



Dinas a Sir Abertawe

Hysbysiad o Gyfarfod

Fe'ch gwahoddir i gyfarfod

## Pwyllgor Cynllunio

Lleoliad: O bell drwy Microsoft Teams - Ar-lein yn unig

Dyddiad: Dydd Mawrth, 9 Ionawr 2024

Amser: 2.00 pm

Cadeirydd: Y Cynghorydd Paul Lloyd

**Aelodaeth:**

Cynghorwyr: P M Black, P Downing, A J Jeffery, M H Jones, S E Keeton, M B Lewis, R D Lewis, N L Matthews, M S Tribe, T M White a/ac R A Williams

Gwyltio ar-lein: <http://tiny.cc/PC091j>

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### Agenda

Rhif y Dudalen.

- 1 Ymddiheuriadau am absenoldeb.
- 2 Datgeliadau o fuddiannau personol a rhagfarnol.  
[www.abertawe.gov.uk/DatgeluCysylltiadau](http://www.abertawe.gov.uk/DatgeluCysylltiadau)
- 3 **Cofnodion:** 1 - 3  
Cymeradwyo a llofnodi cofnodion y cyfarfod(ydd) blaenorol fel cofnod cywir.
- 4 Eitemau i'w gohirio/tynnu'n ôl.
- 5 **Penderfynu ar geisiadau cynllunio o dan Ddeddf Cynllunio Gwlad a Thref 1990.** 4 - 51

**Cyfarfod nesaf:** Dydd Mawrth, 6 Chwefror 2024 am 2.00 pm

Huw Evans

Pennaeth y Gwasanaethau Democraataidd

Dydd Mawrth, 2 Ionawr 2024

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Cyswllt: Gwasanaethau Democraataidd - 636923

# Agenda Item 3



City and County of Swansea

## Minutes of the **Planning Committee**

Multi-Location Meeting - Gloucester Room, Guildhall / MS

Teams

Tuesday, 5 December 2023 at 2.00 pm

**Present:** Councillor P Lloyd (Chair) Presided

**Councillor(s)**

P M Black  
M H Jones  
N L Matthews

**Councillor(s)**

P Downing  
M B Lewis  
T M White

**Councillor(s)**

A J Jeffery  
R D Lewis  
R A Williams

**Officer(s)**

Gareth Borsden  
Ian Davies  
Sally-Ann Evans  
Hayley Kemp  
Tom Evans  
Steve Smith  
Chris Dale

Democratic Services Officer  
Development Manager  
Lead Lawyer  
Area Team Leader  
Placemaking and Strategic Planning Manager  
Placemaking and Heritage Lead  
Countryside Access Team Leader (Rights of Way)

**Apologies for Absence**

Councillor(s): S E Keeton and M S Tribe

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**32 Disclosures of Personal and Prejudicial Interests.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

**33 Minutes.**

**Resolved** that the minutes of the meetings held on 7 November 2023 be approved and signed as a correct record.

**34 Determination of Planning Applications under the Town and Country Planning Act 1990.**

A planning application was presented on behalf of the Head of Planning & City Regeneration.

**Resolved** that the undermentioned planning application be approved.

**(Item 1) - Planning Application 2023/2111/LBC - To install a screen in court 2 to match court 1 to enhance the AV system within the Guildhall Courts (application for Listed Building Consent) at The Guildhall, St Helens Crescent, Brynmill, Swansea**

A visual presentation was given.

Note: Application approved and referred to CADW and Welsh Government.

**35 New Supplementary Planning Guidance: Conversion of Traditional Rural Buildings.**

The Placemaking and Strategic Planning Manager presented a report which summarised and detailed the outcomes from the consultation undertaken on a draft version of the Supplementary Planning Guidance (SPG), and sought approval from Members to adopt the amended final version of the SPG.

A powerpoint presentation summarising the key points and aspects of the report was provided to Committee.

Following the presentation, Members asked various questions and sought clarity on certain areas of the report, the Officers responded accordingly.

**Resolved** that

- 1) The Conversion of Traditional Rural Buildings SPG, as attached at Appendix A, be adopted as SPG to the adopted LDP.
- 2) The Head of Planning and City Regeneration, or appropriate delegated Officer, be authorised to make any outstanding typographical, grammatical, presentational or factual amendments to the SPG prior to its publication.

**36 Draft Countryside Access Plan 2023-2033.**

The Countryside Access Team Leader presented a report which sought approval of the Draft Plan for the purposes of public consultation.

The background history to the development of the plan, the details and breakdown of the various different parts of the draft plan contained within it, and the next steps to be taken following approval of the draft report were outlined and detailed in the report.

The plan would be put out for the 12 week public consultation period as soon as practicable once approved.

He outlined that the Authority would be able to access £25,000 of funding toward the maintenance and improvements of rights of way from Welsh Government, if the plan was approved.

**Resolved** the Draft Countryside Access Plan is approved for public consultation and reported back, as amended, to Council for final approval.

The meeting ended at 2.45 pm

**Chair**

# Agenda Item 5

City and County of Swansea  
Dinas a Sir Abertawe

Report of the Head of Planning & City Regeneration  
to Chair and Members of Planning Committee

DATE: 9<sup>th</sup> January 2024

<b>Bay Area</b> Team Leader: Hayley Kemp <b>Tel: 07970 680580</b>	<b>Area 1</b> Team Leader Eilian Jones <b>Tel: 07929 822781</b>	<b>Area 2</b> Team Leader: Chris Healey <b>Tel: 07970 680562</b>
Castle Cockett Mayals Sketty St Thomas Uplands Waterfront Waunarlyydd West Cross	Bonymaen Clydach Cwmbwrla Gorseinon and Penyrheol Landore Llangyfelach Llansamlet Llwchwr Morrison Mynyddbach Penderry Penllergaer Pontarddulais Pontlliw and Tircoed Townhill	Bishopston Dunvant and Killay Fairwood Gower Gowerton Mumbles Penclawdd Pennard

**Members are asked to contact the relevant team leader for the ward in which the application site is located, should they wish to have submitted plans and other images of any of the applications on this agenda displayed at the Committee meeting.**

Phil Holmes  
BS(Hons), MSc, Dip Econ  
Head of Planning & City Regeneration



## Contents

Item	App. No.	Site Location	Officer Rec.
1	2022/1134/RES	Plot E7 And E8 , Swansea Waterfront, Swansea, SA1 8RD <b>Construction of up to 108 residential units and associated works (details of access, appearance, landscaping, layout, scale pursuant to conditions 6, 8 and 9 of outline planning permission 2015/1584 granted on 13th May 2016) (which varied 2008/0996 and which varied 2002/1000) for SA1 Swansea Waterfront mixed use development</b>	Approve

## TWO STAGE VOTING

Where Members vote against officer recommendation, a two stage vote will apply. This is to ensure clarity and probity in decision making and to make decisions less vulnerable to legal challenge or awards of costs against the Council.

The first vote is taken on the officer recommendation.

Where the officer recommendation is for “approval” and Members resolve not to accept this recommendation, reasons for refusal should then be formulated and confirmed by means of a second vote.

**The application will not be deemed to be refused unless and until reasons for refusal have been recorded and approved by Members.** The reason(s) have to be lawful in planning terms. Officers will advise specifically on the lawfulness or otherwise of reasons and also the implications for the Council for possible costs against the Council in the event of an appeal and will recommend deferral in the event that there is a danger that the Council would be acting unreasonably in refusing the application.

Where the officer recommendation is for “refusal” and Members resolve not to accept this recommendation, appropriate conditions should then be debated and confirmed by means of a second vote. For reasons of probity, Members should also confirm reasons for approval which should also be lawful in planning terms. Officers will advise accordingly but will recommend deferral if more time is required to consider what conditions/obligations are required or if he/she considers a site visit should be held. If the application departs from the adopted development plan it (other than a number of policies listed on page 83 of Part 3 of the Constitution) will need to be reported to Council and this report will include any appropriate conditions/obligations.

**The application will not be deemed to be approved unless and until suitable conditions have been recorded and confirmed by means of a second vote.**

Where Members are unable to reach agreement on reasons for refusal or appropriate conditions as detailed above, Members should resolve to defer the application for further consultation and receipt of appropriate planning and legal advice.

## Planning Committee – 9<sup>th</sup> January 2024

Item 1

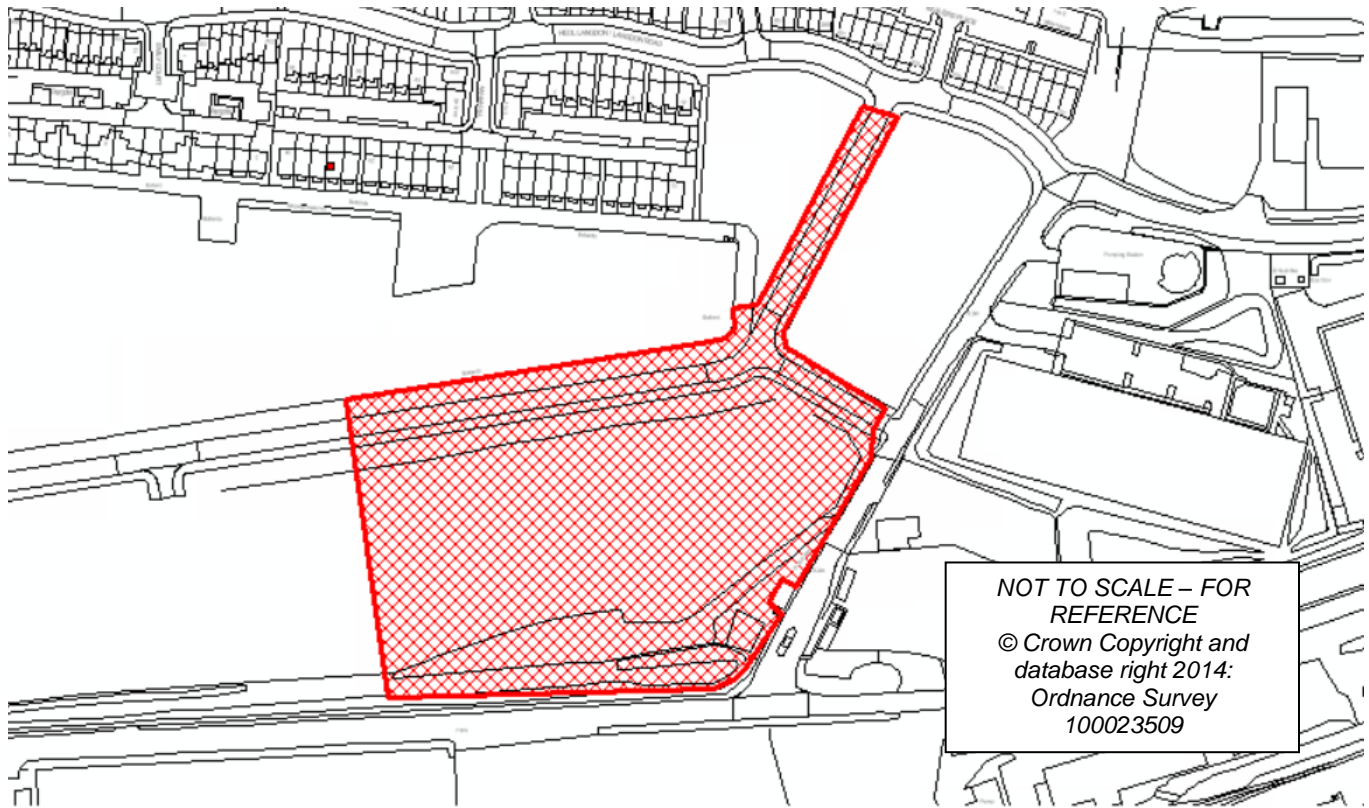
Application Number: 2022/1134/RES

Ward: Waterfront - Bay Area

Location: Plot E7 And E8 , Swansea Waterfront, Swansea, SA1 8RD

Proposal: Construction of up to 108 residential units and associated works (details of access, appearance, landscaping, layout, scale pursuant to conditions 6, 8 and 9 of outline planning permission 2015/1584 granted on 13th May 2016) (which varied 2008/0996 and which varied 2002/1000) for SA1 Swansea Waterfront mixed use development

Applicant: Pobl Group



### Introduction

The application is being reported to Planning Committee as the development is a major development in excess of the Committee thresholds of more than 20 dwellings and would provide buildings where the floor space to be created by the development would be more than 2,000 square metres.

### Application Site Context

The development plots comprise of Plots E7 & E8 which are located to the south-eastern corner of The Prince of Wales Dock (PoWD) within the SA1 Swansea Waterfront Development regeneration area in a predominantly residential area that forms part of the wider SA1 Outline Planning Permission mixed use Swansea Waterfront masterplan. The plots abut the existing promenade around PoWD and vehicular access will be obtained from the already constructed access spur road from Langdon Road.



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**Application Number:**

2022/1134/RES

The south-eastern boundaries of the site abut the operational port boundary of Associated British Ports (ABP) and in particular the ABP access road.

The two development plots are separated by the protected route of the former Tennant Canal - Swansea Local Development Plan 2010-2025 Policy T8. The preferred route of this network is safeguarded on the LDP Constraints and Issues Map, including the missing canal links to ensure that the opportunity for their reinstatement is not obstructed by development. Where the line protects a missing canal link, a minimum width of 15 metres should be allowed for the canal route by development proposals to accommodate a 6-metre channel, 3 metre shared pedestrian/cycle path, and 3 metre easements either side for access/maintenance.

The application site is a cleared site and forms a development platform with a site area of 1.8 hectares. The brownfield site was originally part of the operational port but has been re-profiled and cleared and incorporated into the SA1 Swansea Waterfront development.

### **Description of Development**

Reserved Matters Approval is sought for the residential development for the construction of 108 residential units ranging from 1 bed apartments (56 apartments) to 4 bed family homes (52 townhouses) and associated works (details of access, appearance, landscaping, layout, scale pursuant to conditions 6, 8 and 9 of outline planning permission 2015/1584 granted on 13th May 2016) (which varied 2008/0996 and which varied 2002/1000) for SA1 Swansea Waterfront mixed use development.

