

## Update Sheet

### Agenda Item no. 5 Determination of Planning Applications

Item	App. No.	Site Location	Officer Rec.
1	2020/2357/FUL	<p>Pencefnarda Farm , Pencefnarda Road, Gorseinon, Swansea, SA4 4FY</p> <p><b>Construction of 44 no. dwellings (100% affordable housing) with landscaping, access and associated works</b></p>	Approve

Two late representations have been sent to Members of Planning Committee directly and a third has been forwarded on to the Local Planning Authority (LPA). One raises concerns that the ecological appraisal submitted with the application has not acknowledged the presence of barn owls living locally and roosting in the Barn Owl box adjacent to the site. The comments of the Council's Ecologist have been sought and Members will be updated verbally at Committee. The second includes reference to a 2016 article regarding waste offences at the site by the landowner. This issue article does not raise any material planning considerations in and of itself. The email sent to the LPA shows photographs of cows grazing the land which they have been since June 2021 onwards despite being indicated as non-agricultural/ grazing land.

Cllr Curtice requested that it be clarified that she has objected to the application for the reasons set out in the report.

An error was noted on several plans in terms of the layout on plan form of the flats within the development following the publication of the report.

The layout was shown as handed on some but not all layout plans. This correction does not significantly impact or disadvantage any 3<sup>rd</sup> party given the location of the flats within the site. In addition, full details of the sheds on site have now been provided. As such, condition 2 relating to the approved plans

**will be updated to read as follows:**

**The development shall be carried out in accordance with the following approved plans and documents:**

**LP-01 Rev A Site location plan;  
PF-01 Rev C Plot Finishes;  
SOC-T-01 Schedule of Components  
(Typical Single entrance and canopy combinations) Sheet 1 of 5;  
SOC-T-02 Schedule of Components  
(Combined and other external doors) Sheet 2 of 5;  
SOC-T-04 Schedule of Components  
(Chimney details) Sheet 3 of 5;  
SOC-T-04 Schedule of Components  
(Dormer and roof windows) Sheet 4 of 5;  
SOC-T-05 Schedule of Components  
(Window profiles) Sheet 5 of 5;  
EDP6658-D012 Rev B Detailed soft landscape plan;  
EDP6658-D011 Rev E Public Open Space Play Strategy;  
D01 Brick screen wall;  
D02-1800 Close board fence;  
D03-1200 Close board fence;  
D04 Close board gate;  
D05-1100 High ball top railings;  
D08-1800 Retaining wall;  
D09-110 Handrail;  
D10 Steps with side wall;  
D11 Retaining wall with ball top railings;  
D12-500 Steel kneel rail;  
D13-2000 Close board fence;  
D14-900 Picket fence;  
received 2nd June 2021;**

**1958/4B2P2/01 4PB x2 link Floor plans;  
1958/4B2P3/01 4BP2B x3 link floor plans;  
1958/4B2P3/02 REV A 4P2b x3 link brick elevations  
1958/4P2BV1/01 4P2B DQR V1 floor plans;  
1958/4P2BV1/02 4P2B DQR V1 elevations brick;  
1958/4P2BV1/03 4P2B DQR V1 ELEVATIONS RENDER;  
1958/4P2BV2/01 4P2B DQR V2 FLOOR**

PLANS;  
1958/4P2BV2/02 4P2B DQR V2  
ELEVATIONS BRICK;  
1958/4P2BV2/03 4P2B DQR V2  
ELEVATIONS RENDER;  
1958/4P5P/01 4P2BV2-5P3BGV2 LINK  
FLOOR PLANS;  
1958/4P5P/01 4P5P LINK FLOOR  
PLANS;  
1958/4P5P/01 4P5P LINK FLOOR  
PLANS ;  
1958/4P5P/02 4P5P LINK ELEVATIONS  
RENDER ;  
1958/4P5P/02 REV A 4P5P LINK  
ELEVATIONS RENDER;  
1958/5B3P2/01 REV A 5P3B X2 LINK  
FLOOR PLANS;  
1958/5B3P2/02 REV A 5P3B X2 LINK  
ELEVATIONS BRICK;  
1958/5B3P2/03 REV A 5P3B X2 LINK  
ELEVATIONS RENDER ;  
1958/5P3B /01 5P3BGV2 LINK FLOOR  
PLANS ;  
1958/5P3B /01 REV A 5P3B DQR  
FLOOR PLANS;  
1958/5P3B /02 5P3B DQR ELEVATIONS  
BRICK ;  
1958/5P3B /02 5P3B-5P3BGV2 LINK  
ELEVATIONS RENDER;  
1958/5P3B /03 5P3B DQR ELEVATIONS  
RENDER;  
1958/5P3BG /01 REV A 5P3B DQR  
GABLE - FLOOR PLANS;  
1958/5P3BG /02 REV A 5P3B DQR  
GABLE ELEVATIONS RENDER ;  
1958/6P4BD /01 6P4B DQR  
DETACHED FLOOR PLANS;  
1958/6P4BD /02 6P4B DQR  
DETACHED ELEVATIONS BRICK ;  
1958/P28 /02 PLOTS 28-29 -  
ELEVATIONS RENDER;  
received 9th June 2021;

edp6658\_d013 Typical raingarden  
section  
received 13th August 2021;

