any future research may also coincide with the next review of the RTS scheduled for 2013/14 which may provide more information as to the significance of this mineral resource in meeting regional needs. On present evidence, I conclude the designation of Trefil as a preferred area for quarrying is sound.

Waste

- 10.19 The Council’s approach to waste management set out in Policies SP13, W1 and DM19 clearly derives from national policy⁷⁵ and regional plans including the South East Wales Regional Waste Plan (SEWRWP)⁷⁶. In summary, the Council seeks a sustainable and integrated approach to waste management that minimises the production of waste and maximises the use of unavoidable waste as a resource.
- 10.20 At the time of the examination, the Council does not yet know how its future waste will be handled and processed as this will be delivered by the private sector depending on the technological option chosen. Policy W1 therefore allocates a very broad area of land for this use which accords with SEWRWP recommendations. Such an approach enables the Council to accommodate a range of potential technological options⁷⁷. The Council has corrected typographical errors with regard to the lower level of land allocation required (that is, a minimum of 1ha rather than 0.4ha⁷⁸). It has also demonstrated sufficient land to accommodate the county borough’s future waste needs regardless of the option that is finally pursued without harming employment land allocations given the oversupply of such land.
- 10.21 Policy DM21 provides appropriate criteria against which any final proposal for waste disposal/ treatment should be assessed. In part, they echo the provisions of Policy DM1 which relate to all development proposals. I nonetheless find the Council’s criteria read well and serve as a specific set of controls appropriate for this type of use. Their retention in this format improves the flow of the Plan.
- 10.22 The Council continues to achieve low rates of recycling, re-use and composting relative to the average in Wales. It accepts the need to pursue initiatives to increase rates to meet ever stricter national targets anticipated over the lifetime of the Plan through a Wise about Waste initiative. The revisions to Policy DM1 in MAC C18 give the

⁷⁵ Including W80 “Towards Zero Waste One Wales: One Planet”

⁷⁶ SD96

⁷⁷ ES8.1 and SD51 provide a helpful summary of alternatives

⁷⁸ MAC M11, M12 and M21

Council levers to require developers in all types of new developments to take account of the need to build in waste recycling facilities. As such, this change may help the Council improve recycling rates and generally improves the Plan.

11 Transport

11.1 The Plan anticipates significant investment in a range of forms of transport with a clear prioritisation for investment in sustainable forms of transport including cycling, rail and improvements to the bus network. This emphasis on sustainable transport promotion accords with Policy SP6. The projects identified appear largely balanced and reasonable, showing broad alignment with the South East Wales Regional Transport Plan⁷⁹. Sources of finance from the Welsh Government and EU Convergence funds have been identified. The Council confirmed⁸⁰ there was a strong likelihood of the majority of these projects being delivered in the lifetime of the plan, a view not contested by the Welsh Government. The highway network can accommodate the increased amount of new development anticipated⁸¹.

Road projects

11.2 The recent approval of the dualling of the A465 (Project T6.1) is key to releasing MU1 for development. Its approval makes the road projects associated with the release of MU2 increasingly likely to be completed too. The new Peripheral Distributor Road associated with the release of MU2 (Project T5.1) is likely to be implemented in 2014. Works connecting this road with the A465 have started already.

Rail projects

11.3 Most of the rail projects are at some stage of development although it is not clear when they will be delivered. I recommend **MAC S27** as it deletes a reference to Project T2.3 (Cwm railway station) which is unlikely to be funded during the lifetime of the Plan. The Council stated that this would not affect the delivery of a potential rail freight depot at the nearby Marine Colliery site (Project T2.6) that could service a new quarry near Cwm.

Cycle projects

11.4 The delivery of 13 safe cycle routes should be supported especially in a county borough with low levels of car ownership. Five routes have been completed and an additional four will be completed shortly. Based on past performance, I have no reason to doubt that the remaining routes will be implemented over the lifetime of the Plan. The only contentious route is T1.7 (as amended by FC 11)⁸² which would now cross an extensive area of agricultural land in private ownership. The arguments for and against this route are finely balanced.

⁷⁹ SD100

⁸⁰ ES15.2

⁸¹ SD101

⁸² This is referred to as FC10 at page 15 of SD10a but is clearly FC11.

- 11.5 The speed limit of the A4048 close to this proposed route is 60 mph. The A4048 is a busy road used by heavy vehicles including logging trucks. There is considerable merit in diverting cycle traffic off this road. It would not be feasible to establish a separate cycle route along the stretch of road close to the county borough boundary with Caerphilly and, more importantly, to the south within Caerphilly. The proposed FC route would link up with a project which Sustrans is seeking to develop in Caerphilly. The final alignment may not be the version that appears on that Council’s LDP Proposals Map. This in itself is not critical to the project’s viability since the key to the Proposals Map states that such alignments are indicative and paragraph 3.145 of the Written Statement of that Plan⁸³ states they have yet to be considered in detail.
- 11.6 The principal land use argument against this proposal is the likely harm the route would have on livestock especially if the route were used by dog walkers. Matters to do with maintenance of tracks and alterations to fences could be resolved via negotiation with affected landowners but they will clearly need landowner consent.
- 11.7 The Council has referred to other cycle routes crossing land used for grazing. T1.9 is different to T1.7 as it runs across common land where there may be general rights to roam. Castle Meadows in Abergavenny was not used for grazing when I visited it. It is a picturesque stretch of land by the banks of the River Usk close to the town centre and heavily used by dog walkers. From my observations of that site, the use of an open cycle route by dog walkers is potentially incompatible with animal grazing as it is not possible to enforce whether dogs are kept on leads. This counts as a significant factor against the proposal although it would not be an insurmountable one if the entire route were fenced off as indicated in Option 1 of the Council’s evidence.
- 11.8 Ultimately, the likelihood of this project being delivered is hindered by the landowner’s unwillingness to participate in it. I saw no evidence of a compulsory purchase order being considered to achieve this and therefore conclude there is limited chance of it being delivered. As such, T1.7 is unlikely to be delivered and so fails to meet Soundness Test C2. I therefore recommend that it be deleted **(IC 4)**.

