

CITY AND COUNTY OF SWANSEA

NOTICE OF MEETING

You are invited to attend a Meeting of the

AREA 2 DEVELOPMENT CONTROL COMMITTEE

At: Council Chamber, Guildhall, Swansea.

On: Tuesday, 8 April 2014

Time: 2.00 pm

AGENDA

Page No.

- 1 Apologies for Absence.
- 2 Disclosures of Personal and Prejudicial Interests from Members. 1 - 2
- 3 Minutes. 3 - 5
To approve as a correct record the Minutes of the meeting of the Area 2 Development Control Committee held on 11 March 2014.
- 4 Items for deferral / withdrawal.
- 5 Determination of Planning Applications under the Town and Country Planning Act 1990. 6 - 125
- 6 Planning Application No.2013/0261 - Land at Cae Duke, Loughor Road, Loughor, Swansea. 126 - 172



Patrick Arran
Head of Legal, Democratic Services & Procurement
Tuesday, 1 April 2014

Contact: Democratic Services - 636834

AREA 2 DEVELOPMENT CONTROL COMMITTEE (37)

Councillors

Labour Councillors: 25

Nicholas S Bradley	David J Lewis
June E Burtonshaw	Paul Lloyd
Mark C Child	Geraint Owens
Bob A Clay	Jennifer A Raynor
David W Cole	J Christine Richards
Ann M Cook	Neil M Ronconi-Woolard
Jan P Curtice	Robert V Smith
William Evans	R C Stewart
Robert Francis-Davies	Mitchell Theaker
Terry J Hennegan	Gloria J Tanner
David H Hopkins	Des W W Thomas
Yvonne V Jardine	Mark Thomas
Andrew J Jones	

Liberal Democrat Councillors: 6

Mary H Jones	Cheryl L Philpott
Richard D Lewis	T Huw Rees
John Newbury	R June Stanton

Independent Councillors: 4

E Wendy Fitzgerald	Susan M Jones
Lynda James	Keith E Marsh

Conservative Councillors: 2

Anthony C S Colburn	C Miles R W D Thomas
---------------------	----------------------

Disclosures of Interest

To receive Disclosures of Interest from Councillors and Officers

Councillors

Councillors Interests are made in accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea. You must disclose orally to the meeting the existence and nature of that interest.

NOTE: You are requested to identify the Agenda Item / Minute No. / Planning Application No. and Subject Matter to which that interest relates and to enter all declared interests on the sheet provided for that purpose at the meeting.

1. If you have a **Personal Interest** as set out in **Paragraph 10** of the Code, you **MAY STAY, SPEAK AND VOTE** unless it is also a Prejudicial Interest.
2. If you have a Personal Interest which is also a **Prejudicial Interest** as set out in **Paragraph 12** of the Code, then subject to point 3 below, you **MUST WITHDRAW** from the meeting (unless you have obtained a dispensation from the Authority's Standards Committee)
3. Where you have a Prejudicial Interest you may attend the meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, **provided** that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. In such a case, you **must withdraw from the meeting immediately after the period for making representations, answering questions, or giving evidence relating to the business has ended**, and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration (**Paragraph 14** of the Code).
4. Where you have agreement from the Monitoring Officer that the information relating to your Personal Interest is **sensitive information**, as set out in **Paragraph 16** of the Code of Conduct, your obligation to disclose such information is replaced with an obligation to disclose the existence of a personal interest and to confirm that the Monitoring Officer has agreed that the nature of such personal interest is sensitive information.
5. If you are relying on a **grant of a dispensation** by the Standards Committee, you must, before the matter is under consideration:
 - i) Disclose orally both the interest concerned and the existence of the dispensation; and
 - ii) Before or immediately after the close of the meeting give written notification to the Authority containing:

- a) Details of the prejudicial interest;
- b) Details of the business to which the prejudicial interest relates;
- c) Details of, and the date on which, the dispensation was granted; and
- d) Your signature

Officers

Financial Interests

1. If an Officer has a financial interest in any matter which arises for decision at any meeting to which the Officer is reporting or at which the Officer is in attendance involving any member of the Council and /or any third party the Officer shall declare an interest in that matter and take no part in the consideration or determination of the matter and shall withdraw from the meeting while that matter is considered. Any such declaration made in a meeting of a constitutional body shall be recorded in the minutes of that meeting. No Officer shall make a report to a meeting for a decision to be made on any matter in which s/he has a financial interest.
2. A “financial interest” is defined as any interest affecting the financial position of the Officer, either to his/her benefit or to his/her detriment. It also includes an interest on the same basis for any member of the Officers family or a close friend and any company firm or business from which an Officer or a member of his/her family receives any remuneration. There is no financial interest for an Officer where a decision on a report affects all of the Officers of the Council or all of the officers in a Department or Service.

CITY AND COUNTY OF SWANSEA

MINUTES OF THE AREA 2 DEVELOPMENT CONTROL COMMITTEE

HELD AT THE COUNCIL CHAMBER, GUILDHALL, SWANSEA. ON
TUESDAY, 11 MARCH 2014 AT 2.00 PM

PRESENT: R Francis-Davies (Chair) presided

Councillor(s)	Councillor(s)	Councillor(s)
N S Bradley	E W Fitzgerald	K E Marsh
J E Burtonshaw	T J Hennegan	G Owens
A C S Colburn	M H Jones	T H Rees
D W Cole	S M Jones	R V Smith
A M Cook	D J Lewis	M Theaker
J P Curtice	R D Lewis	C M R W D Thomas
W Evans	P Lloyd	M Thomas

57 **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors RA Clay, YV Jardine, AJ Jones, J Newbury, CL Philpott, JA Raynor, RJ Stanton and GJ Tanner

58 **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS FROM MEMBERS.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interests were declared.

Councillor NS Bradley - Minute No 61 (Agenda Item 1) – Personal & Prejudicial – Application No 2013/1813 – I know the objector who is a member of staff and left prior to discussion.

Councillor JE Burtonshaw - Minute No 61 (Agenda Item 1) – Personal & Prejudicial – Application No 2013/1813 – I know both the objector who is a member of staff and the applicant is related to my brother in law and left prior to discussion.

Councillor W Evans - Minute No 61 (Agenda Item 1) – Personal & Prejudicial – Application No 2013/1813 – I know the objector who is a member of staff and left prior to discussion.

Councillor MH Jones - Minute No 61 (Agenda Item 1) – Personal – Application No 2013/1813 – I know the objector who is a member of staff.

Councillor M Theaker - Minute No 61 (Agenda Item 1) – Personal & Prejudicial – Application No 2013/1813 – I know the objector who is a member of staff and left prior to discussion.

59 **MINUTES.**

RESOLVED that the Minutes of the Meeting of the Area 2 Development Control Committee held on 11 February 2014 be approved as a correct record

60 **ITEMS FOR DEFERRAL / WITHDRAWAL.**

None.

61 **DETERMINATION OF PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990.**

The Head of Economic Regeneration & Planning submitted a series of planning applications.

Amendments to this schedule were reported and are indicated below by (#).

RESOLVED that:

(1) the undermentioned planning application **BE APPROVED** subject to the conditions in the report and/or indicated below:

(#) (Item 2) Application No. 2013/1546

Two storey rear/side extension and detached outbuilding and insertion of first floor window into existing side elevation at 9 Victoria Road, Waunarlwydd, Swansea.

Mr Reynolds (objector) and Miss Sturgess (applicant) addressed the Committee.

A visual presentation was given.

Application approved contrary to Officer recommendation for the following reason:

That the extension would be in keeping with the character of this specific location and subject to the following conditions:

1. The development hereby permitted shall begin not later than five years from the date of this decision.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.

2. The proposed first floor windows in the west elevation facing No. 11 Victoria Road, shall be fixed shut and obscure glazed below 1.7 metres above internal floor levels and shall be retained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the privacy of the neighbouring occupiers.

(#) (Item 3) Application No.2013/1747

Replacement detached garage at 45 Pencaerfenni Park, Crofty, Swansea.

Late letter of support from applicant reported relating to the purchase and renovation of the property and confirmation that garage has been brought off the boundary and the roof pitch of proposed garage been reduced to 3m.

Mrs Rees (objector) and Miss Evans (applicant) addressed the Committee.

(2) the undermentioned planning applications **BE REFUSED** subject to the reasons in the report and/or indicated below:

(#) (Item 1) Application No. 2013/1813

Retention and completion of detached dwelling (amendment to planning permission 2010/1555 granted 10th February 2011) at Land to front of 21 Tycoch Road, Sketty, Swansea.

Mrs Miller (objector) and Mr Davies (applicant) addressed the Committee.

A visual presentation was given.

Application refused contrary to Officer recommendation for the following reason:

The proposed dwelling represents an over intensive form of development which by virtue of its scale and siting would have an unacceptable impact upon the residential amenities of neighbours by virtue of overbearing visual impact, overshadowing and perceived loss of privacy contrary to the provisions of Policies EV1 and HC2 of the City and County of Swansea Unitary Development Plan (2008).

The meeting ended at 3.10 pm

CHAIR

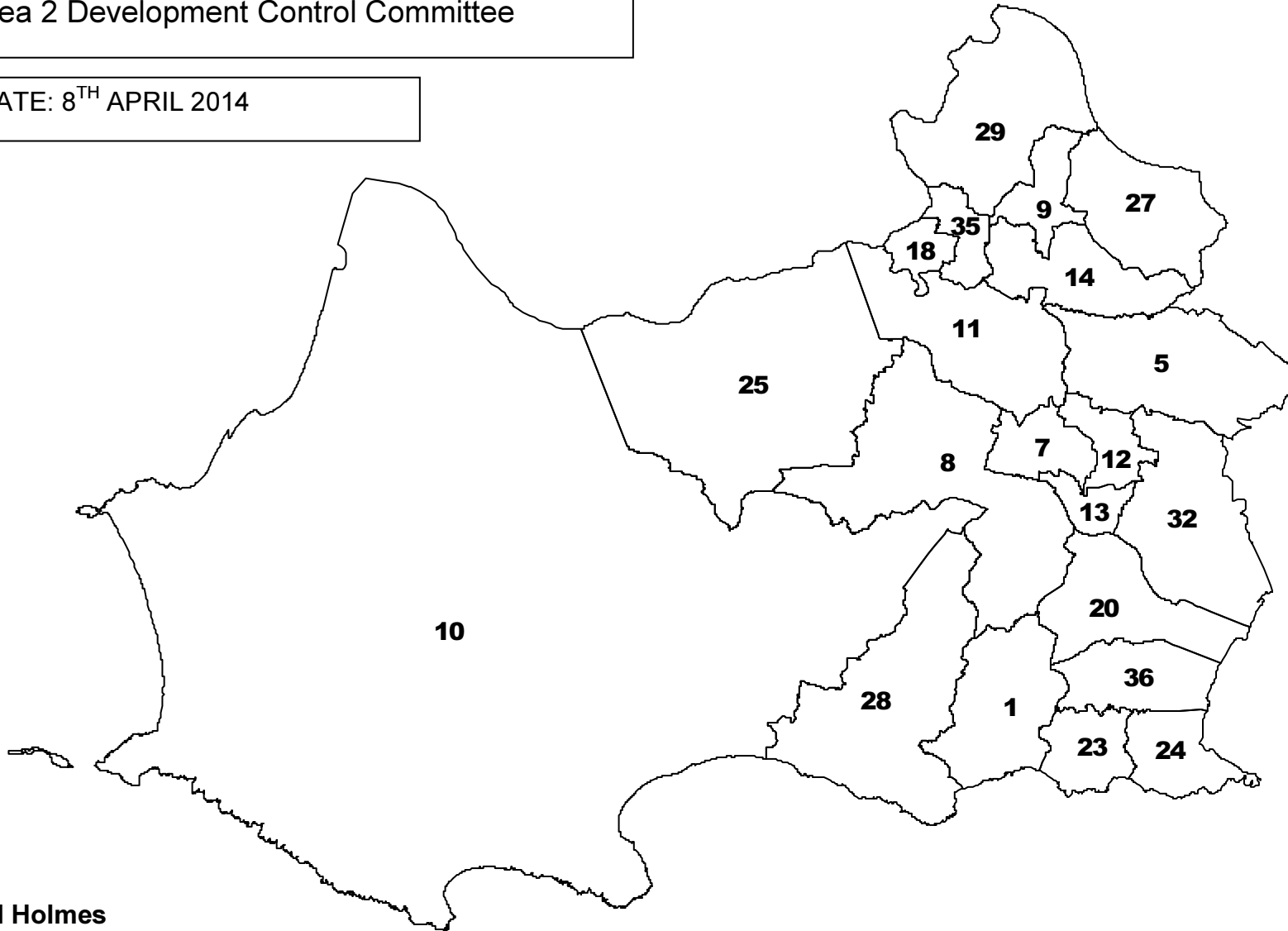
CITY AND COUNTY OF SWANSEA
DINAS A SIR ABERTAWE

Report of the Head of Economic Regeneration
& Planning to the Chair and Members of the
Area 2 Development Control Committee

DATE: 8TH APRIL 2014

1. BISHOPSTON
5. COCKETT
7. DUNVANT
8. FAIRWOOD
9. GORSEINON
10. GOWER
11. GOWERTON
12. KILLAY NORTH
13. KILLAY SOUTH
14. KINGSBRIDGE
18. LOWER LOUGHOR
20. MAYALS
23. NEWTON
24. OYSTERMOUTH
25. PENCLAWDD
27. PENLLERGAER
28. PENNARD
29. PENYRHEOL
32. SKETTY
35. UPPER LOUGHOR
36. WEST CROSS

Page 6



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



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, Member 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 pages 89 and 90 of the Constitution) will need to be reported to Planning Committee 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.

CONTENTS

ITEM	APP. NO.	SITE LOCATION	OFFICER REC.
1	2013/1212	Land adjacent to 4 Park Cottages, Dunvant Road, Dunvant, Swansea, SA2 7SH Two detached dwellings (outline) (Council Development Regulation 4)	APPROVE
2	2013/1216	Land adjacent to 3 Park Cottages, Dunvant Road, Dunvant, Swansea SA2 7SH One detached dwelling (outline) (Council Development Regulation 4)	APPROVE
3	2013/1804	730 Mumbles Road Mumbles Swansea End of terrace dwelling	REFUSE
4	2013/1693	732 Mumbles Road Mumbles Swansea SA3 4EL Construction of 3 storey block of 3 self contained apartments and underground parking	REFUSE
5	2014/0190	1 Overland Road, Langland, Swansea, SA3 4LS Detached two storey garage/games room	REFUSE
6	2013/1846	Picket Mead The Mead Newton Swansea SA3 4TR Single storey rear extension, two storey rear extension, rear bay window, gable roof to side elevation, fenestration alterations, front porch, new vehicular access and detached garage	APPROVE
7	2014/0075	Land adjacent to 70 Pennard Road, Kittle, Swansea, SA3 2AA Detached dwelling	REFUSE
8	2014/0267	Land opposite 9 Applegrove, Reynoldston, Swansea, SA3 1BZ Detached dwelling (outline)	REFUSE

ITEM	APP. NO.	SITE LOCATION	OFFICER REC.
9	2014/0110	60 Home Farm Way, Penllergaer, Swansea, SA4 9HF Two storey rear extension with living accommodation in the roof void and side extension to detached garage	APPROVE
10	2013/1381	Hillhouse Hospital/Gower College Swansea Demolition of existing Hillhouse Hospital buildings to facilitate construction and expansion of Gower College campus including new teaching blocks, indoor sports barn, motor vehicle valet facility, new entrance pavilion (conference centre), with engineering re-profiling to form development plateaus, revised vehicular access onto Tycoch Road & Cockett Road, internal vehicular and pedestrian circulation routes, new car parking, landscaping and associated works; and reconfiguration / remodelling of existing Tycoch campus buildings with ancillary demolition works (Outline)	
11	2014/0117	Pilton Moor, Pitton Cross, Rhossili, Swansea Change of use from agricultural land to camp site for 5 touring caravans	APPROVE
12	2014/0146	Former Blockbuster Video Express, 448 Gower Road, Killay, Swansea, SA2 7AL Change of Use from Video rental store (Class A1) to Estate Agents (Class A2)	APPROVE
13	2014/0152	Gower Cottage, Reynoldston, Swansea, SA3 1AD Single storey rear extension	APPROVE

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 1

APPLICATION NO.

2013/1212

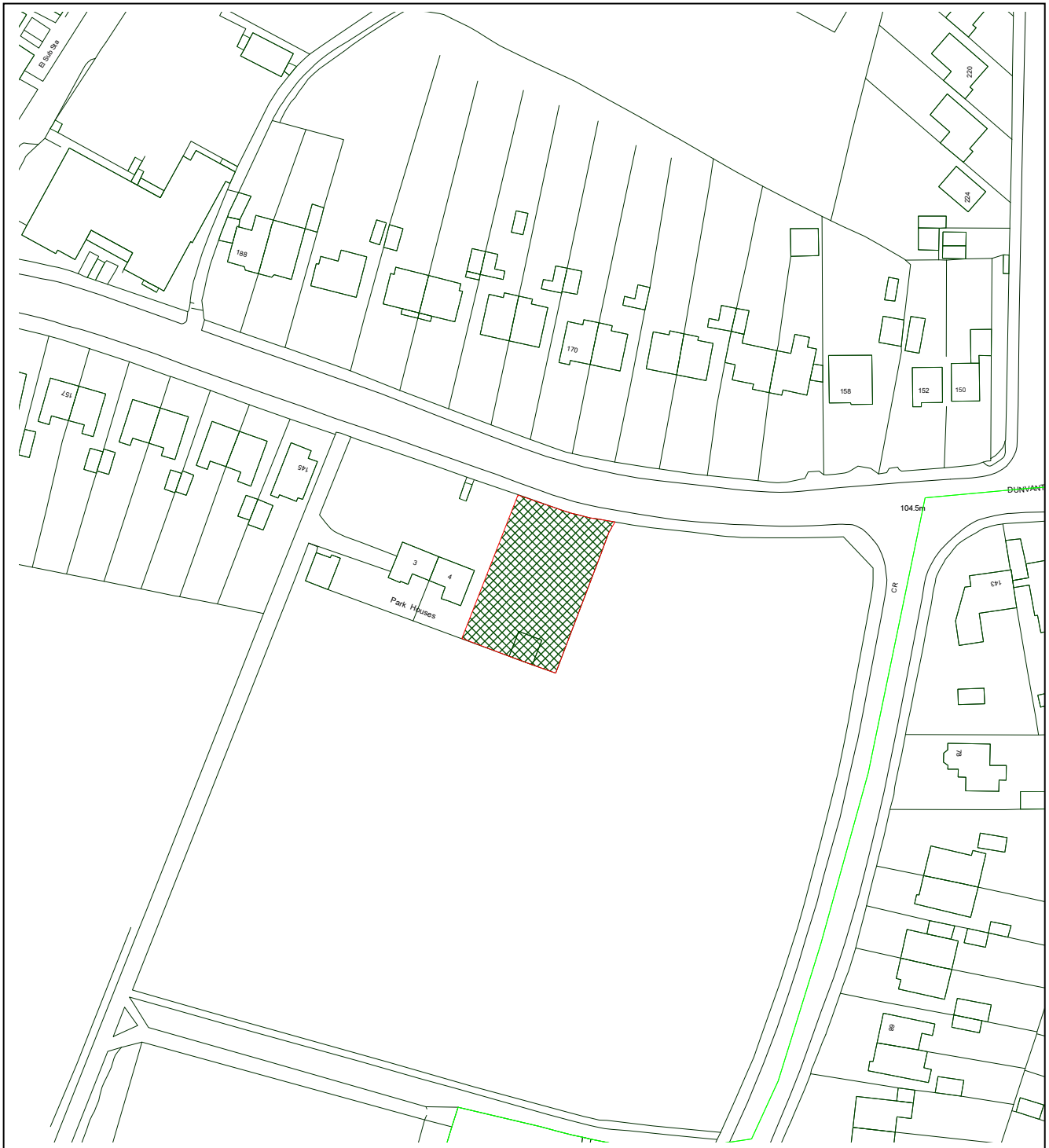
WARD:

Dunvant
Area 2

Location: Land adjacent to 4 Park Cottages, Dunvant Road, Dunvant, Swansea, SA2 7SH

Proposal: Two detached dwellings (outline) (Council Development Regulation 4)

Applicant: City & County of Swansea



NOT TO SCALE

This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 1 (CONT'D)

APPLICATION NO.

2013/1212

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV35	Development that would have an adverse impact on the water environment due to: i) Additional surface water run off leading to a significant risk of flooding on site or an increase in flood risk elsewhere; and/or, ii) A reduction in the quality of surface water run-off. Will only be permitted where it can be demonstrated that appropriate alleviating measures can be implemented. (City & County of Swansea Unitary Development Plan 2008)
Policy EV34	Development proposals that may impact upon the water environment will only be permitted where it can be demonstrated that they would not pose a significant risk to the quality and or quantity of controlled waters. (City & County of Swansea Unitary Development Plan 2008)
Policy EV33	Planning permission will normally only be granted where development can be served by the public mains sewer or, where this system is inadequate, satisfactory improvements can be provided prior to the development becoming operational. (City & County of Swansea Unitary Development Plan 2008)
Policy HC2	Housing development within the urban area will be supported where the site has been previously developed, its development does not conflict with other policies, does not result in ribbon development, and the coalescence of settlements, overintensive development, loss of residential amenity, adverse effect on the character and appearance of the area, loss of urban green space, harm to highway safety, adverse effects to landscape, natural heritage, security and personal safety, infrastructure capacity, and the overloading of community facilities and services. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
----------------	-----------------

RESPONSE TO CONSULTATIONS

The application was advertised on site and one individual property was consulted. THREE LETTERS OF OBJECTION and a PETITION OF OBJECTION WITH 247 SIGNATURES have been received, which are summarised as follows:

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 1 (CONT'D)

APPLICATION NO.

2013/1212

1. The land was intended as open space and there can be no reasonable argument for the reduction in leisure/ recreational space.
2. Reducing the open space would fly in the face of Swansea City published policy on leisure and recreation opportunity for children and young persons.
3. This part of Dunvant Road is already over stretched in vehicle capacity and is already subject to traffic calming measures.
4. Dunvant School requires more space than less and the recently introduced parking restrictions have heightened the pressure on school opening and closing times and would be worse if this application is approved.
5. The park has an established place in the community which should be valued above any short term gain.
6. The park entrance at the corner of Dunvant Road and Goetre Fach Road will be compromised.
7. The bus stop facility will be compromised.
8. Two additional dropped kerbs will make the parking situation worse.
9. None of the neighbours have been consulted.
10. Security has not been an issue for these properties and the street environment will be further degraded and made less safe.
11. An area of the park is to be given up for allotments on the near future and better use of this land could be made by returning it to the park to make up for lost land.
12. Construction and contractor traffic will cause danger and disruption to all road users.
13. There will be unacceptable noise, dust and pollution generated from the building process.
14. The land was provided in the early 1920's specifically to be used as by servicemen and women returning from the First World War to become self sufficient in food provision.
15. The development will impact upon my views and cause depreciation in the value of my property.
16. Any north facing windows will face directly at my property.
17. There is no mention of relocating the bus stop.
18. Are there any future intentions for residential developments with the park itself?
19. If the application is approved, what are the intentions of the intention of the City and County of Swansea?
20. This area of the park is used by organised groups throughout the year and we are concerned that the buildings and gardens will encroach on this area and if the houses are built it will be a green light to build more houses in the park.

Highways Observations - This proposal is to erect two dwellings on land adjacent to 4 Park Cottages, Dunvant. Access is to be gained from Dunvant Road and will necessitate relocation of the bus stop. This aspect has been assessed by the Transportation Group of the Authority and considered feasible.

The application site is large enough to accommodate the necessary on site parking and this detailed aspect will need to be indicated at reserved matters stage.

I recommend no highway objection subject to the following;

1. Details of access and internal layout shall be submitted and approved prior to any works commencing on site.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 1 (CONT'D)

APPLICATION NO. 2013/1212

2. Prior to the commencement of development, the bus stop facility fronting the site shall be relocated at the expense of the developer.

Note: The Developer must contact the Highway Management Group , The City and County of Swansea , Penllergaer Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Senior Engineer (Development), e-mails to: jim.marshall@swansea.gov.uk or the Team Leader, e-mails to mark.jones@swansea.gov.uk , tel. no. 01792 636091

APPRAISAL

This application is reported to Committee for decision and a Site Visit has been requested by Councillor Jennifer Raynor to assess amenity and highway safety issues.

Outline planning permission is sought for two detached dwellings on land adjacent to 4 Park Cottages in Duvant Road in Duvant. The application is made in outline form only with all matters relating to access, appearance, landscaping, layout and scale reserved for future consideration. For information, however, to demonstrate that the site is capable of accommodating two dwellings and to support the application, a layout plan and a plan indicating potential scale parameters of the dwellings have been submitted.

The site adjoins the northern boundary of Duvant Park but in an area which forms part of the side garden area of No. 4 Park Cottages. The land is distinctly separate from the park and has a defensible southern boundary which adjoins the park itself. In policy terms the site is considered, therefore, to represent an infill plot within the urban area.

The main issues to be considered are the principle of residential development at the site and the impact upon the visual and residential amenities of the area together with the impact upon highway safety having regard to the relevant policies of the City and County of Swansea's Unitary Development Plan 2008.

Policies EV1, EV2 and HC2 are considered to be the most relevant to the consideration of this application. Policy EV1 refers to development complying with good design criteria. Policy EV2 refers to preference being given to development on previously developed land that does not unduly impact upon the visual or residential amenities of an area or highway safety. Policy HC2 states that proposals for housing development within the urban area will be supported provided it does not result in ribbon development, cramped form of development, loss of residential amenity or urban greenspace, unduly impact upon highway safety or adverse effects in relation to landscape, natural heritage, security and personal safety, infrastructure capacity or overloading of community facilities or services.

In terms of visual amenity, the size and layout of the plots would be akin to those at Nos. 3 and 4 Park Cottages. Although the application has been made in outline form only, the indicative plan show that two dwellings of an appropriate size and scale could be accommodated on the site without giving rise to a cramped form of development or unduly impacting upon the residential amenities of the neighbouring properties in terms of loss of light, privacy or overbearing physical impact. In addition, the Head of Transportation and Engineering raises no highway objection to the scheme as the application site is large enough to accommodate the necessary on site parking. Objections have been raised that the new vehicular accesses would conflict with the bus stop that is located just outside of the site.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 1 (CONT'D)

APPLICATION NO. 2013/1212

However, the applicant has stated that the bus stop would be moved approximately 20m to the east of the site, the cost of which would be borne by the developer. A condition to this effect is recommended.

It is acknowledged that the siting of the dwellings to the far south of the site would dictate that the larger front garden area would not be private amenity space and only a smaller area of private space would be to the rear of the properties, However this is the situation that is currently experienced by Nos. 3 and 4 Park Cottages and it is considered that this is not an issue that would warrant a recommendation of refusal as sufficient private amenity space is provided to the rear. In addition, if the dwelling were brought forward into the plot, then the dwellings would give rise to overbearing physical impact and loss of privacy for the occupiers of the existing properties.

Turning to the comments made by the objectors, these are noted and the material issues are addressed above in the main body of the report.

The City and County of Swansea, as the competent authority, is required under Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 (known as the 'Habitat Regulations') to undertake a Habitat Regulations Assessment of any project likely to have an effect on a European Site, or candidate/proposed European Site, either alone or in combination with other plans or projects, that is not necessary to the management of the site for management of the site for nature conservation.

In this instance, the European sites potentially affected are the Carmarthen Bay and Estuaries European Marine Site (CBEEMS), the Carmarthen Bay Special Protection Area (SPA) and the Burry Inlet SPA and RAMSAR site. Before deciding to give permission we must therefore first consider whether this development is likely to have a significant effect on the CBEEMS either alone or in combination with other plans or projects in the same catchment area.

Following an investigation of likely significant effects on the CBEEMS features water quality was identified as the only factor that might have an effect this is discussed below.

With regard to the water quality issues in the Burry inlet and Loughor Estuary, the City and County of Swansea has followed the advice of their statutory advisor, and has commissioned a preliminary assessment under the above Regulations which is limited to the assessment of potential wastewater effects only.

This assessment notes that as part of their review of consents (RoC) under regulation 63 the Environment Agency (EA) undertook a detailed Habitats Regulations assessment in relation to the effects of their consented activities.

Consent modifications were identified to enable the Environment Agency to conclude no adverse effect on the integrity of the CBEEMS in respect of their consents operating at their maximum consented limits.

As the consents in question have already been subject to a full assessment (alone and in combination) under the provisions of the Habitat Regulations, there is no need for the City and County of Swansea to undertake a further assessment where development can be accommodated within the post RoC discharge consent limits.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 1 (CONT'D)

APPLICATION NO. 2013/1212

It is the opinion of the authority that this development can be accommodated within the post RoC discharge consent limits, and will not be likely to have a significant effect either alone or in-combination on the Carmarthen Bay and Estuaries SAC, the Carmarthen Bay SPA, or the Burry Inlet SPA and RAMSAR. Such effects can be excluded on the basis of the objective information available through the Environment Agency review.

In addition, it is considered that there are no other potential adverse effects from this development proposal, either alone or in combination with other plans or projects on the above protected European sites.

On this basis there is no requirement to make an appropriate assessment of the implications of the proposed development in accordance with regulation 61(1).

In conclusion and having regard to all material planning consideration, the scheme as submitted is considered an appropriate form of development at this location, that would not unduly impact upon the visual or residential amenities of the area nor highway safety. It is therefore considered that the proposal complies with the requirements of Policies EV1, EV2 and HC2 of the City and County of Swansea's Unitary Development Plan 2008 and approval is recommended.

RECOMMENDATION

APPROVE, subject to the following conditions:

- 1 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
Reason: To ensure that the development is carried out in an orderly and satisfactory manner.
- 2 Detailed plans and drawings with respect to the matters reserved in condition (01) shall be submitted for approval by the Local Planning Authority not later than the expiration of three years from the date of this permission.
Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act, 1990 and to ensure that the development is determined within a reasonable period.
- 3 The development to which this permission relates shall be begun either before the expiration of 5 years from the date of this outline permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act, 1990 and to ensure that development is begun within a reasonable period.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 1 (CONT'D)

APPLICATION NO.

