

Clerk to the Council/
Clerc i'r Cyngor:

31 May/31 Mai 2022

MRS.R.V. TUCKER, B.A.

Dear Sir/Madam, Annwyl Syr/Fadam

You are hereby summoned to attend a **MULTI-LOCATION MEETING** of the **PLANNING AND ENVIRONMENT COMMITTEE** to be held on **Wednesday 8 June 2022 at 5.30 pm**

Councillors have been provided with a link to attend the meeting. If any member of the public wishes to attend the meeting remotely, please contact the Clerk of the Council (by e-mail or telephone) at least 24 hours before the meeting.

Members of the public have the right to ask questions at Council meetings and to speak in Welsh or English, provided that at least 3 working days' notice in writing of the question has been provided to the Clerk.

Gofynnir drwy hyn i chi fynychu **PWYLLGOR CYNLLUNIO A'R AMGYLCHEDD**, yn Rhith Gyfarfod am am **5.30 yf, DYDD MERCHER 8 MEHEFIN 2022**.

Mae cynghorwyr wedi derbyn dolen i fynychu'r cyfarfod. Os yw unrhyw aelod o'r cyhoedd yn dymuno mynychu'r cyfarfod o bell, cysylltwch â Chlerc y Cyngor (trwy e-bost neu dros y ffôn) o leiaf 24 awr cyn y cyfarfod.

Mae gan aelodau o'r cyhoedd yr hawl i ofyn cwestiynau yng nghyfarfodydd y Cyngor, mae gan aelodau o'r cyhoedd hefyd yr hawl i siarad yn y Gymraeg neu'r Saesneg, cyn belled ag y rhoddir tri diwrnod o rybudd ysgrifenedig o'r cwestiwn i'r Clerc.

The agenda for the meeting is set out below and relevant papers are attached. Mae agenda'r cyfarfod wedi'i nodi isod ac mae papurau perthnasol ynghlwm.

Yours faithfully/ Yr eiddoch yn gywir

Richard Gwinnell

ACTING CLERK TO THE COUNCIL/ CLERC ACTION I'R CYNGOR

35A, Commercial Street, Pontypool, Torfaen, NP4 6JQ Tel: (01495) 742805

35A, Stryd Masnach, Pont-y-pŵl, Tor-iaen NP4 6JQ Ffôn: (01495) 742805

TWINNED WITH LONGJUMEAU, FRANCE, BREITEN, GERMANY & CONDEIXA, PORTUGAL
GEFEILLIWIYD Â LONGJUMEAU, FFRAINÇ, BREITEN, YR ALMAEN & CONDEIXA, PORTUGAL

A G E N D A

1. **Apologies for Absence**
To receive apologies for absence.
2. **Declarations of Interest**
Members to declare any interests in any items on Agenda.
3. **Planning Applications**
To receive and consider the following planning applications (attached: page(s) 1 – 2)
4. **Plenary Powers**
To approve observations made in conjunction with the Clerk. (attached: page(s) 3)
5. **Planning Determinations**
To receive planning determinations (attached: page(s) 4 – 8)
6. **Tree Preservation Order**
To receive information from TCBC regarding the making of a Tree preservation Order (attached: page(s) 9 – 22)
7. **Doggy Bins**
To receive an update from Mrs RC Events Officer in relation to Doggy/Litter Bins (attached: page(s) 23 – 26)
8. **Future speakers/partnership networking**
To consider future speakers to attend Planning & Environment meetings to promote partnership working in relation to environmental issues.

To: Cllrs: **Nick Byrne (Chair), Jon James (Vice-Chair)**, Lynda Clarkson, Anne Gunter, Richard Overton, Caroline Price, Jools Rogers, Nick Simons, Nathan Warren and (ex-officio) Chairman of the Council Councillor Matt Ford and Leader Gaynor James.

AGENDA ITEM 3

Planning and Environment Committee

Wednesday 8th June 2022

Planning applications to be commented on

- | 1 | <i>Plan Number</i> | <i>District reference</i> | <i>Site reference</i> | <i>Other reference</i> |
|----------|--------------------|---------------------------|--|------------------------|
| | 22/P/0230 | Abersychan and Cwmavon | Shop Unit, Crown House, Station Street, Abersychan | |

PROPOSAL: Variation of permission 09/P/00282(W) to allow evening opening hour

- | 2 | <i>Plan Number</i> | <i>District reference</i> | <i>Site reference</i> | <i>Other reference</i> |
|----------|--------------------|---------------------------|---------------------------------------|------------------------|
| | 22/P/0301 | Trevethin | 6 Church Avenue, Trevethin, Pontypool | |

