

**STATEMENT**  
**SESSION 4 – HOUSING SITES**  
**SITE 42 AS(N)18**

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## STATEMENT

### SITE 42 AS(N)18

1. The candidate site originally submitted was referred to as C11 but the shape of the site and area of land covered was not conducive to development and an alternative candidate site was submitted and is referred to as 42 AS(N)18 ("AS18"). The alternative site expands upon the area covered by C11 and is more attractive in shape and the boundary to the east geographically lends itself to a natural town boundary linking the residential developments to the north, south and west of this site. I believe this site should be considered as infill due to the surrounding developments.
2. An assessment was carried out on the viability of site C11 and the findings would be applicable to AS18. It was reported at stage 1 of the Initial Planning Assessment to have satisfied the criteria set out in that the site is well related to the existing settlement, is accessible by all modes of transport, is well located in terms of community facilities, is not located to an area of importance for biodiversity and is acceptable in terms of flood risk. At stage 2 the Expert Assessments found that the site was acceptable in relation to Highways and Environmental Health but failed on biodiversity and landscape issues. Please refer to Document 1 in the Appendix.
3. A Comment Form was submitted in response to the Expert Assessments on 12 June 2011. As the Assessments made by Blaenau Gwent County Borough Council ("BGCBC") in respect of C11 are relevant to AS18, this Comment Form must be taken into consideration in relation to AS18 also. Please refer to Document 2 in the Appendix.
4. The Comment Form, the Alternative Site Comment Form, the email from SEWBREC and the Environmental Report prepared by Laurence Brooks, a member of the Institute of Ecology and Environmental Management deals with the biodiversity and landscape issues raised by BGCBC and highlights great flaws in their report and their findings. I believe the Local Authority reports cannot be relied upon and as these biodiversity and landscape reports are the basis upon which my site has been rejected I believe site AS18 needs to be reconsidered for inclusion and further assessments carried out in an impartial manner.
5. BGCBC Assessment also states that the site in question lies within a Special Landscape Area ("SLA") which is a non-statutory designation and is designated by the Local Authority. The Comment Form for site C11 addresses this issue but in short I do not believe that the site is of sufficient importance to be designated a SLA. I do not believe BGCBC have obtained *sound* formal scientific assessment which specifically addresses site AS18 in relation to the issues of nature conservation, landscape and geological value. I do not believe that site AS18 satisfies any of the 5 aspects of the LANDMAP information system. Neither do I believe it satisfies the local criteria set by BGCBC for the reasons set out in the Comment Form for C11. Please refer to Document 2 in the Appendix.



6. Planning Policy Wales state that SLA designation should only be applied to areas of substantive conservation value where there is no good reason to believe that normal planning policies cannot provide the necessary protection but such designations should not unduly restrict accessible development. As you will have seen from the Ecology Report prepared by Laurence Brooks, there does not appear to be substantive conservation value and certainly none which cannot be protected by normal planning policies. As can be gleaned from the Alternative Site Comment Form submitted and the report by Mr Brooks, we are happy to work with BGCBC to develop the site to proceed in line with LDF policies and in such a way as to enhance the site for biodiversity and include areas of favourable habitat.
7. Assessment stages 4, 5 & 6 were not completed by BGCBC for site AS18 but I submitted the relevant form to which the Summary of Conclusion was that the site does not warrant SLA status and does not fail on biodiversity or landscape issues but is compatible with the Preferred Strategy and Sustainability Objectives as set out in the LDP.
8. Mrs Deb Beeson prepared the Biodiversity Assessment in March 2008, in which she stated there was a “lack of ecological data” and a “full ecological survey and assessment [is] required”. Please can BGCBC confirm: whether this has been carried out and if so provide a copy of the same; details of the qualifications of the person who prepared the report and how long they spent collecting data on site on each visit; and how many times they visited the site. I would be grateful to receive this information prior to the Session and request Mrs Beeson, who made the recommendation for rejection on biodiversity grounds, to attend the Session so that we can explore her report further and the issues which have been raised and how that conflicts with the reports and evidence I have submitted. Given that her report plays a vital role in the site’s rejection I believe her attendance would be of great assistance.
9. When the LDP was placed on deposit, the following sites were allocated for housing: Garnfach School, Hafod Dawel and the land west of the recreation ground and to the north of Winchestown all of which are, I believe, in the ownership of BGCBC. Garnfach was, prior to being demolished, a Victorian School and quite a prominent local building. A building of more importance than the corrugated tin holding sheds and concrete manure platform which was reported in the Countryside and Landscape Assessment to be of historical importance. If more information or a report is available relating to this historical building on the site, please may I receive a copy well in advance of the Session.
10. On the basis that I do not believe the biodiversity assessment for AS18 is reliable and the site does not meet the necessary criteria to be designated as a SLA, please can BGCBC explain why the areas which have been allocated for housing in the LDP is more acceptable a site to them, apart from them being within the current town boundary. The parcels of land to the west of the playing fields and to the north of Winchestown are closer to the Brynmawr area (which has been designated a larger housing allocation than Nantyglo) whereas site AS18 is in the centre of Nantyglo. Furthermore, a large development by Persimmon has recently been built close to these areas on the boundary between Nantyglo and Brynmawr also in Winchestown. Site