2013/1212

- 4 The development shall be completed in accordance with the approved plans prior to any part of the development being brought into beneficial use.
Reason: To ensure that the development is completed in accordance with the plans approved by the Council, and so avoid any detriment to amenity or public safety by works remaining uncompleted.
- 5 Before the development hereby approved is occupied the means of enclosing the boundaries of the site shall be completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenity and general amenity.
- 6 Samples of all external finishes shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced. The scheme shall be implemented in accordance with the approved details.
Reason: In the interests of visual amenity.
- 7 The dwelling(s) shall be constructed to achieve a minimum of Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category "Ene1 - Dwelling Emission Rate" in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (November 2010 - Version 3). The development shall be carried out entirely in accordance with the approved assessment and certification.
Reason: In the interests of sustainability.
- 8 The construction of the dwelling(s) hereby permitted and any external works shall not begin until an "Interim Certificate" has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes (Level 3) and a minimum of 1 credit under "Ene1 - Dwelling Emission Rate", has been achieved in accordance with the requirements of the Code for Sustainable Homes; Technical Advice Guide (November 2010 - Version 3).
Reason: In the interests of sustainability.
- 9 Prior to the occupation of the dwelling(s) hereby permitted, a Code for Sustainable Homes "Final certificate" shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes (Level 3) and a minimum of 1 credit under "Ene1 - Dwelling Emission Rate", has been achieved in accordance with the requirements of the Code for Sustainable Homes; Technical Advice Guide (November 2010 - Version 3).
Reason: In the interests of sustainability.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 1 (CONT'D)

APPLICATION NO.

2013/1212

- 10 No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water, and land drainage will be dealt with and this has been approved in writing by the Local Planning Authority. This scheme shall include details of a sustainable drainage system (SUDS) for surface water drainage and/or details of any connections to a surface water drainage network. The development shall not be brought into beneficial use until the works have been completed in accordance with the approved drainage scheme, and this scheme shall be retained and maintained as approved unless otherwise agreed in writing 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 and to minimise surface water run-off.

- 11 Unless otherwise agreed in writing with the Local Planning Authority, foul water and surface water discharges must be drained separately from the site and no surface water or land drainage shall be allowed to connect (either directly or indirectly) to the public foul sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system and pollution of the environment.

- 12 Prior to the commencement of development, the bus stop facility fronting the site shall be relocated at the expense of the developer.

Reason: In the interest of highway safety.

- 13 Prior to commencement of development, site investigation works should be undertaken in order to establish the exact situation regarding coal mining legacy issues on the site. In the event that the site investigations confirm the need for remedial works to treat the areas of shallow mine workings any remedial works identified by the site investigation should also be undertaken prior to commencement of development.

Reason: To ensure the safety and stability of the proposed development.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: EV1, EV2, HC2, EV33, EV34, EV35

- 2 The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological fissures; mine gas and previous surface mining sites. Although such hazards are often not readily visible, they can often be present and problems can occur as a result of development taking place, or can occur at some time in the future.

- continued -

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 1 (CONT'D)

APPLICATION NO.

2013/1212

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Building Regulations approval.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

- 3 As part of a sustainable drainage system the developer is advised to consider the use of sustainable drainage (SUDS) measures, such as permeable paving for the driveway access and car parking area, and rainwater or grey water harvesting from the new buildings, etc.
- 4 The developer is advised to contact Dwr Cymru Welsh Water on Tel. No. 0800 917 2652, e.mail developer.services@dwrwymru.com, regarding the adequacy of water supply, and the adequacy of the sewerage system serving this area, to be agreed independently with the Water Authority.
- 5 The developer is advised to contact the Environment Agency on Tel. No. 08708 506 506 , e.mail enquiries@environment-agency.gov.uk , regarding details of the intended pollution control measures required on site.
- 6 The Developer must contact the Highway Management Group , The City and County of Swansea , Penllergaer Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Senior Engineer (Development) , e-mails to : jim.marshall@swansea.gov.uk or the Team Leader, e-mails to mark.jones@swansea.gov.uk , tel. no. 01792 636091
- 7 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.

PLANS

Site location plan, site layout plan, illustrative elevations, photograph received 14th August 2013

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 2

APPLICATION NO.

2013/1216

WARD:

Dunvant
Area 2

Location: Land adjacent to 3 Park Cottages, Dunvant Road, Dunvant, Swansea
SA2 7SH

Proposal: One detached dwelling (outline) (Council Development Regulation 4)

Applicant: City & County of Swansea



NOT TO SCALE

This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 2 (CONT'D)

APPLICATION NO.

2013/1216

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
---------------	---------------------------

Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
------------	--

Policy EV35	Development that would have an adverse impact on the water environment due to: i) Additional surface water run off leading to a significant risk of flooding on site or an increase in flood risk elsewhere; and/or, ii) A reduction in the quality of surface water run-off. Will only be permitted where it can be demonstrated that appropriate alleviating measures can be implemented. (City & County of Swansea Unitary Development Plan 2008)
-------------	---

Policy EV34	Development proposals that may impact upon the water environment will only be permitted where it can be demonstrated that they would not pose a significant risk to the quality and or quantity of controlled waters. (City & County of Swansea Unitary Development Plan 2008)
-------------	--

Policy EV33	Planning permission will normally only be granted where development can be served by the public mains sewer or, where this system is inadequate, satisfactory improvements can be provided prior to the development becoming operational. (City & County of Swansea Unitary Development Plan 2008)
-------------	--

Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
------------	---

Policy HC2	Housing development within the urban area will be supported where the site has been previously developed, its development does not conflict with other policies, does not result in ribbon development, and the coalescence of settlements, overintensive development, loss of residential amenity, adverse effect on the character and appearance of the area, loss of urban green space, harm to highway safety, adverse effects to landscape, natural heritage, security and personal safety, infrastructure capacity, and the overloading of community facilities and services. (City & County of Swansea Unitary Development Plan 2008)
------------	--

SITE HISTORY

App No.	Proposal
----------------	-----------------

RESPONSE TO CONSULTATIONS

The application was advertised on site and one individual property was consulted. TWO LETTERS OF OBJECTION and a PETITION OF OBJECTION WITH 247 SIGNATURES have been received, which are summarised as follows:

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 2 (CONT'D)

APPLICATION NO.

2013/1216

1. This is a busy road subject to traffic calming measures and if the development goes ahead there will be less parking spaces for the parents taking their children to school and creating greater safety risks.
2. Contractors vehicles will cause chaos and safety issues.
3. The building work will cause noise and dust and leave mud on the roads and pavements.
4. Our view will be restricted which will result in devaluation of our property.
5. The land was provided in the 1920's to be used as allotments.
6. It will created precedent for further development in the park.
7. Visitors to the properties will also cause an increase to an already congested situation.

The Coal Authority – No objection subject to conditions

Highways Observations - This proposal is to erect a dwelling on land adjacent to 3 Park Cottages, Dunvant. Access is to be gained from Dunvant Road however no detail indicating its position is provided. Access from the plot frontage along Dunvant Road is feasible and will need to be agreed in detail at a subsequent stage.

The application site is large enough to accommodate the necessary on site parking and this detailed aspect will also need to be indicated at reserved matters stage. I recommend no highway objection subject to details of access and internal layout shall be submitted and approved prior to any works commencing on site.

Note: The Developer must contact the Highway Management Group , The City and County of Swansea , Penllergaer Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Senior Engineer (Development), e-mails to: jim.marshall@swansea.gov.uk or the Team Leader, e-mails to: mark.jones@swansea.gov.uk, tel.no. 01792 636091.

APPRAISAL

This application is reported to Committee for decision and a Site Visit has been requested by Councillor Jennifer Raynor to assess amenity and highway safety issues.

Outline planning permission is sought for a detached dwelling on land adjacent to 3 Park Cottages in Dunvant Road in Dunvant. The application is made in outline form only with all matters relating to access, appearance, landscaping, layout and scale reserved for future consideration. For information, however, to demonstrate that the site is capable of accommodating a dwelling and to support the application, a layout plan and a plan indicating potential scale parameters of the dwelling has been submitted.

The site adjoins the northern boundary of Dunvant Park but in an area which forms part of the side garden area of No. 3 Park Cottages. The land is distinctly separate from the park and has a defensible southern and eastern boundary which adjoins the park itself. In policy terms, the site is considered, therefore, to represent an infill plot within the urban area and would not encroach into Dunvant Park.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 2 (CONT'D)

APPLICATION NO. 2013/1216

The main issues to be considered in this instance are the principle of residential development at the site and the impact upon the visual and residential amenities of the area together with the impact upon highway safety having regard to the relevant policies of the City and County of Swansea's Unitary Development Plan 2008.

Policies EV1, EV2 and HC2 are considered to be the most relevant to the consideration of this application. Policy EV1 refers to development complying with good design criteria. Policy EV2 refers to preference being given to development on previously developed land that does not unduly impact upon the visual or residential amenities of an area or highway safety. Policy HC2 states that proposals for housing development within the urban area will be supported provided it does not result in ribbon development, cramped form of development, loss of residential amenity or urban greenspace, unduly impact upon highway safety or adverse effects in relation to landscape, natural heritage, security and personal safety, infrastructure capacity or overloading of community facilities or services.

In terms of visual amenity, the size and layout of the plot would be akin to those at Nos. 3 and 4 Park Cottages. Although the application has been made in outline form only, the indicative plan submitted shows that a dwelling of an appropriate size and scale could be accommodated on the site without giving rise to a cramped form of development or unduly impacting upon the residential amenities of the neighbouring property in terms of loss of light, privacy or overbearing physical impact. In addition, the Head of Transportation and Engineering raises no highway objection to the scheme as the application site is large enough to accommodate the necessary on site parking. It is also considered that as the access to the site would be from Dunvant Road, it would not impact upon the park entrance to the west of the site.

It is acknowledged that the siting of the dwelling to the far south of the site would dictate that the larger front garden area would not be private amenity space as it could be overlooked from the front highway and only a smaller area of private space would be to the rear of the property. However, this is the situation that is currently experienced by nos. 3 and 4 Park Cottages and it is considered that this is not an issue that would warrant a recommendation of refusal as sufficient private amenity space is provided to the rear. In addition, if the dwelling were brought forward into the plot, this could give rise to overbearing physical impact and loss of privacy for the occupiers of the existing properties. Issues of siting, however, will be considered at the reserved matters stage.

Turning to the comments made by the objectors, these are noted and the material issues are addressed above in the main body of the report.

The City and County of Swansea, as the competent authority, is required under Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 (known as the 'Habitat Regulations') to undertake a Habitat Regulations Assessment of any project likely to have an effect on a European Site, or candidate/proposed European Site, either alone or in combination with other plans or projects, that is not necessary to the management of the site for management of the site for nature conservation.

In this instance, the European sites potentially affected are the Carmarthen Bay and Estuaries European Marine Site (CBEEMS), the Carmarthen Bay Special Protection Area (SPA) and the Burry Inlet SPA and RAMSAR site.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 2 (CONT'D)

APPLICATION NO. 2013/1216

Before deciding to give permission we must therefore first consider whether this development is likely to have a significant effect on the CBEEMS either alone or in combination with other plans or projects in the same catchment area.

Following an investigation of likely significant effects on the CBEEMS features water quality was identified as the only factor that might have an effect this is discussed below.

With regard to the water quality issues in the Burry inlet and Loughor Estuary, the City and County of Swansea has followed the advice of their statutory advisor, and has commissioned a preliminary assessment under the above Regulations which is limited to the assessment of potential wastewater effects only.

This assessment notes that as part of their review of consents (RoC) under regulation 63 the Environment Agency (EA) undertook a detailed Habitats Regulations assessment in relation to the effects of their consented activities. Consent modifications were identified to enable the Environment Agency to conclude no adverse effect on the integrity of the CBEEMS in respect of their consents operating at their maximum consented limits.

As the consents in question have already been subject to a full assessment (alone and in-combination) under the provisions of the Habitat Regulations, there is no need for the City and County of Swansea to undertake a further assessment where development can be accommodated within the post RoC discharge consent limits.

It is the opinion of the authority that this development can be accommodated within the post RoC discharge consent limits, and will not be likely to have a significant effect either alone or in-combination on the Carmarthen Bay and Estuaries SAC, the Carmarthen Bay SPA, or the Burry Inlet SPA and RAMSAR. Such effects can be excluded on the basis of the objective information available through the Environment Agency review.

In addition, it is considered that there are no other potential adverse effects from this development proposal, either alone or in combination with other plans or projects on the above protected European sites.

On this basis there is no requirement to make an appropriate assessment of the implications of the proposed development in accordance with regulation 61(1).

In conclusion and having regard to all material planning consideration, the scheme as submitted is considered an appropriate form of development at this location, that would not unduly impact upon the visual or residential amenities of the area nor highway safety. It is considered therefore that the proposal complies with the requirements of Policies EV1, EV2 and HC2 of the City and County of Swansea's Unitary Development Plan 2008 and approval is recommended.

RECOMMENDATION

APPROVE, subject to the following conditions:

- 1 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 2 (CONT'D)

APPLICATION NO.

2013/1216

Reason: To ensure that the development is carried out in an orderly and satisfactory manner.

- 2 Detailed plans and drawings with respect to the matters reserved in condition (01) shall be submitted for approval by the Local Planning Authority not later than the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act, 1990 and to ensure that the development is determined within a reasonable period.

- 3 The development to which this permission relates shall be begun either before the expiration of 5 years from the date of this outline permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act, 1990 and to ensure that development is begun within a reasonable period.

- 4 The development shall be completed in accordance with the approved plans prior to any part of the development being brought into beneficial use.

Reason: To ensure that the development is completed in accordance with the plans approved by the Council, and so avoid any detriment to amenity or public safety by works remaining uncompleted.

- 5 Before the development hereby approved is occupied the means of enclosing the boundaries of the site shall be completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and general amenity.

- 6 Samples of all external finishes shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced. The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity.

- 7 The dwelling(s) shall be constructed to achieve a minimum of Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category "Ene1 - Dwelling Emission Rate" in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (November 2010 - Version 3). The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: In the interests of sustainability.

- 8 The construction of the dwelling(s) hereby permitted and any external works shall not begin until an "Interim Certificate" has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes (Level 3) and a minimum of 1 credit under "Ene1 - Dwelling Emission Rate", has been achieved in accordance with the requirements of the Code for Sustainable Homes; Technical Advice Guide (November 2010 - Version 3).

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 2 (CONT'D)

APPLICATION NO.

2013/1216

Reason: In the interests of sustainability.

- 9 Prior to the occupation of the dwelling(s) hereby permitted, a Code for Sustainable Homes "Final certificate" shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes (Level 3) and a minimum of 1 credit under "Ene1 - Dwelling Emission Rate", has been achieved in accordance with the requirements of the Code for Sustainable Homes; Technical Advice Guide (November 2010 - Version 3).

Reason: In the interests of sustainability.

- 10 No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water, and land drainage will be dealt with and this has been approved in writing by the Local Planning Authority. This scheme shall include details of a sustainable drainage system (SUDS) for surface water drainage and/or details of any connections to a surface water drainage network. The development shall not be brought into beneficial use until the works have been completed in accordance with the approved drainage scheme, and this scheme shall be retained and maintained as approved unless otherwise agreed in writing 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 and to minimise surface water run-off.

- 11 Unless otherwise agreed in writing with the Local Planning Authority, foul water and surface water discharges must be drained separately from the site and no surface water or land drainage shall be allowed to connect (either directly or indirectly) to the public foul sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system and pollution of the environment.

INFORMATIVES

- 1 The Developer must contact the Highway Management Group , The City and County of Swansea , Penllergaer Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Senior Engineer (Development) , e-mails to : jim.marshall@swansea.gov.uk or the Team Leader , e-mails to mark.jones@swansea.gov.uk , tel. no. 01792 636091
- 2 As part of a sustainable drainage system the developer is advised to consider the use of sustainable drainage (SUDS) measures, such as permeable paving for the driveway access and car parking area, and rainwater or grey water harvesting from the new buildings, etc.
- 3 The developer is advised to contact Dwr Cymru Welsh Water on Tel. No. 0800 917 2652, e.mail developer.services@dwrwymru.com, regarding the adequacy of water supply, and the adequacy of the sewerage system serving this area, to be agreed independently with the Water Authority.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 2 (CONT'D)

APPLICATION NO.

2013/1216

- 4 The developer is advised to contact the Environment Agency on Tel. No. 08708 506 506 , e.mail enquiries@environment-agency.gov.uk , regarding details of the intended pollution control measures required on site.
- 5 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: EV1, EV2, EV33, EV34, EV35, HC2
- 6 The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from coal mining. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological fissures; mine gas and previous surface mining sites. Although such hazards are often not readily visible, they can often be present and problems can occur as a result of development taking place, or can occur at some time in the future.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required, be submitted alongside any subsequent application for Building Regulations approval.

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action.

Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

- 7 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.

PLANS

Site location plan, site layout plan, illustrative elevations, photograph received 14th August 2013

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 3

APPLICATION NO.

2013/1804

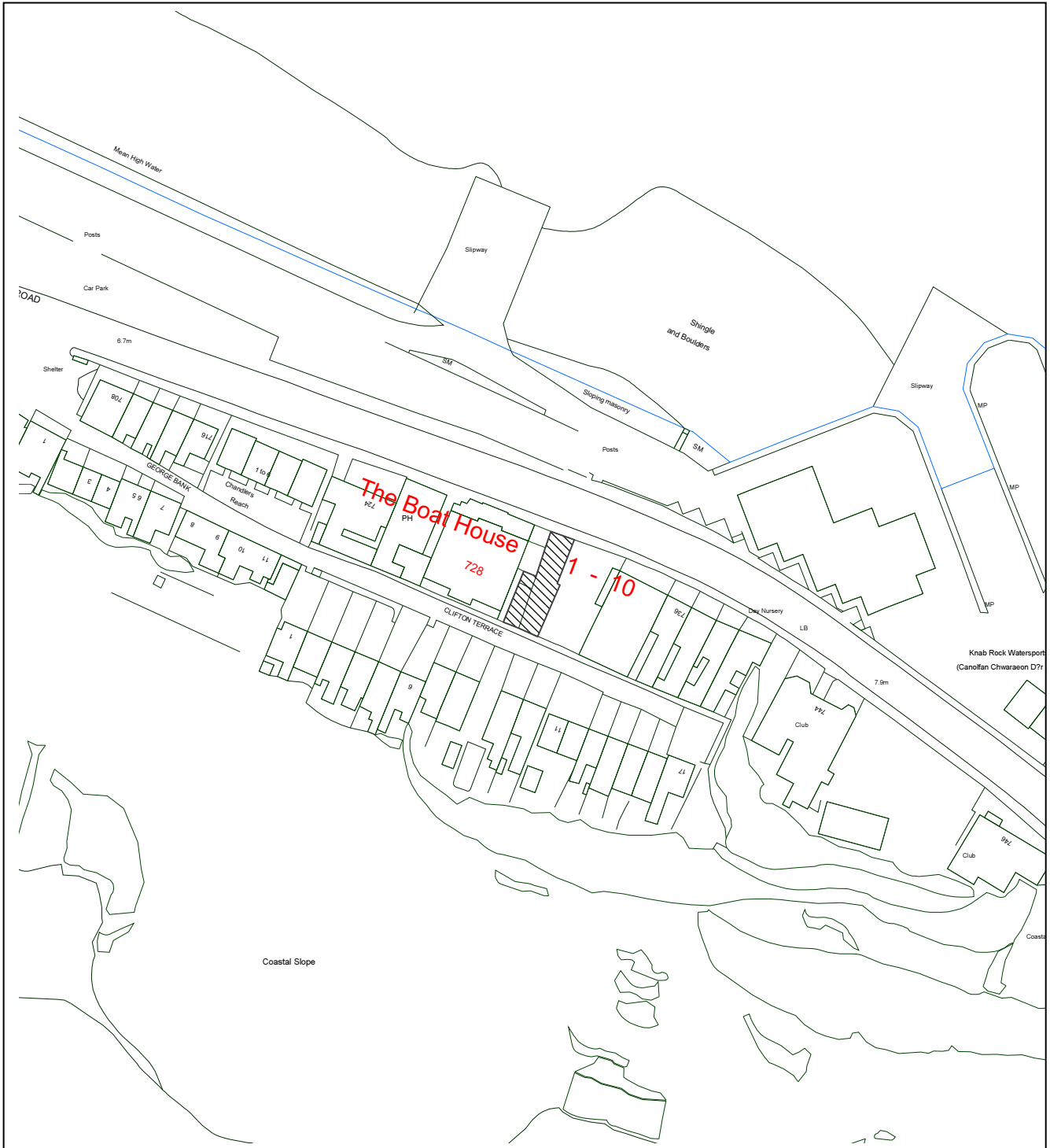
WARD:

Oystermouth
Area 2

Location: 730 Mumbles Road Mumbles Swansea

Proposal: End of terrace dwelling

Applicant: Mr A L Woodman



NOT TO SCALE

This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 3 (CONT'D)

APPLICATION NO.

2013/1804

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV9	Development within or adjacent to a Conservation Area will only be permitted if it would preserve or enhance the character and appearance of the Conservation Area or its setting. (City & County of Swansea Unitary Development Plan 2008)
Policy EV26	Within the Gower AONB, the primary objective is the conservation and enhancement of the area's natural beauty. Development that would have a material adverse effect on the natural beauty, wildlife and cultural heritage of the AONB will not be permitted. (City & County of Swansea Unitary Development Plan 2008)
Policy AS6	Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)
Policy HC2	Housing development within the urban area will be supported where the site has been previously developed, its development does not conflict with other policies, does not result in ribbon development, and the coalescence of settlements, overintensive development, loss of residential amenity, adverse effect on the character and appearance of the area, loss of urban green space, harm to highway safety, adverse effects to landscape, natural heritage, security and personal safety, infrastructure capacity, and the overloading of community facilities and services. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2011/0564	Retention and completion of detached dwelling with integral garage Decision: Grant Permission Conditional Decision Date: 06/02/2012
2013/1693	Construction of 3 storey block of 3 self contained apartments and underground parking Decision: Officer Consideration Decision Date: 27/03/2014

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 3 (CONT'D)	APPLICATION NO.	2013/1804
2003/1109	Demolition of part two storey/part single storey rear extension and detached outbuilding (Application for Conservation Area Consent) Decision: Withdrawn Decision Date: 19/06/2003	
2011/1345	Construction of 3 storey block of 6 self contained apartments and underground parking Decision: Grant Permission Conditional Decision Date: 01/02/2012	
2003/1082	Change of use of existing hotel (Class C1) to 6 self contained flats (Class C3) with part three storey part two storey rear extension, addition of bay window to first floor front elevation and external alterations to front elevation Decision: Perm Subj to S106 Agree Decision Date: 24/09/2004	
2010/0945	Demolition of property (application for Conservation Area Consent) Decision: Grant Cons Area Consent Conditional Decision Date: 24/09/2010	
2011/0310	Construction of 3 storey block of 8 self contained apartments Decision: Withdrawn Decision Date: 07/02/2013	
2006/0764	Variation of condition 3 of planning permission 2004/1910 to allow for the demolition of the existing building prior to the signing of the contract for the redevelopment of the site Decision: Withdrawn Decision Date: 26/02/2008	
2002/2043	Conversion of two existing flats to three self-contained flats with three storey/part two storey rear extension, two dormer windows to front elevation and dormer extension to rear elevation and pedestrian access bridge from Clifton Terrace Decision: Appeal Allowed Decision Date: 15/12/2003	
2010/0950	Demolition of property (application for Conservation Area Consent) Decision: Grant Cons Area Consent Conditional Decision Date: 24/09/2010	

RESPONSE TO CONSULTATIONS

The application was advertised on site and in the press as a development within the Mumbles Conservation Area and 14 individual properties were consulted. No response.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 3 (CONT'D)

APPLICATION NO. 2013/1804

Mumbles Community Council - Objects as the height is not in keeping with neighbouring properties.

Dwr Cymru Welsh Water - No objection subject to conditions.

Highways Observations - This proposal is for the erection of a single residential unit on a vacant site at 730 Mumbles Road. The previous building was demolished and a new retaining wall was constructed along the rear boundary which supports Clifton Terrace. There is a 4m easement along that boundary which is being adhered to by this proposal.

One parking space is indicated for the development which accords with standard recently applied to new developments along this part of Mumbles Road. The width of the basement parking area is at the minimum width and should be widened to allow more room to enter and exit the site. The indicated width is 2.2m and a width of 2.5m is recommended.

No detail of the foundation type and depth is provided and this aspect also needs to be addressed before any work commences on the site to ensure that the integrity of the retaining wall to the rear is not compromised.

I recommend no highway objection subject to the following:

1. No work shall commence on site until details of the building foundations and method of construction have been submitted for approval. All works shall be implemented in accordance with the approved plans.
2. The access to the basement parking shall be widened to at least 2.5m.
3. The construction of a vehicular crossing to Highway Authority Specification.

The Developer must contact the Highway Management Group , The City and County of Swansea , Penllergaer Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work. Please contact the Senior Engineer (Development), e-mails to: jim.marshall@swansea.gov.uk or the Team Leader, e-mails to mark.jones@swansea.gov.uk Tel. No. 01792 636091.

APPRAISAL

This application is reported to Committee and for a Site Visit at the request of Councillor Tony Colburn to assess the scale of the new building and the impact of the proposal upon on street parking and highway safety issues.

Full planning permission is sought for an end of terrace dwelling at 730 Mumbles Road. The site would adjoin the block of 3 apartments that is also being proposed for the adjoining site at 732 Mumbles Road. Full planning permission has previously been granted for the demolition of 730 Mumbles Road (2010/0945 refers) and the adjoining property 732 (2010/0950 refers) in order to provide access so that essential repair and maintenance work could be carried out along Clifton Terrace to the rear. Whilst a comprehensive scheme for the redevelopment of the two sites would have been desirable, the two plots fall within separate ownership and as such the site will be redeveloped in two phases. The application for the redevelopment of 732 Mumbles Road is also for consideration elsewhere on the agenda (Ref. 2013/1693).

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 3 (CONT'D)

APPLICATION NO. 2013/1804

It should also be noted that planning permission for the redevelopment of the adjacent site was approved in December 2012 - 2011/1345 refers. The approved scheme consisted of the construction of 3 storey block of 6 self contained apartments and underground parking.

The current proposal would measure approximately between 5.4m and 8m in width, have a depth of 14.8m, have an eaves height of between 9.9m and 10.5m and an overall height of 13.3m. External materials would consist of white smooth render walls, slate roof with aluminium/ dark grey timber composite windows and doors.

The site is located within the Mumbles Conservation Area and as such Policy EV9 of the Swansea Unitary Development Plan 2008 is relevant. This policy seeks to ensure that new developments preserve or enhance the character and appearance of the Conservation Area. As the proposal is for residential purposes within the urban area Policies EV1, EV2, and HC2 are also relevant policies and set objectives of good design, and generally presume in favour of residential infill development unless there are overriding planning objections resulting from overdevelopment, significant loss of residential amenity, detrimental impact on the character and appearance of the area or satisfactory highway conditions. It is considered generally that developments should have proper regard to the amenities of surrounding areas, in particular visual impact, loss of light or privacy, shared activity, traffic and parking implications. This is further supported by Policy AS6 which requires proposals to provide appropriate car parking provision within the curtilage of the site.

The surrounding area has a mixed use character although residential uses are becoming a more predominant land use with several commercial premises in the area closing. On this basis, the residential redevelopment of the site raises no policy objection in principle provided that the character and appearance of the locality and the Conservation Area is preserved or enhanced. Such issues will be addressed in further detail below.

With regards to the issue of residential amenity the main issues to consider are along Clifton Terrace to the rear, and the adjoining property 734-736 Mumbles Road as well as any impact the proposal may have upon the development of the adjoining vacant site. With regard to the premises to the rear, it is noted that these properties are set at a significantly higher land level, and whilst it is acknowledge that currently No's 9-13 Clifton Terrace enjoy a clear, uninterrupted view over the bay as a result of the demolition of No's 730 and 732 Mumbles Road, this was always going to be a temporary situation, as the redevelopment of both vacant plots was a conditional requirement of the original demolitions being approved and as such an inevitability. However, a separation distance of some 20m is achieved between the proposed building and the dwellings to the rear, which coupled with the steep topography of the site is considered sufficient to mitigate against any direct overlooking. Furthermore the windows are at a height where there would be no more opportunity for overlooking over and above that which was previously experienced.

In terms of physical impact, as the proposal is a replacement building of comparable proportions to the original, infilling a temporary gap within an otherwise continuous terraced frontage, the physical impact of the proposal is not considered demonstrably more harmful than the original building. The proposal is not likely, therefore, to have any significant adverse impact on existing occupiers through overbearing, overshadowing or overlooking issues.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 3 (CONT'D)

APPLICATION NO. 2013/1804

There is a balcony proposed at second floor level and an external terrace area but these areas will result in mutual overlooking for the future occupiers of No.732 and as such no loss of privacy will be experienced that would warrant a recommendation of refusal on this issue. A rear terraced area is proposed which will be within 4m of the retaining wall along Clifton Terrace but this terrace would be sited over an area of land that is currently in situ and was not removed as part of the above mentioned retaining works.

In terms of the residential amenities of the future occupiers, it is accepted that there will be limited outlook particularly from the rear rooms of the ground floors but these would consist of storage areas from which no outlook is considered necessary however the windows featured on the rear elevation ensure that adequate natural lighting will be afforded to these lower ground floors. Furthermore the proposed arrangement is no worse than similar recently approved schemes and as such cannot be a justified, it is considered, as a reason for refusal. It is noteworthy also that a small area of rear outdoor amenity space is provided for the dwelling, which will be of significant amenity value. Although this amenity space runs alongside the public access steps at the east of the site and would not be a private area, it is recognised that this was also the a situation experienced by previously demolished dwelling and is not an uncommon feature along this part of Mumbles Road as previously addressed above.

In terms of highway safety and parking issues the Head of Transportation and Engineering, raises no highway objection subject to the imposition of conditions relating to details of the building foundations and method of construction, access to the basement parking being widened to at least 2.5m and a vehicular crossing being constructed to Highway Authority Specification.

Notwithstanding the above there are concerns with the scheme and its impact upon the character and appearance of this part of the Mumbles Conservation Area.

The main elevation of this proposal follows the established building line with the pedestrian entrance set back some 13m from the street to create activity and interest off the existing public steps leading up to Clifton Terrace. The asymmetrical narrow form references the original property on the site and the wider character of Mumbles town houses which is considered appropriate.

The proposed first floor level allows car parking to be accommodated below the building, which is acceptable, however the front boundary lacks a stone wall which is part of the character of the area and which would reduce the visual impact of the vehicle access.

The proposed drawings indicate the gable apex to be 0.6m above both the replacement building approved under 2013/1345 to the left and the existing front ridge of 728 Mumbles Road to the right. Therefore it is considered that the gable to this town house is overly high to the detriment of this part of the conservation area.

The details such as the eaves and gable verges show a lack of regard for the conservation area. The eaves are shown as boxed which is a suburban feature not appropriate to the conservation area. Plus the verge fascias are terminated by the boxed ends to the eaves which fails to make a strong architectural statement. The materials generally reflect the character of the conservation area with render and slate roofing, but there is a lack of detail on other materials, although this issue could be overcome via the imposition of a suitably worded condition.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 3 (CONT'D)

APPLICATION NO. 2013/1804

Turning to the concerns raised by the objectors, these have been addressed above in the main body of the report.