PROPOSAL: Installation of a Med point prescription collection machine (with similar footprint to an ATM machine) to the existing pharmacy shopfront

- | 3 | <i>Plan Number</i> | <i>District reference</i> | <i>Site reference</i> | <i>Other reference</i> |
|----------|--------------------|---------------------------|---------------------------------------|------------------------|
| | 22/P/0302 | Trevethin | 6 Church Avenue, Trevethin, Pontypool | |

PROPOSAL: Vinyl wrap to front of Med point Prescription Collection machine

- | 4 | <i>Plan Number</i> | <i>District reference</i> | <i>Site reference</i> | <i>Other reference</i> |
|----------|--------------------|---------------------------|--|------------------------|
| | 22/P/0333 | Abersychan and Cwmavon | Spring Cottage, Harpers Road, Garndiffaith | |

Proposed two storey rear house extension and loft conversion (Loft is Permitted Development)

- | 5 | <i>Plan Number</i> | <i>District reference</i> | <i>Site reference</i> | <i>Other reference</i> |
|----------|--------------------|---------------------------|--------------------------------|------------------------|
| | 22/P/0337 | Wainfelin | Plan House, Pontypool, Torfaen | |

PROPOSAL: 3m rear and side extension

6	<i>Plan Number</i> 22/P/0340	<i>District reference</i> Garndiffaith and Varteg	<i>Site reference</i> 10 Pembroke Terrace, Pontypool	<i>Other reference</i> Varteg
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PROPOSAL: Demolition of garage, storage building, conservatory and replacement with two storey side extension

7	<i>Plan Number</i> 22/P/0342	<i>District reference</i> Sebastopol West	<i>Site reference</i> 75 Sycamore Road South, Sebastopol	<i>Other reference</i> Sebastopol
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PROPOSAL: Erection of a rear two storey extension (Resubmission of Application No: 22/P/0127/HH)

8	<i>Plan Number</i> 22/P/0351	<i>District reference</i> Wainfelin	<i>Site reference</i> Land at Mynydd Llanhilleth, East of Llanhilleth	<i>Other reference</i> Llanhilleth
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The installation of an anemometer mast for a temporary period of up to three years - a single structure with supporting steel guy wire ropes connected to ground anchors at 25m and 50m from the mast.

9	<i>Plan Number</i> 22/P/0354	<i>District reference</i> New Inn Upper	<i>Site reference</i> Former Nylon Building, Mamhilad Park Estate	<i>Other reference</i> Mamhilad Park Estate
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PROPOSAL: Removal of redundant steel-clad towers, roof plant, equipment and pipe work

10	<i>Plan Number</i> 22/P/0362	<i>District reference</i> Garndiffaith and Varteg	<i>Site reference</i> 2 Brynderi, Castle Wood, Talywain	<i>Other reference</i> Talywain
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Proposed single storey rear house extension, new doors to side and alterations to external works.

11	<i>Plan Number</i> 22/P/0363	<i>District reference</i> Griffithstown East	<i>Site reference</i> 16 Canal Close, Griffithstown, Pontypool	<i>Other reference</i> Griffithstown
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Single storey extension

AGENDA ITEM 4

Planning and Environment Committee

Wednesday 8th June 2022

Plenary Powers

- | 1 | <i>Plan Number</i> | <i>District reference</i> | <i>Site reference</i> | <i>Other reference</i> |
|---|--------------------|---------------------------|--|------------------------|
| | 22/P/0201 | Abersychan and Cwmavon | Old Station House, Church Road, Talywain | |

PROPOSAL: Burger Van outside the property

This Council has no observations

- | 2 | <i>Plan Number</i> | <i>District reference</i> | <i>Site reference</i> | <i>Other reference</i> |
|---|--------------------|---------------------------|--------------------------------------|------------------------|
| | 22/P/0287 | Sebastopol East | Ty Celyn, Penymynydd, Penyrheol Road | |

PROPOSAL: Rear extension to property, including ground floor and lower ground floor spaces

This Council has no observations

- | 3 | <i>Plan Number</i> | <i>District reference</i> | <i>Site reference</i> | <i>Other reference</i> |
|---|--------------------|---------------------------|---|------------------------|
| | 22/P/0316 | New Inn Upper | Unit 2 Mamhilad Technology Park, Mamhilad | |

Proposed effluent tank and bund

This Council has no observations

- | 4 | <i>Plan Number</i> | <i>District reference</i> | <i>Site reference</i> | <i>Other reference</i> |
|---|--------------------|---------------------------|---------------------------------|------------------------|
| | 22/P/0327 | New Inn Upper | 34 Usk Road, Pontypool, Torfaen | |