Within the SA1 approved Masterplan, in land use terms, Plots E7 & E8 are identified within the approved parameter plan as being for residential use only, with the building heights identified within the approved parameter plan as being between a 3 and 4 storey development. The Masterplan was accompanied by a design code which was the sister document to the original SA1 Design and Development Framework. This sets overall principles of design guidance for each area, as well as establishing the essential qualities of place that inform the urban & architectural brief as sites move forward.

Plots E7 & E8 sit within an area known as the East Gate consisting of a residential character with the public realm having a mix of hard and soft landscapes to reflect its location and uses. The dock edge surfaces are predominantly hard in line with the precedent outlined in the sections covering the Peninsula, North Quay and East End. Integrated throughout will be a series of softer respite spaces for play and relaxation.

The general layout concept has been designed to respond to the existing infrastructure and the Tennant Canal reservation strip with the promenade around the Prince of Wales Dock and existing access spur already constructed. The protected route of the former Tennant Canal will provide a new linear park and a new piece of public open space for the wider masterplan area. The application site will use the existing vehicular access spur off Langdon Road. The development complies with the SA1 masterplan in terms of land use with residential use throughout with the development of 3 storeys is now proposed split into 4 apartment blocks and terraces of townhouses. The architectural language follows the precedents of dockside architecture proposed with robust finishes of brickwork with standing seam metallic cladding to upper floors are put forward to be able to deal with the harsh marine environment.

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The planning application has been supported with the following documents:

- Design and Access Statement.
- Drainage Strategy
- Transport Statement incl. a Framework Management Plan, a Parking Beat Survey and Travel Plan.
- Ecological Appraisal, Stage 2 Ecology Report and Invertebrate and Lower Plant Survey Report

### **Relevant Planning History**

2015/1584 - Land South Of Fabian Way And East Of River Tawe Swansea - Application under Section 73 to vary the Outline Permission for the SA1 Waterfront Development to facilitate the implementation of the revised masterplan proposals for the 'Swansea Waterfront Innovation Quarter' - principally varying Conditions 1 (review of phasing programme), 2 (land use masterplan), 3 (review of urban design framework), 5 (development capacity), 7 (scale, nature, distribution and design of Class A3 and commercial leisure uses), and other conditions to the Section 73 application 2008/0996 (granted 11 October. 2010) which previously varied the original outline planning permission 2002/1000 (granted 19 August 2003) - Approved - 13 May 2016.

### **Response to Consultations**

#### **ORIGINAL PROPOSAL**

The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) by press notice and display of site notices (23 May 2022)

3 LETTERS OF OBJECTION have been received making the following comments:

- There appears to be absurdly little parking provision for the development. I am concerned that owners of second cars or visitors will park instead in the nearby developments which are at capacity already with their own residents.
- I would like to draw your attention to the fact that there seems to be an insufficient number of parking spaces available at the proposed development. This means that the surrounding areas, including nearby existing developments, will have to accommodate the overflow of vehicles that will need a parking space.
- Drainage - What measures will be taken to ensure no further damage is caused by the building and subsequent occupation of this development to the already poor quality of the water in the eastern end of the Prince of Wales Dock?
- Landscape & Planting - According to the landscape & planting documents submitted, there appears to be minimal planting and screening along the northern boundary of the site. What visual and audible screening measures will be undertaken to mitigate the adverse impact of this development upon the existing and future residents of the area to the north of the dock?

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- **Traffic & Parking** - The traffic generated by this development will cause significant congestion at the single point of access/egress on Langdon Road. The questions that arise, then, are why is only one access route proposed for such a large development and what traffic management measures are proposed to minimise this congestion? The proposed lack of adequate visitor parking on the development will have an adverse impact upon the surrounding area, with parking already a problem in the developments along Langdon Road and two further proposals for dense residential developments currently under consideration along the road.
- **Community and Retail provision** - With such a large number of residential units proposed for this area, thought needs to be given to the local retail and community infrastructure that was indicated in the original masterplan. When and where is this infrastructure to be provided for all of the developments at the eastern end of the dock?
- **Construction Phase** - What mitigation measures are proposed to deal with the adverse impacts (construction traffic, parking, noise and dust and other pollution) upon existing local residents during the construction phase?

**Associated British Ports** - On behalf of my client, Associated British Ports, I am instructed to write to you to outline their concerns in respect of the above reserved matters application for details of access, appearance, landscaping, layout and scale pursuant to Conditions 6, 8 and 9 of outline planning permission 2015/1584 granted on 13 May 2016 (which varied 2008/0996 and which varied 2002/1000) for the SA1 Swansea Waterfront mixed use development on Plots E7 and E8.

ABP are aware that the SA1 masterplan permissions referred to above have already established the principle of residential development on this site. Whilst my client has no objection in principle to the development of this site for housing, they do have concerns over the proximity of the proposed housing to the boundary of the site and the implications this could have on any future Port operations on ABP land.

The Port of Swansea, together with ABP's Port Talbot, contributes £670 million to the economy every year and supports almost 10,000 jobs. On its own, the Port of Swansea handles around £140 million in trade. The Port of Swansea offers up to date facilities and equipment dedicated to handling a wide range of cargoes and over recent years has benefitted from major investment.

Future plans for the Port of Swansea Port envisage a decisive shift onto a new economic pathway, aligned to international net zero carbon ambitions, bringing new innovation and prosperity to the region, a smaller carbon footprint and new highly skilled jobs. This is an opportunity for Swansea and ABP want to ensure that any future development on land adjacent to, or in close proximity to, their operational land does not prejudice the use of Swansea Port going forward.

More specifically ABP are concerned that the presence of housing on the application site (i.e. Plots E7 and E8) in such close proximity to their operational land could, without appropriate mitigation, lead to future complaints from the future occupiers of the houses in respect of noise, dust and general disturbance.

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We note that a noise assessment has been undertaken in support of the application and that this assessment included noise monitoring at the boundary of the application site with ABP's land. The noise report notes that the dominant noise source was infrequent traffic passing to access the docks. Other noise sources consisted of forklift movements and a Wheel Loader moving materials associated with the dock yard.

The noise report finds that the noise climate surrounding the application site is primarily determined by distant road traffic, docks noise and HGV traffic and that this is considered a mixed-use noise climate and therefore it is advised that the internal ambient noise levels within the rooms of the development are designed to achieve the British Standard 8233:2014 and ADO. The noise report goes on to say that as can be seen from the modelling (reproduced below) in most areas of the site, the noise levels can be controlled to acceptable levels with natural ventilation. These are the green areas of the model. The yellow areas will require an upgraded glazing and ventilation system.

ABP are not disputing the findings of the noise report and note that it is recommending mitigation, however, the report only represents a snapshot in time. You will be aware that the Town and Country Planning (General Permitted Development) (Wales) Order grants certain statutory undertakers (including ABP) permitted development rights for a range of developments associated with their operational requirements. This reflects the specialised nature and operational necessity of much development by, or on behalf of, statutory undertakers. This means that ABP are not restricted by the Town and Country Planning system and therefore the use/nature/characteristic of the land within their operational boundary can change quite quickly. In other words what is now a relatively quiet part of the Port could intensify very quickly without requiring planning permission and this intensification/change in use of the land could give rise to complaints by future residents.

In light of the above and to ensure that the continuation of their Port operations is not fettered by the proposed development, ABP respectfully request that the Council ensure that adequate sound-proofing is provided for the proposed houses. Also, we note that application proposes a 2m high enclosure along the southern boundary but this comprises a 0.6m high wall with 1.2m high railings above. This is not considered appropriate and ABP would like to see a more substantial boundary treatment together with a stronger landscaping buffer along the southern edge of the proposed development. ABP would also like consideration be given to a change to the siting of the houses such that there is a greater separation from the operational docks.

I trust the information set out in this letter clarifies ABP's position in relation to the proposed development and that the issues raised will be given due consideration. We would welcome further discussion as to how the proposals could be developed to respect ABP's operations at Swansea.

**Design Commission for Wales -  
Proposals**

Project information proposes a reserved matters application for residential development of Plots E7/E8 at Swansea Waterfront (known as SA1), for a sustainable, mixed tenure residential development of family homes and apartments, that accords with the design code and development quality objectives of the SA1 Swansea Masterplan area.

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Proposals include construction of up to 109 residential units and associated works (details of access, appearance, landscaping, layout, scale pursuant to conditions 6, 8 and 9 of outline planning permission 2015/1584 granted on 13th May 2016) (which varied 2008/0996 and which varied 2002/1000) for SA1 Swansea Waterfront mixed use development. The project has an estimated build cost of £24,447,534 with an additional £2,700,000 for the land. This estimate includes for the cost of all Social Rent plots achieving EPC A and 'Non Fossil' in accordance with the Welsh Government requirements under WDQR 2021. The site is within the SA1 Masterplan area and borders on to the Association of British Ports (ABP), land to the south and vacant plots to the east and west. The site fronts on to the constructed loop road that serves the wider area and overlooks the Prince of Wales dock to the north. It should be noted that the site is in close proximity to the site known as site D5b in the same SA1 area, also being pursued by Pobl subject to separate approvals. This may in due course have a bearing on procurement and tender processes and potential economies of scale.

### Main Points

These residential development proposals include a series of streets comprised of two main house types incorporating 'double fronted' dwellings with gardens and/or roof terraces. The gardens and green spaces present as private or semi-private and more social spaces whilst the whole aims to incorporate natural play and a 'linear park' area.

The dwellings are proposed at a scale appropriate to the adjacent dock and the waterfront context with three storey terraces edging the proposed park and four storeys proposed at corners. The layout presented includes two blocks with a 'cranked return' between which communal green 'street' is proposed. The rear but still 'front' of the dwellings incorporates green infrastructure and low fencing in order to create attractive green boundaries to courtyard gardens. Long term management and maintenance is proposed to remain with Pobl with relevant resident covenants in place aligned with the masterplan and its design code.

### Linear Park

A key design issue to be resolved is the definition of the linear park, its enclosure and relationship to the dwellings. The Commission understands that the protected area is related to aspirations for a waterway which may or may not be realised in the future. However, to be successful it needs to be fully designed to integrate with green routes and resolve uncertainties about connections, its purpose and the nature of public, private and semi-private spaces that adjoin it. At present it is unclear where the park leads and how it connects. It is also creating a series of challenges including bisecting the plot, creating awkward geometry and introducing significant uncertainty. The approach to this space as a linear park is currently poorly resolved but that is partly due to the vague understanding of what this space will be in the short and medium term.

It is the role of the design team to design for and test the optimum layout and typologies for the available land as a whole and to test and demonstrate their benefits - not simply to respond to constraints. This design work needs to be done thoroughly in order to inform a detailed conversation with the local authority as to the long term effects on homes, which could be substantial and detrimental. The benefits or otherwise, for residents for the short and long term must be tested and made explicit in order to avoid perverse impacts which may leave a challenging legacy.

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If the land is to be preserved for a potential future use, a much clearer idea of what the space will be and who will maintain it in the short and medium term is needed. It may need a meanwhile use, or flexibility to change over time.

### House types

Design work is also needed to explore the relationship to the dock edge and internal spaces and to test the effect of adherence to the two building typologies. Currently the two 'cranked' terraces alongside the 'green street' result in awkward leftover spaces externally which in effect build in compromised space from the outset. Internal layouts will likely be similarly affected. The ends of terraces are also an issue when following strict adherence to the proposed house type.

A well-designed bespoke solution is more likely to be successful. Though this may result in certain properties having unique layouts, being able to provide better proportioned external spaces and taking the opportunity to integrate site-specific elements into the buildings, like windows into gable ends, would be likely to bring compelling advantages. Further work is needed to rationalise current proposals and test further options.

### Streets

The currently layout does not successfully create well defined streets, partly due to the challenge of needing to front on to so many edges as well as the geometry of the site. The spaces that result in the current layout are very vehicle focused. A much clearer hierarchy of spaces needs to be created across the site so that the public green spaces feel very clearly public, and the residential streets feel more contained and semi-private.

Consideration of different house types, as mentioned above, may also help to resolve some of these matters. The development by MVRDV at Nieuw Leyden in the Netherlands provides one example of how to approach dealing with parking for a dense development that results in social streets (<https://www.mvrdv.nl/projects/160/nieuw-leyden?photo=2219>).

The Commission is of the view that further work is needed to test more successful layouts and that discussion of detailed energy strategies which should inform the design and detail through to delivery are more appropriate at a later stage when this early design work is more evident.

### AMENDED POPOSAL

Following receipt of amended plans, the objectors were re-consulted - Nov. 2022. 1 FURTHER LETTER OF OBJECTION have been received, making the following points:

- I am pleased to note that the revised layout plan now includes some visitors' parking spaces but I still consider that building dwellings described as 4 bedroom/7 persons townhouses and expecting a single parking space to suffice is wishful thinking and bears no resemblance to reality. It will result in disputes and acrimony and is unfair on the residents of nearby developments who will share in the fallout.

### Statutory Consultee Responses

**Dwr Cymru Welsh Water** - We have no objection to the application for approval of the reserved matters, in principle, subject to compliance with the requirements of condition 16 of permission 2015/1584, and condition 17 which will require an application for approval of details for the foul and surface water drainage proposals accordingly:

**Item 1 (Cont'd)**

**Application Number:**

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*16) Foul water and surface water discharges must be drained separately from the site. All foul drainage must be connected to the public sewerage system. No surface water shall connect (either directly or indirectly) to the public foul sewerage system. No land drainage system shall discharge into the public sewerage system.*

*Reason: To protect the integrity of the public sewerage system and prevent contamination.*

*17) No part of the development hereby approved shall be occupied until a scheme for the comprehensive and integrated foul water, surface water and land drainage for each phase of the development has been implemented in accordance with details to be submitted to and approved by the Local Planning Authority.*

*Reason: To ensure that a satisfactory comprehensive means of drainage is achieved and that no adverse impact occurs to the environment or the existing public sewerage system.*

**CCS Drainage** - Schedule 3, Flood and Water Management Act 2010. The development proposal has been identified as requiring SuDS Approval Body consent irrespective of any other permissions given.

**Natural Resources Wales** - We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding flood risk and contaminated land. If this information is not provided, we would object to this planning application. Further details are provided below.