HF-01 REV F House Finishes layout;  
1958 SS-01 Rev G Typical Street  
scenes;  
BBHL-01 Rev C Bird & bat box  
locations & hedgehog access routes;  
received 23rd August 2021

**POBL/APT4H/01 APARTMENT-4  
2P1BX6 DQR FLATS GROUND FLOOR;  
POBL/APT4H/02 APARTMENT-4  
2P1BX6 DQR FLATS FIRST FLOOR;  
POBL/APT4H /03 APARTMENT-4  
2P1BX6 DQR FLATS ELEVATIONS  
(Sheet 1 of 2);  
POBL/APT4H/04 REV A APARTMENT-4  
2P1BX6 DQR FLATS ELEVATIONS  
(Sheet 2 of 2);  
2511/501 Rev A - Infiltration Basin  
Details  
1958TP-01 Rev J Site layout  
EW-01 REV G External works layout;  
Shed 01 – Timber Shed Detail  
received 31<sup>st</sup> August 2021; and**

**2511/505 Rev B Engineering levels  
2511/506 Rev C Road & site sections  
received 3<sup>rd</sup> September 2021.**

**Reason: For the avoidance of doubt  
and to ensure compliance with the  
approved plans.**

2 2021/1535/FUL 167 Langdon Road, Swansea Docks, Swansea,  
SA1 8RE Approve

**Change of use from 5 bed residential  
property (Class C3) to a 5 bed HMO (Class  
C4)**

One additional representation received making  
objections in response to the application and  
Committee Report as follows:

#### **Issues Raised by the Officer's Report to the Planning Committee**

**pp78 - 80: H9 v. HMOs Adverse impacts  
caused by noise nuisance and general  
disturbance.**

Contrary to the assertion made on p78, there is  
evidence on record, with the police and the  
university, that there has been unacceptable  
noise and disturbance since 167 Langdon Road  
has operated as an unauthorised HMO. This has  
been detailed by a number of objectors. If,  
despite this, the application is approved by CCS  
this will be taken as official sanction for such  
behaviour and will exacerbate the adverse  
impacts and harm caused to the lives of the  
neighbours.

The LDP acknowledges in numerous policies the

role that the planning authority plays in mitigating the adverse impacts of HMO-based student accommodation. The implication on pp79-80 that the planning process has no role in dealing with these problems is therefore inaccurate.

Like all public authorities, CCS is obliged to act in accordance with The Human Rights Act 1998 (*Article 8: Respect for Private & Family Life and Protocol 1, Article 1: Right to Peaceful Enjoyment of your Property*) and Section 17 (1) of the Crime & Disorder Act 1998 (*duty of each authority ... to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area*). The authority therefore has a very clear duty to deal with this issue.

**p73: Responses to Consultations**

Item 4 is incorrect. The TP1 states clearly at 12.5.1.3 that the transferee must “not use or permit the property to be used for any purpose other than residential use within class C3 ... such residential use to exclude for the avoidance of doubt **student accommodation**”.

For absolute clarity, Langdon Road, with the developments along it, is a diverse developing community with a whole range of dwelling types and forms of tenure represented within it. The vast majority of residents welcome and celebrate this. All the more important, then, to allow this community to develop successfully rather than threaten its cohesion.

**p75: Letter from Applicant’s Agent**

Adding a “temporary” 3 year permission to the 1 year the property has already been in unauthorised use makes a total of 4 years operating as a HMO. Clarification is needed as to what the planning status of the property would be after 4 years as a HMO.

The applicant’s personal circumstances, including convenience and financial benefit are not material planning considerations.

**p77: Evidence of Existing Unauthorised HMOs**

The property has been operating as an

unauthorised HMO for a year undetected by CCS. This is evidence in itself. Residents are reluctant to give other names and addresses for understandable reasons. The responsibility rests with CCS to establish the facts on the ground before applying its policies. The documents mentioned on page 77 alone do not provide the information necessary for this task.