PROPOSAL: First floor extension, hip to gable end with roof conversion

This Council has no observations

AGENDA ITEM 5

Planning and Environment Committee

Wednesday 8th June 2022

Planning Determinations

1	<i>Plan Number</i>	<i>District reference</i>	<i>Site reference</i>	<i>Other reference</i>
	22/P/0093	Garndiffaith and Varteg	Spring Cottage,	Harpers Road

**Proposed two storey rear house extension and loft conversion
(Loft is Permitted Development)**

Comment 16/03/22
This Council has no observations

Decision 30/05/22
Refused

REASONS:

1 The proposed two storey rear extension would by reason of its depth, height and proximity to the boundary result in an unacceptable loss of light and will result in an overbearing impact upon the adjoining neighbour thereby having an adverse impact on resident's living conditions, contrary to Policy BW1 A (vi) of the Torfaen Local Development Plan.

2 The proposed roofs of the rear extension and roof extension, by reason of their design and juxtaposition, fail to respect the design and character of the main dwelling and would have an unacceptable detrimental visual impact on the character and appearance of the area, contrary to Policies BW1 (A(ii)) of the Adopted Torfaen LDP, the emerging Householder Design Guide SPG and the placemaking objectives of PPW11.

2	<i>Plan Number</i> 22/P/0120	<i>District reference</i> New Inn Upper	<i>Site reference</i> Ty Camlas (Formerly Andorra), Sunlea Crescent,	<i>Other reference</i>
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Proposed extension to existing rear balcony

Comment 16/03/22

This Council has no observations

Decision 30/05/22

Approved

3	<i>Plan Number</i> 22/P/0127	<i>District reference</i> Sebastopol	<i>Site reference</i> 75 Sycamore Road South, Sebastopol,	<i>Other reference</i>
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PROPOSED: Erection of a rear two storey extension

Comment 12/04/22

This Council has no observations

Decision 30/05/22

Refused

REASON:

1 The proposed extension, by means of its siting, depth, and height, would have detrimental effects on the living conditions of the occupiers of the adjoining dwelling by reason of loss of light and overbearing impact contrary to LDP Policy BW1 (A)(vi) and the Draft 'Householder Extensions and Alterations' SPG.

4	<i>Plan Number</i> 22/P/0133	<i>District reference</i> Sebastopol East	<i>Site reference</i> 9 & 10 Elm Grove, Sebastopol,	<i>Other reference</i>
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PROPOSAL: Removal of existing ramps and steps to front of 9-10 Elm Grove. Construction of new compliant ramps and steps to provide level access.

Comment 19/04/22

This Council has no observations

Decision 30/05/22

Approved

5	<i>Plan Number</i>	<i>District reference</i>	<i>Site reference</i>	<i>Other reference</i>
	22/P/0165	Griffithstown East West	7 Station Road, Griffithstown	

Proposed: Rear Ground Floor Extension

Comment 12/04/22
This Council has no observations

Decision 30/05/22
Approved

6	<i>Plan Number</i>	<i>District reference</i>	<i>Site reference</i>	<i>Other reference</i>
	22/P/0174	Pontypool	Tesco Service Station, Lower Bridge Street,	

PROPOSAL: Works to trees around Tesco Pontypool to include felling and crown reduction

Comment 12/04/22
This Council has no observations

Decision 30/05/22
Approved

7	<i>Plan Number</i>	<i>District reference</i>	<i>Site reference</i>	<i>Other reference</i>
	22/P/0193	Cymynyscoy	Windrush, Prescoch Lane, Penyrheol	

PROPOSAL: Conversion of existing garage into additional bedroom and living room auxiliary to the bungalow.

Comment 19/04/22
This Council has no observations

Decision 30/05/22
Approved

8	<i>Plan Number</i> 22/P/0210	<i>District reference</i> New Inn Lower	<i>Site reference</i> Sunny Bank, Sluvad Road, New Inn	<i>Other reference</i>
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Proposed roof extension/replacement (to include dormers), works to front porch and side first floor balcony. (Resubmission for Retrospective Approval of Deviations from Approved Scheme(19/P/0433/HH)

Comment 19/04/22
This Council has no observations

Decision 30/05/22
Approved

9	<i>Plan Number</i> 22/P/0223	<i>District reference</i> Abersychan and Cwmavon	<i>Site reference</i> 6 Fairview Terrace, The Woodlands, Talywain	<i>Other reference</i>
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PROPOSAL: Dormer extension to create home office