In conclusion, the proposal is considered to be over scaled and not positively related to the character of the Mumbles Conservation Area. Amendments were suggested to the applicant, which would have improved the design whilst maintaining the level of accommodation. However they have declined to make any amendments and have requested that the application be considered as submitted. In light of the above, it is considered that the proposal fails to preserve or enhance the character of this part of the Mumbles Conservation Area. The development is therefore considered to conflict with the overall requirements of Policies EV1, EV2, EV9 and EV26 of the Swansea Unitary Development Plan 2008. Refusal is therefore recommended.

RECOMMENDATION

REFUSE, for the following reason:

- 1 The proposal, by virtue of its scale and design would fail to preserve or enhance the character and appearance of the Mumbles Conservation Area, contrary to the requirements of Policies EV1 and EV9 of the City and County of Swansea Unitary Development Plan 2008.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: EV1, EV2, HC2, EV9, EV26, AS6

PLANS

Site location plan, 97/104/13 section/side west elevation, 97/103/13 proposed elevations, 97/105/13 street scene plan dated 9th December 2013, 97/101/13 lower ground/raised ground and first floor plan, 97/102/13 A second floor/roof plan dated 16th January 2014.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 4

APPLICATION NO.

2013/1693

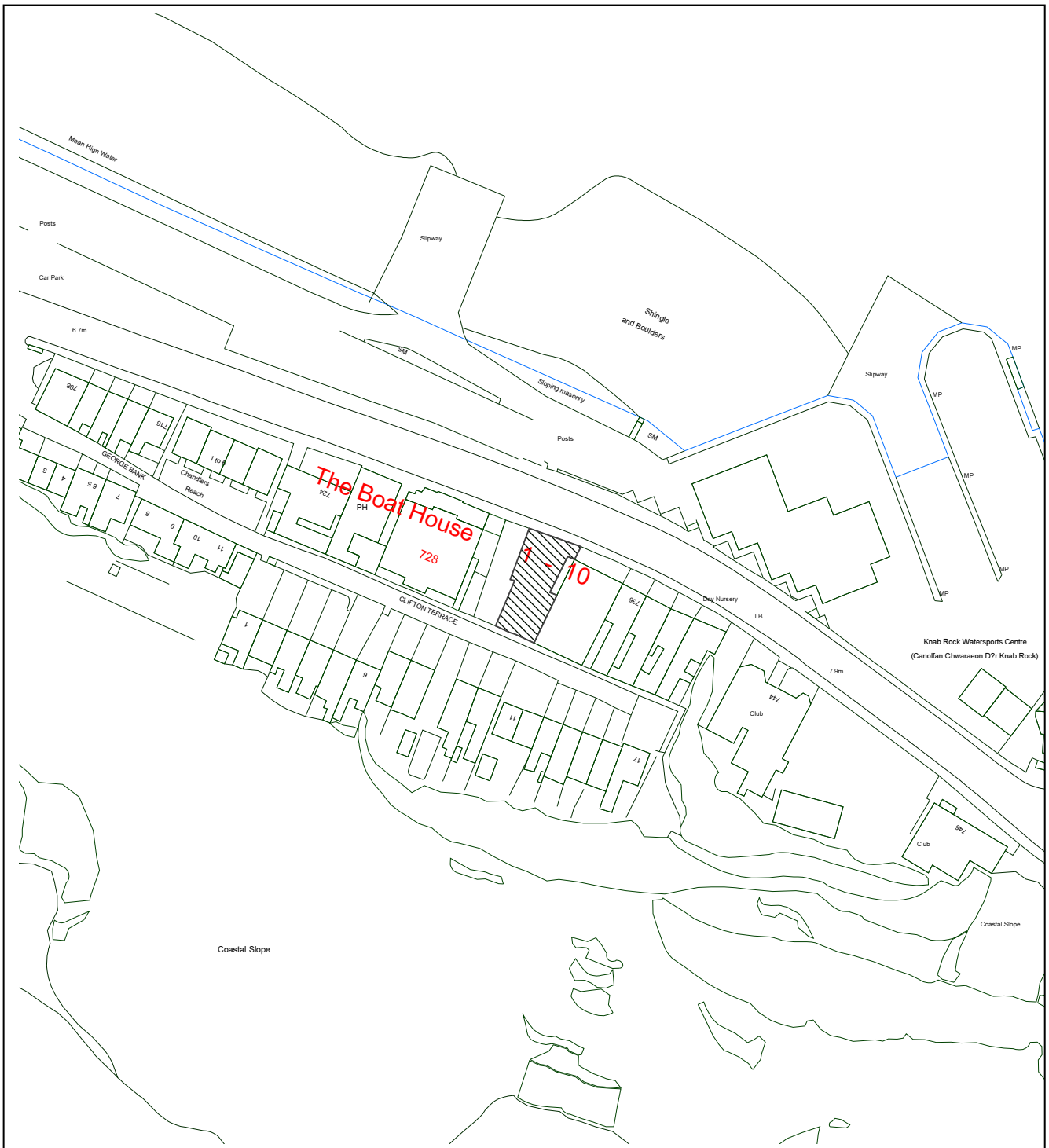
WARD:

Oystermouth
Area 2

Location: 732 Mumbles Road Mumbles Swansea SA3 4EL

Proposal: Construction of 3 storey block of 3 self contained apartments and underground parking

Applicant: Mr & Mrs Westlake-Brain and Boyle



NOT TO SCALE

This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 4 (CONT'D)

APPLICATION NO.

2013/1693

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
---------------	---------------------------

Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV9	Development within or adjacent to a Conservation Area will only be permitted if it would preserve or enhance the character and appearance of the Conservation Area or its setting. (City & County of Swansea Unitary Development Plan 2008)
Policy HC2	Housing development within the urban area will be supported where the site has been previously developed, its development does not conflict with other policies, does not result in ribbon development, and the coalescence of settlements, overintensive development, loss of residential amenity, adverse effect on the character and appearance of the area, loss of urban green space, harm to highway safety, adverse effects to landscape, natural heritage, security and personal safety, infrastructure capacity, and the overloading of community facilities and services. (City & County of Swansea Unitary Development Plan 2008)
Policy AS6	Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
----------------	-----------------

2003/1109	Demolition of part two storey/part single storey rear extension and detached outbuilding (Application for Conservation Area Consent) Decision: Withdrawn Decision Date: 19/06/2003
2011/1345	Construction of 3 storey block of 6 self contained apartments and underground parking Decision: Grant Permission Conditional Decision Date: 01/02/2012
2003/1082	Change of use of existing hotel (Class C1) to 6 self contained flats (Class C3) with part three storey part two storey rear extension, addition of bay window to first floor front elevation and external alterations to front elevation Decision: Perm Subj to S106 Agree Decision Date: 24/09/2004

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 4 (CONT'D)	APPLICATION NO.	2013/1693
2011/0310	Construction of 3 storey block of 8 self contained apartments Decision: Withdrawn Decision Date: 07/02/2013	
2010/0950	Demolition of property (application for Conservation Area Consent) Decision: Grant Cons Area Consent Conditional Decision Date: 24/09/2010	
2008/2214	Change of use of 734 Mumbles Road from hotel and restaurant (Classes C1 and A3) and 736 Mumbles Road from three self contained flats (Class C3) to one residential care home (Class C2), rear lift shaft, fire escape and front access ramp Decision: Grant Permission Conditional Decision Date: 11/02/2009	
2007/0190	First floor side extension, 2 No. front decked areas at ground floor level and associated alterations Decision: Grant Permission Conditional Decision Date: 25/05/2007	
2010/0945	Demolition of property (application for Conservation Area Consent) Decision: Grant Cons Area Consent Conditional Decision Date: 24/09/2010	
2007/0871	Externally illuminated individual letters sign and projecting sign Decision: Grant Advertisement Consent (C) Decision Date: 06/06/2007	
2002/2043	Conversion of two existing flats to three self-contained flats with three storey/part two storey rear extension, two dormer windows to front elevation and dormer extension to rear elevation and pedestrian access bridge from Clifton Terrace Decision: Appeal Allowed Decision Date: 15/12/2003	

RESPONSE TO CONSULTATIONS

The application was advertised on site and in the press as a development within the Mumbles Conservation Area and 12 individual properties were consulted. THREE LETTERS OF OBJECTION have been received, which are summarised as follows:

1. We seem to have a big problem with this roof line as it is much higher than the other buildings along the sea front and it must be dropped to the same height as the others buildings.
2. The boat house next to the plot were told they had to keep the roof line the same as the rest.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 4 (CONT'D)

APPLICATION NO.

2013/1693

3. The houses from 9 -15 Clifton terrace will be cast into darkness and overlooked from the top floor of the development.
4. The development is wrong in character for the plot adding to the vast number of unsold flats along the road.
5. Just because the boat house and Mumbles Reach was allowed it should not follow that this flawed application be allowed.
6. The balconies proposed will overlook our flat roof amenity areas.
7. The application proposes a four storey element within close proximity of our side window which is currently in the process of reverting back to a bedroom.

Mumbles Community Council - Objects as the height is not in keeping with neighbouring buildings

Highways Observations - This proposal is for the erection of a three storey building to accommodate three apartments. Parking is being provided at basement level for three cars with an additional space available should the need arise. This level of parking is acceptable and accords with the standards that have been applied to similar developments in Mumbles.

There is a 4m gap indicated between the development and the retaining wall at the rear which supports Clifton Terrace. This is to ensure sufficient room for maintenance purposes and to safeguard the integrity of the retaining wall. The basement parking facility, whilst indicated to be sufficiently distant from the retaining wall does not include details of the foundation design and depth and therefore this detail must be provided for approval prior to any work commencing on site.

I recommend no highway objection subject to the following;

1. Prior to any work commencing on site, details of the basement foundations and method of construction shall be submitted for approval. The works shall thereafter be constructed in accordance with the approved details.
2. The construction of a vehicular crossing to Highway Authority Specification.

The Developer must contact the Highway Management Group , The City and County of Swansea , Penllergaer Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Senior Engineer (Development), e-mails to: jim.marshall@swansea.gov.uk or the Team Leader, e-mails to mark.jones@swansea.gov.uk , Tel. No. 01792 636091.

APPRAISAL

This application is reported to Committee for decision and a Site Visit has been requested by Councillor Tony Colburn to assess scale of the new building and the impact of the proposal upon on street parking and highway safety issues.

Full planning permission is sought for the construction of a 3/4 storey block of 3 self contained apartments with underground parking at 732 Mumbles Road. The site lies within the Mumbles Conservation Area and adjacent to another vacant site at 730 Mumbles Road.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 4 (CONT'D)

APPLICATION NO. 2013/1693

Full planning permission has previously been granted for the demolition of 732 Mumbles Road (2010/0950 refers) and the adjoining property 730 (2010/0945 refers) in order to provide access so that essential repair and maintenance work could be carried out along Clifton Terrace to the rear. Whilst a comprehensive scheme for the redevelopment of the two sites would have been desirable, the two plots fall within separate ownership and as such the site will be redeveloped in two phases. It should be noted however, that an application for the redevelopment of 730 Mumbles Road is also for consideration elsewhere on the agenda (Ref. 2013/1804).

It should also be noted that planning permission for the redevelopment of this site was approved in December 2012 – 2011/1345 refers. The approved scheme proposed the construction of 3 storey block of 6 self contained apartments and underground parking but has not been implemented to date.

The current proposal would measure approximately 11.9m in width, between 7.8m and 13.9m in depth, have an eaves height of 9.5m and an overall height of 13.5m. The accommodation would consist of two three bedroomed apartments on the upper ground and first floor with a three bedroomed apartment provided over two floors of accommodation at second and third floor level.

The previous planning permission measured between 8.5m and 14.4m in depth, had an eaves height of 8.9m and an overall height of 12.9m.

The site is located within the Mumbles Conservation Area and as such Policy EV9 of the Swansea Unitary Development Plan 2008 is particularly relevant. This policy seeks to ensure that new developments preserve or enhance the character and appearance of the Conservation Area. As the proposal is for residential purposes within the urban area Policies EV1, EV2, and HC2 are also relevant and set objectives of good design, and generally presume in favour of residential infill development unless there are overriding planning objections resulting from overdevelopment, significant loss of residential amenity, detrimental impact on the character and appearance of the area or satisfactory highway conditions. It is considered generally that developments should have proper regard to the amenities of surrounding areas, in particular visual impact, loss of light or privacy, shared activity, traffic and parking implications. This is further supported by Policy AS6 which requires proposals to provide appropriate car parking provision.

The surrounding area has a mixed use character although residential uses are becoming a more predominant land use with several commercial premises in the area closing. On this basis, the residential redevelopment of the site raises no policy objection in principle provided that the character and appearance of the locality and the Conservation Area is preserved or enhanced. This is a key material issue which is addressed later in this report.

Turning to the issue of residential amenity the main issues to consider are along Clifton Terrace to the rear, and the adjoining property 734-736 Mumbles as well as any impact the proposal may have upon the development of the adjoining vacant site. With regard to the premises to the rear, it is noted that these properties are set at a significantly higher land level, and whilst it is acknowledge that currently No's 9-13 Clifton Terrace enjoy a clear, uninterrupted view over the bay as a result of the demolition of No's 730 and 732 Mumbles Road, this was always going to be a temporary situation, and the redevelopment of both vacant plots a conditional requirement of the original demolitions being approved and as such an inevitability.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 4 (CONT'D)

APPLICATION NO. 2013/1693

However, a separation distance of some 20m is achieved between the proposed building and the dwellings to the rear, which coupled with the steep topography of the site is considered sufficient to mitigate against any unacceptable direct overlooking. The rear balcony areas would result in some overlooking of the rear amenity space of the nursing home to the east but as this area is already clearly viewed from Clifton Terrace, it is not considered that any further loss of privacy would be caused over and above that which is currently experienced. The depth of the proposal would also be lesser than previously approved and as such, the impact upon the nearest window in the side elevation of the nursing home (which has been raised as a concern) would not be greater than previously considered under the previously approved scheme.

In terms of physical impact, given that the proposal is a replacement building of comparable proportions to the originally approved scheme, infilling a temporary gap within an otherwise continuous terraced frontage, the physical impact of the proposal is not considered demonstrably more harmful than the original building. The proposal is not likely, therefore, to have any significant adverse impact on adjoining occupiers through overbearing, overshadowing or overlooking issues over and above those indicated above.

In terms of the residential amenities of the future occupiers of the flats, whilst it is accepted that there will be limited outlook particularly from the rear rooms of the ground floor, the doors and windows featured on the rear elevations coupled with the rear projection being set in off the boundary will ensure that adequate natural lighting will be afforded to the lower ground floor flats. Furthermore the proposed arrangement is no worse than similar recently approved schemes and as such cannot, it is considered, be justified as a reason for refusal. In addition, the rear balcony areas would be overlooked to a degree from the houses on Clifton Terrace but as this is a relationship currently experienced by existing for properties along this part of Mumbles Road, it is not considered that the residential amenities of the future occupiers of these properties would be significantly affected to a degree that would warrant a recommendation of refusal.

In terms of highway safety and parking issues the Head of Transportation and Engineering notes parking is being provided at basement level for three cars with an additional space available should the need arise. This level of parking is acceptable and accords with the standards that have been applied to similar developments in Mumbles. There is a 4m gap indicated between the development and the retaining wall at the rear which supports Clifton Terrace and this is to ensure sufficient room for maintenance purposes and to safeguard the integrity of the retaining wall. The basement parking facility, whilst indicated to be sufficiently distant from the retaining wall does not include details of the foundation design and depth and therefore this detail must be provided for approval prior to any work commencing on site. No highway objection is therefore raised subject to conditions relating to details of the basement foundations and method of construction being submitted and approved prior to commencement of works and a vehicular crossing being constructed to Highway Authority Specification.

Notwithstanding the above, there are concerns with the scheme and in particular its impact upon the character and appearance of this part of the Mumbles Conservation Area. As indicated above, this plot has an extant permission for redevelopment which was the subject of protracted discussions regarding its design prior to its approval (2013/1345 refers).

ITEM 4 (CONT'D)

APPLICATION NO. 2013/1693

With regard the current scheme the proposed first floor level is dictated by the need to accommodate car parking below the building for the flats. The step up in scale is concealed by a continuation of the front wall in a similar manner to that fronting 734-736, plus the habitable floor level is equivalent to the adjoining building.

The pedestrian entrance is in a legible location facing Mumbles Road at the top of a short proposed flight of steps. It will be differentiated from the adjacent patio door by virtue of the width and canopy.

The solid to void ratio reflects the traditional character of the Conservation Area and balconies are provided to maximise the direct views of Swansea Bay in a manner that does not detract from the conservation area character. This is achieved by locating the balustrade as part of the building with the balcony effectively inset into the building.

The site plan and floor plans indicate that the building line of the main façade (not the projecting gable) would be set some 0.9m back from the existing building established by 734-736 Mumbles Road to the left. Whilst the proposal is for a joined frontage, the proposed siting fails to respect the continuous alignment that is part of the character of this part of the conservation area.

Analysis of the Mumbles seafront character area will reveal that buildings generally display either plain flat frontages or repeating features with a clear rhythm such as bays or gables. This proposal falls between the two characteristics with a single gable and flat frontage and as such does not respect the established character.

The original building on this site had a ridge level at the same height as the parapet of 734-736 Mumbles Road to the left as indicated by the demolition 'scar'. The proposal is now for a ridge level some 2m higher than the original and 0.6m higher than the replacement building approved under 2013/1345. It is also clear that the proposed ridge is some 0.6m higher than the existing front ridge of 728 Mumbles Road to the right. Therefore it is considered that the proposed ridge level is excessive to the detriment of this part of the Mumbles Conservation Area. Furthermore this excessive height will be more apparent due to the way that the promenade kinks around Verdi's and focussed the public views onto this site.

Analysis of the conservation area will reveal that flush and projecting gables are common features within the roofscape. It will also be seen that existing examples of gables start from the existing eaves level which creates a pleasing flowing arrangement to the roofscape. However the proposal is for the new gable to start above the eaves level which is incongruous which makes the gable more dominant and shows a lack of respect for the conservation area character.

The details such as the eaves and gable verges also show a lack of regard for the conservation area. The eaves are shown as boxed which is a suburban feature not appropriate to the conservation area. Plus the verge fascias are terminated by the boxed ends to the eaves which fail to make a strong architectural statement. The materials proposed generally reflect the character of the conservation area with render and slate roofing, but there is a lack of detail on other materials although this issue could be overcome via the imposition of a suitably worded condition.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 4 (CONT'D)

APPLICATION NO. 2013/1693

The concerns raised by the objectors have been addressed above in the main body of the report.

In conclusion, the proposal is considered to be slightly over scaled and not positively related to the character of the Mumbles Conservation Area. Amendments were suggested to the applicant, which would have improved the design whilst maintaining the level of accommodation. However they have declined to amended the scheme, so in light of the above, it is considered that the proposal fails to preserve or enhance the character of this part of the Mumbles Conservation Area. The development is therefore considered to conflict with the overall requirements of Policies EV1, EV2, EV9 and EV26 of the Swansea Unitary Development Plan 2008 and refusal is recommended.

RECOMMENDATION

REFUSE, for the following reason:

- 1 The proposal, by virtue of its scale and design would fail to preserve or enhance the character and appearance of the Mumbles Conservation Area, contrary to the requirements of Policies EV1 and EV9 of the City and County of Swansea Unitary Development Plan 2008.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: EV1, EV2, HC2, EV9, AS6

PLANS

1159/01 site location plan, dated 25th November 2013, 1159/02 proposed floor plans, 1159/03 proposed elevations, 1159/04 street elevation dated 13th January 2014

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 5

APPLICATION NO.

2014/0190

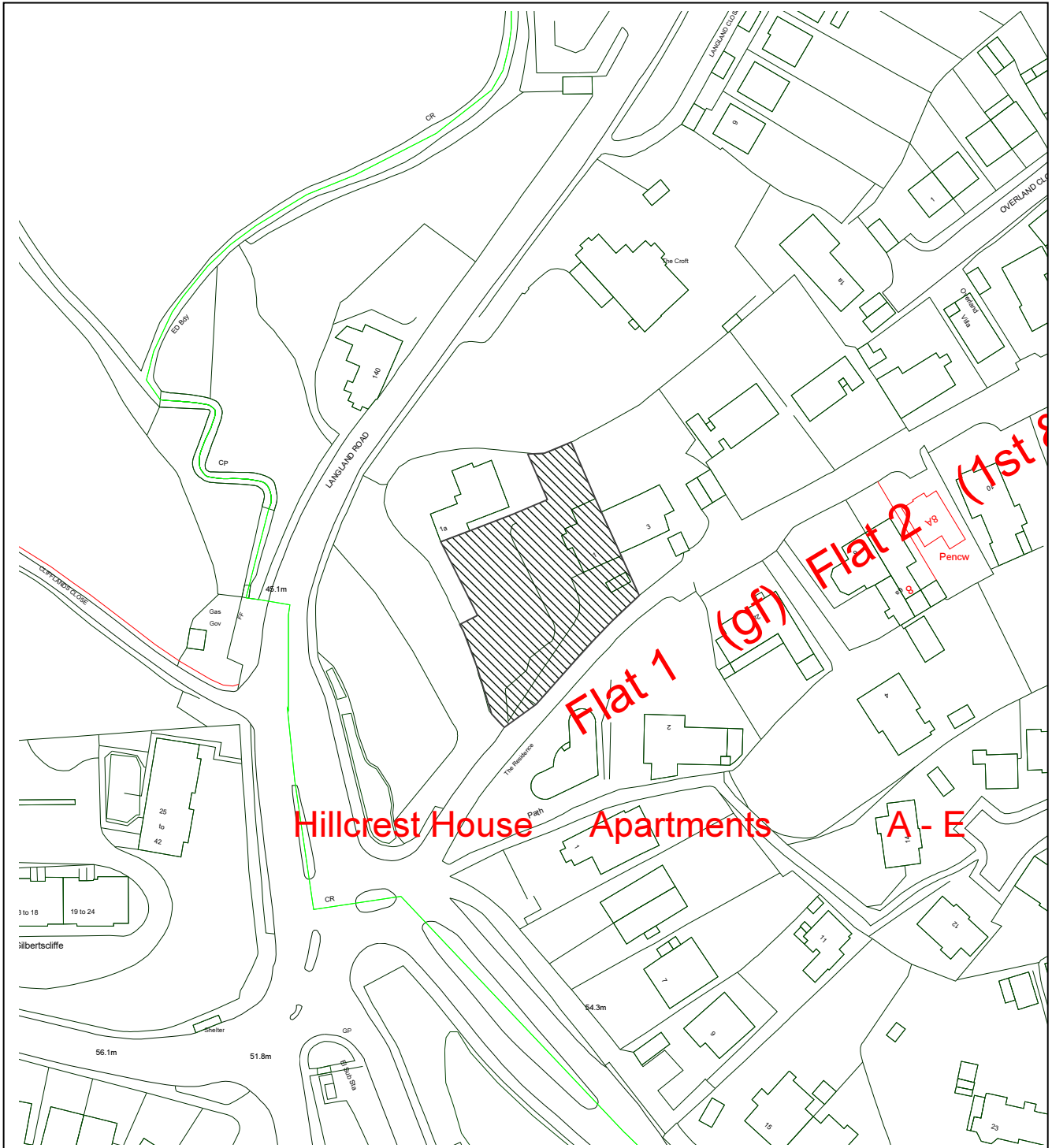
WARD:

Oystermouth
Area 2

Location: 1 Overland Road, Langland, Swansea, SA3 4LS

Proposal: Detached two storey garage/games room

Applicant: Mr Michael Snowdon



NOT TO SCALE

This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 5 (CONT'D)

APPLICATION NO.

2014/0190

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV30	Protection and improved management of woodlands, trees and hedgerows which are important for their visual amenity, historic environment, natural heritage, and/or recreation value will be encouraged. (City & County of Swansea Unitary Development Plan 2008)
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy HC7	Proposals for extensions and alterations to existing residential dwellings will be assessed in terms of; relationship to the existing dwelling, impact on the character and appearance of the streetscene, effect on neighbouring properties, and impact on car parking. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
99/1332	LOPPING AND REDUCTION OF 2 SYCAMORES AND FELLING OF 1 SYCAMORE COVERED BY TPO NO 127 Decision: *HGCC - GRANT CONSENT WITH CONDITIONS Decision Date: 19/11/1999
A01/0236	To lop and lop 2 beech covered by TPO No. 127 Decision: Grant Cons Area Consent Conditional Decision Date: 30/03/2001
2010/1142	To fell 1 sycamore and 1 cypress, crown lift 1 beech, 1 horse chestnut and 1 holm oak, crown lift and balance the crown of 1 sycamore and 1 holm oak covered by TPO No.127 Decision: Grant Tree Pres Order Consent (C) Decision Date: 04/10/2010
2009/0729	First floor rear extension and front carport Decision: Grant Permission Conditional Decision Date: 08/07/2009

RESPONSE TO CONSULTATIONS

Two neighbouring properties were consulted individually and the application was advertised on site. No responses have been received

Highway Observations – No response.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 5 (CONT'D)

APPLICATION NO. 2014/0190

APPRAISAL

This application is reported to committee for decision and a site visit has been requested by Councillor Tony Colburn to assess the impact upon the character of the area and the impact upon the TPO trees.

Full planning permission is sought for a detached two-storey garage/games room at Cynghordy, 1 Overland Road, Langland, Swansea. The application also includes a raised decked area linking the proposed garage to the upper level of the garden of No. 1 Overland Road.

The garage/ games room would be sited close to the western boundary of the site and would measure 6.4m in width, 7.5m in depth, have an eaves height of 4.3m and an overall height of 6.3m. All materials proposed would match those of the existing dwelling.

The main issues to be considered with regard to this application are the visual impact of the proposed development on the character and appearance of the dwelling and the streetscene and the impact on the residential amenity of the occupants of the neighbouring properties and the impacts upon the protected trees having regard to Policies EV1, EV30 and HC7 of the City and County of Swansea Unitary Development and the Supplementary Planning Guidance document entitled A Design Guide for Householder Development. There are in this case considered to be no additional overriding issues for consideration having regard to the provisions of the Human Rights Act.

Policies EV1 and HC7 would apply to the consideration of a planning application for the above. Policy EV1 generally refers to development following good design criteria and Policy HC7 specifically refers to extensions and alterations to existing residential dwelling being assessed in terms of their relationship to the existing dwelling by virtue of size design and materials, impact upon the character and appearance of the street scene, impact upon car parking and residential amenity.

EV30 relates to the protection and management of woodlands and protected trees.

The application property is semi-detached, Victorian in character and sited in an elevated position on the northern side of Overland Road. The property currently benefits from a large terraced front garden where it is proposed to the site the detached garage/games room that will be reached via a shared drive also serving No. 1a Overland Road. There are a number of trees protected by TPO's within the site.

With regard to visual amenity, Section 7 of 'A Design Guide for Householder Development' (2008) specifically refers to domestic garages and outbuildings and states at paragraph 7.1 that the "... buildings must be used for 'purposes incidental to the enjoyment of your house', and not for commercial purposes or as separate residential accommodation ... As with extensions and alterations to your house the location and design of your garage ... should respect the character and appearance of your property, the relationship of your property with neighbouring houses and the overall streetscene". Paragraphs 7.3 – 7.5 continue by stating that "... A garage ... must be smaller in scale and subservient to the main house ... (and) ... must not adversely affect your neighbour's enjoyment of their garden or house. A garage ... should not cause overshadowing, overlooking or be overbearing to a neighbour's property including their garden ...".

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 5 (CONT'D)

APPLICATION NO. 2014/0190

In principle a detached garage in this location is not considered wholly unacceptable and would leave sufficient amenity space for the occupiers of the dwelling on the application site. However, it is considered that the scale, siting and two storey design of the garage with a roof height measuring 6.3m and external decked area and steps, would appear more akin to a dwelling in the garden of this semi-detached house. Whilst the proposal would be set down below the main approach road "Overland Road" it is considered that the proposal would appear as a physically dominant structure out of keeping with the proportions of outbuildings usually associated with domestic properties. The proposal is therefore considered unacceptable because of its visual impact and as such, is contrary to Policies EV1 and HC7 of the adopted City & County of Swansea Unitary Development Plan (2008) and Section 5 of 'A Design Guide for Householder Development' (2008).

In terms of residential amenity, it is considered that the proposal would not give rise to an unacceptable overlooking, overshadowing or loss of privacy impact due to the large plot within which the outbuilding would be sited and adequate separation distances.

With regard to the protected trees, the garage is considered not to have a major impact due to the existing retaining wall. As such the application is considered to be acceptable in relation to the TPO trees and Policy EV30.

Therefore in conclusion and having regard to all material considerations, it is considered that the proposed detached two storey garage/games room, by virtue of its excessive height would result in a physically dominant structure out of keeping with the proportions of outbuildings usually associated with domestic properties. The proposal would not therefore relate well to the character of the original dwellinghouse on this site and would be detrimental to the visual amenities of the area. As such, the proposal is contrary to the requirements of Policies EV1 and HC7 of the adopted City & County of Swansea Unitary Development Plan 2008 and the guidance contained in the Supplementary Planning Guidance documents 'A Design Guide for Householder Development'.

RECOMMENDATION

REFUSE, for the following reason:

- 1 The proposed detached two storey garage/games room, by virtue of its excessive height would have an unacceptable impact on the character and appearance of the streetscene to the detriment of the visual amenity of the area. The development is therefore contrary to Policies EV1 and EV2 of the City and County of Swansea Unitary Development Plan and the Council's Supplementary Planning Guidance document entitled - A Design Guide for Householder Development.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: Policies EV1 and EV2 of the City and County of Swansea Unitary Development Plan and the Council's Supplementary Planning Guidance document entitled - A Design Guide for Householder Development.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 5 (CONT'D)

APPLICATION NO.

2014/0190

PLANS

01-site as existing, 05-proposed site layout, 06-floor plans/section, 07-elevations, 08-location/block plan dated 4th February 2014

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 6

APPLICATION NO.