⁸³ W7

12 Design, Heritage and the Role of the Welsh Language

Design

- 12.1 The Council is actively seeking to promote transformation of the county borough’s built environment. This has influenced the design of the recently built Ysgol Gymraeg and other buildings including The Works Learning Zone where the Council seek to address low educational attainment through distinctively modern buildings. The revisions to Policy DM2 and supporting text at MAC S08 and MAC S09 better reflect a desire to promote transformation and address submissions which suggest the policy would stifle innovative development. The revisions to this policy also provide a context for raising housing densities and thereby reducing pressure for development beyond settlement boundaries consistent with PPW4⁸⁴.
- 12.2 The Council accept the aim of criterion (b) of the published version of Policy DM2 for roller shutters would be difficult to achieve. MAC S08 improves its readability in this respect. It is open to the Council to update its SPG on roller shutters in the future but not critical for reasons of soundness that such a reference remain in the LDP as the revised policy is clear enough in its intent especially when read alongside the revised wording of Policy DM1.

Heritage considerations

- 12.3 The approach to managing the county borough’s heritage set out in Policy SP11 provides a local basis for considering applications for listed building consent and development in the county borough’s two conservation areas over and above the statutory tests for development that affects these types of heritage assets. This policy is improved by inserting a reference to the Tredegar Townscape Initiative Conservation Area Appraisal and Design Guide (MAC C16).
- 12.4 Policy DM18 introduces a local approach to assessing non statutorily listed buildings or “locally listed” buildings. The policy is made clearer by its distinction between buildings and structures (MAC S24), such as the Guardian monument. The second paragraph of MAC S24 provides an appropriate test for how development in proximity to locally listed buildings should be assessed. It is not necessary to alter this criterion regardless of the affection or importance such buildings hold for local people. The change proposed by examination participants would be disproportionate to that which should be reasonably applied.

Role of the Welsh language

- 12.5 The Council reviewed the county borough’s population use of the Welsh language in accordance with PPW4 and TAN20 and has

⁸⁴ PPW4, paragraph 4.10.6

concluded there is no need for a specific policy on the role of the Welsh language. The Plan was amended before its submission for examination by way of MC.4. This change represents an appropriate local response to this aspect of cultural life in Wales.

13 Infrastructure Provision, Implementation and Monitoring

Infrastructure provision

- 13.1 The Council has prepared numerous background papers and other evidence covering the services it delivers. These have shaped relevant site allocations. The Council has engaged with infrastructure providers such as the NHS, the emergency services and Dwr Cymru Welsh Water to respond to any consequential implications arising from the Plan’s policies. Indicative funding streams for public sector investment/ EU grant funding have been identified and updated.
- 13.2 It is not necessary that the Council prepare an infrastructure background paper for this Plan especially as Blaenau Gwent is not expecting significant population growth. The Council has demonstrated there are no infrastructure “show stoppers”⁸⁵ preventing the Plan from being delivered and I am satisfied that the key elements of infrastructure required to deliver the Plan can be provided. Further research may be needed if the Council sets a Community Infrastructure Levy given the impending changes in legislation in 2014 when it will have less flexibility in pooling developer contributions. It is not appropriate here to comment on any levy the Council might impose.
- 13.3 Policy DM4 sets out the Council’s intended approach to securing developer contributions. The text has been pared back to be broadly consistent with its Planning Obligations SPG⁸⁶ although the Council accepted the SPG will need to be reviewed to take account of new policies in the Plan and to emphasise that contributions will only be sought subject to viability as reflected in MAC S10 and S11. This amendment would effectively allow the Council and developers to prioritise contributions where appropriate.

Plan implementation

- 13.4 Section 9 of the Plan⁸⁷ indicates when the various site allocations and transport projects are expected to be delivered and indicates the name of the lead organisation or sector. The establishment of cross agency boards to progress MU1 and MU2 would, in theory, address blockages in delivering these two sites. The level of information provided by the Council appears adequate to support these allocations.

Monitoring indicators

- 13.5 The Council extensively revised its monitoring indicators during the examination⁸⁸. There are now fewer indicators and these are more

⁸⁵ ES16.3

⁸⁶ SD128

⁸⁷ as amended by various minor changes in PH2 which update and push back the delivery of some projects

⁸⁸ PH2

focussed and simpler to measure. The redrafting of some indicators, on renewable energy, for example, reflects changes to Policy DM5. Other indicators such as target employment rates have been altered to enable the Council to compare its performance relative to the Heads of the Valleys area. The revised monitoring indicators also improve the Plan as they now build in a review by the end of 2016, that is, within the four year period of its likely adoption by which stage the Council is obliged to conduct a review of the whole of the Plan in accordance with Regulation 41 of the Local Development Plan (Wales) Regulations 2005.