Comment 19/04/22
This Council has no observations

Decision 30/05/22
Approved

10	<i>Plan Number</i> 22/P/0251	<i>District reference</i> Sebastopol East	<i>Site reference</i> 29 Churchwood, Griffithstown, Pontypool	<i>Other reference</i>
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PROPOSAL: Demolish existing conservatory to the rear of the property and construct a new sun room extension

Comment 25/04/22
This Council has no observations

Decision 30/05/22
Approved

11	<i>Plan Number</i>	<i>District reference</i>	<i>Site reference</i>	<i>Other reference</i>
	22/P/0308	Pontypool	Trico, Skewfields, Panteg	

One temporary banner sign on timber frame with backing board

Comment 18/05/22
This Council has no observations

Decision 30/05/22
Approved

CHIEF EXECUTIVES SERVICES

Gwasanaeth Y Prif Weithredwr

Chief Officer/Prif Swyddog

Rachel Jowitt (Neighbourhoods, Planning & Public Protection/Cymdogaethau, Cynllunio a Gwarchod y Cyhoedd)

TORFAEN
COUNTY
BOROUGH



BWRDEISTREF
SIROL
TORFAEN

Your re/Eich cyf:

Our ref/Ein cyf: AMS/TPO195

Date/Dyddiad: 27th April 2022

Please contact/Cysyllter â

Anthony Szymanski

Direct line/Llinell union:

01633 647320

Direct fax/Llinell ffacs:

01633 647328

Email/Ebost: Anthony.szymanski@torfaen.gov.uk

Dear Sir or Madam

**TOWN & COUNTRY PLANNING ACT 1990
TOWN & COUNTRY PLANNING (TREES) REGULATIONS 1999
TREE PRESERVATION ORDER NO. 195**

I wrote to you back in December 2021 regarding the making of a Tree Preservation Order covering trees at 31-33 Top Road, Garndiffaith, Pontypool.

I am writing to inform you that on 27th April 2022, the Council decided to confirm Tree Preservation Order no.195 (copy enclosed).

This Tree Preservation Order makes it an offence to cut down, top, lop, uproot, wilfully damage or wilfully destroy these tree/s without the permission of the Local Planning Authority.

If you require further information about the Council's decision, please contact **Anthony Szymanski**, Planning & Public Protection, Torfaen County Borough Council, Ty Blaen Torfaen, Panteg Way, New Inn, Pontypool, NP4 0LS. Tel **01633 647320**.

If you disagree with our decision you can challenge it by applying to the High Court under sections 284 and 288 of the Town and Country Planning Act 1990. You can apply to the High Court if you believe:

- (1) The order is not within the powers of the Town and Country Planning Act 1990; or
- (2) The requirements of the 1990 Act or Town and Country Planning (Trees) Regulations 1999 have not been met.

You must apply to the High Court within six weeks from the date of our decision.

Yours faithfully

Anthony Szymanski

Anthony Szymanski

Business Support Assistant/Cynorthwydd Cymorth Busnes

Chief Executives Service/Gwasanaeth Y Prif Weithredwr

THIS DOCUMENT IS AVAILABLE IN LARGER PRINT UPON REQUEST

You are welcome to correspond in Welsh or English / Mae croeso i chi ysgrifennu yn Gymraeg neu Saesneg
Ty Blaen Torfaen · Panteg Way · New Inn, Torfaen · NP4 0LS · Tel: 01495 762200 · Fax: 01633 647328
Ty Blaen Torfaen · Ffordd Panteg · New Inn, Torfaen · NP4 0LS · Ffôn: 01495 762200 · Ffacs: 01633 647328
www.torfaen.gov.uk



TOWN AND COUNTRY PLANNING ACT 1990

**TREE PRESERVATION ORDER
RELATING TO**

**TPO NO. 195
Trees at 31-33 Top Road, Garndiffalth, Pontypool, Torfaen (2021)**

Town and Country Planning Act 1990
Tree Preservation Order No. 195
Trees at 31-33 Top Road, Garndiffaith, Pontypool, Torfaen (2021)

The Torfaen County Borough Council, in exercise of the powers conferred on them by sections 198, 201 and 203 of the Town and Country Planning Act 1990 hereby make the following Order—

1. Citation

This Order may be cited as Tree Preservation Order No. 195, trees at 31-33 Top Road, Garndiffaith, Pontypool, Torfaen (2021).

2. Interpretation

In this Order "*the authority*" means the Torfaen County Borough Council and unless the context otherwise requires, any reference in this Order to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990.

3. Application of section 201

The authority hereby direct that section 201 (provisional tree preservation orders) shall apply to this Order and, accordingly, this Order shall take effect provisionally on 14th December 2021.