2013/1846

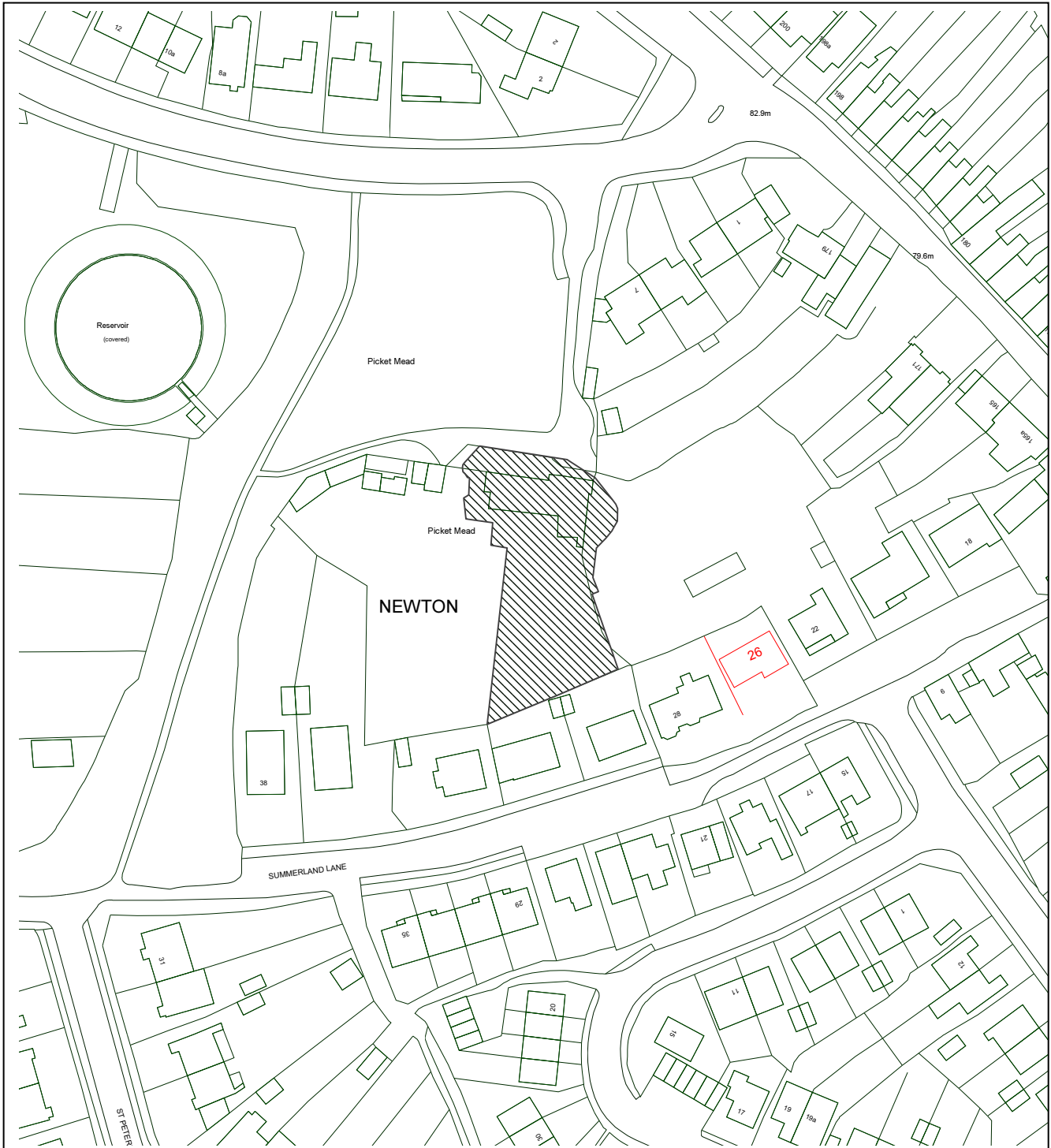
WARD:

Newton
Area 2

Location: Picket Mead The Mead Newton Swansea SA3 4TR

Proposal: Single storey rear extension, two storey rear extension, rear bay window, gable roof to side elevation, fenestration alterations, front porch, new vehicular access and detached garage

Applicant: Ms Julie Halliday



NOT TO SCALE

This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 6 (CONT'D)

APPLICATION NO.

2013/1846

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy AS6	Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy EV30	Protection and improved management of woodlands, trees and hedgerows which are important for their visual amenity, historic environment, natural heritage, and/or recreation value will be encouraged. (City & County of Swansea Unitary Development Plan 2008)
Policy EV9	Development within or adjacent to a Conservation Area will only be permitted if it would preserve or enhance the character and appearance of the Conservation Area or its setting. (City & County of Swansea Unitary Development Plan 2008)
Policy HC7	Proposals for extensions and alterations to existing residential dwellings will be assessed in terms of; relationship to the existing dwelling, impact on the character and appearance of the streetscene, effect on neighbouring properties, and impact on car parking. (City & County of Swansea Unitary Development Plan 2008)
Policy EV29	Common land will be protected from development in recognition of its importance for agriculture, natural heritage, the historic environment and as an informal recreation resource. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2002/1654	Increase in ridge height of roof incorporating 2 dormer windows on front elevation and 2 dormer windows on rear elevation, two storey side extension, front porch and rear conservatory Decision: Grant Permission Conditional Decision Date: 19/11/2002
2009/1264	Detached bungalow Decision: Withdrawn Decision Date: 14/04/2010

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 6 (CONT'D)	APPLICATION NO.	2013/1846
2011/0760	Construction of 4 detached dwellings Decision: Refuse Decision Date: 28/03/2012 Appeal Allowed – 04/09/2012	
2011/0766	Demolition of outbuildings within the residential curtilage and partial demolition of the North Elevation of existing Picket Mead House (application for Conservation Area consent) Decision: Refuse Decision Date: 28/03/2012 Appeal Allowed – 04/09/2012	
2009/1226	Construction of 5 detached dwellings, 2 with detached garages and 4 detached carports and associated works Decision: Refuse Decision Date: 23/07/2010	

RESPONSE TO CONSULTATIONS

SIX NEIGHBOURING PROPERTIES were individually consulted and the application advertised on site and in the press. TWO LETTERS OF OBJECTION were received which are detailed below:

- 1) I have no objection to an upgrade provided it is with regard to the Conservation Area of which it is a part. As you know there has been and still is major concern for Newton Common /Picket Mead in relation to this unwanted development, but I would like to make you aware there is still an on-going Village Green application.
- 2) The original approved plans (by Cardiff Inspectorate) of Picket Mead House included part demolition of the front area described as double story pitched extension, which will require a smaller rebuild. However having looked at the new proposal this now seems to have been omitted yet this was integral to the vista of Enhancing Picket Mead House and not losing its historic charm AND a condition of the original plans being approved.
This particular part of the structure was reintroduced by Hyde & Hyde (Architects), after the out cry over the proposed demolition, so the plans were amended to a smaller double gable to replicate the original, making the front elevation balanced - which this WILL certainly not be the case if this new proposal goes ahead.
- 3) The Inspectorate stated he was satisfied with traffic movement in the secret courtyards and across the Common. This approved plan allowed for two parking places for Picket Mead House all passed and in place under the approved plan for 2011/0760, the very plan mentioned on the new application form.
- 4) My objection to yet again another two access points are as the proposed new access would cause danger of collision at the entrance in and out from the secret courtyard. It now begs the question, will this cause exiting right in the path of people going about their lawful activities on the common or vehicles exiting from the secret courtyards. As any one has the right to walk or play on Urban Common Land this must be health and safety issues here?

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 6 (CONT'D)

APPLICATION NO.

2013/1846

This new access is just another way of making a private turning head and by doing so again making another problem for Refuse bin collection, as the proposal will go straight through the refuse pickup points which was approved in the 2011/0760 plans its shown on Hyde & Hyde drawings - and supposed to be behind fencing away from sight as viewed across the common, but they have approval now so all change "is it." The previous owners carried the refuse to Murton Lane as vehicles not even dust carts drove over the common.

5) In relation to the application form – the agent states on the application form question 8 -- his answer is No to the removal of trees & hedges. So please tell me what are they doing about the second tree against the boundary wall, which will have to be demolished to accommodate this ill thought out scheme?

6) If this scheme is approved with its two turning heads next to each other, there is an ever increasing chance of accidents. I will ask again please would you point out or provide evidence of the two car parking spaces the original parking spaces referred to by the previous owner Carrington Moore Limited, in their application forms, as they state two existing? WHERE WERE THEY? There were never two spaces!

I mention collision as I have fears on the newly approved access on the east side I note there is now being sought approval for a door right on the blind East side opening onto or close to the entrance into the secret courtyard for plot 3/4 this is a very congested area with very restricted access already. If the new owners don't build a wall how will traffic movement be able to pass with safety taking that bicycles are silent.

The traffic movement and parking were approved by so called experts so there should be no need to change it. After all it is a Conservation area, not central Swansea.

7) As I have stated upgrade by all means, but with taste balance and tradition in keeping to compliment the existing surrounding building as necessary. In addition 4 Velux windows added to an old traditional looking building, well I have my doubts, there on the back of the house on the North side. And how out place will these look? On an old Manor house viewed from the whole common.

8) Moving to the front (South side) I say front because Picket Mead house was served by an entrance from Summerland Lane. This south facing elevation is going to be nothing but fenestration almost the whole front is glass from ground level to gutter line really to much glass not enough walls, must surely weaken the old structure of the building with that size and amount of openings, and sodden ground.

9) Roof Scape on the East side - I can't see the reason for this roof gable extension as there is only the one line in the proposal or application form referring to it. If its some sort of balancing structure, it fails for me, as it changes the whole vista of Picket Mead House as we know it. If it is to make higher head room it must be the bedrooms in the attic which there seems to be no reference to in this application.

10) I cannot support this application as it interferes once again with the village green application in as much as more unnecessary exiting on the village green space there by once again contravening UDP policies EV29/EV9/EV10/HC2 (SECTION 3)

11) The 4 Velux windows inserted into the lower roof clash with the existing Gothic windows. The principle of protecting a Conservation Area in EV9 of the UDP is potentially undermined here.

12) Because the façade over the existing porch has not been replaced by a "dummy" one in these plans, as recommended by the judgement n 2011/0766, the balance of the entire north front has been lost. This "skewed" effect is exaggerated by the increased use of vertical timbers, especially over the proposed garage.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 6 (CONT'D)

APPLICATION NO.

2013/1846

- 13) Access to the garage can be configured from the south side of the house. 2 more vehicular accesses onto Picket Mead Common could be hazardous for people using it for recreation and does not uphold EV9 nor EV29.
- 14) No information is offered on the application form on refuse collection points. Where will Picket Mead House's be? Was not one planned for Plot 1 (granted Sept 2012) to be placed in the vicinity of the new garage in this application?

ONE LETTER OF COMMENT has also been received, which is summarised below:

1. The developer must ensure that the rear access of 175, Newton Road IS NOT BLOCKED (by skips / excavators / trucks etc...) during these building works.
2. The boundary of 175 Newton Road shall not be compromised during this work.
3. New hard standing must not drain onto the property of 175 Newton Road.

Following receipt of amended plans on 21st February 2014, the application was re-advertised on site and NINE properties re-consulted. As a result of this re-consultation, ONE FURTHER LETTER OF OBJECTION has been received, which is summarised as follows:

1. It is not clear whether the double storey extension on the rear elevation (facing the Common), now demolished, is to be replaced as per approved plan 2011/0766. Without the re-instatement, the character and charm of this entire elevation is unbalanced resulting in significant impact on the vista and iconic backdrop to Picket Mead Common, contrary to Policy EV9 of the Unitary Development Plan. Please also refer to enclosed sales literature from John Francis (paragraph highlighted **).
2. There is no need for a vehicular access revision breaching the Common boundary wall in 2 separate places to form what is clearly another turning head, albeit 50% in Picket Mead House's own curtilage. Access and parking is already in place through the Plan approved by the Inspectorate in 2012 and the Welsh Assembly in 2013 for road and media works across the Common. Access to the new garage via the "Secret Courtyard" of Picket Mead house could mean less safety concerns the present plans may pose to the public using the Common and less impact on the Common's vista, unique in Newton village. The applicant has obtained more land for Picket Mead House which should give additional scope for reconfiguring the access to the garage through the "Courtyard".
3. The placement of the rubbish collection point for Picket Mead House and plots 1 and 2 was on a screened site by the protected tree and existing garage, according to the approved Plan of Sept. 2012. I understand that Picket Mead House's collection point will be moved but where exactly? What screening is proposed? Where will the refuse from Plots 1 and 2 be collected from as their site will be taken by the proposed new vehicular access?
4. I have been informed by Planning that the go-ahead for Plot 1 may be in doubt, in which case there would be no need for a 5 metre road and turning head on the Common itself (approved Aug. 2013). Mumbles Community Council strongly objected to this.
5. The renovation of Picket Mead House is to be welcomed. Inspector Poulter described it thus in 2010 "Its size and design which include architectural detail in the Gothic Style mark it out as one of Newton's finest buildings. It makes a particularly important contribution to the distinctive character of the Conservation Area". The contribution of the Common as a green lung/recreation space for Newton cannot be overstated.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 6 (CONT'D)

APPLICATION NO.

2013/1846

Mumbles Community Council recognised this and nominated it for the status of Protected Urban Greenspace in 2011 for the new LDP. I understand this is still being considered. The application for Village Green status is also ongoing and being dealt with by Swansea Council's Legal Department.

6. I urge further scrutiny of the amended plans and a discussion of imposing a condition to restore the Mead to its former state and size, should they be consented to. This is in the light of heavy vehicular traffic currently altering the edges of the cinder track, which is becoming virtually a full grade road. It should be mentioned here too, that a petition of 1270 signatures and around 50 individual letters were lodged with the Inspectorate during the course of objections to the road upgrade and media works in 2013.

Highway Observations - Proposals are for a single storey/two storey rear extension, detached garage and associated works. The property is situated on a large plot accessed by a private track off the adopted highway. There is no increase in demand for parking and parking provision including a detached garage is acceptable. There are no highway objections.

APPRAISAL

This application is called to Committee for decision and a Committee Site Visit at the request of Councillor Lynda Tyler-Lloyd, in order to assess the impact of the proposal upon the visual amenities of the area and the wider Conservation Area.

Whilst the comments/concerns expressed by the objectors/commenter above are noted and have been taken into account in the consideration of this application, the issues pertaining to this application for 'householder' consent only relate to the elements of refurbishment and extension of Picket Mead house itself, and not to the previously consented scheme for 4 detached dwellings, although these have been discussed in the appraisal below.

The application for full 'Householder' planning permission was submitted for the construction of a "Part single storey, part two storey rear extension, new vehicular access, detached garage and alterations" at Picket Mead House, Newton. On validation of the application, the description was altered to more accurately reflect the works proposed, and was changed to the description detailed at the beginning of this report. The originally-submitted plans showed the following:

1. The removal of an attached lean-to (eastern elevation) and the single storey front gable projection (northern elevation).
2. The installation of four rooflights to the single storey front projection (northern elevation).
3. The extension eastwards of the single storey front projection to enable the creation of a revised porch entrance (with timbered gable facing the common/The Mead).
4. The demolition of the western part of that single storey front projection (which wraps around the north-western corner).
5. The construction of a detached garage some 2.7m distant of the main western elevation (again with timbered gable fronting the common).

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 6 (CONT'D)

APPLICATION NO.

2013/1846

6. The construction of a single storey flat roof rear extension, within the 'L' shape created between the main rear elevation of the house and the side elevation of the two storey rear wing.
7. The introduction of a roof gable on the western side of the rear elevation, allowing for the alteration of existing windows (ground and first floors) to match existing bays.
8. A two storey extension to the existing rear wing (from 4.4m to 7m depth), including the introduction of bay windows on its rear elevation to match existing.
9. The introduction of a roof gable on the eastern elevation, with glazing section under its eaves.

Planning History

Planning permission was granted relatively-recently for the construction of "4 No. dwellings and associated works" within the curtilage of Picket Mead (2011/0760) along with Conservation Area consent for the "demolition of outbuilding within the residential curtilage of Picket Mead House. Partial demolition of north elevation of existing Picket Mead house" (2011/0766 refers). There was considerable local concern regarding this development, in terms of siting, access, drainage and particularly with the modern design of the houses proposed and the overall visual impact of the development on the Newton Conservation Area and Picket Mead house itself. Notwithstanding this local concern, however, the Planning Inspector, approved both schemes at appeal. No works have commenced on the construction of the 4 dwellings, but the partial demolition of the north elevation of Picket Mead house has been undertaken.

The site area indicated as remaining part of Picket Mead curtilage in those approved plans differs from the site area now indicated in relation to the current application, as the previous landowner has sold on Picket Mead and a defined curtilage to the applicant. This may have ramifications on whether the planning permission granted under 2011/0760 can be implemented, as the area indicated for additional parking for Dwellings 1 and 2 of the approved scheme has been sold to the current applicant, but this is not at issue in determining this application.

Conservation Area character appraisal

The application site lies within the Newton Conservation Area, whose special character is identified as comprising "*the mixed use core of the village, its narrow streets fronted by picturesque natural stone boundary walls and many excellent terraced cottages. This interspersed with some fine individual buildings and beautiful mature trees. ... Because of Newton's location in Gower, the proximity of the City Centre and its attractive setting and fine buildings, it has become a much sought after residential area. The result is an intense pressure to develop within the village. Unsympathetic alterations and extensions which are scheduled as permitted development can provide a real threat to the character and appearance of the village*".

The village of Newton therefore comprises a range of dwelling types and roof styles which reflect differing periods of development. Exterior finishing materials also vary throughout the village, with render, brick or a combination of these being most prevalent. Roofs are varied, with hipped and gable approaches present throughout the village, and these are finished in either slate or concrete tiles of red, brown or grey colouring. The village therefore has a loose character in terms of the appearance of its dwellings.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 6 (CONT'D)

APPLICATION NO. 2013/1846

The application property comprises a large detached dwelling known as Picket Mead, with its spacious garden area extending southwards towards the rear of properties fronting Summerland Lane. The original curtilage of the house extended much further beyond the existing site area to the east and west and also included various outbuildings (west), but these do not form part of the current application site area and are no longer associated with Picket Mead.

The property lies to the south of 'The Mead', an informal village green/common land located within the village of Newton, and it is accessed off a short, unmade access track leading from Murton Lane and down the eastern side of the green area, where it terminates in front of the application property. There is currently an application pending with the Legal Department regarding Village Green status for this land, but no decision has yet been reached on this application. Notwithstanding this, the developments proposed as part of this current application will all take place within the curtilage of Picket Mead house and will not spill out onto the green.

Picket Mead house stands in relative isolation from neighbouring residential properties, and is considered to be a focal unlisted building within the Conservation Area. The surrounding residential dwellings lie on the fringes of this once-extensive plot and generally front onto the surrounding highway network of Newton Road (east), Summerland Lane (south) and two pairs of semi-detached dwellings which front onto Murton Lane (north-east).

Application property appraisal

The large dwelling comprises a 2 storey, 'L'-shaped dwelling, finished with white rendered walls and a red clay tile roof. The front of the dwelling (north and fronting onto the green) presents a long elevation with a main roof running parallel to the southern edge of the green. A perpendicular gabled roof section is located at the eastern end of the main roof, which also had a further ground floor gabled section projecting further forward of this (which has since been removed). It is noted that the original house has been extended at various times resulting in an eclectic mix to its overall character.

Adjacent to this layered gable is a further small single storey gable section which is attached to a long, single storey lean-to projection running along the ground floor and which extends slightly beyond the western elevation with a pitched roof gable-ended section. A door and several windows of differing sizes are located on this front elevation, all of which have a curved arch appearance.

The rear and side elevations have a variety of more standard rectangular windows with one of curved arched windows in the elevation at the rear, and the rear elevation presents a double height bay window.

Additional features include three chimneys located above gables on the front, rear and western side elevation of the dwelling. Finally, a lychgate previously stood in front of the dwelling and opened onto The Mead as a part of the front boundary treatment of the property. The roof of this has currently been removed as part of works to the front boundary of the property, but is to be re-instated.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 6 (CONT'D)

APPLICATION NO.

2013/1846

Application appraisal

The original proposals were considered generally acceptable in principle but, following consultation with the Conservation Area Team, various detailed elements were identified which required amendment/removal from the scheme. The alterations from the originally-submitted plans show the following:

1. The re-introduction of a gable-shaped detail to the render proposed to the front elevation, in lieu of the removal of the actual single storey gable.
2. The amendment of detailing to the four front rooflights, to include a vertical bar in order to retain their relationship with the verticality of the existing 'Gothic style' windows in the single storey front projection.
3. The removal of the timbered detailing to the front of both the revised porch and the detached garage, but its reinstatement on the original lych-gate to be reinstated as part of works to the front boundary wall. The re-instatement of the lych-gate is considered to be an important part of the overall refurbishment of this property and it is suggested that suitable conditions be imposed to secure its implementation.
4. The removal of the glazed 'under eaves' section of the eastern side gable.

In addressing the identified concerns, the proposals outlined in the amended plans are now considered to illustrate a scheme which more sympathetically relates to the historic character and appearance of the existing dwelling. As such, they are considered to be acceptable additions and modifications in terms of visual amenity.

Although some elements of the proposal will be visible from The Mead (north elevation), these are minor changes to the overall dwelling and the amendments illustrated are considered likely to have little or no visual impact upon the quality of the dwelling itself, its immediate environs, the nearby green or the wider Conservation Area and, as such, would preserve the established character of that Conservation Area designation.

The proposed changes to the rear are more contemporary in nature but are considered to be acceptable as they are modest additions which would not dominate the rear elevation and are considered to be acceptable and would not harm the character and appearance of the host property or the wider Conservation Area.

With regard to refuse storage, the agent has advised that this will be within the defined curtilage now associated with Picket Mead house (in the garden area to the east of the property and adjacent to the kitchen) and that its collection/dropping off for collection is a matter for the applicant. It is acknowledged that the previously consented scheme showed that refuse storage for the four new dwellings would also be within the curtilage of Picket Mead house, however, it is not considered reasonable to request that the present applicant make provision for such storage for a development which may or may not take place. In these circumstances, it is respectfully suggested that individual storage facilities/collection arrangements should be made by the occupiers of those new dwellings, should that consented development take place. In terms of the application property, it is suggested that further details of bin/refuse storage area be submitted for consideration/approval, given the visual sensitivity of the property when viewed from the Mead/public realm.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 6 (CONT'D)

APPLICATION NO. 2013/1846

It is considered that nature of the proposals illustrated will not result in any unacceptable impact upon the residential amenities currently enjoyed by neighbouring occupiers in terms of overshadowing, overbearing physical impact or an increase in overlooking; and the highways officer has confirmed that sufficient parking/turning space remains within the curtilage to comply with current parking standards.

With regard to the proposed removal of the Horse Chestnut tree situated alongside the Sycamore to the north-west of the dwelling, no precise details have been submitted as part of this current application. However, that tree was identified in an arboricultural report relating to the previous applications (2011/0760 and 2011/0766) as tree T4, and the survey schedule included as part of those earlier applications suggested that tree T4 was a "*Stunted, contorted tree of miserable form ... (which) competes with T3 for space, light and nutrients and is probably best removed to favour T3*". The T3 Sycamore is also protected by Tree Preservation Order No.546, while the protection of the T4 Horse Chestnut is covered by it being within a Conservation Area. The planning Inspector in those earlier cases took this into account in determining the earlier appeals and, in the circumstances, it is considered that the removal of this particular tree represents good arboricultural management and can be controlled by attaching suitable conditions.

The points raised by objectors to the present scheme relate principally to matters of visual amenity, including certain elements in the precise design of the new scheme such as refuse storage/front gable etc; impact of the scheme on the character and appearance of the Conservation Area, including works to trees; impact on the Village Green (current application with Legal); and its impact on highway safety and access concerns; and all of these issues have been addressed in the appraisal above. With regard to the comments received matters of access obstruction, boundary issues and off-site drainage are civil matters and not material to the consideration of the application.

In conclusion, and having had regard to all material planning considerations including the Human Rights Act, the proposal is considered to represent an acceptable form of householder development, complying with the criteria of Policies AS6, EV1, EV3, EV9, EV29, EV30 and HC7 of the adopted City & County of Swansea Unitary Development Plan (2008) and the guidance contained in the Supplementary Planning Guidance document 'A Design Guide for Householder Development' (2008).

RECOMMENDATION

APPROVE, subject to the following conditions:

- 1 The development hereby permitted shall begin not later than five years from the date of this decision.
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.
- 2 The tree works to which this permission relates must be completed in its entirety no later than 2 years from the date of this consent, after which time the consent is no longer valid.
Reason: In the interests of visual amenity and safety.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 6 (CONT'D)

APPLICATION NO.

2013/1846

- 3 The tree works shall be carried out by a qualified tree surgeon to British Standard 3998 (2010) recommendations for tree work, the identity of whom shall be notified to the Local Planning Authority a minimum of 7 working days before the work is to be carried out.
Reason: In the interests of visual amenity and safety.
- 4 The materials used for the external surfaces of the development shall be strictly in accordance with the details submitted to and hereby approved by the Local Planning Authority.
Reason: In the interests of visual amenity.
- 5 The re-instatement of the lych-gate, including the timbered gable, shall be carried out strictly in accordance with the approved plans, and shall be implemented within 6 months of the date of this permission.
Reason: In the interests of visual amenity.
- 6 Prior to the occupation of any part of the development hereby permitted, bin-stores and a drying area shall be provided within the curtilage of the site, details of which shall be submitted to and approved by the Local Planning Authority.
Reason: To safeguard the visual amenity of the locality and the residential amenities of future occupiers.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: Policies AS6, EV1, EV3, EV9, EV29, EV30 and HC7 of the adopted City & County of Swansea Unitary Development Plan (2008) and the guidance provided in the adopted SPG 'A Design Guide for Householder Development' (2008).
- 2 Bats may be present. All British bat species are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2010. This legislation implements the EC Habitats & Species Directive in the UK making it an offence to capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It is also an offence to recklessly / intentionally to disturb such an animal.
If evidence of bats is encountered during site clearance e.g. live or dead animals or droppings, work should cease immediately and the advice of the Natural Resources Wales sought before continuing with any work (01792 634960).
- 3 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

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 6 (CONT'D)

APPLICATION NO.

2013/1846

Care should be taken when working on buildings particularly during the bird nesting season March-August.

- 4 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 5 Please note that this consent is specific to the plans and particulars approved as part of the application. Any departure from the approved plans will constitute unauthorised development and may be liable to enforcement action. You (or any subsequent developer) should advise the Council of any actual or proposed variations from the approved plans immediately so that you can be advised how to best resolve the matter.

In addition, any conditions that the Council has imposed on this consent will be listed above and should be read carefully. It is your (or any subsequent developers) responsibility to ensure that the terms of all conditions are met in full at the appropriate time (as outlined in the specific condition).

The commencement of development without firstly meeting in full the terms of any conditions that require the submission of details prior to the commencement of development will constitute unauthorised development. This will necessitate the submission of a further application to retain the unauthorised development and may render you liable to formal enforcement action.

Failure on the part of the developer to observe the requirements of any other conditions could result in the Council pursuing formal enforcement action in the form of a Breach of Condition notice.

PLANS

865-L(99)101 existing ground floor plan, 865-L(99)102 existing first floor plan, 865-L(99)105 proposed first floor plan, dated 20th December 2013; Amended plans: 865-L(90)101A site location and block plan, 865-L(90)102A street view, 865-L(99)103A existing elevations, 865-L(99)104A proposed ground floor plan, 865-L(99)106A proposed elevations, 865-L(99)107A proposed garage plan and elevations, received 21st February 2014

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 7

APPLICATION NO.

2014/0075

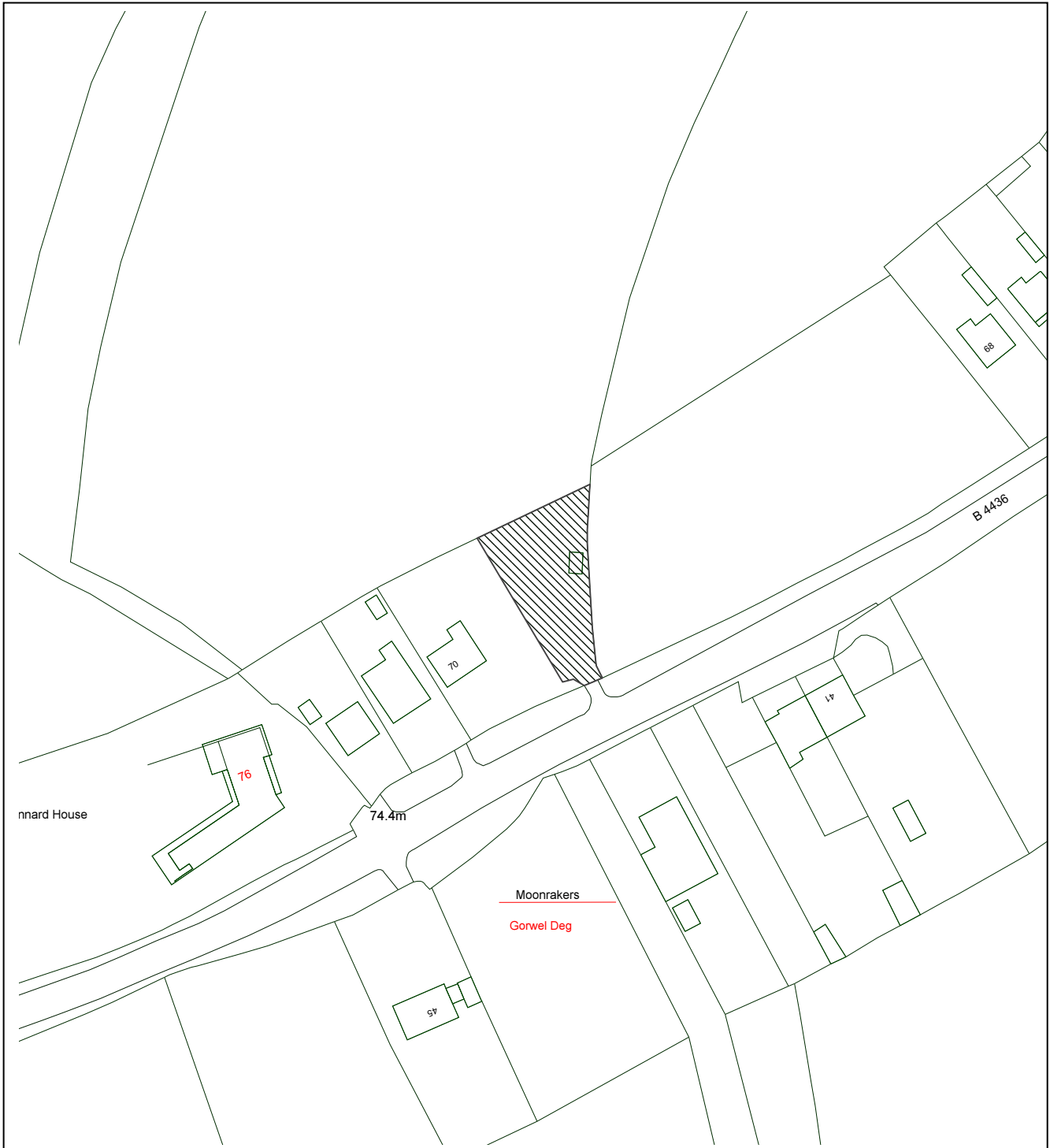
WARD:

Pennard
Area 2

Location: Land adjacent to 70 Pennard Road, Kittle, Swansea, SA3 2AA

Proposal: Detached dwelling

Applicant: Mrs Caroline Davies



NOT TO SCALE

This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 7 (CONT'D)

APPLICATION NO.