- 13.6 Two minor but important changes are necessary to monitor development in areas of high risk of flooding (Objective 6) and to promote water quality (Objective 13) to ensure the relevant indicators align more specifically with the justification test in TAN15⁸⁹, the Water Framework Directive⁹⁰ and local water quality issues raised orally during the examination hearings **(IC 5)**.

⁸⁹ W64

⁹⁰ Refer PH2_18 and PH5a for a detailed clarification.

14 Other matters and conclusion

- 14.1 SSSIs are identified on the Constraints Map rather than the Proposals Map. This in itself does not directly conflict with PPW4 or Local Development Plans Wales, 2005⁹¹ which advise that SSSIs should, rather than must, be included on the Proposals Map. Both maps can be easily read together as they follow a similar format and the absence of a notation on the Proposals Map does not in any way neglect the fact that SSSIs are referred to in Policy SP10 and, therefore, SSSIs are covered by local planning policy.
- 14.2 The case for a Constraints Map that does not form part of the development plan is that it can be easily updated without needing to do a complete review of the Plan. A “live” Constraints Map could also add new constraints promoted by external bodies that may arise during the lifetime of the Plan such as the designation of new listed buildings by Cadw or any future alterations or extensions to SSSIs proposed by CCW. The Constraints Map will also be updated once the Council has established a schedule of locally listed buildings and structures in accordance with Policy DM18. Ultimately, and for pragmatic reasons, I consider that limiting the amount of information shown on the Proposals Map has the important benefit of improving its readability especially outside settlement boundaries where a number of sites are covered by more than one Plan designation.
- 14.3 The Council has assessed its policies in the light of TAN6 and demonstrated that there is no need to develop specific rural land policies in this county borough apart from Policy DM9, given the size of the rural economy and the fact that much rural land outside urban settlements is common land. Applications for development on agricultural land can be assessed with reference to Policies SP8 and DM1 as well as national planning policy and other material considerations.

Conclusion

- 14.4 I conclude that, with the changes I recommend in Appendices A and B of this report, the Plan satisfies the requirements of section 64(5) of the 2004 Act and meets the procedural, consistency and coherence and effectiveness tests of soundness in Local Development Plans (LDP) Wales, 2005.

Vincent Maher

INSPECTOR/ AROLYGYDD

⁹¹ PG3

Appendix A: The Council’s proposed matters arising changes (MACs) recommended by the Inspector⁹²

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
MAC S04	42	SP10	<p>Blaenau Gwent’s unique, natural environment and designated landscape will be protected, and, where appropriate, enhanced. This will be achieved through:</p> <p>a. Protecting national, European and international nature conservation sites in line with national planning policy as well as other species and habitats identified as priorities for nature conservation, enhancing and managing Cwm Merddog Woodlands/Coed Ty’n y Gelli and Brynmawr Sections and Mynydd Llangynidr SSSIs;</p> <p>b. Ensuring that development does not have a significant effect on the neighbouring Usk Bat Site, Cwm Clydach Woodlands, Aberbargoed Grasslands, Sugar Loaf Woodlands or the River Usk SAC’s;</p> <p>c. Ensuring that the locally identified SINC’s and LBAP species are protected and enhanced;</p> <p>Bd.Protecting those attributes and features which make a significant contribution to the character, quality and amenity of the landscape;</p> <p>de. Maintaining and enhancing the Green Infrastructure including creating a network of local wildlife sites and wildlife corridors, links and stepping stones; and d Ensuring that development retains, protects and enhances features of ecological or geological interest, and provides for the appropriate management of these features</p> <p>f. Ensuring development seeks to produce a net gain in biodiversity by designing in wildlife, and ensuring any avoidable impacts are appropriately mitigated for⁹³.</p>

⁹² The full list of MAC changes can be found on examination document PH2. This has been amended by PH4 and PH2_BGCBC

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
MAC S05	45	SP12 (a.)	<p>Blaenau Gwent will contribute to local, regional and national aggregate supplies by:</p> <p>a. Maintaining a minimum 10-year land bank of permitted aggregate reserves in line with national planning policy and addressing the 3Mt apportionment identified in the Regional Technical Statement;</p> <p>b. Safeguarding existing mineral reserves and potential resources from development that would preclude their future extraction;</p> <p>c. of Encouraging the pre-working of mineral resources, where appropriate;</p> <p>d. Ensuring that future mineral working accords with national planning policy in terms of protecting areas of importance of natural and built heritage and limiting the environmental impact of mineral extraction;</p> <p>e. Ensuring that high standards of restoration and aftercare measures are incorporated at sites;</p> <p>f. Ensuring that impacts upon neighbouring communities and sensitive uses are not adversely impacted by residential areas from mineral and coal operations limited to an acceptable proven safe limit through identification of buffer zones and areas where coal working will not be acceptable; and</p> <p>g. Promoting the efficient use of minerals and use of alternatives to naturally occurring minerals including the re-use of secondary aggregates.</p>
MAC S06	45	Paragraph	In order to address sustainability concerns the Regional Technical Statement (RTS)