4. Prohibited acts in relation to trees

Without prejudice to subsections (6) and (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners and Natural Resources Body for Wales, and subject to article 5, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in Schedule 1 to this Order or comprised in a group of trees or in a woodland so specified, except with the consent of the authority and, where such consent is given subject to conditions, in accordance with those conditions.

5.— Exemptions

(1) Nothing in article 4 shall prevent—

- (a) the cutting down, topping, lopping or uprooting of a tree by or at the request of a statutory undertaker, where the land on which the tree is situated is operational land^a of the statutory undertaker and the work is necessary—
 - i. in the interests of the safe operation of the undertaking;

- ii. in connection with the inspection, repair or renewal of any sewers, mains, pipes, cables or other apparatus of the statutory undertaker; or
 - iii. (iii) to enable the statutory undertaker to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995;
- (b) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable the implementation of an order made or confirmed under paragraph 8(1) or paragraph 15(1) of Schedule 1 to the Highways Act 1980 (procedures for making or confirming certain orders and schemes);
- (c) the cutting down, topping, lopping or uprooting of a tree where that work is urgently necessary for national security purposes;
- (d) the cutting down, topping, lopping or uprooting of a tree cultivated for the production of fruit in the course of a business or trade where such work is in the interests of that business or trade;
- (e) the pruning, in accordance with good horticultural practice, of any tree cultivated for the production of fruit;
- (f) the cutting down, topping, lopping or uprooting of a tree where that work is required to enable a person to implement a planning permission (other than an outline planning permission or, without prejudice to paragraph (a)(iii), a permission granted by or under the Town and Country Planning (General Permitted Development) Order 1995) granted on an application under Part III of the Act, or deemed to have been granted (whether for the purposes of that Part or otherwise);
- (g) the cutting down, topping, lopping or uprooting of a tree by or at the request of the Natural Resources Body for Wales to enable the Body to carry out development permitted by or under the Town and Country Planning (General Permitted Development) Order 1995;
- (h) the cutting down, topping, lopping or uprooting of a tree by or at the request of a drainage body where that tree interferes, or is likely to interfere, with the exercise of any of the functions of that body in relation to the maintenance, improvement or construction of watercourses or of drainage works, and for this purpose "drainage body" and "drainage" have the same meanings as in the Land Drainage Act 1991; or
- (i) without prejudice to section 198(6)(b), the felling or lopping of a tree or the cutting back of its roots by or at the request of, or in accordance with a notice served by, a licence holder under paragraph 9 of Schedule 4 to the Electricity Act 1989.
- (2) In paragraph (1), "statutory undertaker" means any of the following—
- a person authorised by any enactment to carry on any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking, or any undertaking for the supply of hydraulic power,
 - a relevant airport operator (within the meaning of Part V of the Airports Act 1986),
 - the holder of a licence under section 6 of the Electricity Act 1989,
 - a public gas transporter,

a water or sewerage undertaker,

the Civil Aviation Authority, a body acting on behalf of that authority or a person who holds a licence under Chapter I of Part I of the Transport Act 2000,

a universal postal service provider in connection with the provision of a universal postal service

a person in whose case the electronic communications code is applied by a direction under section 106 of the Communications Act 2003.

7.— Application of provisions of the Town and Country Planning Act 1990

The provisions of the Town and Country Planning Act 1990 relating to registers, applications, permissions and appeals mentioned in column (1) of Part I of Schedule 2 to this Order shall have effect, in relation to consents under this Order and applications for such consent, subject to the adaptations and modifications mentioned in column (2).

8.— Directions as to replanting

(1) Where consent is granted under this Order for the felling in the course of forestry operations of any part of a woodland area, the authority may give to the owner of the land on which that part is situated ("the relevant land") a direction in writing specifying the manner in which and the time within which he shall replant the relevant land.

(2) Where a direction is given under paragraph (1) and trees on the relevant land are felled (pursuant to the consent), the owner of that land shall replant it in accordance with the direction.

(3) A direction under paragraph (1) may include requirements as to—

- (a) species;
- (b) number of trees per hectare;
- (c) the preparation of the relevant land prior to the replanting; and
- (d) the erection of fencing necessary for the protection of the newly planted trees.

9.— Compensation

(1) If, on a claim under this article, a person establishes that loss or damage has been caused or incurred in consequence of—

- (a) the refusal of any consent required under this Order; or
- (b) the grant of any such consent subject to conditions,

he shall, subject to paragraphs (3) and (4), be entitled to compensation from the authority.