AS18 is in a more central position in Nantyglo and there is a lack of alternative housing in this particular area, being predominantly council built properties. Part of the objectives for the LDP were to stem out migration and attract more people to the area to create a more balanced population. Site AS18 could be used to meet this objective and the objective to provide a range of types of tenures and new homes to attract people to Nantyglo. Site AS18 is also closer to the amenities available in Nantyglo whereas the site put forward by BGCBC would encourage the residents to use the amenities in Brynmawr, in particular the large supermarket close by which will not encourage and even detract from the use of local amenities in Nantyglo and Blaina. The sites currently allocated for housing to the north of Nantyglo will therefore not fulfil the Council's objective to enhance the viability and vitality of Nantyglo and Blaina and will be of less benefit to the local community of Nantyglo.

11. The Preferred Strategy in respect of housing was to make these areas a more desirable place to live and in respect of the environment to protect, enhance and manage diversity and to raise the standard of design. Site AS18 can meet these objectives as can be seen from the evidence already submitted and with regard to the environment objectives, suggestions have been put forward in the ecology report by Mr Brooks.
12. Assuming we can all agree that the biodiversity and landscape reports submitted by BGCBC cannot be wholly relied upon and in any case are not sufficient to prevent development on the site, I wish to work with BGCBC to agree a development that would meet their criteria as set out in their LDP. Build rates and a staged development process could be adapted to fit in with their Development Plan target and provide them with a long term plan and availability for their housing evaluation in years to come based on their anticipated increase in population numbers and hence meet their anticipated demand for housing. As stated, the development could be designed to comply with their Preferred Strategies for housing and the environment.
13. In the Preferred Strategy, BGCBC aims to deliver 3,666 new dwellings in this LDP period, and they plan to attract people to the area through creating work through the enterprise zones, there is also discussions of trams being used in the valleys which will encourage migration for those to live outside of the cities in cheaper, affordable housing which will in turn boost the local community. Nantyglo already has good transport links and infrastructure such as the schools, cottage hospital, local shops, leisure centre and outdoor leisure facilities and is accessible to larger towns and cities to obtain work, such as Newport, Cardiff, Abergavenny and even Bristol. Site AS18 in Nantyglo is in a good location with an outlook on the Brecon Beacons in the distance whilst being well below the skyline and would be a more attractive site to attract people to live in this area if development on this site were permitted and thereafter designed correctly. Such development need not have any adverse impact on the vast areas of open hillside beyond.
14. In the draft Preferred Strategy, BGCBC expected an increase in population from 69,300 in 2006 to 71,000 in 2021 for the whole of Blaenau Gwent. There is a national housing shortage according to Government statistics and a need to build more houses and there is an injection of funds into the valleys to promote business growth with the LDP being designed to increase economic activity and protect that which already

exists. According to the official labour market statistics and the Welsh Assembly Government in Blaenau Gwent 63.5% of the population is of working age and there has been an increase in the employment rate between 2004-2005 and 2010-2011 of 4.4%. With this in mind it is plausible that the housing needs will be higher than anticipated despite past population trends and if BGCBC's target to increase economic activity is successful and site AS18 were included in the LDP it is sufficient a site to be used to meet any unanticipated demand within this current LDP period.