Thank you for your email of 5th July regarding the finished floor levels. We acknowledge that the ground floor plans confirm the units are all above the 7.50 AOD requirement, however the current Flood Consequences Assessment (FCA) is based on out-of-date data. We advise that the submission is supported by an updated FCA to ensure that the consequences of flooding can be acceptably managed over the lifetime of the development.

#### Flood Risk

Condition 8 of the permission 2015/1584 requires all reserved matters applications to be accompanied by details of the proposed levels for each phase of the development indicating its relationship to the adjoining land and any changes to the site itself. This is to enable the application to be properly assessed to ensure that the work is carried out at suitable levels in relation to the adjoining land and to ensure a reasonable standard of protection against potential tidal inundation. The levels for each phase of the development were to have regard to the recommended finished floor levels within the Environmental Statement Addendum which were based on the available data at that time.

The planning application proposes highly vulnerable development, namely the construction of 109 residential units. The application site is within Zone A of the Development Advice Map (DAM) contained in Technical Advice Note (TAN) 15. However, our Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and partially within Flood Zone 2 and 3, with tidal risk of flooding.

As confirmed in the letter from Welsh Government dated 15 December 2021, the FMfP represents better and more up-to-date information on areas at flood risk than the DAM.

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Therefore, we advise you seek an updated Flood Consequences Assessment (FCA) from the applicant, to demonstrate that the consequences of flooding can be acceptably managed over the lifetime of development. The criteria for the FCA, which should normally be undertaken by a suitably qualified person carrying an appropriate professional indemnity, are given in Section 7 and Appendix 1 of TAN15 (2004). The FCA should be proportionate to the development proposed. You may also refer to our website, which contains technical advice and recommendations.

The FCA should assess tidal flood risk to the site using the most up to date tidal levels. When considering new development proposals, TAN15 states that it is necessary to take account of the potential impact of climate change over the lifetime of development and residential development is assumed to have a lifetime of 100 years. Climate change allowances and flood consequence assessments | GOV.WALES was published in September 2021. The guidance set out in this document should be applied to planning applications (full, outline and reserved matters) submitted from 1 December 2021. The proposal should be resilient to future flood risks and must demonstrate that such risks can be appropriately managed to provide a safe and secure living environment throughout its lifetime.

It is unclear from the submission how the Finished Floor Levels (FFL) relate to the basement or undercroft parking of the buildings. Our original comments and concerns regarding the basement or undercroft parking remains, as does our concern over access and egress, particularly taking into account current tidal levels and future climate change predictions.

Please inform us, in accordance with paragraph 11.7 of TAN15, if you are minded to grant permission for the application contrary to our advice.

#### Land Contamination

The site is associated with historic land contamination linked with its past industrial uses. A suite of conditions are included on the outline planning permission, and it is unclear if the relevant ones have been discharged for this phase of the development. If not, updated intrusive site investigations will need to be undertaken prior to any development to ascertain any contamination present at the site and any necessary remediation measures required to protect controlled waters. Having reviewed the previous site investigations, we note that some of the standards that have been quoted have since been superseded, and in some cases the limits are now lower to ensure protection of controlled waters.

#### European Protected Species

We note the submission of the Preliminary Ecological Report document ('Preliminary Ecological Report - Plot E7/E8, Swansea - Pobl Group' by Bay Ecology, dated 8th November 2022, document reference: Doc01 - 08/11/2022).

From Section 3.11 of the document, we note that 'no structures were present on site that were considered suitable to support roosting. However, an offsite red brick substation was located on the Eastern boundary....the Structure was considered to be of low/moderate bat roosting potential'. Section 5.4 of the PEA notes that 'the structure is to be retained as part of the development'. Therefore, we have no comments to make on the application with respect to bats, as submitted. Please consult us again if any survey undertaken finds that bats are present at the site, and you require further advice from us.



Item 1 (Cont'd)

Application Number:

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**Ecology -**

Initial comments - 8 March 2023

The application cannot be supported due to the ecological constraints, and for the following reasons:

1. I note that the initial June 2022 ecological survey recorded priority habitats on site, which were of SINC quality. I also note that the recommendations of this report and the details contained within it were ignored, and site clearance was undertaken without due regard to the findings or recommendations of the survey report.

Due to the presence of the priority habitats and species, and the fact that the site was of SINC quality, it will be treated as a SINC in planning terms. The Bay Ecology PEA dated 23/1/23 acknowledges this and states that *'Based on the June 2022 survey, the site supports an assemblage of plant species that would meet the selection criteria as a Site of Importance for nature conservation (SINC) u Post Industrial Land habitat type (H18 as per the guidelines for the selection of wildlife sites in South Wales, Gwent Wildlife Trust, 2004). Areas of calcareous and neutral grassland, which presumably reflect the character of the underlying made-ground were also identified which could be considered for SINC selection.'*

Please note section 2.24 of the Swansea Biodiversity and Development SPG:

*2.24 There may be other sites that meet SINC criteria but are not shown on the LDP Constraints and Issues Map which will still support priority habitats and/or species, which will need to be given appropriate protection, having regard to the provisions of S7 of the Environment Act (and the Local Biodiversity Action Plan). Additionally, or alternatively, these sites may address gaps in connectivity, which PPW advises should be taken into account.*

In addition, LDP Policy ER 6: Designated Sites of Ecological Importance of the LDP states:

*"Development that would adversely affect locally designated sites of nature conservation importance should maintain and enhance the nature conservation interest of the site. Where this cannot be achieved development will only be permitted where it can be demonstrated that:*

- i. The need for the development outweighs the need to protect the site for nature conservation purposes;*
- ii. There is no satisfactory alternative location for the development that avoids nature conservation impacts; and*
- iii. Any unacceptable harm is kept to a minimum by effective avoidance measures and mitigation, or where this is not feasible, compensatory measures must be put in place to ensure that there is no overall reduction in the nature conservation value of the area.*

*In assessing the potential harm the Council will consider:*

- The individual and cumulative effects which will include impacts during construction;*
- The role of the site in the ecological connectivity network; and*
- Whether effective mitigation and/or compensation measures have been provided."*

It is therefore considered that the proposals are contrary to Policy ER 6 as they do not provide any mitigation and compensation details.

2. The Stepwise Approach highlighted in chapter 3 and figure 3.1 of the Biodiversity and Development SPG has not been followed, especially steps B Avoid, C Respond and design, D Mitigate, E Compensate and F Enhance.

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3. The application does not comply with LDP Policy ER8 Habitats and Species ie.

*Development proposals that would have a significant adverse effect on the resilience of protected habitats and species will only be permitted where:*

- i. The need for development outweighs the nature conservation importance of the site;*
- ii. The developer demonstrates that there is no satisfactory alternative location for the development which avoids nature conservation impacts; and*
- iii. Any unavoidable harm is minimised by effective mitigation to ensure that there is no reduction in the overall nature conservation value of the area. Where this is not feasible, compensation measures designed to conserve, enhance, manage and, where appropriate, restore natural habitats and species must be provided.*

It is therefore considered that the proposals are contrary to Policy ER 8 as they do not provide any mitigation and compensation details.

4. No clear Mitigation Strategy has been submitted for the loss of the SINC quality priority habitats including calcareous grassland.

### Further Comments: 27 November 2023

#### SINC

The initial June 2022 ecological survey recorded priority habitats on site, which were of SINC quality. Further, the Bay Ecology PESA dated 23/1/23 also referenced this fact with specific mention of Post Industrial Land habitat type and also Calcareous and neutral grassland habitat. In addition, the Nov 2023 EDP invertebrate and lower plant survey report also states that there are sufficient indicator species present for the application site to qualify as a SINC, referencing Post Industrial Land and Calcareous Grassland habitat types.

It will therefore be treated as a SINC in planning terms. As previously commented on, please note section 2.24 of the Swansea Biodiversity and Development SPG and LDP Policy ER 6: Designated Sites of Ecological Importance and LDP Policy ER8 Habitats and Species.

It is still considered that the proposals are contrary to Policies ER 6 and ER8 as they do not provide full mitigation and compensation details for the loss of the SINC quality habitats and associated species.

#### Reptiles

A precautionary working method for sensitive clearance of vegetation shall be adopted, as per recommendations contained within section 3.5 of the Stage 2 Ecology Report - Reptile surveys dated 7/6/23 by David Rees.

#### Condition:

Pre-construction/site clearance checks for protected species (including bats, otters, reptiles and nesting birds) shall be undertaken by a suitably qualified ecologist no sooner than 3 months prior to commencement of any works. The report shall be submitted to the LPA for approval. Should these species be recorded, and displaced from the site, then a mitigation strategy shall be submitted to the LPA for approval.

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Breeding/nesting birds: Please include the standard nesting birds informative.

### Invertebrates

As requested, specific invertebrate surveys were undertaken in 2023 which gave a snapshot of invertebrate fauna present on site. However, it should be noted that further species, including species of conservation importance may undoubtedly be present.

The surveys concluded that around 10% of invertebrate species on site were of 'conservation importance', including two Section 7 species, 8 species classes as 'nationally scarce' and 7 species of importance nationally or on a Wales/local level. (see table 3.2).

The majority of these important species were located in the area of the site shown in image EDP 3.1. To mitigate for loss of other invertebrate habitat, I advise that this particular area shall be specially protected and enhanced for invertebrates.

Condition: To mitigate for loss of invertebrate habitats, the recommendations contained within section 4.2 to 4.10 of the EDP Invertebrate and Lower Plant survey report (Nov 2023) shall be implemented and adhered to. In addition, the area shown in image EDP 3.1 shall be specially protected as a key invertebrate conservation area with a buffer from development.

### Hedgehog

Records show that there is the potential for hedgehogs to be present in the area. Hedgehogs are protected under Schedule 6 of the Wildlife and Countryside Act (WCA) 1981, which prohibits killing and trapping by certain methods. They are also a UK Priority species under the NERC Act (SEC.41) 2006. The species is therefore considered one of the UK's target species to avoid further population decline.

Condition: All trenches and excavations shall be fenced off or covered-over at night to prevent any animals (hedgehogs, badgers, otters and other species) from falling in and becoming trapped. If this is not possible an adequate means of escape shall be provided (i.e. a gently graded side wall or provision of gently sloped wooden plank or equivalent). Any exposed pipes and trenches shall be checked for trapped wildlife each morning before starting construction activities.

Condition: In order to retain habitat connectivity for Species of Principal importance, such as hedgehogs, boundary treatments shall not be flush to the ground, or suitably sized gaps 13 x 13 cm shall be left at strategic points. See <https://www.hedgehogstreet.org/hedgehog-friendly-fencing/> this shall be shown on an architectural drawing submitted to the LPA for approval.

### Landscaping

The landscaping plans show an invasive species ie Phormium as a specimen plant. Please remove this as it has spread across the sand dunes habitats in Swansea bay.

Condition: The Landscaping plans shown in drawings TIR Collective dated 26/10/23 ref SA1E7E8-D-2201 and 2202 - V3 - TIR and in D-L100-V3-TIR shall be provided as detailed, excluding the species Phormium.

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**Lighting Strategy**

**Condition:**

A sensitive lighting plan shall be adopted to protect bats and other nocturnal species, and to protect nearby habitats. A plan showing location and specification for any proposed lights on the site shall be submitted to the LPA for approval, prior to determination. The lighting plan shall reflect the Bat Conservation Trust's Bats and Lighting in the U.K. (2023) guidance, with levels kept to 2700-3000 Kelvin.

**Construction Environmental Management Plan (CEMP)**

A detailed Construction Environmental Management Plan (CEMP) is required to be submitted to the LPA for approval and must outline all necessary pollution prevention measures (especially regarding any nearby water bodies and the Tawe Corridor SINC), for the construction and operational phase of the development.

**Condition:** No development approved by this permission shall be commenced until a CEMP detailing all necessary pollution prevention measures for the construction and operational phase of the development is submitted to and approved in writing by the LPA. The details of the CEMP shall be implemented as approved.

**Reason:** Prevent pollution of controlled waters and the wider environment.

**INNS Condition:**

Prior to determination, an INNS method statement for treatment, removal and management of Japanese knotweed and Montbretia shall be submitted to the LPA for approval.

**Condition:** Pre-construction checks for any INNS shall be undertaken by a suitably qualified ecologist, and approved methodology followed to remove any INNS found.

**Landscape and Environmental Management Plan (LEMP) Condition:**

A Landscape and Ecological Management Plan (LEMP), shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. The LEMP shall thereafter be implemented in strict accordance with the approved details.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed including the SINC Mitigation area.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management e.g. to restore and enhance existing habitats, ensure successful establishment of new habitats etc.
- d) Appropriate management and monitoring options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule and monitoring scheme (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the suitably skilled body or organization responsible for implementation of the plan.
- h) A monitoring report, including of protected species, and remedial measures, shall be submitted to the LPA at the following:
  - year 1 after completion of construction;
  - every 5 years thereafter for 25 years.

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The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The LEMP shall be amended as necessary based on the monitoring results.

#### Ecological enhancements

Although documents submitted mention enhancements in the form of reptile hibernacula, insect hotels, bird boxes, bat boxes, no information has been supplied regarding these, including locations or implementation time-tables.

#### Condition:

Before development works commence on site, a scheme of Ecological Enhancement Measures shall be provided to the walls of the buildings (at least 10% of the new builds) or in other suitable on-site areas. The approved Ecological Enhancement Measures and their locations and an implementation time-table shall be provided and shown on an architectural drawing submitted to the LPA for approval. The enhancements shall be fully provided no later than 6 months within the completion of the development, and shall be retained as such in perpetuity.

**CCS Landscaping** - The landscape team are very happy with the landscape proposals and natural play designs. This information will be suitable to fulfil planning conditions.

#### **Designing Out Crime Officer -**

(i). Site layout - I am concerned in respect of a number of areas where there are green spaces and in some cases pedestrian routes in these areas. Green spaces should not, if possible, be located to the sides and rear of properties as they provide easy access for criminals to gain entry to rear gardens.

In relation to the green space to the rear of plots 56-72, i.e. the linear park, I understand the need for this area to be kept i.e. the Tennant Canal. However is there a need for footpaths in this green space as they run and provide access to the rear and sides of properties and are generally not overlooked.

If the paths are to remain they must be lit and have thorny low level planting on both sides, to ensure pedestrians stay on the footpaths and are prevented/deterred from accessing the rear of the properties. The perimeters of the properties must also be protected by defensible planting.