(2) No claim, other than a claim made under paragraph (3), may be made under this article—

- (a) if more than 12 months have elapsed since the date of the authority's decision or, where such a decision is the subject of an appeal to the Secretary of State, the date of the final determination of the appeal; or
- (b) if the amount in respect of which the claim would otherwise have been made is less than £500.

(3) Where the authority refuse consent under this Order for the felling in the course of forestry operations of any part of a woodland area, they shall not be required to pay compensation to any person other than the owner of the land; and such compensation shall be limited to an amount equal to any depreciation in the value of the trees which is attributable to deterioration in the quality of the timber in consequence of the refusal.

(4) In any other case, no compensation shall be payable to a person—

- (a) for loss of development value or other diminution in the value of the land;
- (b) for loss or damage which, having regard to the application and the documents and particulars accompanying it, was not reasonably foreseeable when consent was refused or was granted subject to conditions;
- (c) for loss or damage reasonably foreseeable by that person and attributable to his failure to take reasonable steps to avert the loss or damage or to mitigate its extent; or
- (d) for costs incurred in appealing to the Secretary of State against the refusal of any consent required under this Order or the grant of any such consent subject to conditions.

(5) Subsections (3) to (5) of section 11 (terms of compensation on refusal of licence) of the Forestry Act 1967 shall apply to the assessment of compensation under paragraph (3) as it applies to the assessment of compensation where a felling licence is refused under section 10 (application for felling licence and decision of Commissioners thereon) of that Act as if for any reference to a felling licence there were substituted a reference to a consent required under this Order and for the reference to the Commissioners there were substituted a reference to the authority.

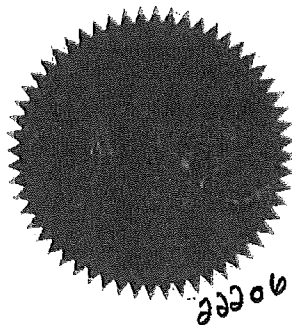
(6) In this article—

"development value" means an increase in value attributable to the prospect of development; and, in relation to any land, the development of it shall include the clearing of it; and

"owner" has the meaning given to it by section 34 of the Forestry Act 1967.

Dated this 14th day of December 2021

Executed as a Deed by affixing the Common
Seal of **TORFAEN COUNTY BOROUGH COUNCIL**
In the presence of:



.....
Authorised Officer

CONFIRMATION OF ORDER

This Order was confirmed by Torfaen County Borough Council without modification on the 27th day of April 2022

~~This Order was confirmed by Torfaen County Borough Council, subject to the modifications indicated, by _____ on the _____ day of _____ 201~~

D Adams

.....
AUTHORISED OFFICER

2022

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by Torfaen County Borough Council on the _____ day of _____ 201

.....
AUTHORISED OFFICER

VARIATION OF ORDER

This Order was varied by the Torfaen County Borough Council on the _____ day of _____ 201 under reference number _____

.....
AUTHORISED OFFICER

REVOCATION OF ORDER

This Order was revoked by the Torfaen County Borough Council on the _____ day of _____ 201 under reference number _____

.....
AUTHORISED OFFICER

SCHEDULE 1

SPECIFICATION OF TREES

Trees specified individually (encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

Trees specified by reference to an area (within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

Groups of trees (within a broken line on the map)

<i>Reference on map</i>	<i>Description (including number of trees in the group)</i>	<i>Situation</i>
G1	Group of young to semi-mature trees including Ash and Sycamore.	326401 204663

Woodlands (within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
	None	

SCHEDULE 2

PART I

Provisions of the Town and Country Planning Act 1990 applied with adaptations or modifications

Provision of the Town and Country Planning Act 1990	Adaptation or Modification
Section 69 (registers)	<p>(a) In subsection (1)–</p> <p>(i) omit–</p> <p>“, in such manner as may be prescribed by a development order,”</p> <p>“such” in the second place where it appears, and “as may be so prescribed”; and</p> <p>(ii) substitute “matters relevant to tree preservation orders made by the authority” for “applications for planning permission”.</p> <p>(b) In subsection (2)–</p> <p>(i) after “contain” insert “, as regards each such order”; and</p> <p>(ii) for paragraphs (a) and (b) substitute–</p> <p>“(a) details of every application under the order and of the authority’s decision (if any) in relation to each such application, and</p> <p>(b) a statement as to the subject-matter of every appeal under the order and of the date and nature of the Secretary of State’s determination of it.”</p> <p>(c) Omit subsections (3) and (4) (as required by section 198(4)).</p>
Section 70 (determination of applications: general considerations)	<p>(a) In subsection (1)–</p> <p>(i) substitute–</p> <p>“Subject to subsections (1A) and (1B), where” for “Where”;</p> <p>“the authority” for “a local planning authority”;</p> <p>“consent under a tree preservation order” for “planning permission” where those words first appear; and</p> <p>“consent under the order” for “planning permission” in both of the other places where those words appear;</p>