15. For the reasons mentioned, I do not believe the allocation of housing sites have been based on a *sound* process of sustainability appraisal and do not necessarily represent the most appropriate strategy in the circumstances. As to whether the selection process has been based on an appropriate criteria and supported by a clear audit trail with substantive and independent reports remains to be seen.
16. I believe site AS18 should receive further consideration as an appropriate and alternative site to that put forward by BGCBC in relation to future housing allocation. The proposal put forward for site AS18 is both appropriate and deliverable as per the evidence which has been submitted in support of this.

Signed:..........  
William John Cooksey

Dated...21/05/2012.....

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## APPENDIX



## APPENDIX 3: UPPER EBBW FACH SITES

Site Number: C11

Site Name: Ffoesmaen Road, Upper Coed Cae, Nantyglo

Hub Area: Upper Ebbw Fach

Proposed Use: Residential

### Stage 1: Initial Planning Assessment

Has the site satisfied the Initial Planning Assessment?

Yes



No



#### Initial Planning Assessment Conclusions

- The site is Greenfield land
- The site is well related to the existing settlement
- The site is accessible by modes other than the car
- The site is well located in terms of community facilities
- The site is not located in proximity to an area of international/national importance for biodiversity
- The development is acceptable in terms of flood risk

#### Justification if the site has not satisfied the Initial Planning Assessment

### Stage 2: Expert Assessments

#### Highways Conclusions

- The existing access is substandard and needs to be improved for development to take place

Is the site acceptable?

Yes



No



#### Biodiversity Conclusions

- Site lies within close proximity to Mulfran, Mynydd Coity, Mynydd James and Gwastad SINC's
- The site forms an important green wedge between them and the adjacent settlement of Upper Coed Cae and SINC, development of this site would result in erosion of this important area.
- Presence of protected species linnet and skylark on site and otter within 250m.
- Presence of UK and LBAP priority habitats including unimproved acid grassland, rush pasture, stream and habitat likely to support protected species – outbuildings (bats/breeding birds).
- Presence of swallow – an LBAP species nesting in outbuildings on site and snipe another LBAP species using the rush pasture for breeding
- Presence of woodland and mature trees which is likely to support bats/breeding birds. The woodland has also been enhanced for biodiversity i.e. erection of bird boxes by the local community.
- Presence of wildlife corridors - dry stone walling and stream

Is the site acceptable?

Yes



No



#### Countryside and Landscape Conclusions

- Within SLA (UDP designation)
- Site lies within 100m of a site of Special Historic Interest

Is the site acceptable?

## APPENDIX 3: UPPER EBBW FACH SITES

Yes ☐ No ☒

### Environmental Health Conclusions

The site is suitable for intended purpose

### Is the site acceptable?

Yes ☒ No ☐

### Additional Comments

### Is the site acceptable for further consideration?

Yes ☐ No ☒

Stage 6: Finalisation of sites for Deposit LDP

### Is the site included in the Deposit LDP?

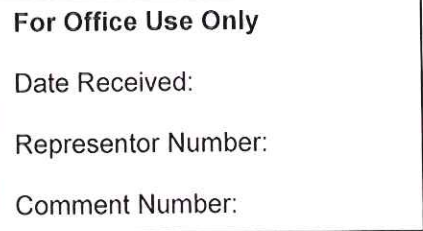
Yes ☐ No ☒

### Comments

The site is not included in the Deposit Plan for the following reasons:

- The site is greenfield land of high biodiversity and landscape value





## Comment Form



## PART 2: Commenting on the Plan

The Blaenau Gwent County Borough Council Deposit Local Development Plan (LDP) will be examined by an independent Planning Inspector. It is the Inspector's job to consider whether the Plan is sound.