⁹³ This criterion has been amended by IC1

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
		6.73	<p>on Aggregates identifies a new apportionment method which is based on the proximity principle and a focus on areas which have greater environmental capacity. As a result of this work Blaenau Gwent is being required to provide at least 3 million tonnes of new capacity. A recent planning permission for the deepening of Trefil quarry provides 2.24 million tonnes of this requirement leaving a shortfall of at least 0.76 million tonnes. The Council will need to grant planning permission for either the re-working of a reclaimed tip, an extension to an existing quarry or a new quarry before 2021.</p>
MAC S08	53	DM2 (a.) (b.) (e.) & (g.)	<p>Development proposals will be permitted provided: -</p> <p>a. They are appropriate to the local context in terms of type, form, scale, and mix, and density; and mix,</p> <p>b. They are of good design which reinforces local character and distinctiveness of the area or improves areas of poor design and layout; or they positively contribute to the area’s transformation and raise density, where appropriate;</p> <p>c. The development has regard to ‘Secured by Design’ principles;</p> <p>d. In the case of extensions to buildings, they reflect, complement or enhance the form, siting, materials, architectural details and character of the original building, its curtilage and the wider area;</p> <p>e. In the case of proposals for new and replacement shopfronts, roller shutters and signage, they make a positive contribution to the street scene. and Roller shutters should be sensitively designed and integrated into the overall design of the shopfront; conform to the Council’s Supplementary Planning Guidance on</p>

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
			<p>Shopfront Design;</p> <p>f. In the case of the public realm and key locations such as town centres, major routes and junctions, the character and quality of the built form is to a high standard of design and, where appropriate, includes public art; and</p> <p>g. Landscaping and planting, where appropriate, is integral to the scheme and enhances the sites and achieves a suitable visual setting for the scheme and integrates it into the wider context.</p>
MAC S09	53	Paragraph 7.17	<p>All new developments must enhance and respect their surroundings and contribute towards the local identity. Developments must be of an appropriate type, form, scale, and mix, and density and mix, and density for their location or positively contribute to the area’s transformation and raise density as the Council is committed to raising the standard of design on all new development. Developers will be required to submit comprehensive masterplans for residential proposals of 50 dwellings and over which must have regard to the need to create high quality, sustainable and locally distinct places.</p>
MAC S10	56	DM4	<p>Proposals for new development will be required expected to meet the infrastructure needs that it generates, including the improvement or provision of infrastructure, services and community facilities. Where on site provision cannot be achieved, off-site provision or a financial contribution will be required expected. Arrangements for the provision of infrastructure will be secured by the use of planning conditions attached to a planning permission or planning obligations in legal agreements or via the Community Infrastructure Levy. The Council will seek to ensure that, where appropriate subject to viability, the impact of new development is mitigated to ensure that it contributes the regeneration of local communities in Blaenau Gwent.</p>

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
MAC S12	59	DM5	<p>Where planning permission is required, development proposals which promote the provision of renewable and low/zero carbon energy such as schemes for The Council will encourage major development proposals to incorporate schemes which generate energy from renewable and low/zero carbon technologies. These technologies include energy from onshore wind; landfill gas; energy crops; energy from waste; anaerobic digestion; sewage gas; hydropower; biomass; combined heat and power; and solar. will be permitted where it can be demonstrated that there is no unacceptable effect upon the interests of nature conservation, character and appearance of the landscape, visual, biodiversity, cultural heritage, air quality, odour, noise and residential amenity.</p> <p>Development proposals should be designed to minimise resource use during construction, operation and maintenance.</p> <p>These technologies will be permitted provided that:</p> <p>a. Appropriate monitoring and investigation can demonstrate that the development will not have any unacceptable adverse impact on nature conservation and the character and appearance of the landscape;</p> <p>b. Appropriate arrangements have been made for the preservation and/or recording of features of local archaeological, architectural or historic interest;</p> <p>c. They can be safely accessed to permit regular maintenance without an unacceptable adverse impact to the environment or the public rights of way network;</p> <p>d. They will not have an unacceptable adverse impact on local amenity by</p>

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
			<p>reason of noise emission, visual dominance, shadow flicker, reflected light, the emission of smoke, fumes, harmful gases, dust, nor otherwise cause pollution to the local environment;</p> <p>e. They will not lead to electromagnetic disturbance to existing transmitting and receiving systems (which includes navigation and emergency services), thereby prejudicing public safety;</p> <p>f. Local receptor of heat and energy from the proposal are identified and, where appropriate, are connected to/benefit from the facility; and</p> <p>g. Provision has been made for the removal of all infrastructure from, and reinstatement of the site following termination of the use.</p>
MAC S13	59 - 60	Paragraphs 7.38 – 7.44	<p>Delete paragraphs 7.38 – 7.44 following the revision of Policy DM5</p> <p>In September 2009, changes were made to the permitted development rights to make provision for the installation of certain types of microgeneration by householders without the need for planning permission, namely solar photovoltaic and solar thermal panels, ground source heat pumps and flues for biomass heating. There are further proposals to extend the permitted development rights in relation to microgeneration to cover the installation of technologies on non-domestic and domestic premises.</p> <p>The Blaenau Renewable and Low Carbon Energy Study (2011) identifies that there is potential to generate electricity and heat from renewable and low/ zero carbon technologies. These technologies include: onshore wind; landfill gas; energy crops; energy from waste; anaerobic digestion; sewage gas; hydropower; biomass; and</p>