Provision of the Town and Country Planning Act 1990	Adaptation or Modification
	<p>(ii) after "think fit", insert— "(including conditions limiting the duration of the consent or requiring the replacement of tree)"; and (iii) omit "subject to sections 91 and 92,".</p> <p>(b) After subsection (1) Insert— "(1A) Where an application relates to an area of woodland, the authority shall grant consent so far as accords with the practice of good forestry, unless they are satisfied that the granting of consent would fail to secure the maintenance of the special character of the woodland or the woodland character of the area. (1B) Where the authority grant consent for the felling of trees in a woodland area they shall not impose conditions requiring replacement where such felling is carried out in the course of forestry operations (but may give directions for securing replanting).".</p> <p>(c) Omit subsections (2) and (3).</p>
Section 75 (effect of planning permission)	<p>(a) In subsection (1) substitute— "Any" for the words from "Without" to "any"; "consent under a tree preservation order" for "planning permission to develop land"; "the consent" for "the permission"; and "the land to which the order relates" for "the land";</p> <p>(b) Omit subsections (2) and (3).</p>
Section 78 (right to appeal against planning decisions and failure to take such decisions)	<p>(a) In subsection (1) [omit paragraph (aa) and] substitute— "the authority" for "a local planning authority"; "consent under a tree preservation order" for "planning permission" in the first place where those words appear; "consent under such an order" for "planning permission" in the second place where those words appear; for paragraph (c) substitute— "(c) give a direction under a tree preservation order, or refuse an application for any consent, agreement or approval of that authority required by such a direction; or</p>

Provision of the Town and Country Planning Act 1990	Adaptation or Modification
	<p>(d) fail to determine any such application as is referred to in paragraphs (a) to (c) within the period of 8 weeks beginning with the date on which the application was received by the authority."</p> <p>(b) Omit subsection (2).</p> <p>(c) In subsection (3) for "served within such time and in such manner as may be prescribed by a development order." substitute— "in writing addressed to the Secretary of State, specifying the grounds on which the appeal is made; and such notice shall be served—</p> <p>(a) In respect of a matter mentioned in any of paragraphs (a) to (c) of subsection (1), within the period of 28 days from the receipt of notification of the authority's decision or direction or within such longer period as the Secretary of State may allow;</p> <p>(b) in respect of such a failure as is mentioned in paragraph (d) of that subsection, at any time after the expiration of the period mentioned in that paragraph, but if the authority have informed the applicant that the application has been refused, or granted subject to conditions, before an appeal has been made, an appeal may only be made against that refusal or grant."</p> <p>(ca) After subsection (3) insert— "(3A) The notice mentioned in subsection (3) must be accompanied by a full statement of case."</p> <p>(d) For subsection (4), substitute— "(4) The appellant must serve on the authority, as soon as reasonably practicable, a copy of— (a) the notice mentioned in subsection (3); and (b) the full statement of case."</p> <p>(da) Omit subsections (4A) to (4B).</p> <p>(e) For subsection (5), substitute— "(5) For the purposes of the application of section 79(1) [and section 319B(7)], in relation to an appeal made under subsection (1)(d), it shall be assumed that the authority decided to refuse the application in question."</p>

Provision of the Town and Country Planning Act 1990	Adaptation or Modification
	<p>(f) After subsection (5) insert—</p> <p>“(6) In this section <i>“full statement of case”</i> means and is comprised of a written statement containing full particulars of the case the appellant proposes to put forward in relation to the appeal and copies of any supporting documents the appellant proposes to refer to or put in evidence.”.</p>
<p>Section 79 (determination of appeals)</p>	<p>(a) In [subsection (1)], substitute “the authority” for “the local planning authority”.</p> <p>(b) Omit subsections (1A) to (3A).</p> <p>(c) For subsection (4), substitute—</p> <p>“(4) The provisions of section 70(1), (1A) and (1B) apply, with any necessary modifications, in relation to an appeal to the Secretary of State under section 78 as they apply in relation to an application for consent under a tree preservation order which falls to be determined by the authority.”.</p> <p>(d) Omit [subsections (6) and (6ZA)].</p> <p>(e) In subsection (7), omit the words after “section 78”</p> <p>(da) In subsection (6A), for “such an appeal” substitute “an appeal in relation to an application for consent under a tree preservation order”.</p>

Planning and Environment meeting

Wednesday 1st June 2022

Doggy/litter bins general update

1.0 Purpose of Report

To provide a brief update on the doggy/litter bin ongoing list.