There is no legal definition of 'sound' but in this context we use it's ordinary meaning of 'showing good judgement' The 'tests' which the Inspector will consider in deciding whether the Plan is sound are listed below. It may help you to read them and the guidance before you tell us what you think of the Plan and it's policies.

Before you set out your comments in detail, it would be helpful to know whether you think the Plan is sound, or if you think that it is unsound and why.

### 2a Do you consider the LDP is sound? (Please tick)

#### Sound

(i.e. you support the LDP please go to Part 3)

☐

#### Unsound

(i.e. you consider the LDP should be changed please continue)

☐

### 2b If you think the Plan does not meet one or more test of soundness (see guidance note), please indicate here which test(s) it fails.

Please Tick

Test P1	It has not been prepared in accordance with the Delivery Agreement including the Community Involvement Scheme.	
Test P2	The Plan and its policies have not been subjected to Sustainability Appraisal including Strategic Environmental Assessment.	
Test C1	It is a land use Plan which does not have regard to other relevant plans, policies and strategies relating to the area or to adjoining areas.	
Test C2	It does not have regard to national policy.	
Test C3	It does not have regard to the Wales Spatial Plan.	
Test C4	It does not have regard to the relevant community strategy.	
Test CE1	The Plan does not set out a coherent strategy from which it's policies and allocations logically flow and/or, where cross boundary issues are relevant, it is not compatible with the development plans prepared by neighbouring authorities.	
Test CE2	The strategy, policies and allocations are not realistic and appropriate having considered the relevant alternatives and/or are not founded on a robust and credible evidence base.	X
Test CE3	There are no clear mechanisms for implementation and monitoring.	
Test CE4	It is not reasonably flexible to enable it to deal with changing circumstances.	

### 2c Which part of the Plan are you commenting on? Please use a separate form for each policy, paragraph or site you wish to make a comment upon.

Policy Number	
Paragraph or Section Number	
The Proposals Map (Site Reference Number)	

### 2d Would you like to see a new or amended policy, paragraph or site included in the Plan?

A new or amended policy	<input type="checkbox"/>	A new paragraph or amended text	<input type="checkbox"/>	An additional, amended or alternative site/boundary	<input type="checkbox"/>
Please set out clearly in Part 3 where you think it should go in the Plan		Please set out clearly in Part 3 where you think it should go in the Plan		Please attach a site plan and continue to question 2e	



**2e If you want to suggest a new site tell us the existing use and what you would like it to be included in the plan as.**

Existing Use	agricultural
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Proposed Use	residential
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If you are proposing a new site, or proposing a significant change to a site boundary you will also need to undertake a sustainability appraisal (SA) to consider the impact on sustainability your site is potentially likely to have.

If you have previously submitted your proposed site through the candidate site assessment process and are happy with the findings then you do not need to repeat the work. If, however, you are not happy with the findings or your site was not assessed, or is a significant amendment to a boundary then you will need to undertake your own SA. The Council has produced documentation on undertaking SA to guide you in the process, including a model assessment form. This is available from our website [www.blaenau-gwent.gov.uk](http://www.blaenau-gwent.gov.uk).

**2f If you want to add a new site, did you submit the site as a Candidate Site?**

Site Name:	Ffoesmaen Road, Upper Coed Cae, Nantyglo
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Site Reference:	C11
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### PART 3: Your Comments and Suggested Changes

**Please give details of what changes(s) you consider necessary to make the LDP sound, having regard to the test(s) you have identified. You will need to say why this change will make the LDP sound. Continue on a separate sheet as necessary. Please be as precise as possible.**

Site C11 at stage 1 of the process was deemed acceptable but failed at the second stage for biodiversity reasons.