In respect of plots 31-44, the gardens of these properties should be extended thus removing the green spaces.

I also have concerns in respect of the footpaths that runs adjacent to plot 56 and between plots 63 and 64. The footpath adjacent to plot 56 is alongside this property and should be designed out.

The alleyways that run between plots 59 and 60, 67 and 68 and 76 and 77 should either be gated both ends or designed out. Gates should be lockable both sides with a key.

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Pedestrian routes should be designed to ensure that they are visually open, direct, overlooked, lit and well used. They must not undermine the defensible space of neighbourhoods as the paths outlined above do. Routes must not ideally be segregated from one another or provide access to rear gardens as such paths have been proven to generate crime. Paths ideally should be 3 metres wide.

All vehicle parking bays should be within curtilage and/or overlooked.

Entry onto the estate must be restricted to the designated routes.

(ii). Lighting - Lighting on the estate must meet the British Standard 5489.

(iii). Boundary identification - Defensible space using symbolic barriers e.g. pillars, rumble strip, or a change of road surface, i.e. colour or texture, must be built into the design to encourage a feeling of territoriality amongst users especially at the entrance to the development.

There must be a change of surface, i.e. colour or texture, to identify public areas from private or semi-private areas e.g. the footpaths from the driveways/front gardens.

Preferably front boundaries would be identified by low walls and gates.

(iv). Landscaping and planting - Poor landscape design proposals can compromise the safety and security of people and properties. Hiding places can be created and visibility significantly reduced if trees and shrubs are poorly positioned, and species inappropriately chosen and maintained. This may increase the opportunity for crime and increase a person's sense of vulnerability, which ultimately will affect the level of use.

Overgrown shrubs and other thick barriers that are in close proximity to public areas must be avoided and clear sightlines must be maintained over long distances.

Windows and doors must not be obscured by landscaping features and trees in public areas must not have any foliage below 2 metres from the ground.

Trees and other landscaping features must not be positioned where they could create hiding/entrapment spaces, obscure signage and lighting or provide a potential climbing aid into properties.

There must be clear lines of sight across the development and clear unobstructed views of the parking bays from the properties.

(v). Green spaces.

I have already commented on these spaces under point (i). These areas should be located where they are afforded good natural surveillance from residents to provide protection for the young children and people using the areas. Also this would reduce the risk for these areas being targeted for anti-social behaviour when not in use. Any planting must be of the low level type, i.e. plants or bushes must only grow to a maximum height of 1 metre and trees should have no branches below 2 metres from the ground to afford maximum surveillance of the spaces.

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(vi). Vehicle parking - Vehicle parking should be within curtilage and must be overlooked preferably by rooms in the properties ideally, that are usually occupied e.g. living rooms, kitchens. During the hours of darkness, the bays must be well illuminated, and they must enjoy good natural surveillance from the properties with unobstructed views.

(vii). Side and rear boundaries - The walls/fencing/railings and gates preventing access to the rear and sides of the properties should be robust, at least 1.8 metres high (2 metres high if the side or rear gardens are adjacent to open land or a footpath). To prevent it being climbed the perimeter security must be of a suitable design.

Gates must be lockable both sides with a key, the same height as the adjacent wall/fencing and sited at, or as near to, the front building line of the properties as possible. Rear and side gardens must be secure areas.

(viii). Bin stores - Bins must be kept in secure areas. Bins for the access must be stored in secure bin stores with access control fitted e.g. digilocks, fobs, swipe cards. The bin stores for the apartments should be located away from the buildings.

(ix). Bicycle stores - Bike stores must be secure, lit and overlooked by the properties (please visit [www.securedbydesign.com](http://www.securedbydesign.com) for more information). Access into the apartment bike stores should be controlled by access control.

(x). Security lighting - Security lighting should be installed controlled preferably by photo electric cells or time switches or alternatively PIR detectors. The lighting should protect the rears and sides of the homes, communal areas for the apartment blocks and the parking bays. Callers at the external doors of the properties must be lit during the hours of darkness by appropriate lighting.

Other comments are also made in respect of drainpipes, access control, window and door security.

**Housing** - Housing is supporting this scheme through the Programme Development Plan for Welsh Government Funding.

The affordable housing mix, location and tenure is acceptable. All affordable housing must be built to WDQR Standard.

**Pollution Control** - No objections.

**CCS Commercial Waste** - Reference the Local Development Plan 2010-2025. Attention is drawn to the statement "Communal facilities are unfavourable"

It is noted in the plan that there are communal wheel bin storage areas provided for the apartments. In practice the provision of communal areas reduces the potential to maximise recycling. Communal facilities are unfavourable however these may be appropriate for larger developments should sufficient consideration be afforded to recycle separation and residual waste minimisation/restriction

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BS 5906:2005 is used to estimate the volume of total waste generated from a range of properties. Waste management use the calculation of 100L per week for a 1 bedroomed property and 170L per week for a 2 bedroomed property.

Block 1 9 x 1 bed and 2 x 2 bed Estimate total waste arising = 1,240L per week. To comply with Swansea Council fortnightly waste and recycling collections Block 1 requires 2,480L of waste and recycling. To comply with 70% recycling by 2025 this volume should be split as 1,740L recycling and 740L residual waste. The plans show (subject to confirmation) 2 x 1100L and 1 x 360L wheel bins. This would be the absolute minimum requirement.

Block 2 9 x 1 bed and 2 x 2 bed. Estimate total waste arising = 1,240L per week. To comply with Swansea Council fortnightly waste and recycling collections Block 2 requires 2,480L of waste and recycling. To comply with 70% recycling by 2025 this volume should be split as 1,740L recycling and 740L residual waste. The plans show (subject to confirmation) 2 x 1100L and 1 x 360L wheel bins = 2,560L. This would be the absolute minimum requirement.

Block 3 11 x 1 bed. Estimate total waste arising = 1,100L per week. To comply with Swansea Council fortnightly waste and recycling collections Block 3 requires 2,200L of waste and recycling. To comply with 70% recycling by 2025 this volume should be split as 1,540L recycling and 660L residual waste. The plans show (subject to confirmation) 3 x 1100L and 1 x 360L wheel bins = 3,660L. This would be above the minimum requirement.

Block 4 to 6 21 x 1 bed and 2 x 2 bed. Estimate total waste arising = 2,440L per week. To comply with Swansea Council fortnightly waste and recycling collections Blocks 4 to 6 requires 4,880L of waste and recycling. To comply with 70% recycling by 2025 this volume should be split as 3,420L recycling and 1,460L residual waste. The plans show (subject to confirmation) 4 x 1100L, 4 bins appear smaller than 1100 so estimated as 660L and 5 x 360L wheel bins = 8,840L. This would be above the minimum requirement.

The Swept Path analysis for a refuse/recycling truck shows that the vehicles can access the site and the bin compounds. All access from the bin compounds to the collection vehicle must be level and smooth to allow full wheel bins to be pulled/pushed to and from the collection vehicle. All wheel bin compounds must be fitted with double doors to provide adequate access/egress without the potential for damage to door frames.

### **Mid and West Wales Fire and Rescue Authority -**

The site plans of the above proposal have been examined and the Fire and Rescue Authority would wish the following comments to be brought to the attention of the planning committee/applicant. It is important that these matters are dealt with early on in any proposed development:

- The Fire Authority has no comment to make on access for fire appliances or water supplies.

The developer should consider the need to provide adequate water supplies and vehicle access for firefighting purposes on the site and general guidance on this matter is given in the attached Appendix and the following links: <https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of-water-for-firefighting-3rd-edition-jan-2007/>

<https://www.ukfrs.com/index.php/promos/16847>



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Furthermore, the applicant should be advised to contact the Local Authority Building Control Department, which is the responsible authority, when determining issues concerning means of warning and escape, internal fire spread (linings and structure), external fire spread, access and facilities for the Fire and Rescue Service, in accordance with the 2007 version of Approved Document B (Wales).

**Local Highways Authority -**

These comments are provided in addition to previously submitted comments and further information which has been provided.

An updated Transport Statement, Parking Beat Survey, Framework Parking Management Plan and Travel Plan have been provided by the applicant in order to address previously raised concerns.

**1. Parking.**

The scheme provides parking at a level well below CCS standards, whilst it is accepted the location is sustainable and in close proximity to bus and active travel routes concerns were raised at the low level of parking provided.

In response the applicant has undertaken a parking beat survey at a nearby development site with similar tenures and housing mixes. The surveys were undertaken during the evening and early morning when parking occupation would be expected to be highest.

The results show that occupancy is at around 50% of the available spaces, 25 spaces used out of 51 available. This shows that the take up of parking at a ratio of around 1:1, in addition this parking is not managed. As previously discussed, the roads serving this development are not suitable for adoption, and will be required to be managed in perpetuity by the applicant, as such a framework parking management plan has been submitted. Adherence with the plan should be secured by a suitable condition.

**2. Swept Path Analysis**

The layout has been tweaked to improve the vehicular swept paths, the development can be serviced, and 2 way swept paths are shown to be able to be accommodated, it does however remain extremely tight. Any indiscriminate parking could result in the development being unable to be accessed. As such a scheme of TROs will be required in order to prevent indiscriminate parking and preserve vehicular access, all implementation will be at the expense of the applicant.

**Conclusion**

The applicant has provided some improvement to the layout, however it must be noted that the parking space arrangement and restricted width of the development streets mean this is not a suitable candidate for adoption.

This will however allow the applicant to proactively manage the parking spaces on site as they will remain private.

A condition will be required to ensure adequate management and maintenance arrangements are in place, and will remain in place in perpetuity.

On balance Highways has no objection to the proposals subject to conditions.

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## Strategic Planning and Placemaking Appraisal - Overview

This reserved matters application is concerned with Plots E7 And E8 as defined in the masterplan for SA1 Waterfront, with the intention of constructing 108 residential units and associated works. The site is one of the remaining undeveloped building sites on the south eastern side of the Prince of Wales Dock.

## Principle of Development

Strategic Policy PS1 directs development to the most sustainable sites within defined settlement boundaries of the urban area. The Sustainable Housing Strategy set out in Strategic Policy PS3 includes creating new neighbourhoods at Strategic Development Areas (SDAs) within, and on the edge of, established settlements. This site is located within one of these SDAs identified in Policy SD 1, SD K Fabian Way Corridor.

Policy SD K identifies placemaking principles and developer requirements for SD K. It is allocated for mixed commercial, residential (525 dwellings) and employment development to complement the role of the Swansea Central Area as the City Region economic driver, facilitating an Innovation Corridor to support University expansion, and capturing the benefits of the planned Tidal Lagoon.

The site includes a range of existing mixed commercial, residential, and employment areas. The policy identifies that SA1 Swansea Waterfront area has a masterplan linked to an existing planning consent that sets out uses for specific plots and capacities for various land uses. Development proposals within the SDA site should accord with Placemaking Principles and Development Requirements set out in the Policy including:

- Create sustainable residential neighbourhoods in appropriate locations with community facilities and necessary infrastructure
- Structure development around a new spine street which prioritises Active Travel and public transport.
- The eastern Waterfront, City Approach, Spine Street and other areas of public realm should be defined by active frontages, a coherent building line, continuity of character, legible entrances and an appropriate urban scale of development. Street frontages will be required to combine activity and architectural quality.
- Create accessible sites which integrate positively with existing communities north and south of Fabian Way, public transport facilities, and Active Travel
- Off-site highway infrastructure improvements as necessary, having regard to requirements arising from the necessary Transport Assessment
- On and off-site measures to provide good quality, attractive, legible, safe and accessible pedestrian and cycle linkages, both to and within the new development area, including the linkages set out in the Transport Measures Priority Schedule
- Provision of sports opportunities on site in accordance with FiT requirements with potential for accessible off-site improvements at the Ashlands playing field.
- Incorporate Noise and Air mitigation measures into developments where necessary (including fronting Fabian Way and the railway line).

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- Buffer uses that are not sensitive to impacts from docks uses will be required on development sites around it to separate dock operations from more vulnerable receptor uses
- Provision of affordable housing at the on-site target rate of 15%, subject to consideration of financial viability.
- The canal route should be safeguarded and enhanced with appropriate Green Infrastructure, appropriate landscaping and Active Travel routes.

The latest masterplan for SA1 (varied through 2015/1584) shows this site designated for residential development. The principle for provision of residential development is therefore considered to be acceptable subject to the proposals being acceptable in terms of all the relevant policies of the Development Plan including placemaking, land contamination and flood risk.