2.0 Update on bin list

As previously stated in the November 2021 report, it was suggested that from now on bin locations need to be scrutinised to determine whether they are actually necessary and perhaps they would need to be limits per ward. There is also the option of looking at larger capacity bins, (apparently the ones we have are quite old fashioned).

All new bins purchased and installed from May 2022 will cost £361.00 each (including installation).

3.0 Current bin list

	<u>Ward</u>	<u>Location</u>	<u>Num ber</u>	
<u>Bins completed</u>				
1	Abersychan and Cwmavon	Talywain	1	Opposite Old Commerical Pub site
2	Sebastopol East	Sebastopol	1	Canal towpath at Crownbridge
3	Sebastopol East	Griffithstown	1	Bottom of Kemys Street
4	Garndiffaith and Varteg	Varteg	1	Varteg Terminus
5	Abersychan and Cwmavon	Talywain	1	Pisgah entrance talywain to viaduct (opposite Globe Pub)
6	Garndiffaith and Varteg	Garndiffaith	1	X24 south bus stop

7	Garndiffaith and Varteg	Garndiffaith	1	At the bottom gates to Garnteg School on Top Road.
8	Garndiffaith and Varteg	Varteg	1	Entrance to field near Ysgol Bryn Onnen
9	Snatchwood	Snatchwood Halt	1	Main Snatchwood Road by the bus stop opposite Snatchwood Terrace
10	Snatchwood	The cycle track starting at Snatchwood Road and ending at the top of Pontnewynydd.	1	To confirm the cycle track location from the screen shot. This would be the cycle track that runs from the rear of Snatchwood Road from the Doctors Surgery in Abersychan all the way down to the rear of the Royal Oake Pub in Pontnewynydd.
12	Brynwern	The field between High Street and North Road	1	Replace bin in car park opposite Spar on high street, for a bigger bin.
14	Cwmyrnyscoy	Cwmyrnyscoy Road	1	Tram Road
17	New Inn	Polo Grounds Football Pitch	1	Replace an old bin at Jarrolds Field
18	New Inn	Near the car park the other side of the road from the Teaser	1	Bin installed on The Highway.
19	Talywain	Commercial Close - access to Cycle path	1	Bin installed (outstanding since 2019)

Bins previously approved at Council – but issues over locations and/or land ownership.

11	Brynwern	The bottom of North Road opposite the entrance to Hanbury Grove.	1	Agreed a location on North Road and bin was installed, however a resident complained about the bin being cited outside his property. The bin was removed by the Street Scene team, while an alternative place is found – potentially in the lane at the side of the houses.
13	Garndiffaith and Varteg	The junction of Cross Street and Neville Street leading to Earl Close. Garndiffaith	1	Site visit by Sian – cannot find suitable location Please can Councillors decide if this is still required and if so provide an alternative location.
15	Brynwern	The bottom of Parkes Lane	1	Site visit by Sian – cannot find suitable location Please can Councillors decide if this is still required and if so provide an alternative location.
16	Sebastopol	Canal/Cycle path	3	Query over locations and if they are necessary given new bins installed at the canal already. Sian Watkins feels that the area is well covered. Please can Councillors decide if these are still required at this location.

Bins not approved at Council – to be discussed at Planning and Environment meeting 01.06.22

20	Cwmynyscoy	Nature Reserve	1	Cwmynyscoy Local Nature Reserve. Member or publics statement - I have to say the amount of dog muck in the nature reserve at the moment is the worst I have ever seen it. Also even people who pick up after their dogs are throwing the bags into trees and bushes or leaving them at the entrance. I have made the offer to TCBC, which still stands, to manage the operation of the bin - I will transfer the contents to the bin on
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				<p>the green (which is hardly used because its not in the right place for visitors to the nature reserve). This means there will be no impact on Streetscene collection staff by having an extra bin.</p> <p>Councillors to please decide whether to move the existing bin or have an additional bin in this location.</p>
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4.0 Budget

Balance brought forward 31.03.22	£1888.00
This year's budget 22/23	£4000.00
TOTAL BUDGET REMAINING	£5888.00

5.0 Recommended

- (i) That the report be discussed and any comments on bin locations, land ownership etc be fed back to the Streetscene Operations Co-ordinator.
- (ii) That the bin location (20) be considered for approval, either for a bin to be moved or for a new bin to be placed.
- (iii) That the committee recommend further areas for bins to be located, should they wish.

Mrs Rebecca Cronin
 Events Officer
 30.05.22