#### Site Description

The site is a small area and lies at the western side of the Mulfran Mountain with residential housing lying to the south, west and north. The current town boundary to the south east lies above this site and this area hatched brown on the plan was developed in recent years without any such issues. The site is believed to be infill. There are no rivers on the site or in the surrounding areas. The ditches carrying rain water are dry late spring, summer and early autumn. Above the site to the east, there is a vast mountain area of grassland which is subject to common grazing rights. There are no hedges or woodland areas on the site. The only trees present are a small number at the entrance to the site which were planted by me around 10 years ago. There is also one tree in the middle of a hayfield which appears to be dying. The land is pasture which is used for grazing and grass keep. All the buildings on the site are of a temporary nature being made primarily of corrugated iron and now in a bad state of repair.

#### Biodiversity Conclusions (as outlined in the candidate site assessment process) and comments thereto

1. You claim the site lies in close proximity to Mulfran, Mynydd Coity (Blaenavon), Mynydd James (Cwmcelyn to Blaina) and Gwastad (area unknown and cannot be located) – this site occupies only a small area at the western side of the Mulfran which is surrounded by housing which lies above the back boundary of the site. The other SINC areas are a good distance from this site. The development of site C11 would not have an impact upon any of the SINC areas noted in the assessment process.
2. You claim the development of site C11 would erode the green wedge between the SINC areas and the Upper Coed Cae. As previously stated, the current building line lies above this site and the site is virtually wedged in amongst the current houses. This claim by you that this site forms an important green wedge cannot be substantiated given the location and size of the site.
3. There are no skylarks or linnets nesting on the site now or in the past. The short grass on the site is not an ideal habitat for them. As for the otters within 250 yards, there are no rivers, lakes, ponds or other such watercourse or fish to sustain the otter in this locality. I am not aware that any



otters have been sighted in this area and I would be interested to see any written reports of such sightings on or near this site in the last 20 years.

You claim that the unimproved acid grassland, rush pasture and stream are *likely* to support protected species. We have no running streams, only water in the ditches during heavy sustained periods of rainfall, generally in winter. In fact I have to bring water to the site from my home in Ebbw Vale when there is insufficient rainwater to fill the water receptacles for the livestock. The area of rushes is small and cropped regularly and if proper drainage courses were constructed they would disappear altogether. The grass is open grassland which is grazed and cut and is not viable to sustain any such habitats. You state that the area is *likely* to support protected species but it does not and never has whilst my family have owned the site (for over 80 years).

The issue of the outbuildings has been mentioned above. These buildings are not permanent fixtures, they are old and in a very poor state of repair and will at some point need to be pulled down for safety's sake. They are only temporary stock shelters made of corrugated iron.

4. You claim there are swallows present in outbuildings – in previous years there has been a small number of swallows nesting in the sheds and there are currently two nests present but these are not a protected or endangered species and the buildings are not a permanent feature. As far as I am aware the swallow is unaffected by residential development, often being seen in residential areas.
5. You claim there is woodland and mature trees. There is no mature woodland, there is not even a woodland. There were a small number of trees planted by me on the entrance to the site around 10 years ago. The trees planted are not subject to any tree preservation orders, being common in nature. You state “the woodland has been enhanced for biodiversity, eg erection of bird boxes by the local community”. By this you are referring to the two bird boxes which I handmade and erected in the entrance area to the site. I had also erected some bird feeders but these are no longer present as they were stolen by the local community.
6. You state there is the presence of wildlife corridors such as dry stone walling and stream. The issue of the ditch (there is no running stream) has already been covered above. There is a dry stone wall which lies only to the east of the site which marks the boundary between the site and the land behind.