### Initial Placemaking Comments - 26 June 2022

#### *Neighbourhoods*

*The proposals seek to deliver new, quality homes within an established mixed use neighbourhood around Prince of Wales Dock within the SA1 masterplan area. There is a clear need for additional homes to be delivered at SA1, as set out in the relevant LDP Policy and masterplan for the site, and as such the proposals are consistent with the aim to deliver quality new and extended residential neighbourhoods in Swansea.*

#### *Density and Mixed Uses*

*The proposal comprises 109 residential units. The scheme has an urban density which is welcomed for this dockside regeneration location.*

*The proposal is residential only in accordance with the approved SA1 outline masterplan. The masterplan shows a retail use on the adjacent E6 site to the north as part of a future mixed use development which is not part of this application. The site is in a 15 minute walkable neighbourhood distance of various commercial and community facilities including health centre, local store, church, A3 F&B uses, public transport, plus 1.5km level walk/ cycle to Swansea City Centre.*

#### *Blue/ Green Infrastructure*

*The proposal must comply with SUDs requirements and this is shown to be via raingardens and permeable paving to attenuate within the site with ecology and water quality benefits before discharging into the dock. This compact approach to SUDs means that there is no impact on useable amenity/ pedestrian space.*

*There is scope for limited residential planting on the public edges as part of the rain gardens. This will form a defensive space for the ground floor units with space for private amenity terraces. However there is a need for more green infrastructure planting in the low speed shared space streets.*

#### *Making Connections*

*The site lies within an existing street network with the new street along the southern dock edge acting as an east west tree lined spine street accommodating all travel modes.*

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*To the west the orientation of proposed town houses establishes a future street or green space with the adjacent plot E9 which is also allocated for residential in the approved outline masterplan.*

*However there is a lack of clarity of connections through the site to the east and south - this requires further dialogue and is linked to the relationship to the operating docks.*

#### *Public Spaces*

*The proposal includes a significant linear park in the centre which is welcomed however this corridor is identified as a canal protection area and LDP policy T8 indicates that a 15m width is required. Currently play provision and SUDs drainage swales are shown in the canal safe guarding area, so if the canal were implemented then these features would be removed. This requires further testing and dialogue.*

*Given that 109 homes are proposed including 54no 4 bed town houses and 14no 2 bed flats there will be families with children living in this development which create a demand for play provision. As this is a Reserved Matters application, the approved Outline application includes agreed s106 contributions for strategic play provision within a 5 minute walking distance, however there is still a need for informal door step play within the site and this currently conflicts with the canal zone.*

*Therefore a Design and Access Statement is required to show other layout options explored and testing of protected canal corridor area.*

#### *Streets as Places*

*The new street along the south edge of Prince of Wales Dock will be vehicle dominated lacking green infrastructure and traffic calming. Therefore there is an opportunity to calm and green this as yet unopened street within the red line area with additional planting and on street visitor parking.*

*The site is accessed via a number of cul de sacs, it is not clear if these are intended to form shared spaces because no DAS is provided to explain the vision for these streets. It appears that a safe pedestrian area is shown but this runs behind parking spaces and may not be suitable. Given that the cul de sacs are slow speed environments there is scope to treat these as a shared space with integrated green infrastructure but this will require a Quality Audit with vision for the streets as set out in Manual for Streets to ensure all aspects and users has been addressed.*

#### *Inclusive Places*

*The scheme has a mixture of tenures. All paths and public spaces have an accessible gradient. The flats are accessed via lifts.*

#### *Townscape*

*The approved outline masterplan indicates that heights of 3 and 4 stories are required however the proposal has a uniform 3 storey scale. Therefore the proposal does not accord with the outline masterplan parameters and the lack of scale does not define the dock edge and long vistas.*

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*Therefore greater scale is required along the dock side edges and this requires visual testing.*

#### *Quality and Character*

*The elevations incorporate robust brick finishes referencing the SA1 heritage buildings such as J Shed and accords with the outline masterplan design code. The apartments have projecting balconies that articulate elevations and large windows with warehouse character.*

*The treatment of the 3 storey apartments with second floor differentiated by cladding gives a squat appearance and should be all finished in brick as per the similar Pobl flats at plot D5b also under consideration.*

*On the basis that the flats are dual aspect some elevations are characterised by kitchen and bathroom windows and as a result has a less active and attractive appearance, plus is lacking in active frontage and natural surveillance.*

*The way that the town houses meet the dock edge area is unresolved with a largely blank gables not responding to the open aspect.*

#### *Community Safety*

*There is a lack of clarity regarding fronts and backs, and the Police Architectural Liaison Officer has highlighted concerns regarding lack of natural surveillance and potential for anti-social behaviour.*

*It is noted that the town houses are double fronted with private terraces onto the linear park with 0.8m estate railings and hedges but no indication of access points. The extent of double fronted town houses with small ground floor amenity spaces may not function as intended for family use and could create issues of well being and anti-social behaviour in the future as experienced in Radburn estates. Therefore The fronts/ backs and public /communal/ private aspects needs to be tested and explained via the DAS and this could include consideration of precedents.*

*A Green Infrastructure plan is also required to explain the mutli functionality of all external areas - for example what is the function of the space along the southern boundary? Is this public, communal or private space?*

*To reduce the extent of front and back issues, there may be scope for enclosed communal garden areas such as between 31-44 which can be explored in the DAS.*

#### *Privacy and Amenity*

*All 109 homes have private amenity space in an urban not suburban format.*

*The 4 bed town houses have a modest ground level terrace plus elevated private amenity decks at second floor (roof) level. This is welcomed in principle as a more urban way for houses to be provided with amenity space but a space check is needed to ensure the various amenity spaces add up to the building footprint as a check for modern family use and it may be that the amenity space needs to be increased.*

*Upper floor apartments have private space in the form of useable balconies which is welcomed. The ground floor apartments have private terraces but no defensible boundaries are shown.*

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*There are no issues with overlooking distances between blocks within the site nor in relation to surrounding existing development.*

*Accommodating Parking*

*The scheme achieves a parking ratio of 1 space per unit. This seems reasonable given the facilities in the local walkable neighbourhood, the proximity to Swansea city centre and the national move to reducing parking provision in accessible locations as set out in Future Wales.*

*Plus there is scope to incorporate visitor parking on the recently constructed dock side street as activity and traffic calming.*

*However no cycle parking is shown to support active travel.*

*Summary*

*To sum up, the proposals are not acceptable at present and a number of amendments are required:*

- *Provide DAS to show options and justify proposals*
- *Increase scale along dock facing edge*
- *Refine end of terrace town houses to address dock edge*
- *Confirm shared space street designs via Quality Audit process*
- *Test canal easement*
- *Test public and private/ front and back issues*
- *Clarity cycle parking arrangements*

*Given the nature of this scheme and other concurrent residential schemes in SA1 it is recommended that they are all reviewed by the expert and impartial Design Commission for Wales.*

**Amended plans submitted 9 Nov. 2022** - Following presentation to DCfW, amended plans submitted reflecting 108 residential units as opposed to 109. In order to address the Placemaking comments the following changes have been made:

- The street environment has been altered to a shared space arrangement.
- The scale of the development has been retained as 3 storeys, which is considered to accord with the masterplan albeit additional scale has been provided to emphasise key corners with raised parapet details. Materials have been changed to be all brick elevations in order to emphasise scale further.
- Townhouses addressing the dock edge have been adjusted with bespoke units to emphasise scale and create active surveillance.
- The fronts/back arrangements have been clarified in the DAS and pedestrian access points shown on the landscape proposals.
- Amenity spaces have been tested and explained in the DAS.
- Cycle parking is proposed within the apartment blocks GF and within sheds at the front of the townhouses as demonstrated in the DAS.
- The Linear park detail has been developed to reflect discussions including distinctions between informal/formal private/public spaces as demonstrated within the DAS and landscaping details.

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**Further Placemaking comments - 19 Dec. 2022 -**

*The amendments to the proposals for this key site in SA1 are broadly supported.*

*The corner turning end of terrace houses with greater scale is welcomed to relate to the dock edge and start of the linear open space.*

*The gradation from public to community use of the linear space is noted and works so the spaces have different functions.*

*The testing in the DAS demonstrates that the town houses with disaggregated private space have combined areas of space as a suburban garden and this is supported as a more urban way of living supplemented by the external communal spaces.*

*The boundaries of the front and rear gardens are noted to be 40cm walls topped with 68cm railings which ensures a balance of defensible space and active frontage given the double fronted design to the town houses.*

*There is a fair amount going on in the town house front courtyard areas. How does the bike storage relate to the kitchen window and what is the streetscene appearance of the frontages with the 1.3m brick screens to the bins? There are no drawings for the bike lockers and the DAS references potential canopy structures? Plus are the bins enclosed within the courtyards? The streetscene elevations show only the green space frontages, therefore an additional parking street elevation is needed plus a 3d study is needed of this compact prominent frontage area.*

*It is not clear which way plots 12-19 face? This varies between the enclosures plan and the co-ordinated site plan? Has the enclosures plan been updated for the post DCfW amendments?*

*The drainage and landscape plans appear to be out of sync - does the drainage plan need to be updated for the post DCfW approach to the external spaces? Has a SAB pre-app been submitted and is it likely that the drainage proposals will be acceptable?*

*The site plan shows two electric sub stations but no details of these are provided. These will be features within the public realm areas and need to be relocated to less prominent locations where possible. Plus details of enhanced enclosure are required.*

*The updated Transportation comments are noted; it is not possible to accommodate the suggested additional level of car parking without significant redesigning the scheme which would likely result in a lower density, less green infrastructure and a greater car domination of the public realm areas. However there are a number of transportation aspects that could be accommodated within the current layout:*

- *It appears that the access alongside plot 85 may need to be widened to allow two vehicles to pass and to accommodate a safe 2m footway area.*
- *Ensure 2m footways are provided to either side at western entrance which can be achieved by moving block 64-72 slightly.*
- *Show both site entrances with the pedestrian priority carriageway materials carrying across the side street junction as per previous developments along Langdon Road.*
- *Show the implications for street trees within the site access visibility splays - can they be retained?*

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- *Show how electric vehicle charging points would be integrated - does this require a larger parking space or footway obstruction?*
- *On the basis that the unresolved TRO/ adoption status of the dock edge street means that incorporating on street parking at this stage may be challenging, there may be scope to incorporate a handful of additional parking spaces for visitor parking within the site as follows:*
- *The area to the front of flats 45-55 could be amended to incorporate 2 additional parking spaces but at the expense of the communal space.*
- *The bin store opposite plot 44 could be relocated to accommodate one additional parking space.*
- *Twist flat block 20-30 by 90 degrees to align with plot 19 which should open up frontage for additional parking for approx 8 spaces*

*These amendments could yield an additional circa 11 spaces that could be identified as visitor parking.*

### **Amended plans submitted 9 February 2023**

In terms of Placemaking comments and changes these are as follows:

- Updated testing of the frontages of the townhouses.
- Enclosures plan has been clarified and updated.
- Drainage and landscape plans have been updated.
- Additional planting has been provided to the area next to the sub-station. If further planting is required please can this be conditioned?
- The access alongside plot 85 has been adjusted with footways
- Footways now provided for the western access
- Can the pedestrian priority carriageway details across the accesses be conditioned?
- Street tree implications have been shown. Most can be retained as they do not adversely impact visibility it is felt.
- Electric charging zones have been added to the layout
- An Additional 9 parking spaces have been incorporated by making the suggested changes.

### **Final Placemaking comments - 14 Dec. 2023 -**

*The amended plans and information address the majority of the placemaking aspects flagged in the earlier consultation response.*

*However no testing has been provided as requested for the safeguarded canal route set in LDP Policies SD K for the Fabian Way corridor and TR 8 in relation to the Canal Network. In the absence of any testing or commentary by the applicant, the site layout proposals have been assessed as follows; the safeguarded alignment for the canal corridor as a linear park is acceptable and the overall linear space is of sufficient width for the canal channel to be implemented in future but the proposed drainage features and play area associated with the residential development would need to be relocated. This is acceptable for the current application and would need to be addressed in a strategic manner for any future canal project.*



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*The updated information highlights a possible conflict between the bike stores and the town houses ground floor windows, plus the streetscene appearance of the bike stores. This can be resolved via a condition.*

*Therefore approval is recommended with conditions as follows:*

- *Materials*
- *Large scale architectural details*
- *Bike store details*

### **PLANNING APPRAISAL**

The main material planning considerations in the determination of this planning application are set out as follows:

- Compliance with prevailing Development Plan policy and Supplementary Planning Guidance;
- Placemaking and Amenity;
- Highways, traffic, car parking, access and pedestrian movements;
- Flood Risk & Drainage Strategy.

There are considered to be no additional issues arising from the provisions of the Human Rights Act.

### **Development Plan Policy and Supplementary Planning Guidance**

The National Development Framework: Future Wales - the National Plan 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 2 - Shaping urban growth and regeneration - Strategic placemaking

Policy 3 - Supporting Urban Growth and Regeneration - Public Sector Leadership

Policy 9 - Resilient ecological networks and Green infrastructure

Policy 28 - National Growth Area - Swansea Bay and Llanelli

### **Planning Policy Wales (11th Edition - February 2021)**

Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW provide the national planning policy framework for Wales.

Paragraph 1.2 explains that the primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well functioning planning system is fundamental for sustainable development and achieving sustainable places.

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Paragraph 3.3 states that Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area.

Paragraph 3.4 notes that meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales.

Chapter 6 of PPW has recently been updated to provide clarity on securing a net benefit for biodiversity through the step wise approach. Amongst other things, it aims to protect and enhance habitats and biodiversity and to improve the overall resilience of ecosystems, recognising that enhancement should be proportionate to the scale and nature of the development proposed.

### **Adopted Swansea Local Development Plan 2020-2025**

LDP - PS1, PS2 and PS3 - Sustainable Places, Placemaking and Place Management, and Sustainable Housing Strategy provide for the delivery of new housing within sustainable communities locations within defined settlement boundaries of the urban area and development should enhance the quality of places and spaces and should accord with relevant placemaking principles. The Sustainable Housing Strategy set out in Strategic Policy PS3 includes creating new neighbourhoods at Strategic Development Areas (SDAs) within, and on the edge of, established settlements.

This site is located within one of these SDAs identified in Policy SD 1, SD K Fabian Way Corridor, and the site includes a range of existing mixed commercial, residential, and employment areas. The policy identifies that SA1 Swansea Waterfront area has a masterplan linked to an existing planning consent that sets out uses for specific plots and capacities for various land uses.

### **SA1 Planning History**

As outlined above, the SA1 Swansea Waterfront Development was originally outline planning permission under Ref: 2002/1000 for the mixed use development at and which established the principles of the development through the Development Framework and Land Use Masterplan. The permission was varied under the Section 73 permission - ref:2008/0996 - which essentially sought to allow changes for the timing of the programme of phasing, and a review of the approved Land Use Masterplan and the Design and Development Framework. The SA1 Masterplan was amended further under the more recent Section 73 application approved under ref: 2015/1584 which sought to reflect the ambitions of University of Wales Trinity St David to deliver the Innovation Quarter with the University at its heart.

The latest masterplan for SA1 (varied through 2015/1584) shows that Plots E7 / E8 are designated for residential development and establishes the principle of residential development in land use and the scale of the development of three stories is in accordance with the SA1 Masterplan.

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The site therefore benefits from outline planning permission for residential development and also established the development parameters. This reserved matters approval is therefore appropriate in terms of land use, general scale and massing terms.

### **Affordable Housing**

The need for affordable housing is a material planning consideration and an essential element in contributing to community regeneration and social inclusion. LDP Policy H2 seeks to deliver a minimum 3,310 affordable homes over the Plan period by setting targets for on-site provision of affordable housing to be delivered as part of residential proposals where appropriate and viable.