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
			<p>combined heat and power. Although not assessed in the study there may also be potential for solar photovoltaic technology. The need to harness energy from renewable sources will be carefully balanced, with the impact of nature conservation, character and appearance of the landscape, visual, biodiversity, cultural heritage, air quality, odour, noise and residential amenity. The Local Development Plan seeks to ensure that any adverse local effects are identified and mitigated for through the planning process.</p> <p>In determining proposals for the generation of hydropower, the issue of flooding and the effect of the scheme on fish will be important considerations. With regard to anaerobic digestion, in order to protect residential amenity and habitats, proposals will only be permitted on sites identified for waste through Policy W1 or employment sites that are allocated or identified as a primary or secondary site through Policies DM11, EMP1 and EMP2. Small-scale digesters, for example on farms utilising their own waste, may be exempt from this requirement.</p> <p>National planning policy categorises wind turbine proposals in terms of their scale i.e. large, medium and small.</p> <p>Technical Advice Note (TAN) 8 identifies areas in Wales which are considered to be the most appropriate locations for large scale wind farm development; these areas are referred to as Strategic Search Areas (SSAs). There are no identified SSAs in Blaenau Gwent.</p> <p>TAN 8 encourages Local Planning Authorities to define what is meant by small and</p>

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
			<p>medium sized wind turbine developments, community based and domestic. For the purpose of this Policy, Supplementary Planning Guidance on Renewable Energy will be produced to consider these concepts in detail.</p> <p>Further advice on renewable energy related development will also be contained in Supplementary Planning Guidance on Renewable Energy and the Renewable and Low/ Zero Carbon Energy Study.</p> <p>Replace with the following paragraphs:</p> <p>In preparing the LDP, the Council has prepared a Renewable Energy Assessment (REA) to indicate the potential level of energy generation from renewable sources. This assessment followed a toolkit provided by the Welsh Government and examines a wide variety of renewable energy sources. The REA acknowledges that, in the generation of renewable heat sources in particular, the potential for heat energy generation in the County Borough falls below the national targets set out in the UK Renewable Energy Strategy. Therefore there is a case for requiring close scrutiny of proposals to assess their potential for the receipt or generation of renewable energy generation over the requirements set out in national policy on sustainable buildings.</p> <p>The Council will require energy statements to be prepared for all major development proposals (100 or more flats or homes and/or the provision of 1,000 sq m and over of floorspace) to set out how they can make a contribution towards providing increased levels of energy generation from renewable and low/zero carbon sources. It therefore will expect all major development proposals to examine the potential for renewable energy generation and/or low/zero carbon technologies on-site and, where appropriate the sharing of renewable energy with the wider community.</p>

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
			<p>To this end, the Council will take a proactive, corporate role in not only seeking to make its own buildings more energy efficient and generators of renewable energy generation, but will produce an Energy Opportunities Plan as SPG to the LDP to assist the development industry by spatially identifying possible sources of renewable energy including suitable areas for smaller scale wind, hydropower generation and district heating networks.</p>
<p>MAC S14</p>	<p>60</p>	<p>DM6</p>	<p>DM6 Use Class Restrictions in Principal and District Town Centres Management</p> <p>Development proposals incorporating a change of use of ground floor premises in Principal and District Town Centres will be subject to the following management restrictions:</p> <p>a. Primary Retail Areas are identified within which only A1 uses will be permitted. within the Primary Retail Area.</p> <p>b. A2, D1 and D2 uses will be encouraged outside the Primary Retail Area.</p> <p>b. Within the town centres, in order to minimise the impact on vitality and viability no more than 3 Hot Food Takeaways and/ or Public Houses should be located in close proximity. The number of Hot Food Takeaways, at street level, should be equal to or no greater than 7.0% and the number of public houses should be equal to or no greater than 4.0% of the total number of units in the town centre.</p> <p>c. A3 uses will not be permitted where they harm the vitality, and viability and retail mix of the area as a result of a proliferation of this type of use.</p> <p>e-d. Within the town centres, the change of use of the ground floor units to residential use will not be permitted.</p>

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
MAC S15	61	Paragraphs 7.50 – 7.51	<p>Amend paragraph 7.50 as follows:</p> <p>However, †The number and concentration of hot food takeaways and public houses food and drink establishments should not dominate the town centre and therefore detract from the overall character and function of the centres. The Hot Food Takeaways and Public Houses Supplementary Planning Guidance is to be updated to provide further guidance to support this Policy.</p> <p>Delete paragraph 7.51 as follows:</p> <p>The significant increase in the number of hot food takeaways and public houses within the town centres has led to concern being expressed by local residents, local business and others in the area on the vitality of the shopping areas and residential amenity. This Policy aims to protect the character and function of the town centres through firstly controlling the percentage of hot food takeaways at ground floor level and public houses, and secondly the number of hot food takeaways and public houses located in close proximity within the town centres. The Retailing Background Paper sets out the reasoned justification to these approaches. Detailed guidance on Hot Food Takeaways and Public Houses in Town Centres is contained in the Supplementary Planning Guidance.</p>
MAC S16	62	DM7	<p>Amend Policy DM7 (as amended by MC.17) as follows:</p> <p>DM7 Use Class Restrictions Management in of Blaina Local Town Centre</p> <p>Development proposals incorporating a change of use of ground floor premises in Blaina Local Town Centre will be subject to the following restrictions management:</p>