2014/0075

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
---------------	---------------------------

Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
------------	---

Policy EV20	In the countryside new dwellings will only be permitted where justification is proved in terms of agriculture, forestry or the rural economy; there is no alternative existing dwelling in nearby settlements; and the proposed dwelling is located close to existing farm buildings etc. (City & County of Swansea Unitary Development Plan 2008)
-------------	--

Policy EV22	The countryside throughout the County will be conserved and enhanced for the sake of its natural heritage, natural resources, historic and cultural environment and agricultural and recreational value through: i) The control of development, and ii) Practical management and improvement measures. (City & County of Swansea Unitary Development Plan 2008)
-------------	--

Policy EV16	Within the small villages identified on the Proposals Map, small-scale development will be approved only where it is appropriate to the location in terms of the defined criteria. (City & County of Swansea Unitary Development Plan 2008)
-------------	---

Policy EV26	Within the Gower AONB, the primary objective is the conservation and enhancement of the area's natural beauty. Development that would have a material adverse effect on the natural beauty, wildlife and cultural heritage of the AONB will not be permitted. (City & County of Swansea Unitary Development Plan 2008)
-------------	--

Policy EV18	In exceptional circumstance permission maybe granted for the development of small local needs affordable housing sites within and adjoining settlements. (City & County of Swansea Unitary Development Plan 2008)
-------------	---

SITE HISTORY

App No.	Proposal
----------------	-----------------

2013/0855	Detached dormer bungalow (outline) Decision: Refuse Decision Date: 01/10/2013
-----------	---

98/0361	ERECTION OF DETACHED GARAGE AND STORE Decision: *HGPC - GRANT PERMISSION CONDITIONAL Decision Date: 12/06/1998
---------	--

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 7 (CONT'D)

APPLICATION NO.

2014/0075

2013/0331 Increase in ridge height to provide first floor living accommodation and two storey rear extension (Amendment to Planning Permission 2012/0450 granted 24th May 2012)

Decision: Grant Permission Conditional

Decision Date: 07/05/2013

2012/0450 Increase in ridge height to provide first floor living accommodation, part two storey, part single storey rear/side extension and two front dormers

Decision: Grant Permission Conditional

Decision Date: 24/05/2012

RESPONSE TO CONSULTATIONS

The application was advertised on site and the neighbouring property consulted. No response.

ONE LETTER OF “NO OBJECTION” has been received from Pennard Community Council.

Dwr Cymru Welsh Water – No objection subject to standard conditions and advisory notes.

Highways - The access to the development is to be in the form a shared private drive. Standards for such a drive recommend that off a road such as this, a width of 5.5m is required for the first 12m of shared length. The indicated width is less than 3m and therefore will need to be widened to make it acceptable.

APPRAISAL

This application is reported to Committee and a Site Visit requested by Councillor Lynda James to assess the impact upon the visual and residential amenity of the surrounding area.

Full planning permission is sought for a detached dwelling at land adjoining No.70 Pennard Road, Kittle. The plot itself currently forms part of the garden area adjoining the property known as No.70 Pennard Road and is located in the open countryside and within Gower AONB.

The application site lies to the north of Pennard Road. The site is bounded to the west by No.70 and by agricultural fields to the north and east and Pennard Road to the south. The application site is located directly opposite a run of properties of mixed design.

In terms of planning history, planning application 2013/0855 was refused permission on 1st October 2013 for the following reasons:

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 7 (CONT'D)

APPLICATION NO.

2014/0075

1. *The proposal represents an unjustified dwelling in the countryside for which no overriding need has been demonstrated and would result in the introduction of an urbanising form of ribbon development which would be detrimental to the character and appearance of the countryside and Gower AONB contrary to the Policies EV1, EV2, EV16, EV20, EV22 and EV26 of the City & County of Swansea Unitary Development Plan.*
2. *Approval of this application would set an undesirable precedent for similar forms of unjustified development the cumulative impact of which would have a seriously detrimental impact upon the character and appearance of the countryside and Gower AONB contrary to Policies EV20, EV22 and EV26 of the City & County of Swansea Unitary Development Plan (2008).*

A previous application was refused in 1980 (Ref: 80/0050/01) for the erection of a bungalow at a location consistent with the current application. A subsequent appeal was also dismissed on the grounds that the proposal represented an extension of ribbon development into the open countryside and would result in the erosion of open land in an area of great landscape value. A further application for a similar form of development (Ref: 2/1/87/0652/01) was also refused by the Local Planning Authority and again dismissed at appeal with the Inspector reasoning that "an additional house on this site would cause serious harm to the rural character of the area by causing the almost irreversible erosion of open land on the fringes of the village of Kittle." A further outline application for a detached dormer bungalow was refused in October 2013 (2013/0855 refers) and was refused for the following reasons:

- *The proposal represents an unjustified dwelling in the countryside for which no overriding need has been demonstrated and would result in the introduction of an urbanising form of ribbon development which would be detrimental to the character and appearance of the countryside and Gower AONB contrary to the Policies EV1, EV2, EV16, EV20, EV22 and EV26 of the City and County of Swansea Unitary Development Plan (2008).*
- *Approval of this application would set an undesirable precedent for similar forms of unjustified development the cumulative impact of which would have a seriously detrimental impact upon the character and appearance of the countryside and Gower AONB contrary to Policies EV20, EV22 and EV26 of the City and County of Swansea Unitary Development Plan (2008).*

The applicant has previously indicated that there was a static caravan occupying the site for in excess of ten years that was rated as a separate unit of accommodation with a separate address however this caravan has been removed from the site and there is no planning history associated with the caravan.

The main issue to be considered in this instance is the acceptability of the proposed development in principle and its impact upon the character and appearance of the countryside and Gower AONB having regard to the provisions of prevailing policies of the Unitary Development Plan and National Planning Policy Guidance. It is not considered that the provisions of the Human Rights Act raise any other overriding considerations.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 7 (CONT'D)

APPLICATION NO.

2014/0075

The site is situated outside of the perimeter of the village of Kittle, which is named as a "Small Village" under the provisions of Policy EV16 of the City and County of Swansea Unitary Development Plan 2008 (UDP). In this respect Policy EV16 allows for small scale development within named settlements subject to the following criteria:

- i. It is of a scale, density and layout compatible with the size and form of settlement,
- ii. It has a design that in its form, elevational treatment, detailing and use of materials is sympathetic to the architectural character of the village,
- iii. It will involve a loss of land of recreational, natural heritage or amenity value,
- iv. It has an acceptable relationship with adjacent buildings, spaces and landscape, including coastal features
- v. It will not harm the amenity of neighbouring residents, and
- vi. It can be accessed without prejudicing highway safety and without detriment to the character of the village

Policy EV16 defines 'within' a settlement as that which could reasonably be incorporated into the existing village form without detracting from its character and amenity. Given that the site is isolated from and is not considered to fall within the village of Kittle, residential development such as this would be assessed against Policy EV20 of the UDP. This policy seeks to restrict new residential development in the countryside to that required to accommodate full-time workers solely or primarily employed in agriculture, forestry or an appropriate use to serve the rural economy who needs to live on the premises rather than in a nearby settlement and there is no alternative existing dwelling available in nearby settlements. It is also required that the applicant demonstrates that there are no existing buildings suitable for conversion to residential use and that the proposed dwelling is located as close as possible to the place of work. This is to restrict development in the countryside, thus protecting the character, appearance, landscape and ecological features of remaining countryside from urbanising forms of development.

Reference is made throughout the submission to the proposed dwelling being for local need. Policy EV18 states that in exceptional circumstances permission may be granted for the development of small sites within and adjoining settlement. This would be for the specific purpose of providing affordable housing to meet an existing deficiency for people who need to live in the locality and who cannot reasonably be accommodated through the area's general housing market. Such releases will only be made where:

- There is a proven need in the locality
- There are binding agreements to make the housing available for low cost purchase or rent and for the retention of the housing in the long term as low cost housing to meet local needs
- It has a design that in its form, elevational treatment, detailing and use of materials is sympathetic to the architectural character of the village
- It will not involve the loss of land of important recreational, natural heritage or amenity value,
- The scale of the development is in accord with the character of the area, and
- No satisfactory alternative arrangements can be made to meet the identified needs.

The amplification to the policy states *that "releases under this "exceptions" policy are not expected to be extensive and that in all cases confirmation of need will be required to be demonstrated"*. No supporting information has been provided by the applicant in this instance that would demonstrate a local need

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 7 (CONT'D)

APPLICATION NO. 2014/0075

Policy EV22 of the UDP states that within this area the countryside will be conserved and enhanced for the sake of its natural heritage, natural resources, historic and cultural, environment and agricultural and recreational value through the control of development.

Planning Policy Wales (PPW) acknowledges that the sensitive infilling of small gaps may be acceptable it also states that new houses in the countryside away from existing settlements recognised in UDP's must be strictly controlled. In this instance the current application site is not considered to fall within the settlement, is not considered to represent a small gap suitable for sensitive infilling and would contribute to the ribboning of development towards the village of Kittle to the east. The character of this part of Pennard Road remains sufficiently rural in appearance such that the proposal would also introduce an urbanising form of development into this part of the open countryside and Gower AONB which would be detrimental to the character and appearance of the area and contrary to the overriding objectives set out in the City and County of Swansea Unitary Development Plan.

Having regard to the provisions of the Unitary Development Plan, Policies EV20 and EV18 in particular, in this case no evidence has been submitted to demonstrate that the proposal is required for an agricultural or forestry workers dwelling or that there is an overriding economic need to serve the rural economy and the provision of affordable housing to meet a demonstrable local need. There is no justification therefore for the introduction of a new dwelling which would result in an undesirable visual intrusion into this part of the countryside and AONB. The proposal therefore fails to provide an essential agricultural or overriding economic or rural or local need for a dwelling at this countryside location, and there are no other material considerations that outweigh the provisions of the Unitary Development Plan.

Turning to residential and visual amenity it is considered that the plot would be capable of accommodating a dwelling without giving rise to an unacceptably cramped or overdeveloped form, and without unacceptable impact upon the residential amenities of the neighbouring occupiers. The comings and goings of one additional dwelling are not considered to give rise to an unacceptable impact upon the residential amenities of the neighbouring properties.

Whilst it is acknowledged that the proposed dwelling is modest in size and low lying it is not considered to display typical traditional vernacular, this is not to say however, that the scheme is not capable of amendment such that may be possible to achieve an overall improved and satisfactory design, the fundamental overriding objections to the proposal in terms of principle, are such that it is considered to represent a visually intrusive form of development that would result in unacceptable visual intrusion into the Gower AONB and fail to protect the character of the countryside for its own sake contrary to Policies EV1, EV2, EV22, EV26 and EV20 of the Unitary Development Plan 2008.

Moreover, in view of the above consideration, if permitted, it is considered that this proposal would set an unacceptable precedent for further similar releases in the Gower AONB, the cumulative effect of which would be further erosion of the character and appearance of the village and unacceptable degradation of the natural beauty of the Gower AONB.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 7 (CONT'D)

APPLICATION NO. 2014/0075

In terms of highway safety, the minimum standard for a drive such as that proposed is 5 for the first 12m of shared length. The indicated width is less than 3m and would therefore need to be widened to make it acceptable. No such amendments have been sought in this instance given the overriding policy objection to the proposal; however, it is considered that the desired minimum width for the shared drive could be achieved.

Burry Inlet Habitat Regulations Assessment

The City and County of Swansea, as the competent authority, is required under Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 (known as the 'Habitat Regulations') to undertake a Habitat Regulations Assessment of any project likely to have an effect on a European Site, or candidate/proposed European Site, either alone or in combination with other plans or projects, that is not necessary to the management of the site for management of the site for nature conservation.

In this instance, the European sites potentially affected are the Carmarthen Bay and Estuaries European Marine Site (CBEEMS), the Carmarthen Bay Special Protection Area (SPA) and the Burry Inlet SPA and RAMSAR site. Before deciding to give permission we must therefore first consider whether this development is likely to have a significant effect on the CBEEMS either alone or in combination with other plans or projects in the same catchment area.

Following an investigation of likely significant effects on the CBEEMS features water quality was identified as the only factor that might have an effect this is discussed below.

Water Quality

With regard to the water quality issues in the Burry inlet and Loughor Estuary, the City and County of Swansea has followed the advice of their statutory advisor, and has commissioned a preliminary assessment under the above Regulations which is limited to the assessment of potential wastewater effects only.

This assessment notes that as part of their review of consents (RoC) under regulation 63 the Environment Agency (EA) undertook a detailed Habitats Regulations assessment in relation to the effects of their consented activities. Consent modifications were identified to enable the Environment Agency to conclude no adverse effect on the integrity of the CBEEMS in respect of their consents operating at their maximum consented limits.

As the consents in question have already been subject to a full assessment (alone and in-combination) under the provisions of the Habitat Regulations, there is no need for the City and County of Swansea to undertake a further assessment where development can be accommodated within the post RoC discharge consent limits.

It is the opinion of the authority that this development can be accommodated within the post RoC discharge consent limits, and will not be likely to have a significant effect either alone or in-combination on the Carmarthen Bay and Estuaries SAC, the Carmarthen Bay SPA, or the Burry Inlet SPA and RAMSAR. Such effects can be excluded on the basis of the objective information available through the Environment Agency review.

Other Possible Effects on CBEEMS features

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 7 (CONT'D)

APPLICATION NO.

2014/0075

In addition, it is considered that there are no other potential adverse effects from this development proposal, either alone or in combination with other plans or projects on the above protected European sites.

On this basis there is no requirement to make an appropriate assessment of the implications of the proposed development in accordance with regulation 61(1).

Conclusion

In conclusion, having regard to the above considerations, including the Human Rights Act, it is considered that the proposal represents an unjustified form of development in the countryside which would be detrimental to the character and appearance of the area and the Gower AONB. Therefore the proposed development is considered to be contrary to Policies EV1, EV2, EV16, EV18, EV20, EV22 and EV26 of the City and County of Swansea Unitary Development Plan 2008. In addition approval of this application would also set an undesirable precedent for similar forms of unjustified development the cumulative impact of which would have a seriously detrimental impact upon the character and appearance of the area and the Gower AONB. In addition it is not considered that there are any other material considerations to warrant a departure from the provisions of the Unitary Development Plan at this location. Refusal is therefore recommended.

RECOMMENDATION

REFUSE, for the following reasons:

- 1 The proposal represents an unjustified and inappropriate dwelling in the countryside for which no overriding need has been demonstrated and would result in the introduction of an urbanising form of ribbon development which would be detrimental to the character and appearance of the countryside and Gower AONB contrary to the Policies EV1, EV2, EV16, EV18, EV20, EV22 and EV26 of the City and County of Swansea Unitary Development Plan (2008).
- 2 Approval of this application would set an undesirable precedent for similar forms of unjustified development the cumulative impact of which would have a seriously detrimental impact upon the character and appearance of the countryside and Gower AONB contrary to Policies EV20, EV22 and EV26 of the City and County of Swansea Unitary Development Plan (2008).

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: Policies EV1, EV16, EV18, EV20, EV22 and EV26 of the Swansea Unitary Development Plan 2008.

PLANS

291-100 site location plan, 291-104/A proposed block plan 1:500, 291-101/A proposed block plan 1:200, 291-103/B proposed elevations, 291-102/A proposed ground floor plan dated 16th January, 2014

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 8

APPLICATION NO.

2014/0267

WARD:

Gower
Area 2

Location: Land opposite 9 Applegrove, Reynoldston, Swansea, SA3 1BZ

Proposal: Detached dwelling (outline)

Applicant: Mr R McCarthy



NOT TO SCALE

This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 8 (CONT'D)

APPLICATION NO.

2014/0267

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV16	Within the small villages identified on the Proposals Map, small-scale development will be approved only where it is appropriate to the location in terms of the defined criteria. (City & County of Swansea Unitary Development Plan 2008)
Policy EV20	In the countryside new dwellings will only be permitted where justification is proved in terms of agriculture, forestry or the rural economy; there is no alternative existing dwelling in nearby settlements; and the proposed dwelling is located close to existing farm buildings etc. (City & County of Swansea Unitary Development Plan 2008)
Policy EV22	The countryside throughout the County will be conserved and enhanced for the sake of its natural heritage, natural resources, historic and cultural environment and agricultural and recreational value through: i) The control of development, and ii) Practical management and improvement measures. (City & County of Swansea Unitary Development Plan 2008)
Policy EV26	Within the Gower AONB, the primary objective is the conservation and enhancement of the area's natural beauty. Development that would have a material adverse effect on the natural beauty, wildlife and cultural heritage of the AONB will not be permitted. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2013/1460	Detached dwelling (outline) Decision: Refuse Decision Date: 07/01/2014

RESPONSE TO CONSULTATIONS

The application was advertised on site and four individual neighbouring properties consulted. TEN LETTERS OF OBJECTION received which are summarised as follows:

- The proposed dwelling would be outside the settlement limits

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 8 (CONT'D)

APPLICATION NO.

2014/0267

- Dismay that the Applicant is persisting in applying for this inappropriate development.
- would normally expect to see something materially different in a second Application of this sort
- The refused Application was clearly not worth pursuing at Appeal and any new Application would be expected to try to rectify the weaknesses of the initial proposal.
- This application just repeats the inadequacies and policy breaches of the previous scheme and it is surprising that the Applicant and their advisers believe they have made any convincing argument to refute the LPA's earlier findings.
- Surprising that the current Application merits consideration but trust that the LPA will not waiver in their position.
- The application site is agricultural land and has always been so until the death of previous owner in 2010.
- Approval of this application would set a very dangerous precedent for further development outside the village.
- The proposal represents an unjustified form of development in the open countryside.
- Approval of the application would set a dangerous and undesirable precedent.
- The proposal dwelling is on agricultural land.
- The proposal dictates the need for a new access to be formed off Applegrove crossing a bridle path.
- There is not a shortage of available housing of a similar type to that proposed by y in and around Applegrove.
- Over the last 6 years, there has constantly been between one and five houses of a similar type - detached 4 bedroom properties - for sale in Applegrove. As there are only 20 houses in Applegrove, this means that up to 25% of properties have been on the market at any one time.
- Building yet more houses here when they are clearly not needed, there being in fact too many already, would result in further devaluation of existing properties.
- There are also many houses for sale in the immediate vicinity in Reynoldston.
- The planned dwelling would involve developing a drive immediately opposite 9 Applegrove. There are currently 3 children living in 9 Applegrove, and having two driveways opposite each other in such close proximity would increase the risk of a road traffic accident.
- The additional dwelling will also encourage parking on both sides of the road on the Applegrove hill. This road is currently quiet, and used by many children having cars parked on both sides of the road and/or having more cars parked on the hill will increase the risk of accidents.
- The planned access to the proposed dwelling crosses a well-used public footpath that runs parallel to Applegrove from the top road down on the right hand-side of the hill. This footpath is shown on O/S maps and signed at the top and bottom of the path and does not belong to the proposer. The proposed access would cut across the public footpath effectively stopping access.
- The proposed dwelling will have an impact of the view from neighbouring dwelling resulting in loss of value.
- The proposed dwelling would impact upon natural light into neighbouring properties.
- The proposal will overlook neighbouring properties.
- The proposed dwelling would increase the extent of the built-up area around Reynoldston and add to the sprawl of new buildings around the AONB.
- The common sewer system in Applegrove is prone to flooding and blockage, occasionally resulting in sewage blockages backing up into existing dwellings.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 8 (CONT'D)

APPLICATION NO.

2014/0267

Additional properties in or around Applegrove would put additional strain on the sewage system.

- The planned access to the proposed dwelling would cut through mature hedgerow that has been alongside Applegrove for many years and provides a natural habitat for wildlife, as well as adding to the beauty of the surrounding area. This hedgerow also acts as a natural barrier excluding sheep and other animals that graze on the common from entering Applegrove. Removing part of this barrier to provide an access to the proposed dwelling would risk grazing animals entering Applegrove, resulting in inconvenience to owners (of the animals and existing properties) and sanitary hazards.
- Reynoldston is set in an area of outstanding natural beauty which should not be blighted by yet more overdevelopment for the sake of money making ventures. Its open green spaces should be retained
- The council claims, on its environment page "We are committed to our environment and aim to protect and improve it by protecting and promoting the well being of the people living, working and visiting the area." In which case unnecessary building which blights open green space should not be allowed.
- The application scheme does not recognise the established natural boundaries of Reynoldston or pattern of development.
- The proposal purports to include part of neighbouring land (the line of Leylandii trees referred to in 2.3 of the DAS) and will certainly impact on this adjoining land due to the excavation shown on the boundary.
- the Applicant's Agent's claims (in 6.3.5 of the DAS) that the scheme will act as a "discrete form of rounding-off" is entirely bogus and it's difficult to see how the paddocks apparent "under-use" is relevant nor understand what is meant by a "prevailing street scene" in AONB countryside or what is meant by "a healthy degree of separation" or "a very healthy degree of garden space"
- The proposal seeks to open up the village of Reynoldston to development in a whole new direction. There is no residential development on this side of Applegrove in this direction nor should there be.
- The small villages of Gower are particularly vulnerable to the precedent of allowing these sorts of interventions which is recognised in policy and previous decisions which have successfully preserved the AONB.
- The outline proposal is not appropriate to its location and -as the applicant recognises by trying to manipulate the topography -has an unacceptable relationship with adjacent buildings, spaces and landscape.
- The Application does not address the detail but raises concerns wherever indications of detail are given. It is hard to see how outline consent can be sought when the indicative drawings suggest that a successful detailed scheme answering Policy criteria will not be achievable on this site irrespective of principle.
- The Design & Access Statement submitted by Owen Banks Planning and Development Limited has misleading and inaccurate statements.
- The existing hedgerow and long established apple trees will have to be removed as part of this development.
- It is. Incorrect to say that. The Applegrove estate consists "of a range of bungalows". Of the twenty plus dwellings in the Applegrove estate, only three are bungalows.
- In Policy EV16, it seems clear that a line has to be drawn around a small village for the purposes of deciding whether a proposed development falls "within". Or "outside" the existing village. If it is "outside", then it will constitute development in the "countryside" (in this case, within an Area of Outstanding Natural Beauty), and will be subject to a different Policy.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 8 (CONT'D)

APPLICATION NO.

2014/0267

- The south west facing frontages of the neighbouring houses, Fern Bank, Beaufort Cottage and Ottershaw, are all more or less in a neat straight line. If the proposed new house is built, it would constitute an intrusive visual excrescence in the existing view.

THIRTY SIX LETTERS OF SUPPORT received which are summarised as follows:

- The land is clearly garden within the village with robust defensible boundaries.
- The applicant is well-respected builder whose work is of the highest standard.
- The application site is in line with the rear garden area of the property know as Fernbank.
- The right of way would still be accessible – the applicant is the only member of the community who maintain the right of way by cutting and clearing.
- An additional driveway off Applegrove will encourage motorists to slow down.
- Gower is in need of quality housing. The proposal may increase surrounding property prices.
- The proposed dwelling is well designed and in keeping with others.
- The property has been sunk into the landscape to minimise obstruction of the views.
- It is important to attract more families into the community.
- It would cause great difficulty if the local shop were to close, having the additional families would safeguard this.
- The rural school and village needs to expand in order to survive.
- The application site is within the village but any further development would not be.
- National Planning Policy Framweork states that there should be a wide choice of high quality homes to meet people's needs; the proposal would help meet the demand for such housing in Reynoldston.
- Whilst support for this application is give, it is hoped that approval of this application would not set a precedent for further development off Applegrove.
- The proposal does not raise any concerns in terms of highway safety.

Reynoldston Community Council – OBJECT on the following grounds;

- It is concerned with the access opening on to a lane on which livestock roams
- The local development plan states that the open aspect of the village should be maintained yet the proposed development increases once again the density of housing along Castle Ditty Lane.
- On the grounds of sustainability – many of the new properties being developed within Reynoldston are being purchased as second homes or are for sale for an extended period of time – together with other properties within the village
- The proposed development would be a precedent leading to further development in the locality, outside the curtilage of the village
- The access lane would cross a footpath which runs the length of an old Gower sunken lane with all its associated faun and flora
- Councillors also expressed their support for the City and County of Swansea in refusing the first planning application made for land opposite 9 Applegrove.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 8 (CONT'D)

APPLICATION NO.

2014/0267

The Gower Society – make the following observations.

1. We note the previous application 2013/0460 that was refused (and 2014/0263 that was withdrawn). To our mind there is very little difference between the latest application and the previous one that was refused.
2. Our original response to 2013/0267 was one of concern although we did not formally object. We can not see any difference in the current application to make us change our opinion that if this application is allowed it would open up the possibility of further development close by.
3. Our concerns, expressed in our letter dated 3 Nov 2013, were the setting of any precedent for further development, potential loss of mature trees and the proposed elevation of the plot above Apple Grove.

Glamorgan Gwent Archaeological Trust - the proposals will require archaeological mitigation. Standard condition and advisory notes recommended.

Dwr Cymru Welsh Water – NO OBJECTION subject to standard conditions and advisory notes.

Highways - This is a resubmission of a proposal that was previously refused planning consent. The proposal is for a new dwelling off Applegrove, Reynoldston. Adequate access and on site turning facilities are indicated on the submitted plans and it is unlikely therefore that any adverse affect will result on the adjoining highway. Should consent be granted and for the avoidance of any doubt, I would recommend that the standard Gower Setback condition be imposed on the access proposal.

No highway objection on condition that the Developer;

1. Sets back the entrance gateway 5 metres from the edge of the existing carriageway and realign the property boundaries to form 45 degree vision splays.
2. Ensures that the recessed area is not obstructed by any chain or other barrier and is kept open at all times.
3. Surfaces the recessed area to Highway Authority Satisfaction.

APPRAISAL

The application is reported to Committee for decision and a site visit has been requested by Councillor Richard Lewis in order to assess the impact of the proposal upon the AONB.

Outline planning permission is sought for the erection of a detached dwelling on land opposite 9 Applegrove, Reynoldston. A similar application was submitted and refused last year (2013/1460 refers) the reasons for refusal were as follows:

- *The proposal represents an unjustified and visually intrusive form of urbanising development in the countryside for which no overriding need has been demonstrated and would have an unacceptable impact upon the character and appearance of the area and Gower AONB contrary to Policies EV1, EV2, EV16, EV20, EV26 and EV22 of the City and County of Swansea Unitary Development Plan (2008).*

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 8 (CONT'D)

APPLICATION NO.

2014/0267

- *Approval of the application would set an undesirable precedent for the consideration of other similar applications in the locality in future, the cumulative effect of which would erode the established character and appearance of the area contrary to the provision of Policies EV1, EV2, EV20, EV22, EV26 and EV16 of the Swansea Unitary Development Plan 2008.*

There is very little distinction between this application and the previously refused application. The applicant's advisors consider that the Local Authority description of the land as agricultural was incorrect and misleading, however, the application site is considered to form part of the surrounding open countryside used historically for agricultural purposes. There has been no subsequent approval for a change of use of the land or any other intervening use, and as such the Local Authority view of the land stands.

Notwithstanding this issue, whether or not the land is or was in agricultural use would not materially influence the main policies considerations in this instance.

The application site is a roughly rectangular parcel of land situated to the south west of properties known as Fern Bank; Beaufort Cottage and Ottershaw, themselves accessed off a lane leading from the main Reynoldston to Fairyhill Road. The application site rises in a westerly direction from Applegrove. The site has a maximum depth of some 35m and maximum width of some 33m. The site is bound to the North and North West by neighbouring residential curtilages; to the east by an existing embankment which falls to the back edge of the footpath at Applegrove, and to the south by adjoining undeveloped agricultural open countryside.

The application site is currently agricultural land and is sited on the periphery of the urban/rural fringe of Reynoldston. Reynoldston is the largest village within the AONB and sits at the centre of the peninsula. The settlement has evolved over time and expanded significantly in the 20th Century with the development at the adjacent Applegrove.

The main issues for consideration in this instance relate to the principle of development at this location, the visual impact of the proposal upon the character and appearance of the immediate street-scene, the village of Reynoldston and the wider Gower AONB, the impact of the proposal upon the residential amenities of the neighbouring occupiers, and highway safety having regard for National and Local Planning Policies, the recently adopted Supplementary Planning Guidance document entitled "A Gower Design Guide".

Reynoldston is recognised as a small village under the provisions of Policy EV16 of the Swansea UDP. Policy EV16 allows for the principle of small scale residential development such as this provided:

- (i) It is of a scale, density and layout compatible with the size and form of the settlement,
- (ii) It has a design that in its form, elevational treatment, detailing and use of materials is sympathetic to the architectural character of the village,
- (iii) It will not involve a loss of land of recreational, natural heritage or amenity value,
- (iv) It has an acceptable relationship with adjacent buildings, spaces and landscape, including coastal features,
- (v) It would not harm the amenity of neighbouring residents, and
- (vi) It can be accessed without prejudicing highway safety and without detriment to the character of the village.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 8 (CONT'D)

APPLICATION NO.

2014/0267

The amplification of this policy defines the term 'within' as what could reasonably be incorporated into the existing village form without detracting from its character and amenity. Whilst the site is on the periphery of the village, the north western side of Applegrove is clearly distinct from the built form of Reynoldston and the road acts as a defensible boundary from further suburban encroachment into the wider countryside and Gower AONB. Therefore whilst a design could be agreed which would complement its setting the release of this land for residential development is not compatible with the size and form of the settlement and the proposal is therefore considered contrary to the provisions of Policy EV16 of the Swansea UDP.

Given that the site is not identified as falling within the village of Reynoldston any subsequent application for residential development at this location would be assessed against Policies EV20 and EV22 of the Swansea UDP. These policies restrict new residential development in the countryside to that where the dwellings are required to accommodate full-time workers solely or primarily employed in agriculture, forestry or an appropriate use to serve the rural economy who needs to live on the premises rather than in a nearby settlement, or there is no alternative existing dwelling available in nearby settlements. It also needs to be demonstrated that there are no existing buildings suitable for conversion to residential use and that the proposed dwelling is located as close as possible to the place of work. This is to restrict development in the countryside, thus protecting the character, appearance, landscape and ecological features of remaining countryside from new further urbanising development.

Applications for dwellings for agricultural purposes are therefore required to be accompanied by objective information assessing:

- (i) The functional need for the dwelling, and
- (ii) Demonstrating the financial sustainability of the enterprise, and
- (iii) The genuineness of the need for accommodation to serve the enterprise.

No such information has been submitted as part of this application therefore it is considered on the basis of the information submitted and in light of the relevant policies aforementioned, without the demonstration of a justifiable need for a dwelling on this protected land.