Whilst LDP Policy H3 states that proposals include residential development on sites within settlement limits with capacity for 5 or more dwellings should provide affordable housing on site at the following target percentages, subject to consideration of the financial viability of the proposal. However, in respect to the SA1 Swansea Waterfront mixed use development area, the Section 106 Planning Obligation completed in August, 2003 under the original outline planning permission 2002/1000 requires a phased programme of affordable housing up to a total of 10% of the total number of residential units within the Development. The completed residential development to date has been in accordance with this requirement, albeit the approved developments have not all incorporated a planning restriction to this effect and have been reliant on the Registered Social Landlords (RSL) developments to meet this requirement. This has been a deliberate policy objective in order to allow the private market housing to achieve a higher design quality.

It is considered appropriate that this current proposal makes a 10% affordable housing provision in accordance with the SA1 Swansea Waterfront Section 106 Planning Obligation. This position would be consistent with the decision to provide 10% affordable housing on the other adjacent development plots. Securing a 10% affordable housing provision would contribute to the delivery of the phased programme of the overall affordable housing provision within the SA1 development and would accord with the aspirations of Policy HC3 which seeks to negotiate the inclusion of an appropriate element of affordable housing and it is appropriate that this is tied to the planning permission via a Section 106 Planning Obligation.

### **Principle of Development**

The site is situated within the SA1 Waterfront Area of Swansea, with the approved outline planning permission and the accompanying masterplan for SA1 shows that Plot E7 / E8 are designated for residential development and establishes the principle of residential development in land use and the scale of the development. The proposed development is therefore in accordance with the land use, general scale and massing terms in terms of building height parameters set out on the outline Masterplan. The proposal would also provide affordable housing, that will make a meaningful contribution to the housing requirement and the identified requirement of 3,310 affordable dwellings within the LDP plan period. The development is policy compliant scheme in terms of LDP Policies SD:K, PS 1 and PS 2 and would also provide valuable affordable housing in accordance with Policies H2 and H3.

### **Placemaking guidance for residential development Design Guide (2021)**

LDP Policy PS2 stress the importance of Placemaking and Place Management and provides the context of the detailed layout. Development should enhance the quality of places and spaces, and respond positively to aspects of local context and character that contribute towards a sense of place.

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The design, layout and orientation of proposed buildings, and the spaces between them, should provide for an attractive, legible, healthy, accessible and safe environment. All proposals should ensure that no significant adverse impacts would be caused to people's amenity.

The adopted Placemaking Guidance for Residential Development SPG provides important guidance on how the key placemaking objectives and policy requirements that are set out in the development plan and national policy should be integrated into proposals. The proposed scheme has been assessed having regard to the above by the Council's Placemaking and Heritage Officer having regard to key subject headings as set out in the relevant adopted SPG.

As outlined, the site is within a sustainable location within the SA1 Swansea Waterfront and there are a number of local facilities within walkable distance. The scheme has an urban density which is welcomed for this dockside regeneration location, and the proposed scale is in accordance with the guidance within the SA1 Masterplan. As outlined above, a key component of the layout concept has been designed to respond to the existing infrastructure and the Tennant Canal reservation strip with the promenade around the Prince of Wales Dock and existing access spur already constructed. The protected route of the former Tennant Canal will provide a new linear park and a new piece of public open space for the wider masterplan area and a key part of the landscape strategy for the development.

The positive integration of public space is a key element of placemaking, and the proposed layout will create a strong active frontage to the east end whilst incorporating the area of open space. The proposal has a 3 storey scale and accords with the approved scale parameters for the site as outlined within the SA1 Masterplan. The elevations incorporate robust brick finishes referencing the SA1 heritage buildings and accords with the outline masterplan design code. The apartments have projecting balconies which articulate elevations and large windows with warehouse character and which provide good outlook for the residents and would also provide natural surveillance to the external areas. The pedestrian route through the courtyard would be gated to prevent public access.

All 108 homes will have access to private amenity space, with the townhouses having small courtyard terraces slightly raised above the walkway level, and front / rear garden areas. There are no issues with overlooking distances between blocks within the site nor in relation to surrounding existing development. The forecourt car parking will be accommodated accessed from Langdon Road.

### **Noise Impact Assessment**

The application has been accompanied by a Noise Impact Assessment which identifies relevant planning and noise guidance including Planning Policy Wales (PPW) Edition 11 dated February 2021 and Technical Advice Note (Wales) 11 - Noise whilst establishing the impact of external noise sources. This report considers the residential development within Plots E7 and E8 of the development in the context of the adjacent operational Swansea Docks which includes various industrial land uses.

Having regard to the existing noise climate which is primarily determined by distant road traffic, docks noise and HGV traffic. This is considered a mixed use noise climate and the NIA advises that the internal ambient noise levels within the rooms of the development are designed to achieve the British Standard 8233:2014.

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The noise modelling in most areas of the site, can be controlled to acceptable levels with natural ventilation but some areas along the southern boundary will require an upgraded glazing and ventilation system.

With the noted building fabric construction within the NIA, and suitable background ventilation provisions, the predicted internal noise levels due to external sources are within the criteria of British Standard 8233:2014 of 35 dB LAeq (16 hour) in the daytime rooms; and 30 dB LAeq (8 hour). In addition, on the basis that a partially open window achieves up to 15 dB attenuation, all areas of the site can meet the requirements of Approved Document O, of up to 40 dB LAeq,8hr and 55dB LAFmax,more than 10 times a night (between 11pm and 7am). As such, noise can be adequately controlled and meets the requirements of Planning Policy Wales, BS4142:2014+A1:2019, BS8233:2014, and WHO1999.

### **Highways, traffic, car parking, access and pedestrian movements**

The purpose of TAN 18: Transport is to provide technical guidance on transportation related planning policies which emphasises that the integration of land-use planning and development of transport infrastructure has a key role to play in addressing the environmental aspects of sustainable development (Para 2.3). TAN 18 identifies that influencing the location, scale, density and mix of land uses and new development can help reduce the need to travel and length of journeys, whilst making it easier for people to walk, cycle or use public transport (Para 2.4).

Highways and Active Travel - The transport requirements for development are set out in LDP Policies T1, T2, T5, T6 and T7. Policy T 5 requires the accessibility of sites to be maximised by public transport and active travel, and for a safe and attractive environment for pedestrians, cyclists and other non-motorised modes.

CCS Highways have previously raised concerns to the proposed layout, based on inadequate car parking and the internal highway carriageway layout. An updated Transport Statement, Parking Beat Survey, Framework Parking Management Plan and Travel Plan have been provided by the applicant in order to address previously raised concerns.

### Car Parking

The scheme provides parking at a level well below CCS standards - 117 spaces for the 108 residential units. In response the applicant has undertaken a parking beat survey at a nearby development site with similar tenures and housing mixes. The surveys were undertaken during the evening and early morning when parking occupation would be expected to be highest. The results show that occupancy is at around 50% of the available spaces, 25 spaces used out of 51 available. This shows that the take up of parking at a ratio of around 1:1, in addition this parking is not managed.

It is also worth highlighting that the CCS Car Parking Standards date from 2012, preceding the adoption of the Swansea Local Development Plan (adopted 2019) and as such may now be regarded as out-dated in terms of the current national planning policy shift to reduce car parking in sustainable locations. It is worth highlighting as well, that the City Centre core areas which relax car parking standards are currently being reviewed.

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The current Future Wales / PPW guidance on car parking is relevant:

*FW Policy 12....Planning authorities must plan the growth and regeneration of the National and Regional Growth Areas to maximise opportunities arising from the investment in public transport, including identifying opportunities for higher density, mixed use and car free development around metro stations.*

*Active travel must be an essential and integral component of all new developments, large and small. Planning authorities must integrate site allocations, new development and infrastructure with active travel networks and, where appropriate, ensure new development contributes towards their expansion and improvement.*

*Planning authorities must act to reduce levels of car parking in urban areas, including supporting car free developments in accessible locations and developments with car parking spaces that allow them to be converted to other uses over time....*

Additionally, Planning Policy Wales advises:

#### *Car Parking*

*4.1.49 Car parking provision is a major influence on how people choose to travel and the pattern of development. Where and how cars are parked can in turn be a major factor in the quality of a place.*

*4.1.50 A design-led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development. Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Planning authorities must support schemes which keep parking levels down, especially off-street parking, when well designed. The needs of disabled people must be recognised and adequate parking provided for them.*

Therefore, the site forms part of the wider SA1 development area, which whilst located outside of the City Centre 'Core', aims to create a walkable neighbourhood at the eastern end of the dock, whereby the streets and spaces are designed to promote the use of walking, cycling and public transport. Given the accessibility of amenities within the locality, it is unlikely that not all future residents will have need of a private car. It is also contended that the SA1 developments need to accommodate a certain number of units to achieve the required scale of development (in accordance with Masterplan) and the provision of car parking guidelines resulting in a car dominated layout would detrimentally affect the required high design quality. Additionally, in respect of car parking, the SA1 Design & Development Framework advises that parking should be concealed within courtyards / undercrofts; limit car parking numbers on individual plots to the minimum necessary for viability; provide general public parking on strategic located plots. There are also numerous precedents within SA1 with a ratio of 1 for 1 parking.

A further consideration is that it is anticipated that car ownership amongst residents will be lower due to the mixed tenure proposed - circumstances evidenced at other similar developments owned by the Applicant, and this is also acknowledged within CCS Parking Standards.

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It is also highlighted that the development will be managed by Pobl, who have advised that the car parking will be subject to a parking management plan, with the allocation of the parking spaces in line with the overall lettings policy. In terms of cycle parking, a parking shelter is indicated in the courtyard area for 20 no. cycles and there is refuse storage area with access directly onto Langdon Road and no objections are raised by CCS Waste.

Additionally, a Framework Parking Management Plan (FPMP) has now been submitted to illustrate how the parking spaces at Plots E7 / E8 within the SA1 area of Swansea will be managed with the primary objective of this document is to demonstrate how the proposed level of parking will be controlled by Pobl, to prevent excess car ownership and any potential overspill onto the public highway. The FPMP will control and allocate resident parking spaces dependent on resident need and demonstrates a commitment by Pobl to manage car parking on site, and prevent overspill onto the internal highway network. Adherence to the framework parking management plan will be secured by a suitable condition.

Given the controls in place in and around the site i.e. Langdon Road is well protected by Traffic Regulation Orders (these will need to be extended along the access spur road) so overspill parking is unlikely to be an issue, it is not considered on balance that there will be any highway safety issues arising from the shortfall in parking. Given this, it is considered that a reduced car parking provision is appropriate and will not result in any overspill parking that could be detrimental to highways safety. It is therefore considered that, on balance, the scheme is compliant with the Parking Standards SPG and Policy T6 due to its highly sustainable location and unique factors.

### **Swept Path Analysis**

As indicated in the highway comments, the layout has been tweaked to improve the vehicular swept paths, the development can be serviced, and 2 way swept paths are shown to be able to be accommodated, it does however remain extremely tight. Any indiscriminate parking could result in the development being unable to be accessed. As such a scheme of TROs will be required in order to prevent indiscriminate parking and preserve vehicular access, all implementation will be at the expense of the applicant. Additionally, it is not proposed for the internal estate layout to be adopted, and the applicant will be required to ensure adequate management and maintenance arrangements are in place, and will remain in place in perpetuity.

The development will be accessed from the existing constructed vehicular access from Langdon Road. In terms of vehicle movements, the site has already been assessed as being suitable for residential development by virtue of the outline approval and it is therefore considered that there will be no issues in this regard. As a result, the scheme is compliant with Policies T 1 and T 5, not least in that suitable access to the site can be provided which will not have any detrimental impact on highways safety or efficiency.

### **Drainage and Flood Risk**

Condition 8 of the outline planning permission (ref: 2015/1584) indicates that each reserved matters application for each phase of the development must have regard to the recommended finished floor levels (ffl) within the Environmental Statement Addendum.

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Whilst the Addendum recognises that there is an existing flood risk to the wider SA1 development area, it proposes that finished floor levels for residential buildings should be 7.50m AOD, which would be in accordance with TAN15 - Development and Flood Risk (2004). The proposed development indicates the ffl of the development ranging from the minimum of 7.50 increasing to 8.65m AOD and would therefore conform to the planning condition and would address the potential flood risk across the site.

Technical Advice Note 15 (TAN-15), introduced by the Welsh Government in 2004, provides technical guidance relating to development planning and flood risk in Wales. An update for TAN-15 was released in October 2021 and was due to come in force on the 1st December 2021. However, Welsh Government subsequently suspended the implementation of the new TAN-15 initially until 1st June 2023, although this has now been put back to later in 2024. Although the new TAN-15 is not a material consideration, Welsh Government and NRW advise that some consideration is given to the draft Flood Map for Planning (FMfP) as best available information.

Residential development is considered to be Highly Vulnerable Development under TAN-15. The DAM map shows that the site is located in Zone A. Zone A identifies areas considered to be at little or no risk of fluvial or tidal/coastal flooding. The Zone is used to indicate that the justification test is not applicable and there is no need to consider flood risk further.

The new TAN-15 will replace the DAM with the Flood Map for Planning (FMfP), which shall define the appropriate planning actions under the new TAN-15 when it comes into effect. Whilst the new TAN-15 is not a material consideration until implemented, it does illustrate the current policy thinking of Welsh Government and in some cases the FMfP may constitute best available information. Consequently, information on the FMfP is provide for information only. Part of the site would be located within Flood Zones 2 and 3 for the Flood Map for Planning.

The development has been carefully developed to address flood concerns with the finished floor level (FFL) of the ground floor has been raised above surrounding ground levels, to a level above 7.50mAOD. The minimum finished floor level of 7.50mAOD will also conform to the SA1 outline permission (ref: 2015/1584) which indicates that each phase of the development must have regard to the recommended finished floor levels (ffl) within the Environmental Statement Addendum. Whilst the Addendum recognises that there is an existing flood risk to the wider SA1 development area, it proposes that finished floor levels for residential buildings should be 7.50m AOD, which would be in accordance with TAN15 - Development and Flood Risk (2004).

### *Surface Water Drainage Strategy*

Multiple manhole chambers were built on the northern boundary of the E7/E8 site under the SA1 infrastructure contract which will allow for connections for the future development aspirations. All existing surface water manholes have pipe outlets decanting into the Prince of Wales Dock (POW), and the pipe outfalls sizes have been checked and are of sufficient hydraulic capacity to accept the unfettered design flow from each of their respective sub -catchment areas.