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
			<p>a. In order to minimise the impact on vitality and viability no more than 3 Hot Food Takeaways and/ or Public Houses should be located in close proximity. The number of Hot Food Takeaways, at street level is equal to or no greater than 7.0% and the number of Public Houses is equal to or no greater than 4.0% of the total number of units.</p> <p>a. Retail, professional and financial services, entertainment and leisure and community uses will be supported.</p> <p>b. A3 uses will not be permitted where they harm the vitality, and viability and retail mix of the area as a result of a proliferation of this type of use.</p> <p>Bc. In the case of a change of use to residential, the retention of the retail site for retail / commercial purposes has been fully explored without success by way of marketing for appropriate retail / commercial purposes at reasonable market rates for a minimum of 12 months. Unit must have been vacant for a minimum of 12 months and/or genuine efforts have been made to market the premises for retail / commercial use.</p>
MAC S17	62	Paragraph 7.55	<p>The significant increase in the number of hot food takeaways and public houses within Blaina Local Town Centre has led to concern being expressed by local residents, local businesses and others in the area on the vitality of the shopping areas and residential amenity. This Policy aims to protect the character and function of the town centres. Through firstly controlling the percentage of hot food takeaways at ground floor level and public houses, and secondly the number of hot food takeaways and public houses located in close proximity within the town centres. The Retailing Background Paper sets out the reasoned justification to these approaches. Detailed guidance on Hot Food Takeaway and Public Houses in Town Centres is contained in the updated Supplementary Planning Guidance.</p>
MAC S18	63	DM8	Subject to viability and W where there is evidence of need the Council will seek

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
			<p>at least 10% affordable housing on all residential proposals that:</p> <ul style="list-style-type: none"> a. Contain 10 or more dwellings; or b. Exceeds 0.28ha in gross site area, or c. Exceed the threshold in (a) or (b) above for adjacent sites.
MAC S19	63	Paragraph 7.61	<p>To ensure the delivery of affordable housing in accordance with the identified need, the Council will seek the provision of at least 10% affordable housing on sites of 10 residential units and over or sites that exceed 0.28 hectares in size (gross site area). The percentage is by definition a minimum threshold and a higher percentage of affordable housing provision will be sought where the development can support it. When adjacent sites taken together exceed these thresholds affordable housing will be sought. The percentage target included in the above policy recognises that development viability in the County Borough is a major consideration, and negotiation will be necessary on the exact type and amount of affordable housing to be delivered on a site-by-site basis.</p>
MAC S20	67	Paragraph 7.70	<p>Examples of commercial services which might be considered acceptable on a site allocated or identified as a secondary site would include indoor health and fitness, training facilities, day nurseries (where no other alternative sites are available in a town centre location), vehicle repair and maintenance businesses and other uses that are not considered appropriate in a town centre location.</p>
MAC C31	68	DM13	<p>DM13 Provision of Open Space, Recreation and Leisure Outdoor Sport and Play Facilities</p> <p>Where there is a quantitative or qualitative deficiency in open space, recreation and outdoor sport and play leisure facilities, provision will be sought in conjunction</p>

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
			with all new residential developments of 10 or more units, based on a minimum of 2.4 hectares of recreational open space per 1000 projected population.
MAC S25	74	DM19 (e.) (f.) (j) (k.) and (m.)	<p>Proposals for mineral extraction pre-extraction and associated development, including the tipping of mineral waste and the reworking of tips, will be permitted where:</p> <ul style="list-style-type: none"> a. For non-energy minerals a proven need has been established for the material involved, either in a local, regional or national context; b. Where appropriate, an assessment has been made that demonstrates that it would not be feasible to supply the mineral from secondary sources; ; c. Benefits to the local economy will result; d. The impact of operations and associated works and activities together with the duration of development upon neighbouring communities and land uses can be mitigated to acceptable levels, including the effects of noise, light, dust and vibration; e. There is no unacceptable adverse impacts The effects on surface water, groundwater resources and water supplies are acceptable f. There is no unacceptable aAdverse impacts on sensitive landscapes can be minimised; g. Measures can be taken to ensure that ecological and wildlife interests do not suffer significant adverse effects, particularly where designated and proposed areas of nature conservation interests or protected species may be affected; h. Proposals are acceptable in terms of highway and transportation considerations, particularly the consequences of traffic movements and volume of traffic, with transportation by rail being favoured, where appropriate; i. The proposal is unlikely to create or exacerbate problems associated with ground stability in the surrounding area; j. Impacts on health and society are considered and found to be within acceptable

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
			<p>limits;</p> <p>k. There is no unacceptable aAdverse impact on important features of the built environment and archaeologically sensitive areas, including conservation areas, listed buildings and scheduled ancient monuments;</p> <p>l. There is no adverse impact on nationally protected geological and geomorphological features;⁹⁴</p> <p>m. There is no unacceptable adverse visual impact of the proposal can be mitigated by landscaping; and</p> <p>n. Appropriate, acceptable proposals for restoration, after-use and after care are provided.</p>
MAC S27	91	T2.3	<p>Land will be safeguarded for the following rail network improvements:</p> <ol style="list-style-type: none"> 1. Extension of rail link from Ebbw Vale Parkway to Ebbw Vale Town 2. Provision of new station and bus interchange at Ebbw Vale 3. Provision of new station at Cwm 43. Extension of rail link to Abertillery 54. Provision of new station and Park and Ride at Abertillery 65. Rail freight provision at Marine Colliery <p>Delete T2.3 from the Plan and Proposals Map and amend policy numbering of other sites.</p>
MAC S28	107	M2 (b.)	<p>No new mineral extraction will be permitted except in exceptional circumstances.</p>
MAC C39 (as	87-89	H1 & HC1	H1 Housing Allocations and HC1 Housing Commitments