Notwithstanding the fundamental overriding objections to the proposal in terms of principle, it is considered that the design of the proposal would require alternation in order to achieve a development that would complement the character and appearance of the countryside and Gower AONB. However given the principle issue, the proposal as submitted would result in unacceptable visual intrusion into the Gower AONB and fail to protect the character of the countryside for its own sake. Furthermore it is considered that the proposed siting and layout would lead to an unsatisfactory relationship between the proposed dwellings and the surrounding properties, insofar as it represents a departure from the established character and layout of the built form in the vicinity.

In terms of residential amenity it is considered that the proposal respects the residential amenities of the neighbouring properties and will not give rise to unacceptable overlooking, overbearing or overshadowing in compliance with Policy EV1 of the Swansea UDP.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 8 (CONT'D)

APPLICATION NO.

2014/0267

Having consulted the Head of Transportation and Engineering, it is considered that adequate access and on site turning facilities are indicated on the submitted plans and it is unlikely therefore that any adverse affect will result on the adjoining highway. Should consent be granted and for the avoidance of any doubt, the Head of Transportation and Engineering would recommend that the standard "Gower Setback" condition be imposed on the access proposal. In this respect no highway objection is raised subject a condition requiring the developer to set back the entrance gateway 5 metres from the edge of the existing carriageway and to realign the property boundaries to form 45 degree vision splays; to ensure that the recessed area is not obstructed by any chain or other barrier, is kept open at all times and surfaced to Highway Authority Satisfaction.

Ten letters of objection were received which raised concerns in relation to the principle of development and highway safety, the impact upon the character of area, the issues pertaining to which have been addressed above. Further points relating to the obstruction of a bridleway/right of way have been raised and whilst noted, this is not a registered right of way, its obstruction/diversion, therefore, is a matter addressed by separate legislation.

Precedent of further development has also been raised and in this respect it is considered that the proposal could set an undesirable precedent for the consideration of other similar residential development in the countryside the cumulative impact of which would have a significant impact upon the character and appearance of the area and the Gower AONB.

Thirty five letter of support have been received which refer principally to the view that the proposed dwelling is situated within the settlement; this point is addressed in detail above. Further points refer to the design of the dwelling considered to be in keeping with the character of the area, this point is also addressed above. Reference is made to the need for new dwellings to attract families in order to sustain the village shop and school, this point is noted, however, it is difficult to accept that a single dwelling would result in a marked upturn in either turnover in the shop or attendance in the school. Clearly, significant new development would be required in order to achieve this, and what is of note is that a number of the letters of support caveat that they are supportive of this proposal only, and trust and hope that approval of this application would not set a precedent for the consideration of future application in the vicinity and release further land for development within Gower, whilst every application is determined on its own individual merits, it is considered that approval of this application contrary to all prevailing countryside protection polices would indeed set an undesirable precedent for consideration of other similar applications, the cumulative effect of which would have a detrimental impact upon the character and appearance of the Gower AONB.

In conclusion, therefore and having regard to the above considerations, including the Human Rights Act, it is considered that the release of this land for a new dwelling house would result in an unacceptable urbanising and visually intrusive form of development within the countryside and Gower AONB, with no satisfactory rural justification or need, to the detriment of the rural character and status of this site and its landscape quality. As such the proposal would not only detract significantly from the character and appearance of the immediate surrounding vicinity, but would unacceptably harm the visual amenities and quality of this sensitive landscape and countryside within the Gower AONB. Therefore the proposed development is considered to be contrary to Policies EV1, EV2, EV16, EV20, EV26 and EV22 of the Swansea UDP. On this basis it is not considered that there is any justification to warrant a departure from the Development Plan at this location. Refusal is therefore recommended.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 8 (CONT'D)

APPLICATION NO.

2014/0267

RECOMMENDATION

REFUSE, for the following reason:

- 1 The proposal represents an unjustified and visually intrusive form of urbanising development in the countryside for which no overriding need has been demonstrated and would have an unacceptable impact upon the character and appearance of the area and Gower AONB contrary to Policies EV1, EV2, EV16, EV20, EV26 and EV22 of the City and County of Swansea Unitary Development Plan (2008).
- 2 Approval of the application would set an undesirable precedent for the consideration of other similar applications in the locality in future, the cumulative effect of which would erode the established character and appearance of the area contrary to the provision of Policies EV1, EV2, EV20, EV22, EV26 and EV16 of the Swansea Unitary Development Plan 2008.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: Policies EV1, EV2, EV20, EV22, EV26 and EV16 of the Swansea Unitary Development Plan 2008.

PLANS

Site location plan, 515/02-site sections, 515/03-site & layout plans, 515/04-outline elevations dated 19th February 2014.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 9

APPLICATION NO.

2014/0110

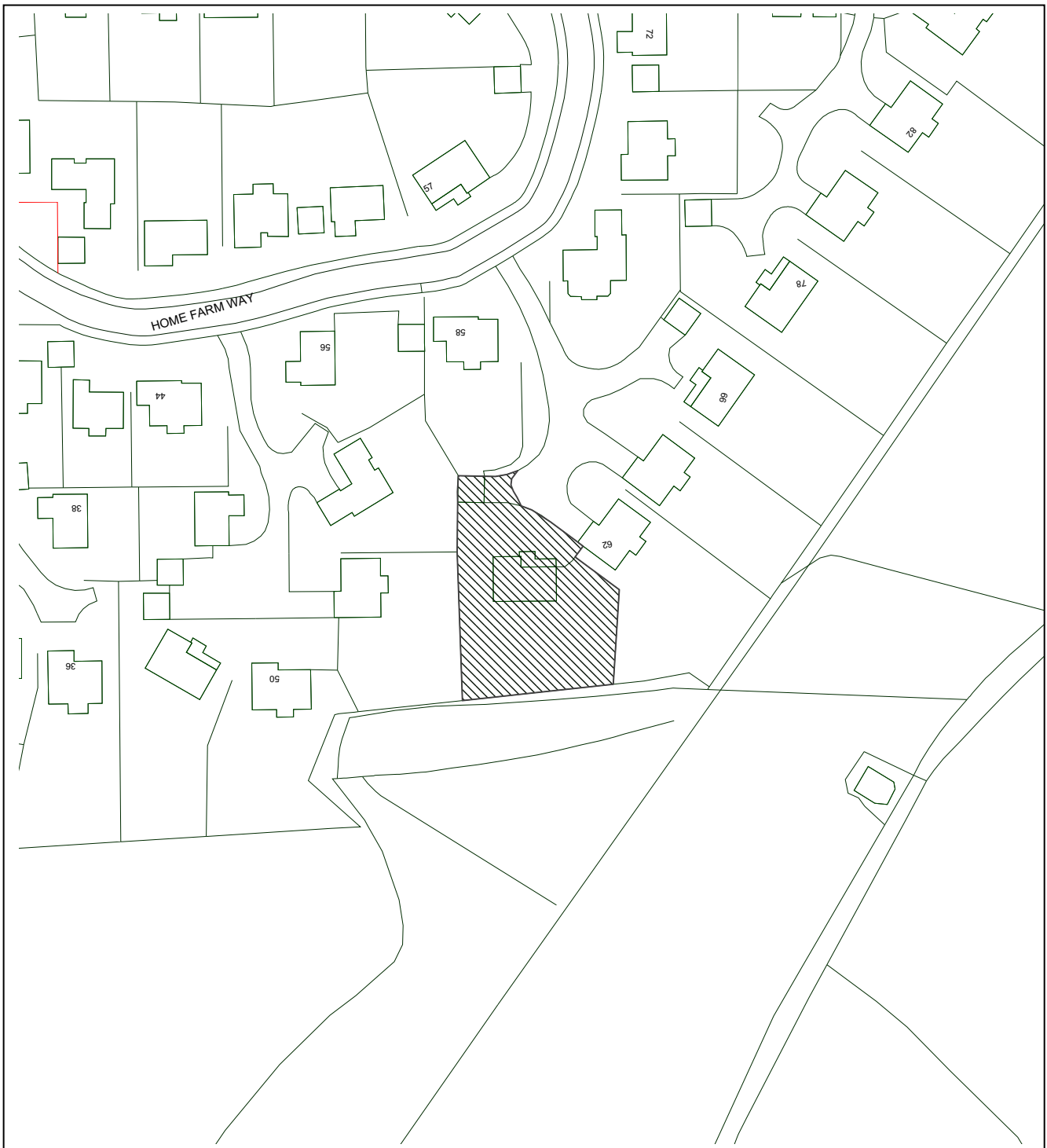
WARD:

Penllergaer
Area 2

Location: 60 Home Farm Way, Penllergaer, Swansea, SA4 9HF

Proposal: Two storey rear extension with living accommodation in the roof void and side extension to detached garage

Applicant: Mr and Mrs A K and E J Lee



NOT TO SCALE

This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 9 (CONT'D)

APPLICATION NO.

2014/0110

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy AS6	Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy HC7	Proposals for extensions and alterations to existing residential dwellings will be assessed in terms of; relationship to the existing dwelling, impact on the character and appearance of the streetscene, effect on neighbouring properties, and impact on car parking. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2002/0542	Erection of 64 detached dwelling houses and associated infrastructure (Approval of siting, design, external appearance and means of enclosure pursuant to Outline planning permission LV/94/0196 granted on 19th June 1996) Decision: Appeal Allowed Decision Date: 07/01/2003
2002/0545	Erection of 64 detached dwelling houses and associated infrastructure (Approval of siting, design, external appearance and means of enclosure pursuant to Outline planning permission LV/94/0196 granted on 19th June 1996) (Duplicate Application) Decision: Withdrawn Decision Date: 01/12/2003

RESPONSE TO CONSULTATIONS

FOUR neighbouring properties were consulted individually. LETTERS OF OBJECTION have been received from TWO neighbouring occupiers, along with a further letter of comment from ONE of those addresses, which can be summarised as follows:

- 1) The garage extension might make access to our drive way difficult especially if more cars are parked in 64 and 60 home farm way.
- 2) The rear extension will also lengthen the shadows in our garden.
- 3) The proposal is bordered on the green wedge EV23 and as such may have an adverse visual impact on the surrounding area.
- 4) The scale of the proposal is unprecedented, with regard to existing properties in Home Farm Way and would be totally out of keeping with the estate design and layout. Allowing such a large extension could well set a precedent for over development within the estate.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 9 (CONT'D)

APPLICATION NO.

2014/0110

- 5) The planning proposal states this is a two storey development with living accommodation in the roof void. This is actually a 3 storey proposal and not as stated a two storey extension.
- 6) The proposed roof line is unacceptable and would represent an ugly mass of masonry and roof tile cover. (Have attached a representative picture of the proposed mass of this extension).
- 7) From our perspective, at 52 Home Farm Way, the size of the proposal would create an eyesore that would not only be overbearing, out of scale but also out of character with the existing building and surrounding buildings. It would also restrict the existing view of Penllergaer Valley Woods (HC25).
- 8) I would like to make you aware that the cul-de-sac in which no 60 is situated is probably a private driveway (as is ours). i.e.: not adopted by the council. If this is the case should all owners within that cul-de-sac (and possibly the leaseholder/landowner Mr Venables Llewellyn) be made aware of the planning application for the additional garage and additional traffic to no 60.

Highway Observations - The property is located within its own generous plot with more than adequate space for on site parking and turning facilities. The Head of Highways and Transportation recommends that no highway objections are raised.

APPRAISAL

This application has been called to committee for decision at the request of Councillor Wendy Fitzgerald, in order to assess the impact of the development on neighbours. A site visit has also been requested.

Full planning permission is sought for the construction of a two storey extension with rooms in the loft space to the rear of No.60 Home Farm Way, Penllergaer. The large detached two storey dwelling is set within a spacious plot towards the south-east of this large housing development and is orientated with its rear garden facing south. The proposal also seeks to extend the existing double garage to create a triple garage for the application property.

The proposed rear extension is to measure 9.4m wide by 4.5m deep with a pitched roof to a height of 7.7m matching the main ridge. The extension is to be finished in materials to match the main dwelling and will allow for the creation of additional accommodation in the roof space. The existing rear conservatory is to be removed as part of this scheme.

The proposed extension to the garage will measure 5.6m deep and create an additional space in the 2.7m width. Materials will match the existing double garage and it is proposed to source a matching up-and-over garage door.

With regard to the proposed two storey rear extension, whilst the proposal is large it must be considered against the proportions of the existing dwelling and the size of the existing plot. In these circumstances, the proposal is considered to be of a size, design and siting which relates satisfactorily to the relatively modern character and appearance of the existing large detached property within the plot. The use of matching finishing materials enables the extension to integrate with both the existing dwelling and its immediate surroundings.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 9 (CONT'D)

APPLICATION NO. 2014/0110

The extension is to be sited at the rear of the property and would not be visible in the streetscene, so that no adverse impact would result in that respect.

The application property is set away from its westerly neighbour (No.52 on the next shared drive to the west) by 20m+, and is set down in its plot from the floor level of that property by almost 3m. In the circumstances, and whilst the extension would be visible from that neighbouring property, it is not considered that the proposed rear extension would result in any unacceptable loss of light or overbearing physical impact upon the occupiers of that property, nor would an unacceptable increase in overlooking likely occur as only a ground floor window is proposed on this elevation.

The neighbouring property to the east (No.62) is set at an angle to the application property and is marginally lower in terms of floor level. Despite this difference in ground levels, the proposal is not considered likely to result in any more overshadowing than would result from the existing dwelling nor, because of the separation distance of almost 15m, would an overbearing physical impact result.

In terms of overlooking towards that property, a window is proposed to be relocated to the eastern elevation of the application property at first floor, to provide light to the existing rear bedroom. Whilst this may be considered to result in an overlooking impact upon the first floor side window in the neighbouring property, the separation distance to the mutual boundary would be 11m which is in excess of the required 10m, and as such the separation distance between the window and the boundary are sufficient to ensure that no direct overlooking is likely to result.

In relation to the proposed garage extension, it is considered that the size and design of the proposal and its nature, despite the siting of the garage forward of the main dwelling in this instance and on a higher ground level, would not adversely impact upon either the character and appearance of the dwelling or the surrounding streetscene; nor would it result in any unacceptable impact upon the residential amenities currently enjoyed by neighbouring occupiers. In this respect, the Head of Highways and Transportation has confirmed that the generous plot remains more than adequate to allow for the parking and turning of vehicles within the curtilage of the plot.

In relation to the letters of objection, matters relating to access/parking; impact on residential amenity; and the visual impact of the size, design and siting of the proposal are all addressed in the appraisal above; the land ownership issue was clarified by the applicants in that he confirmed that he owns the freehold of the property. The point made regarding restriction of an existing view is not material to the consideration of this application.

In conclusion, and having regard to all material considerations including the Human Rights Act, both elements of the proposal are considered to represent acceptable forms of development which comply with the criteria of Policies AS1, EV1 and HC7 of the adopted City & County of Swansea Unitary Development Plan 2008 and the guidance provided in the adopted Supplementary Planning Guidance document 'A Design Guide for Householder Development' (2008).

RECOMMENDATION

APPROVE, subject to the following conditions:

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 9 (CONT'D)

APPLICATION NO.

2014/0110

- 1 The development hereby permitted shall begin not later than five years from the date of this decision.
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.
- 2 The materials used in the development hereby approved shall match those of the existing building.
Reason: In the interests of visual amenity.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: Policies AS6, EV1 and HC7 of the adopted City & County of Swansea Unitary Development Plan 2008 and the guidance contained in the Supplementary Planning Guidance document 'A Design Guide for Householder Development' (2008).
- 2 Bats may be present. All British bat species are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2010. This legislation implements the EC Habitats & Species Directive in the UK making it an offence to capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It is also an offence to recklessly / intentionally to disturb such an animal.
If evidence of bats is encountered during site clearance e.g. live or dead animals or droppings, work should cease immediately and the advice of the Natural Resources Wales sought before continuing with any work (01792 634960).
- 3 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 birdCare should be taken when working on buildings particularly during the bird nesting season March-August.
- 4 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 5 The proposed development lies within coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority.
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority.
Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 9 (CONT'D)

APPLICATION NO.

2014/0110

6 PARTY WALL ETC ACT 1996

The developer is advised that the provisions of the Party Wall etc. Act 1996 may be applicable to the proposal and is advised to seek appropriate advice prior to any work commencing on site.

PLANS

Site plan and block plan, existing and proposed ground and first floor plans, proposed second floor plan and existing and proposed rear elevation, existing and proposed side elevations, proposed roof plans, existing and proposed floor plans and elevations of garage dated 23rd January 2014

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 APPLICATION NO. 2013/1381
WARD: Sketty
Area 2

Location: Hillhouse Hospital/Gower College Swansea

Proposal: Demolition of existing Hillhouse Hospital buildings to facilitate construction and expansion of Gower College campus including new teaching blocks, indoor sports barn, motor vehicle valet facility, new entrance pavilion (conference centre), with engineering re-profiling to form development plateaus, revised vehicular access onto Tycoch Road & Cockett Road, internal vehicular and pedestrian circulation routes, new car parking, landscaping and associated works; and reconfiguration / remodelling of existing Tycoch campus buildings with ancillary demolition works (Outline)

Applicant: Gower College

BACKGROUND INFORMATION

A. RELEVANT PLANNING POLICIES

Swansea Unitary Development Plan

- Policy EV1 New development shall accord with a defined set of criteria of good design.
- Policy EV2 The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings.
- Policy EV3 Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access.
- Policy EV4 New development will be assessed against its impact on the public realm.
- Policy EV24 Within the greenspace system, consisting of wildlife reservoirs, green corridors, pocket sites and riparian corridors, the natural heritage and historic environment will be conserved and enhanced.

Development proposals which would be likely to have a significant adverse effect on the greenspace system or which do not provide for appropriate compensatory or mitigation measures will not be permitted.

- Policy EV28 Within locally designated areas the natural heritage will be preserved and enhanced wherever possible. Development that would significantly adversely affect SINC's, or which would not provide for appropriate compensatory or mitigation measures will not be permitted, unless it can be demonstrated to meet appropriate social or economic needs where the benefits in such terms would outweigh the harm to the feature concerned.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

Policy EV30 Protection and improved management of woodlands, trees and hedgerows which are important for their visual amenity, historic environment, natural heritage, and/or recreation value will be encouraged,

Policy H1(147)Allocated for residential development

Policy HC11 Higher education campus development will be permitted provided subject to a list of criteria

Policy AS1 Accessibility - Criteria for assessing location of new development.

Policy AS2 Accessibility - Criteria for assessing design and layout of new development.

Policy AS5 Accessibility - Assessment of pedestrian and cyclist access in new development.

Policy AS6 Provision of car parking in accordance with adopted standards.

B. RELEVANT PLANNING HISTORY

2005/1476 Demolition of the former nursing home (retrospective application for listed building consent)
Appeal Allowed March, 2006

2007/1766 Construction of one five storey and two part five/part six storey blocks comprising of 71 residential apartments with associated car parking and landscaping (amendment to planning permission 2006/1621 granted on 3rd October 2006)
Planning Permission 18 June, 2008 following the completion of a Section 106 Agreement

2011/0789 Provision of food court within existing courtyard area and extension to existing fire escape (Scheme B) (variation of condition 1 of planning permission 2006/0878 granted on 21st November 2006) to extend the period of time to commence the works by a further 3 years
Planning Permission granted July, 2011.

2013/1640 Temporary change of use from hospital (Class D1) to mixed use office (Class B1) and education (Class D1) use
Temporary planning permission for 5 years granted 25 February, 2014

C. RESPONSE TO CONSULTATIONS

The application was advertised on site and in the local press as a departure to the Development Plan and 45 neighbouring properties were consulted individually. No public response received.

Natural Resources Wales – 13 Nov. 2013

Whilst we have no objection in principle to the proposed development, we would ask that further information regarding site drainage is submitted prior to determination.

Drainage

Changes to the drainage at this site will impact on the water environment in Vivien Stream and has the potential to impact on Bathing Water quality compliance. We have reviewed the Drainage Strategy report dated June 2013 (Opus) and would offer the following comments.

Foul Drainage

We note that the applicant is considering re-use the existing drainage infrastructure where possible and appropriate. The report highlights that this is subject to further investigation of the existing system. If the investigation reveals the system to be combined, then we would have no objections to foul sewage being discharged to the existing system. However, no surface water should be discharged to an existing combined system.

The alternative suggestion of on-site treatment of sewage and continuous final effluent discharge to the Vivien stream (proposed in section 3.1) would not be acceptable.

The ditch referred to in section 2.2 is the Vivien Stream, also known as Brynmill/Singleton Stream. It is culverted from Grid Reference SS 62824 93613 in the Tycoch Campus and it re-emerges at Grid Reference SS 63214 92504 in Singleton Park. It then runs within the park adjacent to Brynmill Lane until it is re-culverted under Mumbles Road eventually flowing on to the foreshore.

As part of the work being carried out to improve Bathing Water quality in Swansea Bay, Dwr Cymr Welsh Water (DCWW) are carrying out improvements to the storm overflows that discharge to this stream. Part of the improvement scheme involves the blocking up of a storm overflow on Vivien Road. It is important that any increase in flows to the system is considered in relation to this scheme. A possible benefit to the applicant is that DCWW may have already carried out hydraulic modelling of the sewer in conjunction with this scheme.

Any increase in foul water flows could be offset and even improved by reducing surface water flows and removing any surface water already entering the sewer from the Tycoch Campus.

We would therefore recommend that the applicant include, in the investigation to be carried out, an assessment of both foul and surface water flows across the whole of the Campus. This would give them a better understanding of how they can manage the drainage strategy holistically.

Surface Water Drainage

We note that the consultant has express doubts as to the validity of a SUDS (sustainable drainage) system using soakaways due to some initial test results.

A full test of the feasibility or otherwise of such a system should be undertaken. This should be done prior to determination.

Furthermore, we would highlight that a range of SUDS techniques are available and that the applicant should not restrict themselves to looking at soakaway/s as the only SUDS solution. For example techniques such as grassed swales, ponds and wetland areas, grey-water recycling and permeable paving, could actively enhance the development and should be fully explored.

We would therefore ask that that a full SUDS assessment is undertaken and submitted prior to determination for review and comment. The drainage scheme for the site should be based on the results of this assessment.

The drainage report suggests that surface water could be discharged into a local watercourse (either directly, or in-directly via a DCWW system). If following a full investigation it is shown SUDS are not feasible, then discharge to the watercourse could be implemented. However, proper attenuation of the discharge rate will need to be applied. Guidance on this can be found in our document 'Guidance on Surface Water Run-Off', which is attached for reference.

We can advise that the calculated Greenfield run-off rate of 7.5 l/s/ha, as given in Appendix B of the report is considered as suitable for use. This applies for the area which is served by the drainage scheme. All water which enters the system must be accounted for, and if other green areas drain into this system, then these too must be reflected in any calculations.

Furthermore, we acknowledge that part of the site is Brownfield, and as such, although this would be our preferred option, we would not insist that the developer discharge at a Greenfield rate for the whole site. Overall the proposed drainage should be a betterment than the existing system and we would again refer you to our earlier comments regarding the work being undertaken to improve Bathing Water quality in the area.

Whatever surface water management system is eventually implemented, this must be designed to ensure there is no increase in surface water run-off from the site in all events up to and including the 1% (1:100 year) storm with an appropriate allowance for climate change.

Car valetting facility

We would expect a new car valetting facility in an educational establishment to be a closed system and recycle its water. It is possible that roof water (grey-water recycling) could be used. This would help reduce water consumption and also incorporate an element of SUDS into the development.

Contaminated Land

As noted above, we acknowledge that part of the site is Brownfield. We would seek clarification of whether this area may have seen potentially contaminating uses, or whether this was just an old house/houses that has been demolished?

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

We are also unclear of the range of potentially contaminative uses that may have been associated with the previous hospital on site, however it is likely there are tanks used to supply fuel to both the central heating and generators.

As the site is in close proximity to the Cwm Stream, which is considered a sensitive receptor we would ask that as a minimum, a preliminary risk assessment (PRA) be undertaken and provided for review and comment. Once we have reviewed this PRA should a risk be found on the site, we may ask for further land contamination investigation. Ideally, this information should be provided prior to determination. However it is accepted that once our queries regarding drainage have been satisfied, our concerns with regard to land contamination could be dealt with via condition.

Pollution Prevention

Construction and demolition activities can give rise to pollution. It is therefore important that appropriate provisions are made for dealing with dust pollutions, surface water management and waste storage during the construction phase.

We consider there to be a particular risk of causing pollution to the local ditches and watercourses during the demolition and construction phases, unless appropriate pollution prevention measures are in place. We would therefore recommend that a detailed construction management plan (CMP) is produced and submitted as part of the application. In particular, we would be seeking details on what measures are in place to reduce the risk of contaminated surface run-off from entering and pollution controlled waters.

Ideally, this information should be submitted for review and comment prior to determination; however we accept this could be managed by means of an appropriately worded condition once our queries regarding drainage have been addressed.

Waste Management

Given the nature and scale of this development, and as demolition works are included, we would recommend that a site waste management plan (SWMP) for the project is produced. Completion of a SWMP will help the developer /contractor manage waste materials efficiently, reduce the amount of waste materials produced and potentially save money.

We acknowledge that a SWMP may be something best undertaken by the contractor employed to undertake the project. Furthermore, we note that these documents are often 'live'. As such, we would accept an appropriately worded condition once our queries regarding drainage have been suitably addressed.

Ecology (Bats)

We note from Powell Dobson's bat survey report (dated August 2013) that evidence was found of bats roosting in the Reception building roof.

As your Authority will be aware, bats are classed as a European Protected Species (EPS) and are protected by The Conservation of Habitats and Species Regulations 2010 (as amended) (The Habs Regs).

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO. 2013/1381

Where a development proposal is likely to impact on a EPS, it may only proceed under a licence issued by Natural Resources Wales as the appropriate authority responsible for issuing licences under Section 53 of the above Regulations. However, we are of the opinion that in this instance, there should not be a detriment to the maintenance of the favourable conservation status of the bat species present, providing that the works are carried out in accordance with a method statement (MS) to be agreed with your authority prior to any work commencing at the site. We are therefore satisfied that a European protected species licence is not required in this instance.

We are satisfied that the MS, could be secured by means of a condition on any permission granted once our queries regarding drainage have been addressed.

Furthermore, a suitable roosting resource must be retained or provided for the bats, appropriate to the species & its use of the structure.

Biodiversity

Please note that we have not considered possible effects on all species and habitats listed in section 42 of the Natural Environment and Rural Communities (NERC) Act 2006, or on the Local Biodiversity Action Plan or other local natural heritage interests. To comply with your authority's duty under section 40 of the NERC Act, to have regard to conserving biodiversity, your decision should take account of possible adverse effects on such interests. We recommend that you seek advice from your authority's ecologist on this matter.

In consideration of the above, we would ask that determination of the application is deferred until our queries regarding drainage from the site have been fully addressed.

Further response – 12 Dec. 2013

We assume that the comment made in the final paragraph under Section 1. Drainage, that 'No foul drainage will be connected to Vivien (Brynmill/Singleton Stream)' means that all foul sewage will be conveyed to the public sewage system and that disposal on site via a package plant is no longer being considered as an option.

We are also satisfied with the explanation under Section 2. SUDS, which confirms that no surface water will be discharged to the foul or combined system from the new development. Although preferred prior to determination, we accept that a full SUDS assessment could be undertaken at the detailed design stage.

We can confirm that these points have satisfactorily addressed our concerns regarding drainage. We would however ask that the applicant as part of their drainage investigation works consider carrying out an assessment of both the foul and surface water flows across the whole of the campus. This will help to gain a better understanding of how they can manage the drainage strategy holistically.

Furthermore, as part of the work being carried out to improve Bathing Water quality in Swansea Bay, Dwr Cymru Welsh Water (DCWW) are carrying out improvements to the storm overflows that discharge in this area. Part of the improvement scheme involves the blocking up of a storm overflow on Vivien Road.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

It is important that any increase in flows to the system is considered in relation to this scheme. A possible benefit to the applicant is that DCWW may have already carried out hydraulic modelling of the sewer in conjunction with this scheme.

Any increase in foul water flows could be offset and even improved by reducing surface water flows and removing any surface water already entering the sewer from the Tycoch Campus. If, as part of the drainage assessment any surface water is found to be draining from the campus to the foul or combined system, we would encourage the applicant to work with DCWW to identify ways in which this could be removed.

If the applicant wishes to gain a better understanding of how significant their contribution to surface water removal could be to the Swansea Bay Improvement Scheme our local Environment Management team would be happy to talk to them. They can be contacted at our Llandarcy office on 01792 325642.

With regards to land contamination, we acknowledge from Section 3. Contaminated Land that a preliminary risk assessment (PRA) has been undertaken for the site. On this basis we would withdraw our request for a PRA to be undertaken.

We are also pleased to note from Section 4. Construction management plan that a CMP will be developed for the scheme and that this will incorporate the items highlighted in our previous response. Again, we are satisfied that this could be undertaken at the detailed design stage .

On the basis of the above we would have no objection to the proposed development subject to the inclusion of the following conditions.

Highway Observations – 1 Background

1.1 This proposal is for the extension of the Tycoch college campus into the adjacent Hill House hospital site. The existing hospital buildings will be demolished and this proposal would effectively replace the consented scheme to build 71 apartments on the former nurse's quarters which is part of the hospital site and was to be accessed from Cockett Road. Access and exit options will be modified across the site to rationalise movements and improve safety.

1.2 A transport assessment has been submitted in support of the proposal which examines the potential traffic impact of the scheme and compares it to the potential impact of existing and consented uses at the Hill House site.

2 Scheme Proposals

2.1 Following demolition works, the development is to be completed in 6 phases. The site will eventually accommodate staff and students from a number of other sites at Llwyn y Bryn, Gorseinon, Sandringham Park and Kingsway Centre.

2.2 A small number of staff and students will transfer out from Tycoch however the majority of change will be the additional 102 staff and 586 students at the site.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

2.3 Parking facilities are to be improved through provision of 9 parking areas totalling 592 spaces.

3 Access and Circulation

3.1 "The main access into the site will remain as currently, with a one-way system of entry and exit from Tycoch Road.

"The access to the Hairdressing facility off Broadway will remain in its current isolated form with access from the mini roundabout and exit onto Cockett Road. This facility will remain as currently with no change to student numbers. No vehicular access is available internally due to the steep topography.

"The current Hill House hospital access will become entry only

"Exiting traffic using the more recently constructed access to the former nurses quarters part of the site.

3.2 Access for vehicles will be made available internally between the existing campus and the lower part of the Hill House site. Connectivity between the upper part of the Hill House site and the lower part will be pedestrian only.

4 Traffic Impact

4.1 Assessment has been undertaken at the following junctions;

"Tycoch Road

"Vivian Road mini roundabout

"Both mini roundabouts on Cockett Road

"Hill House Access junctions

The one-way system of entry and exit at Broadway is to remain unaffected and therefore is not assessed.