The proposed development must therefore take into consideration the following hierarchy for surface water destination in accordance with the Flood and Water Management Act 2010 (Schedule 3) came into effect in Wales in January 2019, which now requires new developments to include Sustainable Urban Drainage Systems (SuDS) to comply with the National Standards.



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The submitted drainage scheme confirms that suitable foul water, surface water and land drainage arrangements can be achieved. The scheme also demonstrates compliance with SAB (SuDS Approval Body), approval of which will need to be sought as a separate consent process.

*Foul Water Drainage Strategy*

The existing site is future proofed and served by a series of strategically positioned spur pipe of the main foul water carrier pipe which is routed in the dock side distributor road - Langdon Road. The foul water drainage from the proposed residential accommodation will discharge by gravity into a new and separate foul water drainage system which will be constructed as part of the site development proposals connecting to the main drainage system. A hydraulic assessment has been undertaken of the wastewater flows from the development proposals and it has been determined that the offsite drain is of adequate hydraulic capacity to accept the decanted wastewater load. The foul drainage system will connect to the existing sewer in Langdon Road and will be adopted by Dwr Cymru Welsh Water, who raise no objections.

**Landscaping / Green Infrastructure and Ecology**

Policy ER 2 (Strategic Green Infrastructure Network) of the adopted LDP requires new developments to protect and enhance existing green spaces and the connectivity of the County's multi-functional Green Infrastructure (GI) network. Furthermore, one of the key underlying principles of placemaking, as set out within Policy PS 2 (Placemaking and Place Management) is for developments to integrate efficiently with the County's GI network. Policy ER 9 requires development proposals to maintain, protect and enhance ecological networks and features of importance for biodiversity.

To update the ecological baseline of the Application Site and inform the Reserved Matters application, a desk study and Extended Phase 1 Habitat Survey was undertaken in June 2022 followed by an update Extended Phase 1 Habitat Survey and reptile refugia surveys in October 2022 and May 2023 respectively. The results of survey effort completed during October 2022 and May 2023 are provided within a Preliminary Ecological Appraisal Report (reference: Doc 01 - 08/11/2022) and Stage 2 Ecology Report (reference: Doc 1 -07 June 2023) submitted with the RM application.

The Invertebrate and Lower Plant Survey Report has been submitted prepared to provide additional survey information concerning the terrestrial invertebrate and lower plant communities present within the application site. The site supports a mix of habitats including bare ground, small scrub communities, short flower-rich grassland, wet flushes, a flower-rich earthen bund to the north, and a section of tarmac. The primary aim of additional survey effort was to determine the presence or absence of any invertebrate and lower plant species of 'conservation interest' (i.e. species considered Nationally Local, Nationally Scarce or Nationally Rare, and/or listed under Section 7 of the Environment (Wales) Act 2016 as species of principal importance in Wales).

The Extended Phase 1 Habitat Survey undertaken in June 2022, identified habitats and a botanical community indicative of post-industrial land with the application site largely dominated by semi-improved calcareous grassland deemed sufficient as an indicator species to qualify as a Site of Importance for Nature Conservation (SINC).

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The survey also identified a number of invertebrate species - an overall total of 175 invertebrate species with 17 (10%) deemed to be of 'conservation importance' (i.e., species considered to be Nationally Local, Scarce or Rare, and/or are listed under Section 7 of the Environment (Wales) Act 2016 as species of 'principle importance for the conservation of biological diversity in Wales').

In terms of the Lower Plants, the total numbers of species of the main plant taxonomic groups were Vascular plants which provided the bulk of the vegetation diversity, with the total of 107 species recorded during the survey, equating to 76%, with 21% bryophytes (mosses and liverworts) and 3% terricolous lichens. No protected lower plant species or Section 7 plant species were recorded within the survey site. The application site was found to support a limited diversity of lower plants and only one habitat unit within the site (Area 6) was assessed as being of Local Value. Another area with some limited metallophyte interest was noted adjacent to, but outside of the development area.

*Impact Assessment and Mitigation Strategy*

The proposed development will result in the loss of mosaic habitats and thus the potential for loss and/or displacement of invertebrate populations associated with such habitats, including those species of conservation concern. Inherent within the Landscape Strategy and Planting Strategy is the provision of open green space, corridors of which span east to west and north to south through the centre of the site, with the provision of open green space and landscape planting along the full length of the eastern and southern boundaries of the site. Proposed green open space includes areas of wildflower planting, integrated with sustainable drainage features which have been supplemented with native shrub planting including hazel, goat willow, guelder-rose and elder, whilst native and ornamental shrub planting has been provided in association with more formal open areas. Such features comprise suitable habitat for a generalist invertebrate assemblage and contribute some way in compensation for the loss of brownfield habitats of value.

Wildflower grassland areas will be sown with coastal grassland seed mix which includes species of foraging value to invertebrates, but includes some species of particular value to those species of conservation importance identified on-site during the survey. Structural planting proposed is of further value to several species associated with such habitats. The inclusion of shrub and ornamental planting, including flowering species, will also further provide suitable habitat for pollinating insects. The proposed planting of sustainable drainage features will also provide opportunities to increase the diversity of habitats on-site, increasing the availability of more wetland and waterlogged areas. To provide suitable habitat for solitary bees and other notable species identified on-site, a south-facing bund is to be created in association with proposed sustainable drainage features, created from nutrient-poor, free-draining soil. This bund will be maintained as bare ground/sparsely vegetated habitat.

The following additional measures are recommended to maintain diverse habitat/micro-habitats opportunities for an invertebrate assemblage in the long-term, details for which can be secured by a planning condition within a Landscape and Ecological Management Plan (LEMP) as required:

- New grassland habitat should be created utilising translocated sub-soil from the construction footprint wherever possible to ensure soil nutrient levels remain low whilst retaining the existing seed bank, albeit ensuring that there is no contamination by Japanese knotweed;

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- To maintain favourable conditions for invertebrate species of conservation importance, management of proposed wildflower grassland should include rotational cutting whereby small areas are cut every three to five years on rotation to enable early successional conditions to remain present for those species that require them;
- The management of grassland habitat should also seek to retain rough and tussocky areas (e.g. to the rear of communal buildings and site boundaries) to maintain areas where dieback and leaf matter is left in-situ so as to provide a foraging resource for saproxylic species;
- The creation of small slopes/undulations within informal and formal open space areas, to create a variety of microclimates for an invertebrate population, whilst also increasing overall surface area of available habitat. This may be combined with the introduction of varying substrate depths and slight undulations with shallow hollows to collect rainwater;
- Any logs/brush generated from site clearance and future scrub management should be retained to provide habitat features for such species as Adonis' ladybird, which is sometimes found in leaf litter, and *Leptoiulus belgicus*, a millipede, often encountered under logs and leaf litter;
- The provision of 'bee bricks' within the fabric of new buildings to provide additional nesting habitat for aerial-nesting insects such as solitary bees and wasps. 'Bee bricks' should be placed in warm, sheltered locations (i.e., a southerly aspect);
- The creation of hibernacula constructed from brush, logs, and stones/rubble located within semi-natural habitats, with part in shade and part in sun, to create suitable habitat for saproxylic species and also of further benefits for a common reptile population and European hedgehog (*Erinaceus europaeus*); and
- The inclusion of habitat features within public open space which provide suitable micro-habitats for invertebrates, but which are also of interest for visual amenity, such as the inclusion of different aggregates, rocky outcrops and wooden features.

The above recommended features will also be supplemented through the creation of an invertebrate hotels' within public areas to provide additional habitat to invertebrates and deliver a net biodiversity benefit, as illustrated on the Landscape Strategy.

#### *Lower Plants*

No protected lower plant species, Section 7 or UK BAP Plant Species were recorded within the application site, whilst only one habitat unit within the Application Site (Area 6) was assessed as being of Local Value. The Invertebrate and Lower Plant Survey Report therefore concludes that impacts associated with loss of a lower plant community are not considered significant.

The application site does, however, support a mosaic of habitat types dominated by vascular species identified during the Extended Phase 1 Habitat survey including dense and scattered scrub, semi-improved neutral and calcareous grassland, ephemeral/short perennial vegetation and areas of bare ground. A diverse vascular plant assemblage was further recorded during the Lower Plant Survey in August 2023. The measures recommended above within the Landscape Strategy will provide compensation for the loss of brownfield habitat and ensure the maintenance of a diverse range of invertebrates on-site. Such habitats proposed will be further subject to long term management to promote a botanical and structural diversity and maintain habitats in a condition suitable for the maintenance of invertebrate populations of conservation interest.

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With regard to the Ecology response, as discussed, the application needs to respond to LDP Policies ER8 (Habitats and Species) & ER9 (Ecological Networks and Features of Importance for Biodiversity) which states:

**Policy ER8**

*Development proposals that would have a significant adverse effect on the resilience of protected habitats and species will only be permitted where:*

- i. The need for development outweighs the nature conservation importance of the site;*
- ii. The developer demonstrates that there is no satisfactory alternative location for the development which avoids nature conservation impacts; and*
- iii. Any unavoidable harm is minimised by effective mitigation to ensure that there is no reduction in the overall nature conservation value of the area. Where this is not feasible, compensation measures designed to conserve, enhance, manage and, where appropriate, restore natural habitats and species must be provided.*

**Policy ER9**

*Development proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. Particular importance will be given to maintaining and enhancing the connectivity of ecological networks which enable the dispersal and functioning of protected and priority species.*

*Development proposals that could result in an adverse effect on the connectivity of ecological networks and features of importance for biodiversity will only be permitted where:*

- i. The need for the development outweighs the nature conservation value of the site;*
- ii. It can be demonstrated that there is no satisfactory alternative location for the development;*
- iii. A functional connected element of the natural resource is retained as part of the design of the development; and*
- iv. Compensatory provision will be made of comparable or greater ecological value to that lost as a result of the development.*

Further advice is provided in the Council's Biodiversity and Development SPG regarding the Stepwise Approach to considering biodiversity in planning process. All proposals should follow the Stepwise Approach set out in the SPG. The stepwise approach guides applicants on how to consider biodiversity at each stage of the development management process. It provides the framework to demonstrate that proposals have responded to a robust ecological understanding of a site, and that appropriate ecological mitigation, compensation, enhancement and aftercare will be provided.

Having regard to the criteria within LDP Policies ER8 & ER9, the principal of the residential development of the site is clearly established through the outline permission and moreover by Development Plan Policies and therefore there is clearly a need for the development which outweighs the nature conservation value of the site and there are no satisfactory alternative location for the development. The development proposes substantial on-site landscape and planting proposals which will be secured through appropriate planning conditions in accordance with the submitted Invertebrate and Lower Plant Survey Report.

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Whilst it is acknowledged that the development will result in some loss of the ecological value of the site and in accordance with LDP Policies ER8 & ER9 and the Stepwise Approach within the Biodiversity and Development SPG to provide compensatory enhancement, the applicant (Pobl) are accepting of a mechanism to enable compensation to be secured for a financial contribution towards off-site compensation via a Section 106 Planning Obligation for alternative habitat enhancement to an amount of £20,000.00 - based on a management cost of £1000 per annum, over 20 years. This may be secured through the Section 106 Planning Obligation for the Landscape and Ecological Management Plan (LEMP).

### **Contamination**

Reference has been made in the submitted representations regarding site contamination. The LDP constraints Map identifies the site as lying within an area of Historic Contaminated Land associated with the past industrial uses at the site. In accordance with conditions imposed on the outline planning permission, updated intrusive site investigations will be undertaken prior to any developed to ascertain any contamination present at the site and any necessary remediation measures. However, this is not envisaged to be a constraint to development given that the site has been identified as being suitable for residential development under the outline planning permission which was accompanied by a SA1 wide contamination risk desk-study, and adjacent sites having being successfully developed for such use.

### **Conclusion**

The site is situated within the SA1 Waterfront Area of Swansea, with the approved outline planning permission (ref. 2015/1584) and the accompanying masterplan for SA1 (varied through 2015/1584) shows that Plots E7 / E8 are designated for residential development and establishes the principle of residential development in land use and the scale of the development of between three and four stories is in accordance with the SA1 Masterplan and the reserved matters approval is therefore appropriate in general scale and massing terms in terms of building height parameters set out on the outline Masterplan.

The proposal includes a full provision of affordable housing, that will make a meaningful contribution to the housing requirement and the identified requirement of 3,310 affordable dwellings within the LDP plan period. The scheme proposes highly energy efficient homes utilising renewable and sustainable energy sources including solar panels and ground source heat pumps. The scheme incorporates a landscaping scheme incorporating Green Infrastructure features to create an attractive, healthy and biodiverse environment.

The layout has been designed in accordance with the Placemaking Guidance for Residential Development Design Guide and careful consideration has been given to the character of the area, the residential amenities of existing and future occupiers. The proposals will not adversely affect highway safety or other interests of acknowledged importance and on this basis, it is considered that the proposed development accords with relevant national and local planning policy and planning guidance.

The development is policy compliant scheme in terms of LDP Policies SD:K, PS 1 and PS 2 and would also provide valuable affordable housing in accordance with Policies H2 and H3. CCS Highways raise no objection as the scheme is compliant with Policies T 1 and T 5, not least in that suitable access to the site can be provided which will not have any detrimental impact on highways safety or efficiency.

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The reduced car parking provision is appropriate and will not result in any overspill parking that could be detrimental to highways safety. It is therefore considered that, on balance, the scheme is compliant with the Parking Standards SPG and Policy T6 due to its highly sustainable location and unique factors.

Regard has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under Part 2, Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this recommendation, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WBFG Act and consider that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the public bodies' well-being objectives set out as required by Part 2, Section 9 of the WBFG Act.

**RECOMMENDATION:**

**APPROVE subject to the conditions indicated below and the applicant entering into a Section 106 Planning Obligation in respect of the following clauses:**

**Affordable Housing:**

- 10% affordable housing on-site in line with LDP Policy. The AH units will need to be WDQR Compliant (or equivalent), and delivered in the mix of property sizes/types and affordable tenures as indicated in the application. The design and specification of the affordable units will be equivalent quality to those used in the Open Market Units.