⁹⁴ Criterion (l) of this policy has been altered by **IC2**

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)																																																
amended by PH2_BGCBC)			<p>In accordance with Policy SP5 land is allocated identified for residential development in the following locations:</p> <table border="1"> <thead> <tr> <th>Policy Number</th> <th>Site Name</th> <th>Area (Ha)</th> <th>Units</th> </tr> </thead> <tbody> <tr> <td colspan="4">Ebbw Vale</td> </tr> <tr> <td>H1.1</td> <td>Willowtown</td> <td>0.63</td> <td>22</td> </tr> <tr> <td><i>MU1</i></td> <td><i>Ebbw Vale Northern Corridor</i></td> <td>283</td> <td>700805</td> </tr> <tr> <td></td> <td></td> <td>Total</td> <td>722</td> </tr> <tr> <td>HC1.1</td> <td>North of Cwmyrdderch Court Flats, Cwm</td> <td>1.18</td> <td>16</td> </tr> <tr> <td>HC1.2</td> <td>Letchworth Road</td> <td>0.93</td> <td>16</td> </tr> <tr> <td>HC1.3</td> <td>Old 45 Yard, Steelworks Road</td> <td>3.49</td> <td>82</td> </tr> <tr> <td>HC1.4</td> <td>Adjacent Pant-y- Fforest</td> <td>1.63</td> <td>21</td> </tr> <tr> <td>HC1.5</td> <td>Heol Elan #</td> <td>1.2</td> <td>43</td> </tr> <tr> <td>HC1.6</td> <td>Land at College Road#</td> <td>1.04</td> <td>41</td> </tr> <tr> <td>HC1.7</td> <td>Adj Sports Ground, Gwaun Helyg</td> <td>2.92</td> <td>69</td> </tr> </tbody> </table>	Policy Number	Site Name	Area (Ha)	Units	Ebbw Vale				H1.1	Willowtown	0.63	22	<i>MU1</i>	<i>Ebbw Vale Northern Corridor</i>	283	700805			Total	722	HC1.1	North of Cwmyrdderch Court Flats, Cwm	1.18	16	HC1.2	Letchworth Road	0.93	16	HC1.3	Old 45 Yard, Steelworks Road	3.49	82	HC1.4	Adjacent Pant-y- Fforest	1.63	21	HC1.5	Heol Elan #	1.2	43	HC1.6	Land at College Road#	1.04	41	HC1.7	Adj Sports Ground, Gwaun Helyg	2.92	69
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			HC1.8	Higgs Yard	0.99	29
			HC1.9	Mountain Road#	0.47	22
			HC1.10	Briery Hill#	0.94	33
			<i>MU2</i>	<i>'The Works'</i>		520
					Total	892
					Total	1,719
Tredegar						
			H1.2	Cartref Aneurin Bevan	0.38	13
			H1.3	Greenacres	0.50	18
			H1. 64	Land adjacent to Chartist Way	2.89	101
					Total	132
			HC1.11	Derelict Bus Garage, Woodfield Road#	0.36	11
			HC1.12	Former LCR Factory, Charles Street	0.25	14
			HC1.13	Former Factory Site, Pochin	0.65	28

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)			
			HC1.14	Land at Poultry Farm, Queen Victoria Street	0.84	3
			HC1.15	Upper Ty Gwyn Farm, Nantybwhch	1.44	38
			HC1.16	Former LCR Factory, opposite Tredegar Comprehensive School#	0.62	47
			HC1.17	Peacehaven	4.81	147
			HC1.18	The Goldmine, Sirhowy	0.17	16
			HC1.19	BKF Plastics, Ashvale	1.83	54
			HC1.20	Sirhowy Infants School Site#	0.84	23
			HC1.21	Corporation Yard	0.75	23
			HC1.22	Park Hill	13.09	160
					Total	564
					Total	696
			Upper Ebbw Fach			
			H1.75	Garnfach School, Nantyglo	0.81	28
			H1.86	Crawshay House, Brynmawr	0.71	25
			H1.97	Infants School and Old Griffin Yard, Brynmawr	1.04	36

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)				
				H1.108	Hafod Dawel Site, Nantyglo#	0.74	44
				H1.119	West of the Recreation Ground, Nantyglo	0.42	15
				H1.120	Land to the East of Blaina Road, Brynmawr	0.72	25
				H1.131	Land to the North of Winchestown, Nantyglo	0.43	15
				MU3	<i>NMC Factory and Bus Depot</i>		60
						Total	248
				HC1.23	Recticel and Gwalia Former Factory Site, Brynmawr#	0.96	45
				HC1.24	Land at Clydach Street, Brynmawr	0.64	12
				HC1.25	TSA Woodcraft, Noble Square Industrial Estate, Brynmawr	0.71	25
				HC1.26	Roberto Neckwear, Limestone Road, Nantyglo	0.74	19
				HC1.27	Cwm Farm, Blaina	9.01	78