The projected year for completion of the scheme is 2019.

4.2 Predicted movements are 399 in and 61 out in the am peak and 177 in with 210 out in the pm peak. Departure movements in the pm peak do not coincide with the network peak hour as the college operates into the evening. It is noted that national data from the TRICS database indicates a higher trip rate during the pm peak compared to surveyed movements at the college and in the interests of robustness, the higher trip rate figure has been used in the assessment. This will represent a worst case scenario and is unlikely to be the case in practice.

4.3 Tycoch Road Access

This is where 90% of the traffic will enter and exit the site. Modelling indicates that some queuing takes place in the am peak as vehicles waiting to turn right into the site are prevented from doing so by on-coming traffic from Tycoch. This results in a queue forming which can obstruct through traffic wishing to pass the site onward towards Tycoch. This can be addressed by either removing parked vehicles from the frontage opposite the site through traffic regulation orders, or widening the road by setting back the site frontage thus enabling through traffic to pass queuing vehicles.

4.4 Vivian Road Mini Roundabout

Modelling and surveys at the roundabout indicate that the roundabout is over capacity in the peak hours. The additional college traffic will add to this making the situation slightly worse.

4.5 Mini Roundabouts on Cockett Road

Again, surveys and modelling indicate overcapacity issues at these roundabouts which will be made slightly worse with the additional college traffic.

4.6 Hill House Accesses

Modelling of the one-way system of entry and exit indicates no issues with queuing and sufficient capacity to accommodate the revised use.

4.7 The proportion of traffic utilising Sketty Cross is calculated as very low. A maximum of 1.2% would be added to flows at the junction which will not have any measurable affect on its operation. No further testing here is considered necessary.

4.8 Sensitivity testing has also been undertaken by considering the affect of adding additional traffic onto the network should Cefn Coed Hospital site be redeveloped in the future. The results indicate a further worsening of the situation as expected but as no firm proposals have been submitted this will be a matter to be addressed if and when a development of that site comes forward for consideration.

5 Highway Improvements

5.1 The situation of Vivian Road and Cockett Road junctions being already at or over capacity is currently under review. Early sketch proposals show that capacity can be increase through improvements on the approaches to these junction together with consideration of replacement of the roundabouts with traffic signals. This option offers more control over traffic flows to better address the shifting demands in the area. Clearly such solutions are at an early stage and detailed design issues will need to be considered as options are progressed.

5.2 The applicant has agreed to contribute to these works and to that end has offered a £100,000 contribution to cover the influence that additional college traffic will have on that part of the network. I consider this to be an acceptable offer, commensurate with the level of impact that the development will have. This contribution will enable part of the works to be undertaken in preparation for a final improvement scheme.

5.3 In addition to the congestion issues at the roundabouts, the assessment also highlighted issues at the site access on Tycoch Road, where site traffic queuing to enter the site could block through traffic resulting in a queue. This can be minimised by ensuring that a right turn lane is provided along the site frontage. This will involve widening the road appropriately and setting back the site frontage together with adjustment of the bus lay-by location. This is also proposed by the applicant and I consider this to be more appropriate than removing all road side parking at that location which would adversely affect existing residents.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

6 Car Parking

6.1 Parking requirements have been determined through reference to adopted parking standards. A series of 9 parking areas is to be provided on a phased basis for a total of 592 spaces.

6.2 Application of the adopted parking standards results in a projected need for 642 spaces. This results in a shortfall of 50 spaces against the standards. Application of the adopted standards does not take into account any car sharing or reduced demand generated by the travel plan measures. It is noted that surveys of existing travel demand at the college indicates that some car sharing is already taking place and that, together with the implementation of a travel plan, is considered likely to address the relatively small shortfall in parking provision.

6.3 Most of the parking will be provided at phase one stage early on in the development and therefore full demand will not be reached until the final stages by which time the travel plan and its measures will be in place. The initial provision in phase one will be more than projected demand at that stage and this will ensure that the present overspill parking that can take place will be addressed.

7 Accessibility by Other Modes

7.1 There is a 20 min frequency bus service past the Tycoch Road access with a further 30 min frequency service on Vivian Road. An hourly service is available on Cockett Road all within a short walk of the campus. Bus services therefore are reasonable and a viable alternative to car use. Not all students are of driving age and therefore students do make use of local bus services.

7.2 There are no dedicated cycle lanes in the vicinity of the site. All cyclists therefore have to share road space with other vehicles. There is currently some cycling taking place and staff and student surveys showed that more can be encouraged by providing better facilities on site, such as shower and changing facilities. The college intends implementing changes to encourage more cycling.

7.3 Footways are available along roads leading to the college and student use is observed to take place. Crossing facilities are available and in use.

8 Travel Plan

8.1 An outline travel plan has been included in the submission which aims to encourage more sustainable forms of transport than the private car. This is in line with best practice and the outline plan forms a sound basis on which to formulate a detailed plan for subsequent submission and approval. The assessment of the traffic impact has not taken into consideration any affect of a change towards more sustainable travel and therefore the implementation of a successful travel plan would reduce impact on the surrounding highway network.

9 Conclusions

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

9.1 The impact that this development will have on the surrounding highway network has been assessed. The contribution that the College is making towards addressing this impact will assist in bringing forward a scheme in mitigation and improve the flow for all traffic on the surrounding highway network. Improvements to Tycoch Road fronting the site will also address queuing problems at that location.

9.2 The level of contribution, whilst not enabling a scheme to be implemented in its entirety, is never the less proportional to the level of impact that the development will have.

10 Recommendations

10.1 I recommend that no highway objections are raised subject to the following;

i. The development shall be completed in accordance with an approved Phasing plan.

ii. Prior to the start of Phase 4, or the introduction of additional faculties at the site, whichever comes sooner, the developer shall deposit with the Council the sum of £100,000 in order that off site highway improvements can be implemented prior to completion of the development.

iii. Prior to the start of Phase 4, or the introduction of additional faculties at the site, whichever comes sooner, a right turn lane shall be constructed at the site access on Tycoch Road.

iv. The Travel Plan shall be submitted for approval and implemented prior to beneficial use of any newly introduced facility commencing.

Note1: All off site Highway works and contributions will be subject to agreement under S106 of the Town and Country Planning Act and Section 278 of the Highways Act as appropriate.

Note 2: The Developer must contact the Highway Management Group , The City and County of Swansea , Penllergaer Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Senior Engineer (Development) , e-mails to : jim.marshall@swansea.gov.uk or the Team Leader , e-mails to mark.jones@swansea.gov.uk , tel. no. 01792 636091

APPRAISAL

Cllr Cheryl Philpott has called-in the application as this is a major project which could have a significant impact on the community and surrounding area.

Notwithstanding the call in, as an application which amounts in part to a departure from the Development Plan (City & County of Swansea approved Unitary Development Plan), the application is reported firstly to Area 2 Development Control Committee with a recommendation of approval and referral to Development Management and Control Committee, in accordance with the Council's Constitution.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

The proposal seeks to facilitate the expansion of the Gower College campus at Tycoch by the incorporation of the existing adjoining Hillhouse Hospital site into the campus. It is proposed to demolish the existing hospital buildings to facilitate the construction new teaching blocks and indoor sports barn. It is proposed to re-profile the existing site engineer to form development plateaus, together with revised vehicular accesses onto Tycoch Road & Cockett Road, and a new internal vehicular and pedestrian circulation routes linking both sites, new car parking, landscaping and associated works. Additionally, it is proposed to reconfigure and remodel the existing Tycoch campus buildings. It is stated that it is the objective of the College to consolidate its facilities at the main two main campus sites of Tycoch (Hillhouse) and Gorseinon.

The application is submitted in outline form with all detailed matters (access, appearance, landscaping, layout and scale) reserved for future approval. However, the planning application is accompanied by a large amount of supporting information comprising of a demolitions plan, illustrative site and parameters plans, development schedule, phasing and landscape strategies which seek to establish the approximate location of buildings, routes and spaces, the upper and lower limits for the height, width and length of each buildings together with the following supporting documents:

- Design and Access Statement;
- Ecological Assessment (including Bat Survey Report);
- Movement (Transportation) Assessment;
- Structural Engineering Strategy;
- Drainage Strategy;
- Arboricultural Survey Report;
- Archaeological assessment, and
- Breeam pre-assessment report.

It is proposed to proceed with the development on a phased basis following the demolition of all existing buildings within the Hillhouse site, together with several structures within the existing Tycoch campus and the creation of required development plateaus.

The proposed development site also incorporates the vacant land to the north of the Hillhouse complex, which was formerly occupied by the Hillhouse nurses' home. This part of the site has previously been granted planning permission (expired 18 June 2013) for residential development (71 apartments of five and six storeys – ref:2007/1766) and is allocated in the UDP for housing under Policy H1(147) with an indicative capacity of 60 units. The proposed development of this part of the site for educational purposes therefore amounts to a departure from the prevailing development plan.

The submitted illustrative site plan indicates the siting of the new Faculty buildings on the site of the existing hospital wards, together with the siting of a proposed indoor sports barn on the site of the former Hill House nurses' home to the north of the site. It is proposed to link the two sites with a new service and access road and a pedestrian circulation route whilst retaining as much of the protected woodland as possible. Additionally, the site plan envisages the substantial alteration of the existing College buildings. The submitted illustrative parameters plan and development schedule indicate the development of a total of 17,000m² of new floorspace, which is compared with 4,939m² of existing floorspace to be demolished.

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

Main Issues

The main issues for consideration are therefore as follows:

- Compliance with development plan policy and supplementary planning guidance;
- Townscape and visual impact;
- Highways/car parking issues;
- impact upon the residential amenity of neighbouring occupants,
- Impact on ecology and other technical issues

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

Development Plan Policy and Land Uses

National Planning Policy

In line with recent Welsh Assembly Government guidance provided by Planning Policy Wales (PPW) (Feb. 2014 6th Edition), the redevelopment of the former Hillhouse hospital site, would ensure that previously developed land is used in preference to a Greenfield site.

Unitary Development Plan (UDP)

The UDP Proposals Map (west area) shows the majority of the application site of the Hillhouse site and the Tycoch site as 'white land' within the urban area. The principle of development in such locations is therefore accepted subject to compliance with other relevant criteria based UDP Policies.

The site, is however subject to two land use policy designations. Firstly, as explained above, the northern part of the site incorporates vacant land which was formerly occupied by the Hillhouse nurses' home. This part of the site has previously been granted planning permission (expired 18 June 2013) for residential development (71 apartments of five and six storeys – ref:2007/1766) and is allocated in the UDP for housing under Policy H1(147) with an indicative capacity of 60 units.

Secondly, the Cwm Cockett Valley is heavily wooded and is part of the greenspace system designated under UDP Policy EV24 which states that wildlife reservoirs, green corridors, pocket sites and riparian corridors, the natural heritage and historic environment will be conserved and enhanced. Development proposals which would be likely to have a significant adverse effect on the greenspace system or which do not provide for appropriate compensatory or mitigation measures will not be permitted. The greenspace system traverses the central section of the site and effectively separates the Hillhouse complex from the existing campus. This existing mixed woodland area is also subject to a Tree Preservation Order (Cwm Cockett Valley - No. 358) and the land is also designated as a Site of Importance for Nature Conservation (SINC) and referred to as 'Cockett Wheels and Park'.

Further key relevant policy is that of UDP Policy HC11, which relates to Higher Education campus development and provides in principle policy support for higher education campus development provided that seven criteria are met. Whilst Gower College is a tertiary college rather than a college of Higher Education, it is considered that the criteria within Policy HC11 are relevant to the determination of this application. In particular, Policy HC11 states that Higher education campus development will be permitted provided that:

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

- I. The layout, design, scale, density and use of materials is satisfactory, and reflects designing out crime principles,
- II. The intrinsic qualities of the site are recognised and respected,
- III. The relationship with adjacent buildings and spaces are satisfactory,
- IV. There is an acceptable means of access (including by public transport, walking and cycling), and an appropriate level of parking,
- V. Landscaping to an appropriate standard is incorporated as an integral element of the development,
- VI. There would be no significant adverse effect on residential and landscape amenity, natural heritage and historic environment, and
- VII. Transport Assessment and Travel Plans submitted with the application are satisfactory.

In terms of considering the design issues and layout of the proposed development, Policy EV1 of the UDP requires new development to accord with 11 specified objectives of good design, in particular, new development should be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials, and detailing, layout, form, mix and density. Whilst Policy EV2 states that the siting of new development should give preference to the use of previously developed land over greenfield sites and should have regard to the physical character and topography of the site and surroundings by meeting specified criteria relating to siting and location.

Urban Design

The accompanying Design and Access Statement (DAS) provides a contextual analysis of the site and outlines the policy context for the proposed development whilst assessing the design principles and concept for the proposal in its wider context. The DAS establishes the development parameters and phasing strategy of the proposal.

The Hillhouse site is dominated by the steeply sloping topography falling from Cockett Road into the valley floor and is set within a mature landscape and currently comprises a number of single storey ward buildings. The existing hospital buildings lie in the contour of the slope. Access is restricted by the steep slopes. The site is bounded by higher level woodland to the north and west (Cwm Cockett Valley), by Cockett Road to the east and by a lower level area of woodland to the south which separates the site from the existing Tycoch campus. The existing college building to the south is modern dating from the 1970s. It has clearly evolved in an ad hoc manner and this application offers the opportunity to rationalise and enhance the existing campus as well as expanding the site.

Overall the proposals to enhance existing provision and to expand the college campus onto the adjoining site are supported. As indicated the application is submitted in outline form with all detailed matters reserved for further approval, although the planning application is accompanied by a large amount of supporting information. The Design and Access Statement explains the spatial concept in response to the challenging topography and hints at the architectural intent. The information that has been provided is considered to give sufficient certainty such as siting, slab levels and height parameters whilst allowing flexibility for what may be changing client/ educational requirements. It is proposed that the proposed framework set out in the DAS, demolitions plan, illustrative site and parameters plans, development schedule, phasing and landscape strategies forms part of any planning permission granted by way of a planning condition.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO. 2013/1381

A key challenge and characteristic of the site is the topography with a level change of 8-10m falling from east to west over a distance of approximately 100m. The response to the topography is in the form of proposed split level buildings on the development plateaus that correlate to the existing ward buildings and this approach is supported. This is supported as a practical response that works with the site character whilst creating a distinctive sense of place and allowing for key elements of the mature landscape to be retained. It also means that the buildings are primarily orientated to face west which requires solar shading to be incorporated into the elevations.

A key challenge for the whole college site is the creation of a legible and accessible walking spine. The application includes reconfiguration of elements of the existing college buildings to create a central route which is welcomed. This then translates to an external spine linking to the hospital site via a land bridge over a stream bed – this is an opportunity for a high quality public realm feature. The spine then has to run up the contours towards Cockett Road to access the proposed buildings at different levels. The potential public realm in this level change area will be a focal point with steps cascading down the hill and will be the main social space in this part of the campus. The DAS indicates that access for all will be provided via lifts in each of the adjacent buildings in accordance with UDP Policy AS3.

The details of the buildings are indicative but they do suggest a contemporary architectural character appropriate to a modern education establishment which is supported in principle. The exact details of each building will be considered as part of the future reserved matters applications.

As well as the general siting/ footprints at the various plateau levels, the application includes parameters in terms of height. The indicative sections show the potential maximum increase in height of approximately 6.5m relative to the existing ward buildings.

The proposed sports barn to be constructed on the higher plateau is stated in the parameters plan as being up to 10m high and in order to assess the potential visual impact of this large footprint, additional visual information to show how this relates to Cockett Road and the existing stone wall has been submitted. In particular, the information seeks to make a comparison between the proposed development and the five and six storey residential development granted planning permission under ref:2007/1766. The plans show that the height of the approved scheme would have been approximately 10 metres above the level of Cockett Road, whereas the indicative height of the proposed sports barn would be only 4 metres above road level. (The existing site level is approximately 6 metres below that of Cockett Road.) Moreover, having regard to the existing stone boundary wall, opportunities to view the proposed sports barn will be limited.

Highways and Traffic Impact

A transport assessment has been submitted in support of the proposal which examines the potential traffic impact of the scheme. As outlined it is intended that the proposed development will be completed in a phased manner to accommodate staff and students from a number of other sites at Llwyn y Bryn, Gorseinon, Sandringham Park and Kingsway Centre which would relocate 102 employees and 586 students.

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

Existing Access and Circulation

The main vehicular access to the Tycoch campus is currently provided via an uncontrolled 'T' junction with separate in and out access off Tycoch Road. A second access from the rear of the campus exists via an arm off the mini-roundabout on Cockett Road known as Broadway which serves the Health and Beauty building. This is an in only access with a one-way system operating through the parking facility to an out only exit on Cockett Road. A connecting road exists between Broadway and the Tycoch campus which only allows one-way movement but its use is restricted due to the steep topography.

The existing Hill House hospital access consists of an uncontrolled 'T' junction access off Cockett Road. Additionally, there is a further access off Cockett Road from the more recently constructed access to the former nurses quarters part of the site which was intended to serve the proposed residential development site. It is indicated that it is proposed to modify this operation to a one-way only system to allow access from the Hill House junction with an exit from the other junction.

Whilst it is proposed to construct an internal link between the existing and proposed campuses, this would be restricted to pedestrians only.

Traffic Impact

The Traffic Assessment assessed the following junctions;

- Access 1 – Main entrance on Tycoch Road
- Access 2 – Main exit on Tycoch Road
- Mini-roundabout – Tycoch Road / Vivian Road
- Both Mini-roundabouts – Cockett Road
- Sketty Cross
- Hill House Access junctions (3)

The TA indicates that the existing Tycoch Campus has:

- 483 employees (teaching and support staff)
- 2500 students (full & part-time)

Following the completion of the proposed development, the numbers will increase to:

- 585 employees (teaching and support staff)
- 3086 students (full & part-time)

The proposed traffic generation movements from the existing campus and the proposed development are predicted to amount to 399 in and 61 out in the am peak and 177 in with 210 out in the pm peak.

Junction Analysis

Tycoch Road Access – this is the main access to enter and exit the site. The Head of Transportation highlights that modelling indicates that some queuing takes place in the am peak as vehicles waiting to turn right into the site are prevented from doing so by on-coming traffic from Tycoch. This results in a queue forming which can obstruct through traffic wishing to pass the site onward towards Tycoch.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

This can be addressed by either removing parked vehicles from the frontage opposite the site through traffic regulation orders, or widening the road by setting back the site frontage thus enabling through traffic to pass queuing vehicles.

Vivian Road Mini Roundabout – modelling and surveys at the roundabout indicate that the roundabout is over capacity in the peak hours. The Head of Transportation indicates that the additional college traffic will add to this making the situation slightly worse.

Mini Roundabouts on Cockett Road – similarly the surveys and modelling indicate overcapacity issues at these roundabouts which will be made slightly worse with the additional college traffic.

Hill House Accesses – the modelling of the one-way system of entry and exit indicates no issues with queuing and the Head of Transportation confirms there is sufficient capacity to accommodate the revised use.

Sketty Cross – The TA indicates that the traffic generated by Gower College has a negligible effect on the proportion of traffic utilising Sketty Cross. A maximum of 1.2% would be added to flows at the junction which will not have any measurable affect on its operation and no further analysis is deemed necessary.

Highway Improvements

The Head of Transportation has confirmed that the existing operation of the Vivian Road and Cockett Road mini-roundabouts are already at or over capacity and this position is currently under review and preliminary proposals to increase the capacity through improvements on the approaches to these junction together with consideration of replacement of the roundabouts with traffic signals is being considered. The option to install traffic lights potentially offers more control over traffic flows along the local highway network, however, this proposal is at an early design stage.

The applicant has offered a financial contribution of £100,000 towards the proposed highway improvements to cover the additional traffic generation as a result of the proposed development. The Head of Transportation considers this to be an acceptable offer, commensurate with the level of impact that the development will have. This contribution will enable part of the works to be undertaken in preparation for a final improvement scheme and would need to be secured through a Section 106 Planning Obligation. However, in order to facilitate the detailed designs for the improvements to Vivian Road and Cockett Road mini-roundabouts at an early stage, the applicants have agreed that a percentage (10%) of the contribution is paid prior to the commencement of the development to enable further detailed design to be progressed to avoid any delays in the preparation of a scheme. The detail would need to be agreed within the Sec. 106 but the Head of Transportation confirms that a £10,000 contribution would be sufficient to progress this work.

Additionally, the TA has also highlighted issues at the site access on Tycoch Road, where site traffic queuing to enter the site could block through traffic resulting in queuing. The Head of Transportation indicates that this can be minimised by ensuring that a right turn lane is provided along the site frontage. This will involve widening the road appropriately and setting back the site frontage together with adjustment of the bus lay-by location. This highway improvement has been agreed by the applicant and is considered to be more appropriate than removing all road side parking at that location which would adversely affect existing residents.

Car Parking

It is indicated that the existing Tycoch Campus and the former Hill House provides 378 spaces. The submitted illustrative site plan indicates a car parking layout for a total of 592 spaces within 9 parking areas. The application of the Council's adopted parking standards results in a projected need for 642 spaces. This results in a shortfall of 50 spaces against the standards. The Head of Transportation highlights that the application of the adopted standards does not take into account any car sharing or reduced demand generated by the travel plan measures. The surveys of existing travel demand at the college indicates that some car sharing is already taking place and that, together with the implementation of a travel plan, is considered likely to address the relatively small shortfall in parking provision. Most of the parking will be provided at phase one stage early on in the development and therefore full demand will not be reached until the final stages by which time the travel plan and its measures will be in place. The initial provision in phase one will be more than projected demand at that stage and this will ensure that the present overspill parking that can take place will be addressed.

Accessibility by Other Modes

The TA has assessed the availability of other modes of transport. There are adequate bus services within the area and additionally not all the tertiary students are of driving age and therefore students do not make use of local bus services. Whilst there are no dedicated cycle lanes in the vicinity of the site, there is currently some cycling taking place and staff and student surveys show that more can be encouraged by providing better facilities on site, such as shower and changing facilities. The college intends implementing changes to encourage more cycling. The existing footways within the vicinity are considered to be adequate.

Travel Plan

An outline travel plan has been included as part of the TA and highlights a number of travel plan measures to encourage more sustainable forms of transport than the private car. The implementation of a successful travel plan would reduce the impact on the surrounding highway network and would need to be secured through a condition to ensure it is monitored and reviewed to ensure its key objectives are being met.

Conclusions

The proposed financial contribution from the College towards addressing the traffic impact of the proposed development will assist in bringing forward a scheme in mitigation and improve the flow for all traffic on the surrounding highway network. Whilst the level of the contribution would not enable a scheme to be implemented in its entirety, it will represent a proportional contribution to the level of impact that the development will have. Having regard to the lawful use of the traffic generation from the Hill House site and also that of the proposed residential development site, it is considered appropriate that the financial contribution should be commensurate with the additional level of traffic generation from the proposed development and therefore tied to the phased development of the scheme. However it has been agreed that in order to facilitate the detailed designs for the improvements to Vivian Road and Cockett Road mini-roundabouts at an early stage, that £10,000 of the contribution would be paid prior to the commencement of the development. Additionally, the proposed improvements to the Tycoch Road access will also address queuing problems at that location, and as above, the implementation of these works would also be tied to the phased development of the scheme.

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

Residential Amenity

As explained above, Policy EV1 of the UDP requires new development to accord with 11 specified objectives of good design. Criteria (iii) is that the development should not result in a significant detrimental impact on local amenity in terms of visual impact, loss of light or privacy, disturbance and traffic movements.

Having regard to the existing lawful fallback use of the site, the nature of the proposals, separation to existing residential properties along with intervening natural features, it is not considered that the proposal would unacceptably impact on residential amenity in terms of visual impact, loss of light or privacy. Matters relating to traffic movements have been considered above.

Ecological Impact

The woodland area lies within the Cockett Wheels and Park cSINC where UDP Policies EV24 (greenspace system), EV28 (ecological sites of local importance) and EV30 (trees, woodland and hedgerow protection) are relevant. The Ecological Survey outlines the results of a number of detailed surveys undertaken within the site. The surveys have identified a number of non-native invasive species within the site including Japanese Knotweed and an appropriate condition will seek to eradicate it accordingly. There were no recorded findings of any protected amphibians. The reptile survey identified small numbers of slow worms on the site. The surveys have confirmed the presence of badgers but found no evidence of a sett within or close to the site.

A detailed Bat Survey Report has been undertaken and submitted as a separate document. The existing Reception building (former Lodge) has been identified as an occasional bat roost location whilst the surrounding woodland and hedgerows are used by the local bat population for commuting and foraging. No evidence of bat use was found elsewhere in any of the other buildings.

As the development proposes to demolish the Reception building, the report highlights that a European Protected Species Licence may be required to enable the works to proceed. Additionally, general mitigation proposals to protect bats during site clearance and construction phases, and to provide replacement bat roosts and enhance the remaining terrestrial habitat are proposed to maintain the favourable conservation status of the bats currently using the site. Natural Resources Wales (NRW) indicate that in this instance, the presence of a potential bat roost in the Reception building should not be a detriment to the maintenance of the favourable conservation status of the bat species present, providing that the works are carried out in accordance with a method statement (MS) to be agreed prior to any work commencing at the site. NRW are therefore satisfied that a European protected species licence is not required in this instance and this view is endorsed by the Council's Ecologist who considers that as the evidence was at least two years old then it would not count as an active bat roost and so would not require a licence.

An Arboricultural Survey Report submitted in support of the application indicates that a total of 256 individual trees and 32 groups of trees were surveyed within the site. The proposed scheme will result in the removal of 66 individual trees and 10 minor groups of trees (containing a total of 31 trees). The conclusions of the Report are that whilst the tree loss will be required to allow the proposed development to proceed, this would be mitigated against with the protection of retaining trees and additional landscape planting to compensate the tree removal.

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

Additionally, it is indicated that due to the lack of management of the woodland areas many individual trees and in particular woodland areas and marginal screens/shelterbelts have become neglected and are in a poor and unsustainable condition. It is proposed to implement a management plan to improve these areas in order to retain their important and conservation value.

Drainage Strategy

The application is accompanied by a Drainage Strategy Report which confirms that it is proposed to re-use the existing drainage infrastructure. Dwr Cymru Welsh Water raises no objections subject to planning conditions requiring the implementation of a comprehensive integrated drainage scheme. With regard to surface water disposal, it is proposed to discharge to the existing stream / drainage ditch along the western boundary together with other forms of sustainable urban drainage (SUDS) solutions such as rainwater harvesting and appropriate attenuation. It is proposed for a full SUDS assessment to be undertaken at the detailed design stage and NRW raise no objections subject to a condition for a SUDS surface water drainage system to be implemented.

Archaeological Impact

An Archaeological desk-based Assessment has been submitted which confirms that the former Hill House was built in the 18th Century (demolished 2005) whilst the Isolation Hospital buildings at Hill House were completed in 1929. The proposed development includes the demolition of the existing Hill House buildings and the Assessment recommends a range of measures to mitigate the effect of the development on the heritage resource.

It is recommended therefore that a programme of archaeological work is put in place together with a building recording survey prior to demolition work on the Hill House buildings. This can be secured by way of planning conditions.

Conclusion

The application is for a significant development proposal which would facilitate the phased expansion of the Gower College campus at Tycoch into the adjoining Hill House hospital site. This will allow the College to rationalise its existing building portfolio and provide an enhanced educational environment. The proposals seek to establish the development principles and site parameters to allow the future detailed proposals to be assessed. As stated above, Policy HC11 provides in principle policy support for higher (tertiary) education campus development provided that the seven criteria are met. In particular, it is considered that the proposed layout, design, scale and density of the proposed development established through the submitted masterplan and development parameters is acceptable and would be sympathetic to the site and the surrounding residential and landscape amenity.

The submitted Transport Assessment has examined the potential traffic impacts of the scheme and as outlined the existing highway network, principally along Cockett Road and Tycoch Road, experience high traffic volumes which cause congestion at the mini-roundabouts / junctions particularly at peak periods. The Head of Transportation has highlighted that in order to address the existing situation; the potential for the replacement of the existing roundabout arrangement with traffic lights in order to facilitate improved traffic flows is being considered.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

The applicants have agreed to contribute to these works to facilitate detailed design work and also a contribution towards the actual highway improvement works, and additionally to allow for proposed improvements to the Tycoch Road access. Overall, it is considered that these works will address the traffic impact of the proposed development and will assist in bringing forward a scheme in mitigation and improve the flow for all traffic on the surrounding highway network.

As outlined the majority of the application site within the Hillhouse site and the Tycoch site is 'white land' within the urban area and the principle of the development is acceptable. However, the northern part of the site is allocated in the UDP for housing under Policy H1(147) with an indicative capacity of 60 units, and for which planning permission for a residential development has previously been granted (Ref:2007/1766). Notwithstanding the partial allocation of the site for housing, the alternative use of the site for educational purposes is considered to be a justifiable departure from the development plan policy. Additionally, part of the site falls within the Cwm Cockett Valley which is part of the greenspace system designated under UDP Policy EV24. The greenspace system traverses the central section of the site and effectively separates the Hillhouse complex from the existing campus. The proposed layout seeks to retain much of the character of the existing mature landscape and through the incorporation of appropriate landscaping to compensate and mitigate against the development, it is not considered that the development proposals would have a significant effect on the greenspace system. Approval is therefore recommended as a Departure to the adopted Development Plan Policy.

RECOMMENDATION

The application be referred to the DEVELOPMENT MANAGEMENT AND CONTROL COMMITTEE with a recommendation that it be APPROVED, subject to the conditions indicated below and the applicant entering into a Section 106 Planning Obligation in respect of:

- Prior to the commencement of the development, the developer shall deposit with the Council a sum of £10,000 in order to facilitate the detailed design work for the improvements to Vivian Road and Cockett Road mini-roundabouts at an early stage.
- Prior to the commencement of Phase 4, or the introduction of additional faculties at the site, whichever comes sooner, the developer shall deposit with the Council the sum of £90,000 in order that off site highway improvements can be implemented prior to occupation of that part of the development.
- Prior to the start of Phase 4, or the introduction of additional faculties at the site, whichever comes sooner, a right turn lane shall be constructed at the site access on Tycoch Road.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

CONDITIONS

- 1 Unless otherwise agreed in writing by the Local Planning Authority, the proposed development shall be implemented in accordance with the approved Design and Access Statement (September, 2013) and illustrative site plan G2793 F(0)105 Rev J, parameters schedule and plan G2793 F(0)106) and demolition plan G2793 F(0)104 Rev E, which set out the vision, objectives, urban design principles, development strategy, masterplan, accessibility and movement, scale, quantum of development, building concept, infrastructure, environmental sustainability and structural landscaping principles of the development.