**Ecology:**

- A Landscape and Ecological Management Plan (LEMP) Contribution of £20,000. The content of the LEMP shall include the following:
  - a) Description and evaluation of features to be managed including the SINC Mitigation area.
  - b) Ecological trends and constraints on site that might influence management.
  - c) Aims and objectives of management e.g. to restore and enhance existing habitats, ensure successful establishment of new habitats etc.
  - d) Appropriate management and monitoring options for achieving aims and objectives.
  - e) Prescriptions for management actions.
  - f) Preparation of a work schedule and monitoring scheme (including an annual work plan capable of being rolled forward over a five-year period).
  - g) Details of the suitably skilled body or organization responsible for implementation of the plan.
  - h) A monitoring report, including of protected species, and remedial measures, shall be submitted to the LPA at the following:
    - year 1 after completion of construction;
    - every 5 years thereafter for 20 years.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery.

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The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The LEMP shall be amended as necessary based on the monitoring results.

If the Section 106 Obligation is not completed within 3 months of the foregoing resolution then delegated powers be given to the Head of Planning and City Regeneration to exercise discretion to refuse the application on the grounds of non-compliance with policies PS2, H2, H3, IO1, ER8 & ER9 of the Swansea Local Development Plan 2010 - 2025

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

22029 (05) 100 A Site Location Plan; 15025\_500 Rev 01 Drainage Strategy and Level; 15025\_503 Rev 01 Drainage Details; 22029 (05) 102 Existing Site Sections - plans received 11 May 2022;

22029 (05) 112 Rev A Co-Ordinated Site Plan - plan received 09 Nov. 2022

22029-B3-(05)201 Rev D Block 3 Elevations; 22029-B1-(05)200 Rev F Block 1 Plans; 22029-B1-(05)201 Rev D Block 1 Elevations; 22029-B3-(05)200 Rev F Block 3 Plans; 22029-B4-6-(05)200 Rev C Blocks 4-6 GF Plan - plans received 07 Dec 2022.

22029-T1-(05) 200 Rev D House Type T1 - 4 Bed 7 Person; 22029-T2-(05) 201 Rev D House Type T2 - 4 Bed 7 Person; 22029-T2A-(05) 202 Rev C House Type T2 A - 4 Bed 7 Person; 22029-T3-(05) 203 Rev B House Type T3 - 4 Bed 6 Person - amended plans received 09 Dec 2022.

15025-PLOT E7-E8 Engineering Design Statement; 15025\_505\_R01 Drainage Layout; 22029 (05) 103 Rev B Proposed Street Elevations; 22029 (05) 104 Rev A Enclosure Layout; 22029 (05) 105 Rev B External Materials Layout; 22029 (05) 106 Rev A Refuse Management Layout; 22029 (05) 107 Rev A Management Company Layout; 22029 (05) 108 Rev A Affordable Tenure Layout; 22029 (05) 109 Rev A Parking Plan; 22029 (05) 110 Rev A Enclosure Details; 22029 (05) 111 Rev B External Bin Store Details; 22029 (05) 113 Townhouse Frontage Views; 22029-B2-(05)201-Rev E Block 2 Elevations; 22029-PDA-B2-XX-PL-A-(05)200 Rev H Block 2 Plans; 22029-PDA-B4-6-01-PL-A-(05)201 REV D BLOCK 4-6 1F PLAN; 22029-PDA-B4-6-02-PL-A-(05)202 Rev E Block 4-6 2F Plan; 22029-PDA-B4-6-RP-PL-A-(05)203 Rev A Block 4-6 Roof Plan; 22029-PDA-B4-6-XX-PL-A-(05)204 Rev D Block 4-6 Elevations; 22029-PDA-B4-6-XX-PL-A-(05)205 Rev D Block 4-6 Elevations - amended plans received 09 Feb. 2023.

15025\_701 R01 Road Longsections SH 1; 15025\_702 R01 Road Longsections SH 2 - amended plans received 10 March 2023.

15025\_501\_R05 Drainage Plan; 15025\_502\_R05 Drainage Plan; 22-00800-01D Visibility Splays; 22-00800-02E Swept Path Analysis Cars; 22-00800-03E Swept Path Analysis Car and Van; 22-00800-04E Swept Path Analysis Refuse Vehicle; 22-00800-05C Swept Path Analysis Fire Tender; 22029 (05) 101 Rev P Base Site Development Plan - amended plans received 15 June 2023.

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SA1E7E8-D-L100-V3-TIR Landscape Strategy; SA1E7E8-D-L200-V4-TIR Planting Strategy; SA1E7E8-D-L201-V4-TIR Planting Plan 1 of 2; SA1E7E8-D-L202-V4-TIR Planting Plan 2 of 2; SA1E7E8-D-L300-V3-TIR Natural Play Proposals; SA1E7E8-D-L400-V3-TIR Landscape Specification - amended plans received 05 Dec 2023.

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

- 2 Prior to the commencement (excluding excavation, site preparation and enabling works) of the relevant part of the development, samples of all external finishes together with their precise pattern and distribution on the development shall be submitted to and approved by the Local Planning Authority in writing. Composite sample panels shall be erected on site and the approved sample panel shall be retained on site for the duration of the works. The pattern of application of the external finishes shall be completed for each phase of the development in accordance with the approved scheme.

Reason: In the interests of protecting the character and appearance of the locality in accordance with Policy PS 2 of the Swansea Local Development Plan (2010-2025).

- 3 Prior to the commencement of any external works to the superstructure, details at an appropriate scale of the following shall be submitted to and approved in writing by the Local Planning Authority:

- Typical window and door units within their openings;
- Entrance canopies and balustrading;
- Details of the location, external design and finishes of any visible external ventilation;
- Rainwater goods;
- PV panels / air or ground source heat pumps;
- Townhouse Bicycle / bin storage.

The development shall thereafter be carried out in accordance with the agreed details.

Reason: Reason: In the interests of protecting the character and appearance of the locality in accordance with Policy PS 2 of the Swansea Local Development Plan (2010-2025).

- 4 Notwithstanding the provisions of schedule 2, part 1, Classes A, B, C, D, E, F and G and part 2, Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no extensions or buildings shall be erected on the dwellinghouses other than those expressly authorised by this permission.

Reason: In order to control inappropriate extensions/ alterations and outbuildings adversely affecting the character and appearance of the residential development in accordance with Policy PS2 of the Swansea Local Development Plan (2010-2025).

- 5 Prior to the commencement of development work, the recommendations contained within section 4.2 to 4.10 of the EDP Invertebrate and Lower Plant survey report (Nov 2023) shall be implemented and adhered to and a full scheme of Ecological Enhancement Measures shall be submitted to and approved in writing by the Local Planning Authority including for the walls of the buildings



The approved Ecological Enhancement Measures and their locations and an implementation time-table shall be provided and shown on an architectural drawing submitted to the Local Planning Authority as part of the scheme. The enhancements shall be fully provided no later than 6 months within the completion of the development and shall be retained as such in perpetuity.

Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales and ER 8 of the Swansea Local Development Plan (2010-2025).

- 6 The development shall be completed in accordance with the principles of the submitted Green Infrastructure and Landscaping Strategy and in accordance with the detailed Planting Plans with any deviation to be agreed with the Local Planning Authority. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first beneficial occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value in accordance with Policies ER2 and ER 9 of the Swansea Local Development Plan (2010-2025).

- 7 Prior to the beneficial occupation of any part of the development, and notwithstanding the submitted Framework Parking Management Plan, a detailed car parking management plan shall be submitted to and approved in writing by the Local Planning Authority indicating the allocation of the parking spaces together with management measures to control parking. The development shall thereafter be occupied in accordance with the approved plan.

Reason: In order to ensure the car parking is managed to prevent indiscriminate car parking in accordance with Policy T6 of the Swansea Local Development Plan (2010-2025).

- 8 Prior to the occupation of any part of the development, and notwithstanding the details indicated in the application, details of the secure bicycle, refuse storage spaces and electricity sub-station must be submitted to and approved by the Local Planning Authority. The approved scheme must have been completed and made ready for use, in accordance with the approved drawings and retained and made available for their intended use thereafter.

Reason: To ensure that adequate car and cycling parking provision and refuse storage space is provided in accordance with Swansea Local Development Plan 2010 - 2025 Policies T6 and RP10.

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- 9 Prior to the first beneficial occupation of the development, full engineering, drainage, street lighting and constructional details of the streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details.  
Reason: To allow the proper consideration of all details in the interests of highway safety in accordance with Policies T1 and T5 of the Swansea Local Development Plan 2010-2025.
- 10 Prior to the first beneficial occupation of any respective phase of the development, the proposed arrangements for the future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980.  
Reason: To ensure that the internal roads are subject to a future management and maintenance agreement in accordance with Policies T1 and T5 of the Swansea Local Development Plan 2010-2025.
- 11 Prior to the first beneficial occupation of any part of the development, a Sensitive External Lighting Strategy for the site shall be submitted to and approved in writing by the Local Planning Authority. A plan showing location, light spill and specification for any proposed lights on the site (during operation) and shall also include dark corridors along the eastern and southern boundaries of the site, to retain foraging and commuting habitats for bats. The development shall thereafter be undertaken in accordance with the approved details.  
Reason: The strategy shall aim to protect bats and other nocturnal species in accordance Policy ER 8 of the Swansea Local Development Plan (2010-2025).
- 12 Prior to occupation of any part of the development, the development shall be completed in accordance with the Noise Impact Assessment which requires that:  
  
All habitable rooms exposed to external noise in excess of 63 dBA Leq 16 hour (free field) during the day (07.00 to 23.00hrs) or 57 dBA Leq 8 hour (free field) at night (23.00 to 07.00 hours) shall be subject to sound insulation measures. These measures should ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night as set out in BS 8233:2014 Guidance on sound insulation and noise reduction for buildings.  
  
Reason: To protect the proposed residential use against noise arising from the existing traffic and rail use of the area in accordance with Swansea Local Development Plan 2010-2025 Policy RP2.
- 13 Prior to the commencement of development, an Invasive Non-Native Species (INNS) Method Statement shall be submitted to and approved in writing by the Local Planning Authority, detailing methods of avoidance, containment or removal in order to avoid the spread of INNS during construction works. The development shall thereafter be undertaken in accordance with the approved INNS Method Statement.  
Reason: In the interests of the ecology and amenity of the area in accordance with Swansea Local Development Plan 2010-2025 Policy ER9.

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- 14 No development approved by this permission shall be commenced until a Construction Environmental Management Plan (CEMP) detailing all necessary pollution prevention measures for the construction and operational phase of the development is submitted to and approved in writing by the LPA. The details of the CEMP shall be implemented as approved. detailing all necessary pollution prevention measures for the construction and operational phase of the development is submitted to and approved in writing by the LPA. The details of the CEMP shall be implemented as approved.  
Reason: Prevent pollution of controlled waters and the wider environment in accordance with Policy ER8 of the Swansea Local Development Plan 2010 - 2025.
- 15 Pre-construction/site clearance checks for protected species (including bats, otters, reptiles and nesting birds) shall be undertaken by a suitably qualified ecologist no sooner than 3 months prior to commencement of any works. The report shall be submitted to the LPA for approval. Should these species be recorded, and displaced from the site, then a mitigation strategy shall be submitted to the LPA for approval.  
Reason: In the interests of biodiversity in accordance with Policy 9 of Future Wales and ER 8 of the Swansea Local Development Plan (2010-2025).

### Informatives

- 1 The national development plan is Future Wales: The National Plan 2040. The following policies were relevant to the consideration of the application: Policy 2 - Shaping Urban Growth and Regeneration; Policy 6 - Town Centres First; and Policy 9 - Resilient Ecological Networks and Green Infrastructure.

The development plan covering the City and County of Swansea is the Swansea Local Development Plan. The following policies were relevant to the consideration of the application: [LDP Policies PS1, PS2, PS3, IO1, H1, H2, H3, S11, S15, S16, S18, ER1, ER2, ER8, ER9, T1, T2, T5, T6, T7, EU4, RP1, RP2, RP3 & RP10]

- 2 No development shall take place until the developer has notified the Local Planning Authority of the initiation of the development. Such notification shall be in accordance with the form set out in Schedule 5A of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or any order revoking or re-enacting that Order.

No development shall take place until the developer has displayed a site notice in accordance with the form set out in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or any order revoking or re-enacting that order. The site notice shall be displayed at all times when development is carried out.

- 3 Under the provisions of Schedule 3 of the Flood and Water Management Act 2010, your development may require Sustainable Drainage Approval before any construction work commences. Further details can be found on the Authority's website:- <https://www.swansea.gov.uk/sustainabledrainage> and the SuDS Approval Team can be contacted via [SAB.Applications@swansea.gov.uk](mailto:SAB.Applications@swansea.gov.uk) for further advice and guidance.

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- 4 All highway works and other development related works to existing or proposed public highway are to be subject to an agreement under Section 278 and/or Section 38 of the Highways Act 1980. A scheme of TROs will be required in order to prevent indiscriminate parking and preserve vehicular access, all design and implementation will be at the expense of the applicant.

The Developer must contact the Highway Management Group , The City and County of Swansea, Guildhall Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please e-mail [networkmanagement@swansea.gov.uk](mailto:networkmanagement@swansea.gov.uk)

- 5 Birds may be present in this building and grounds please note it is an offence under the Wildlife & Countryside Act 1981 (as amended) to intentionally (intentionally or recklessly for Schedule 1 birds) to:

- Kill, injure or take any wild bird
- Take, damage or destroy the nest of any wild bird while that nest in use or being built
- Take or destroy an egg of any wild bird

No works should be undertaken between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests either in vegetation or buildings immediately before the vegetation is cleared and/or work commences on the building to ensure that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

- 6 All trenches and excavations shall be fenced off or covered-over at night to prevent any animals (hedgehogs, badgers, otters and other species) from falling in and becoming trapped. If this is not possible an adequate means of escape shall be provided (i.e. a gently graded side wall or provision of gently sloped wooden plank or equivalent). Any exposed pipes and trenches shall be checked for trapped wildlife each morning before starting construction activities. In order to retain habitat connectivity for Species of Principal importance, such as hedgehogs, boundary treatments shall not be flush to the ground, or suitably sized gaps 13 x 13 cm shall be left at strategic points. See <https://www.hedgehogstreet.org/hedgehog-friendly-fencing/>
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