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)			
			HC1.28	Salem Chapel, Waun Ebbw Road and Pond Road Junction, Nantyglo	0.26	11
					Total	190
					Total	438
			Lower Ebbw Fach			
			H1.142	Six Bells Colliery Site, Six Bells	1.47	40
			H1.153	Warm Turn, Six Bells	0.93	32
			H1.164	Roseheyworth Comprehensive, Abertillery	0.95	33
			H1.175	Former Mount Pleasant Court, Brynithel#	0.52	18
			H1.186	Hillcrest View, Cwmtillery#	0.83	22
			H1.197	Quarry Adjacent to Cwm Farm Road, Six Bells	0.64	22
			H1.20	Land at Farm Road Swffryd	3.72	130
					Total	297
			HC1.29	At Cwm Farm Road	0.68	20

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MAC C40 (as amended by PH2_BGCBC)			<p>The allocation of sites for new homes is important in ensuring sufficient land is available to meet future population requirements. This will contribute to the diversification of the housing stock and secure viable, sustainable futures for the hub areas. Land allocated identified under this Policy includes:</p> <p>(H) New sites that have been identified as suitable for residential development or for a mix of uses including housing as a result of a robust candidate site assessment process; and</p> <p>(HC) Sites with planning consent for housing or for a mix of uses incorporating housing as of 1st April 2009 (in some cases subject to the signing of a Section 106</p>																												

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
			<p>Agreement).</p> <p>The Housing Commitments will be updated through the review of the Plan. If a site has lapsed then a review of the site will be undertaken to identify the reason for this. If it is considered that the site is available for development the site will be assessed against the candidate site process to see if it is appropriate to include the site as an allocation in the Plan</p>
MAC S33		Proposals Map	Amend settlement boundary at Tafarn Ty Uchaf, Trefil as shown at Appendix 7 to PH2.

Appendix B: The Inspector’s own binding recommended changes

Reference	Page No. (Deposit Plan as amended by Focussed Changes)	Policy / paragraph	Changes (additions are in bold and struck through)
IC1 (revision to MAC S04)	42	SP10	Criterion (f) - replace “biodiversity” with “nature conservation”. f. Ensuring development seeks to produce a net gain in nature conservation biodiversity by designing in wildlife, and ensuring any avoidable impacts are appropriately mitigated for.
IC2 (revision to MAC S25)		DM19(I)	There is no Any adverse effect on nationally protected geological or geomorphological features is outweighed by the need for the mineral resource
IC3		7.92	Insert Minerals Planning Policy Wales between “found in” and “MTAN1 and MTAN2”.
IC4			Delete T1.7 Bedwellty Pits, Tredegar to County Boundary and renumber other cycle routes.
IC5	Monitoring Indicators		Add a second monitoring indicator for Objective 6 (p12 of Appendix 2 to PH2) as follows: 100% of developments permitted in Flood Zone C1 to meet the justification test of TAN 15 and to have shown that the consequences of flooding can be managed to an acceptable level Amend monitoring indicator for Objective 13 (page 17 of Appendix 2 to PH2) Percentage of groundwater water bodies of good status

Appendix C Abbreviations, glossary of terms and examination library coding references used in this report

A2 Use Class	Financial and professional services
A3 Use Class	Food and drink (restaurants, snack bars and cafés, drinking establishments and take-aways)
AA	Appropriate Assessment
AHVS	Affordable Housing Viability Study
B Use Class	Activity falling within Use Class B1 (business), B2 (general industry) and B8 (storage and distribution)
CCW	Countryside Council for Wales
dph	Dwellings per hectare
DVS	District Valuer Services
ES	Examination Statement Document – statement or other document prepared during the examination hearings– these can be found in the Council’s library located on the examination website
FC	Focussed Change made to the Plan before it was submitted for examination (refer SD10a and b)
HRA	Habitats Regulations Assessment
LHMA	Local Housing Market Assessment
MAC	Matters Arising Change
MC	Minor Change made to the Plan before it was submitted for examination (refer SD10a and b)
MPPW	Minerals Planning Policy Wales
MTAN	Minerals Technical Advice Note
MU	Mixed Use – a type of land use allocation in the Plan. These three sites are identified in Policy EMP1 and H1.
PDL	Previously Developed Land
PG	Procedural guidance - this can be found in the Council’s library located on the examination website
PH	Post hearing document – these can be found in the Council’s library located on the examination website
PPW4	Planning Policy Wales 4 th Edition (2010) – reference W41 in the Council’s library
RTS	Regional Technical Statement
SA	Sustainability Appraisal
SAC	Special Area of Conservation, sites designated under the European Union’s Habitats Directive
SEA	Strategic Environmental Assessment
SD	Submission Document - these can be found in the Council’s library located on the examination website
SINC	Site of Importance for Nature Conservation
SLA	Special Landscape Area
SPG	Supplementary Planning Guidance
SSSI	Site of Special Scientific Interest
TAN	Technical Advice Note
UDP	Blaenau Gwent County Borough Council Unitary Development Plan 2006
W	Reference to a Welsh Government publication – these can be found in the Council’s library located on the examination website
WSP	Wales Spatial Plan