#### Countryside and Landscape Conclusions and comments thereto

7. You state that the site is within an SLA (Special Landscape Area), a non-statutory designation. Planning Policy Wales states that in order for you to designate an area as a special landscape, you should have sound formal scientific assessment of the nature conservation, landscape and geological value of the area concerned. I question whether you have such sound research specifically in relation to the site C11 as opposed to a general report on the valley as a whole which may have areas which are of importance in accordance with the five aspects of the LANDMAP information system (as developed by the Countryside Council for Wales) and the local criteria for defining need. The organisation Planning Policy Wales also states that the local planning authority should apply these designations to areas of substantive conservation value where there is good reason to believe that normal planning policies cannot provide the necessary protection BUT such designations should not unduly restrict accessible development. As you will appreciate from the contents of this Comment Form, there are no protected species to preserve on the site, neither are there appropriate habitats for them to live in, there are no mature trees, caves, ponds, hedges etc. There is no historical building on the site or any other feature which is of prominence and historically important and there is not believed to be anything present which would be of archaeological interest. I do not believe there is any geological value as there are no geological features such as glacial cirques, river floodplains, rare rocks or fossils etc. There is not the permanent presence of water, diversity, colour, features to conserve etc in order to lift the senses of hearing and smell for the local community. As for the cultural landscape, there is no link between the landscape and the people: the site has not been represented, depicted or described in any art works, literature or folklore and it is not linked with any famous people/institutions, traditions, scientific discoveries or significant place names. I also understand that these five aspects of the LANDMAP information system are to be given equal importance and yet this site does not appear to satisfy any of these aspects.



As for the local criteria for defining need in BGCBC, the site does not have major prominent hillsides and skylines, its too low on the town boundary, being set amongst the existing housing. You would need to climb above the site and further up the hillside beyond. As for prominence, it can be seen from the highway as the site abuts the road but this is not a major A road and is not a road that tourists use, being a link between the existing houses. There are no accessible or well loved viewpoints on the site. It is not part of an unspoilt area consisting of irregular fields bounded by large areas of stone walls and mixed hedging, neither is it open common land or on a high plateau or containing high mountain ridges. The site is not a locally rare piece of landscape in terms of geological or historical value, there are no limestone uplands or early workings or medieval field patterns.

In summary, there is nothing rare or of value which requires any form of protection on site C11. In any event, the underlying theme behind such designation in relation to development is that it should not unduly restrict development.

8. You state that there is a site of historic interest within 100m which I have considered using the coordinates given; SO19940995. The coordinates lie on dilapidated sheep sheds made of galvanised steel. There is no medieval building with gardens.

If you wished to maintain the stone wall then this could be a condition in the planning permission. Likewise with the trees at the entrance. Any birds using the said trees would not be affected by housing as this area is in a built up area surrounded by housing with a road running adjacent to it.

I would welcome the person who prepared the biodiversity report and the countryside and landscape report to attend the site and show me where the woodland, streams, historic site, linnets and otters are, and for them to point out the locations and also explain to me on what basis the site fits the various criteria to be designated as forming part of a SLA. On the basis of the information in the findings of the assessment process I wonder whether it is possible for a mistake to have been made and the assessment has been made in relation to a different site because your findings do not reflect a true and fair description of this land.

I am happy to obtain an independent ecological report to back up the information given above but cannot obtain this in time for the appeal due to the short notice received about the deadline of the appeal process. Please confirm that this report can be submitted after this deadline and I will engage an independent qualified ecologist to confirm the information that has been given above.

## PART 4: What Happens Next?

**4a Do you want your comments to be considered by written representation or do you want to speak at a hearing session of the public Examination?**

I am happy for my written comments to be considered by the Inspector

☐

I want to speak at a hearing session

☐

*Please note the Inspector will attach equal weight to written representations as to those representations heard in person.*

**4b If you wish to speak, please outline why you consider this to be necessary.**

I wish to be able to speak at a hearing to have a reasoned discussion on the above points and ask questions in relation to the biodiversity and countryside and landscape reports you have submitted which has prevented site C11 falling within the new LDP.

*Please note the inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to attend the Examination.*

**\* Please sign and date the form below.**

## Part 5: Sustainability Appraisal/Strategic Environmental Assessment, or Habitat Regulation Assessment.

*Only to be completed if you are making a representation on the above documents*

**5a To which document does your comment relate?**

Document name

Paragraph or section number

**5b Please give details of what changes(s) you consider necessary. Continue on a separate sheet if necessary. Please be as precise as possible.**

Signature

Date