Reason: To ensure that the site is comprehensively developed to a high standard of sustainable urban design in accordance with National and Local Planning Policy advice and Guidance.
- 2 Approval of the details of the layout, scale, appearance and landscaping of and the means of access (hereinafter called 'the reserved matters') shall be submitted for approval by the Local Planning Authority and, unless otherwise agreed in writing by the Local Planning Authority, shall accord with the approved Design and Access Statement, site plan and parameters schedule and plan pursuant to Condition 1. The development shall be completed and brought into beneficial use in accordance with the approved details.

Reason: To ensure that the site is comprehensively developed to a high standard of sustainable urban design and to ensure that the development is carried out in an orderly and satisfactory manner.
- 3 The development to which this permission relates shall be begun either before the expiration of 5 years from the date of this outline permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act, 1990 and to ensure that development is begun within a reasonable period.
- 4 Unless otherwise agreed in writing by the Local Planning Authority, the development shall be completed in accordance with the programme of phasing detailed in drawing numbers G2793 F(0)154 Rev A, G2793 F(0)155, G2793 F(0)156, G2793 F(0)157, G2793 F(0)158, G2793 F(0)159 and G2793 F(0)160.

Reason: To ensure that the development is completed in accordance with the plans and scheme of phasing approved by the City and County of Swansea, and so avoid any detriment to amenity or public safety by works remaining uncompleted.
- 5 The development hereby permitted shall be constructed to achieve a minimum BREEAM 'Very Good' standard and achieve the mandatory credits for 'Excellent' under issue Ene1 - Reduction of CO2 Emissions and an 'Interim Certificate' shall be submitted to the Local Planning Authority, indicating how the standard will be achieved. The development shall be carried out entirely in accordance with the approved assessment and certification.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

Unless otherwise agreed in writing by the Local Planning Authority, prior to the occupation of the development hereby permitted, a 'Final Certificate' shall be submitted to the Local Planning Authority, certifying that a minimum BREEAM 'Very Good' standard and the mandatory credits for 'Excellent' under issue Ene1 - Reduction of CO2 Emissions has been achieved.

Reason: To mitigate the causes of climate change by minimising carbon and other greenhouse gas emissions associated with the design, construction and use of the development.

- 6 Notwithstanding the details indicated in the application, all reserved matters applications shall be accompanied by details and disposition of the external finishes for each phase of the development unless otherwise agreed by the Local Planning Authority. 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 visual amenity.

- 7 Detailed engineering drawings shall be submitted indicating any alterations to the proposed means of vehicular access into the proposed development for the written approval of the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason: To allow the proper consideration of all highway details.

- 8 Notwithstanding the details indicated in the application, all reserved matters applications shall be accompanied by details of the levels for each phase of the built development indicating its relationship to the adjoining land and any changes to the site itself. The development shall be completed in accordance with the proposed details.

Reason: To enable the reserved matters application to be properly assessed to ensure that the work is carried out at suitable levels in relation to the adjoining land having regard to visual impact, drainage and gradient of access.

- 9 Unless otherwise agreed in writing by the Local Planning Authority, notwithstanding the details submitted in the application, prior to commencement of Phase 0, detailed engineering / sectional drawings shall be submitted indicating any ground re-profiling to create the development platforms and access / circulations areas. The development shall be completed in accordance with the approved scheme.

Reason: To enable the development to be properly assessed to ensure that the work is carried out at suitable levels in relation to the adjoining land having regard to visual impact, drainage and gradient of access.

- 10 The development hereby approved shall not be occupied until a scheme for the comprehensive and integrated foul water, surface water and land drainage for the site has been implemented in accordance with details to be submitted to and approved by the Local Planning Authority.

- continued -

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

Foul water and surface water discharges must be drained separately from the site and no surface water shall be allowed to connect (either directly or indirectly) to the public foul sewerage system. No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.

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.

- 11 No development approved by this permission shall take place until details of the implementation, maintenance and management of a sustainable drainage system (SUDS) for surface water drainage has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented prior to the construction of any impermeable surfaces draining to this system, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent pollution of the water environment and to prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

- 12 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To prevent pollution of the water environment from any unidentified areas of contamination at the site.

- 13 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 phase of the development is submitted to and approved in writing by the Local Planning Authority.

Reason: In order to prevent pollution of the environment, protect the residential amenities of the area and to secure the satisfactory development of the site.

- 14 No development approved by this permission shall be commenced until a Construction Site Waste Management Plan (CSWMP) for the control, management, storage and disposal of demolition waste / excavated material has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the appropriate management and storage of waste generated on site to reduce the risk of pollution and to ensure sustainability principles are adopted during development.

- 15 Prior to the commencement of development, a detailed method statement for the removal or long-term management /eradication of Japanese knotweed on the site shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed during any operations such as mowing, strimming or soil movement.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Reason: Japanese knotweed is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring.

- 16 Prior to the commencement of development a method statement shall be submitted to and approved in writing by the Local Planning Authority detailing how invasive plants including Himalayan Balsam will be treated so as to control their spread during construction. The development shall be undertaken in accordance with the approved method statement.

Reason: It is an offence under Section 14(2) of the Wildlife and Countryside Act 1981 to plant or otherwise cause to grow in the wild any plant listed in Schedule 9 Part II.

- 17 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

- 18 Prior to commencement of demolition work, an appropriate programme of recording and analysis shall be undertaken as agreed with the Local Planning Authority and a full measured record shall be deposited in the Swansea Record Office of the Local Authority.

Reason: As the buildings are of architectural and cultural significance the specified records are required to mitigate the impact of the development.

- 19 The development shall be carried out in accordance with a method statement / ecological watching brief outlining the phasing / demolition programme, method of working and mitigation proposals for the potential bat roost. The method statement shall be agreed with the Local Planning Authority prior to the start of any works affecting the Reception Building.

Reason: In order to minimise the potential disturbance of bats within the application site.

- 20 The development shall be brought into beneficial use in accordance with a Travel Plan to be submitted to and approved in writing by the Local Planning Authority. The Travel Plan Co-ordinator will be responsible for the implementation of the Travel Plan, and shall produce an annual report and be responsible for monitoring and recommending adjustments to the Travel Plan in consultation with the SWWITCH Travel Plan Co-ordinator in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of sustainability and in order to reduce car borne travel.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

- 21 Notwithstanding any details submitted with this application, no trees shall be felled within the site other than those specified as part of the landscaping scheme for the site to be submitted as part of the reserved matters submission. The proposed landscaping scheme for the site, including details of the circulation areas / hard surfacing materials, other external features, as well as all proposed tree and shrub planting and other soft landscaping works shall be completed as an integral part of the development unless otherwise agreed by the Local Planning Authority. The landscaping scheme shall include a tree/woodland management plan and agreed implementation scheme of the same.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development, and to accord with Section 197 of the Town and Country Planning Act 1990.

- 22 Unless otherwise agreed in writing by the Local Planning Authority, no development, including demolition work, shall commence on site until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved method statement and all protection fencing, ground protection, and construction methods shall be retained intact for the duration of the development hereby approved, and shall only be removed, or altered with the written approval of the Local Planning Authority.

Reason: To ensure the protection of retained trees on the site whilst the development is being carried out.

- 23 No retained trees shall be cut down, uprooted, destroyed, pruned, cut or damaged during the construction phase other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. If any retained trees are cut down, uprooted, destroyed or die during the construction phase a replacement tree shall be planted at the same location and that tree shall be of a size, species as specified in writing by the Local Planning Authority.

Reason: To ensure the protection of the retained trees during construction works.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: (UDP Policies EV1, EV2, EV3, EV24, EV28, EV30, HC1, H11, AS1, AS2, AS5, AS6)
- 2 All off site Highway works and contributions will be subject to agreement under S106 of the Town and Country Planning Act and Section 278 of the Highways Act as appropriate. The Developer must contact the Highway Management Group , The City and County of Swansea , Penllergaer Offices, c/o The Civic Centre, Swansea SA1 3SN before carrying out any work. Please contact the Senior Engineer (Development), e-mails to: jim.marshall@swansea.gov.uk or the Team Leader, e-mails to mark.jones@swansea.gov.uk , tel. no. 01792 636091

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 10 (CONT'D)

APPLICATION NO.

2013/1381

- 3 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
- Care should be taken when working on buildings particularly during the bird nesting season March-August.
- 4 Bats may be present. All British bat species are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2010. This legislation implements the EC Habitats & Species Directive in the UK making it an offence to capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It is also an offence to recklessly / intentionally to disturb such an animal.
- If evidence of bats is encountered during site clearance e.g. live or dead animals or droppings, work should cease immediately and the advice of the Natural Resources Wales sought before continuing with any work (01792 634960).

PLANS

Site location plan received 24th September 2013

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 11

APPLICATION NO.

2014/0117

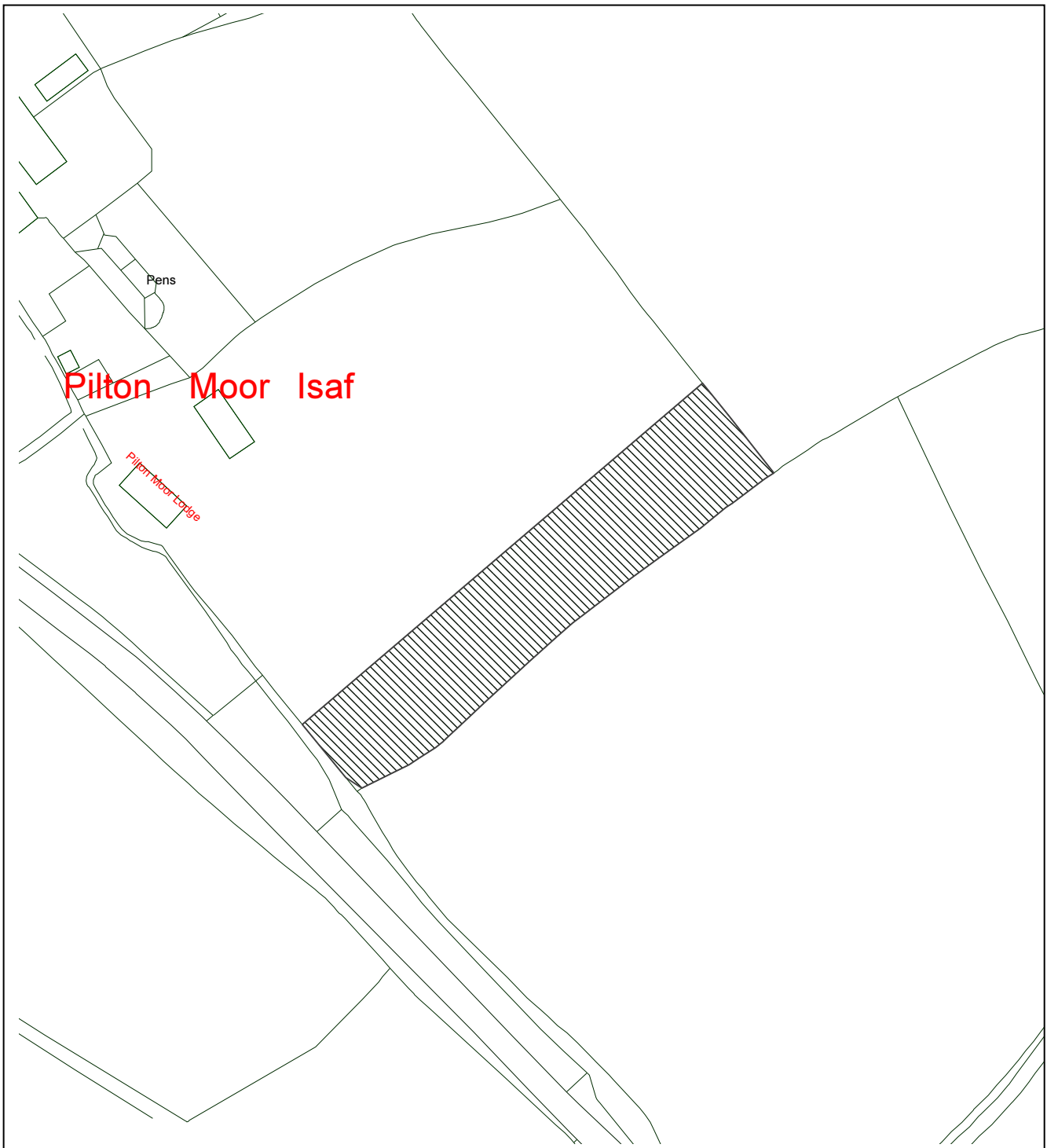
WARD:

Gower
Area 2

Location: Pilton Moor, Pitton Cross, Rhossili, Swansea

Proposal: Change of use from agricultural land to camp site for 5 touring caravans

Applicant: J & M Tucker



NOT TO SCALE

This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 11 (CONT'D)

APPLICATION NO.

2014/0117

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EC17	Proposals for tourism and recreation developments of an appropriate scale in locations which relate acceptably to the existing pattern of development and/or their surroundings in terms of the nature of the proposal concerned will be permitted provided they comply with a specified list of criteria including standard of design, effect on landscape and nature conservation, effect of visitor pressure on sensitive locations, provide acceptable and safe access, would not cause a loss of best agricultural land. (City & County of Swansea Unitary Development Plan 2008)
Policy EC22	Control of camping and touring caravans on farms and storage of touring caravans. (City & County of Swansea Unitary Development Plan 2008)
Policy EV22	The countryside throughout the County will be conserved and enhanced for the sake of its natural heritage, natural resources, historic and cultural environment and agricultural and recreational value through: i) The control of development, and ii) Practical management and improvement measures. (City & County of Swansea Unitary Development Plan 2008)
Policy EV26	Within the Gower AONB, the primary objective is the conservation and enhancement of the area's natural beauty. Development that would have a material adverse effect on the natural beauty, wildlife and cultural heritage of the AONB will not be permitted. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2004/2347	Provision of outdoor menage, enclosed by 1.2 metre high fencing Decision: Grant Permission Conditional Decision Date: 10/12/2004
2005/2478	Use of land for the siting of 5 touring caravans from Good Friday or 1st April (whichever is the earlier) to 31st October during the 2006/2007 seasons Decision: Grant Permission Conditional Decision Date: 19/01/2006
2009/1381	Use of land for the siting of 5 touring caravans from Good Friday or 1st April (whichever is the earlier) to 31st October during the 2010/2011 seasons Decision: Grant Temporary Permission Decision Date: 29/10/2009

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 11 (CONT'D)	APPLICATION NO.	2014/0117
2011/1429	Renewal of temporary permission for the siting of 5 touring caravans from Good Friday or 1st April (whichever is the earlier) to 31st October 2012 and Good Friday or 1st April (whichever is the earlier) to 31st October 2013 Decision: Grant Temporary Permission Decision Date: 13/01/2012	
2003/1771	Use of land for caravan rally for approximately 45 units from May 14th-16th 2004 (inclusive) Decision: Refuse Decision Date: 04/05/2004	
2002/0010	Use of land for the siting of 5 touring caravans from Good Friday or 1st April (whichever is the earlier) to 31st October during the 2002/2003 seasons. Decision: Grant Temporary Permission Decision Date: 03/04/2002	
2006/2235	Replacement of residential mobile home (application for a Certificate of Proposed Lawful Development) Decision: Is Lawful Decision Date: 15/03/2007	
2003/0362	Use of land for the siting of 5 touring caravans from Good Friday or 1st April (whichever is the earlier) to 31st October during the 2004/2005 seasons Decision: Grant Temporary Permission Decision Date: 24/04/2003	
2007/2188	Use of land for the siting of 5 touring caravans from Good Friday or 1st April (whichever is the earlier) to 31st October during the 2008/2009 seasons Decision: Grant Temporary Permission Decision Date: 31/10/2007	
82/0839/03	SITING OF 3 CARAVANS JULY - 30TH SEPTEMBER 1982 Decision: *HGPC - GRANT PERMISSION CONDITIONAL Decision Date: 30/09/1982	
77/0368/07	ESTABLISHED USE CERTIFICATE FOR SITING OF A CARAVAN Decision: *HRP - REFUSE PERMISSION Decision Date: 28/07/1977	

RESPONSE TO CONSULTATIONS

The application was advertised on site. No response.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 11 (CONT'D)

APPLICATION NO.

2014/0117

The Gower Society – Comments as follows:

4. In general this site is well screened and does not appear to impact upon the landscape.
5. We have repeatedly reported the fact that this site does breach its 5 van license by slipping in additional touring vans into the site during the summer.
6. It has also been reported that over at least the last four years (on about 6 aerial surveys that you have in your possession) that two shepherds huts are located on this site and that these are technically caravans and advertised on the web site for bed and breakfast type accommodation. Whilst these caravans are acceptable in the landscape they are unlawful and we can not see how this latest application can be considered without correcting a serious breach of planning.
7. We also point out that a new sign advertising these shepherds huts have been erected outside the site this week.

We urge you to correct the current unlawful situation by taking the above comments into account when arriving at your decision. By allowing or ignoring the shepherd's huts you have in fact authorised 7 caravans on this site. If the application is allowed it is essential that the 5 touring vans are not allowed to remain all of the year and to never be allowed to be replaced by larger static units. The shepherd's huts are presently in place for a full year. We can foresee a situation like that which was developed at The Lanches in Llandewi if the correct actions are not taken. Indeed this is how the two log cabins came to be in position on this Pilton Moor site.

APPRAISAL

This application is reported to Committee for decision at the request of Councillor Richard Lewis to assess the impact upon the AONB.

Full planning permission is sought for the permanent seasonal siting of 5 touring caravans at Pilton Moor Stables, Pilton Cross, Rhossili. Temporary planning permission has been granted continuously since 2002 for the use of the application enclosure for the siting of 5 touring caravans from Good Friday (or 1st April) whichever is the sooner to 31st October.

The main issues for consideration in this instance are the impact of the proposal on the character and appearance of the area and highway safety having regard to prevailing Unitary Development Plan policies. It is not considered that the provisions of the Human Rights Act raise any other overriding considerations.

Within the Gower AONB the primary objective of this designation is the preservation of the natural beauty of the area. This is further underlined by National planning policy guidance, Planning Policy Wales 2002, which emphasises that development control decisions affecting the AONB should respect this primary objective and favour the conservation of natural beauty and protect the character and appearance of the AONB from inappropriate development.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 11 (CONT'D)

APPLICATION NO.

2014/0117

In line with this guidance, the following policies of the extant Swansea Unitary Development Plan apply. Policies EV1 and EV2 seek to ensure high quality development that protects the natural heritage of the area and Policies EV22 and EV26 of the Unitary Development Plan primarily seek to protect the landscape of the Gower AONB for its own sake and to preserve it for future generations, with particular emphasis on preserving its natural beauty.

Policy EC17 of the Unitary Development Plan 2008 refers to rural tourism and ensures that new tourism and recreation development is consistent with the primary objective of preserving the AONB. It states that tourism and recreation developments of an appropriate scale in locations which relate acceptably to the existing pattern of development and/or their surroundings in terms of the nature of the proposal concerned will be permitted provided they:-

- i. are in keeping with the scale and character of the surrounding area
- ii. do not have significant adverse effects on landscape or nature conservation interests
- iii. do not create a significantly harmful level of visitor pressure at sensitive locations
- iv. can provide safe access for a variety of modes of transport without harming the character of adjacent lanes
- v. And when located on a farm would not lead to the loss of the best and most versatile agricultural land.

Policy EC22 states that planning permissions for up to 5 touring caravans on farms for temporary periods will be conditioned to minimise significant impacts on the environment, road network and utilities

The application site is set back from and completely screened from the main highway and is enclosed by existing high mature planting. The touring caravans would be concealed within the paddock and would not appear unacceptably prominent from the road or any other surrounding public vantage points. Furthermore, it is not considered that the caravans would appear unacceptably prominent in the wider landscape of this part of Gower AONB and as such, it is considered that the proposal complies with the overall requirements of Policies EC22 and EV26 of the Unitary Development Plan 2008. In addition, the field is sited away from the undeveloped coastline where a recently commissioned Landscape Sensitivity and Capacity Study for caravan and camping sites within the AONB carried out on behalf of the LPA identifies the application site within Landscape Character Area 11 (LCA 11) an extensive LCA of gently rolling lowland open farmland landscape traversed by hedges, with a simple network of small roads bordered by connecting hedges. Whilst within this area there is considered to be low capacity to accommodate further camping and caravan sites, the application site is an existing established temporary site as identified within the Landscape Sensitivity and Capacity Study, and is adequately screened such that the 5 touring caravans would be assimilated into the landscape without any significant demonstrable visual harm.

The application enclosure whilst not used for agricultural purposes is nevertheless classed as Grade 3 Agricultural Land. Notwithstanding the outcome of this application, as the proposal seeks seasonal siting for the caravans, it would not lead to the permanent loss of best and most versatile agricultural land, thus complying with Policy EC17.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 11 (CONT'D)

APPLICATION NO. 2014/0117

The comments of the Gower Society are noted. And any unauthorised activity on the site is a matter for the Planning Enforcement Section who will investigate further.

In conclusion and having regard to all material considerations, the proposal is considered an acceptable form of development at this location that would not unduly impact upon the visual amenities of the AONB and highway safety and complies with the requirements of Policies EC22, EV22, EV26 and EC17 of the Unitary Development Plan 2008. Approval is therefore recommended.

RECOMMENDATION

APPROVE, subject to the following conditions:

- 1 This permission relates to the siting of a maximum of 5 touring caravans from Good Friday or 1st April (whichever is the earlier) to the 31st October inclusive in any calendar year.
Reason: To enable the Local Planning Authority to review the situation at the end of that period.
- 2 The land owners shall maintain a daily record of caravans sited on this land, such records to be open for inspection by the Local Planning Authority at any time and maintained as a permanent record for such purpose.
Reason: To ensure the proper monitoring of the use.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: Policies EV22, EC22, EV26 and EC17 of the Swansea Unitary Development Plan 2008.

PLANS

Site plan, layout plan, photographs dated 27th January 2014

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 12

APPLICATION NO.

2014/0146

WARD:

Killay South
Area 2

Location: Former Blockbuster Video Express, 448 Gower Road, Killay, Swansea, SA2 7AL

Proposal: Change of Use from Video rental store (Class A1) to Estate Agents (Class A2)

Applicant: Ffynone Estates Ltd



NOT TO SCALE

This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 12 (CONT'D)

APPLICATION NO.

2014/0146

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy EC5	Development within designated district centres will be encouraged where it is of a type and scale that maintains or improves the range and quality of shopping facilities and meets other specified criteria. (City & County of Swansea Unitary Development Plan 2008)
Policy ECNR	Proposals for non retail uses at ground floor level within shopping centres will be assessed against defined criteria, including their relationship to other existing or approved non retail uses; their effect upon the primary retail function of the centre; the proposed shop front and window display; the time the unit has been marketed for A1 uses, and its likelihood of continuing to be vacant; its location in relation to the primary shopping area; and its impact upon the vitality, viability and attractiveness of the centre. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
A00/1640	Change of use from warehouse (Class B8) to a cafe-bar restaurant (Class A3) Decision: Appeal Dismissed Decision Date: 24/05/2001
2006/2571	Retention of use of premises as a taxi call centre Decision: Refuse Decision Date: 30/01/2007
2001/1026	Change of use from warehouse (Class B8) to a cafe-bar restaurant (Class A3) Decision: Appeal Dismissed Decision Date: 26/11/2001

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 12 (CONT'D)	APPLICATION NO.	2014/0146
2004/2507	Change of use from storage (Class B8) to taxi call centre Decision: Appeal Dismissed Decision Date: 04/08/2005	
2005/2106	Change of use from warehouse (Class B8) to taxi call centre Decision: Appeal Withdrawn Decision Date: 05/06/2006	
2003/2608	Change of use from storage (Class B8) to hot food takeaway (Class A3) Decision: Refuse Decision Date: 13/04/2004	
2009/0514	Part demolition, conversion and extension to existing bakery to form a pair of 1 bedroom semi detached dwelling houses and external alterations including increase in roof height Decision: Grant Permission Conditional Decision Date: 13/01/2010	
2007/1546	Change of use from warehouse (Class B8) to taxi office and parcel delivery service Decision: Withdrawn Decision Date: 31/10/2007	

RESPONSE TO CONSULTATIONS

Neighbours: All adjoining neighbouring properties were individually consulted and no letters of response were received.

Highways: The conversion of the store is likely to attract fewer customers and associated parking demand. I recommend that no highway objections are raised.

Killay Community Council: Killay Community Council wish to object to the plans that another Estate Agent will be located in a very small area. There are currently four Estate Agents in Killay Square. Killay is predominantly a retail area and we would welcome a retail outlet which would encourage trade into Killay.

APPRAISAL

This application is reported to Committee for decision at the request of Councillor Jeff Jones in order to assess the loss of this retail use on the District Centre.

Description

Full planning permission is sought for the change of use of the Blockbuster Video Shop (Class A1) to Estate Agent (Class A2) at 448 Gower Road, Killay. The existing premises was a well established video store which has recently gone out of business.

It is advised that the business would employ three full time and two part time members of staff.

ITEM 12 (CONT'D)

APPLICATION NO.

2014/0146

Main Issues

The main issues for consideration during the determination of this application relates to the principle of this type of use at this district centre location, the impact of the proposal upon the visual amenities of the area, the residential amenities of the neighbouring properties and highway safety having regard for the provisions of Policies EV1, EV2, EV3, EC5 and ECNR of the City & County of Swansea UDP, the Supplementary Planning Guidance document entitled 'District Centres, Local Centres and Community Centres' (SPG) and the site history.

Principle of Development

There are approximately 45 shopping units within this recognised District Centre and there is a mix of differing commercial uses which complement one another. The above SPG acknowledges that whilst appropriate supporting uses can complement retail shops, the shopping function of District and Local Centres can be eroded by incremental planning consents for non-retail use. Consequently, when considering such proposals it is vital that an assessment is carried out on the impact of the proposed change of use on retail frontages, as well as the overall impact upon the vitality, attractiveness and viability of the Centre.

Killay is split into an area with a primary frontage (around the precinct) and secondary frontage (towards the Black Boy). The SPG states that the primary frontage should maintain a high level of retail units in order to safeguard the shopping frontage. National Planning Policy Guidance also emphasises the importance of ensuring ground floor use class changes are not permitted where this would create a predominance of non-retail uses that would lead to an unacceptable dilution of the retail frontage or undermine the attractiveness of the Centre.

Killay is one of the most vibrant shopping centres within the City and County of Swansea and in order to maintain its retail function the Local Planning Authority has historically sought to resist unrestricted A3 uses which can undermine the vitality and viability of shopping centres by creating areas of dead frontage during daytime hours. In this instance the applicant does not seek consent for an A3 use but for an A2 use which will operate between the hours of 9am until 5.30pm Monday to Friday and 9:30am until 4pm on a Saturday. As such the unit will maintain its daytime function which may draw footfall into the precinct during the working day. The SPG states that the as a rule of thumb 35% of secondary frontages should remain as retail, and further changes of use should not isolate units.

As stated above 488 Gower Road was previously used as a video rental shop (Class A1). The SPG acknowledges that Banks, financial institutions and other similar professional services within A2 Use Class can provide important services for the community and their retention within District and Local Centres is encouraged. However such uses will not be allowed to dominate primary shopping frontages and unit frontages must be sensitively designed.

The SPG does not therefore preclude A2 uses where it can be demonstrated that it will not isolate retail units, create a deadening effect and will not detrimentally impact upon the vitality and viability of the District Centre, however the tests set out in the SPG need to be addressed.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 12 (CONT'D)

APPLICATION NO.

2014/0146

13 units make up this secondary frontage in the Killay District Centre and currently 7 of these units fall lawfully within a Class A1 use (54%). The proposal would result in the loss of one A1 retail unit. Therefore the tests in this instance relate to whether the approval of any subsequent planning application would result in:

1. Less than 35% of units within the secondary frontage falling within non-retail uses.
2. The isolation of retail units.
3. The creation of an area of dead frontage.

The loss of this retail unit will result in 46% of the units falling within Class A1 which is in excess of the 35% provided in the SPG, so in this respect the proposal passes the first test. Furthermore the existing unit will be flanked by retail units and as such approval of this planning application will not isolate retail units (passing test 2). Therefore the main concern of the Authority would be the introduction of an unrestricted A2 use which could due to opening hours create an area of dead frontage which could undermine the vitality and viability of the retail core. However, in light of the fact the proposal does not seek the use of the premises in the evening and result in the introduction of a estate agent which will complement the retail core, it is considered that the approval of this application subject to conditions relating to hours of operation will not detrimentally impact upon the vitality and viability of this District Centre.

As such the proposal is considered to accord with the principles of Policies EC5 and ECNR of the Swansea UDP.

Visual and Residential Amenity

The proposal will result in no physical alterations and as such is considered to respect the visual amenities of the area. Furthermore given the building is surrounded by commercial properties and will not result in late night operations the proposal is unlikely to affect the residential amenities of the neighbouring residential properties. As such the proposal is considered to comply with the principles of Policies EV1 and EV2 of the Swansea UDP.

Highways

Having consulted the Head of Transportation and Engineering there are no highway objections to the proposal in compliance with Policies EV1 and EV3 of the Swansea UDP.

Response to Consultations

Notwithstanding the above one letter of objection was received which raised concerns with respect the loss of a retail unit, the issues pertaining to which have been addressed above.

Concern has been raised with regard the proliferation of Estate Agents within the District Centre. There is only currently one Estate Agent operating within the designated District Centre, albeit there is a further Estate Agents (Dawsons) operating outside the recognised centre. There is also an extant planning permission under Ref: 2013/1605 for the change of use of the former Post Office (Class A1) to an Estate Agents (Class A2) however this is yet to be implemented.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 12 (CONT'D)

APPLICATION NO.

2014/0146

When viewed as a whole if permission is granted for this proposal 19 of the 31 units within the designated District Centre would remain as retail (61.3%) compared to 3 units (9.7% of total) purely operating as Estate Agents and 5 units (16%) which fall within Class A2 Financial Centre. Therefore it would be unfair to suggest that the approval of this application would result in a domination of Estate Agents within this Shopping Centre.

Conclusion

Therefore subject to conditions restricting the hours of operation it is considered that the proposal will complement the existing offer in Killay and would likely result in an increase of visitors throughout the day increasing footfall which will help improve the vitality, viability and attractiveness of Killay District Centre in compliance with Policies EV1, EV2, EV3, EC5 and ECNR of the Swansea UDP and the Supplementary Planning Guidance Document entitled 'District Centres, Local Centres and Community Facilities'.

RECOMMENDATION

APPROVE, subject to the following conditions:

- 1 The development hereby permitted shall begin not later than five years from the date of this decision.
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.
- 2 The opening hours of the premises shall be restricted to 08.00 to 18.00 on any day.
Reason: To ensure the vitality and viability of the District Centre.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: (EV1, EV2, EV3, EC5 ECNR)
- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.

PLANS

10.93/01-site location plan, block plan and existing & proposed floor plans dated 30th January 2014

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 13

APPLICATION NO.

2014/0152

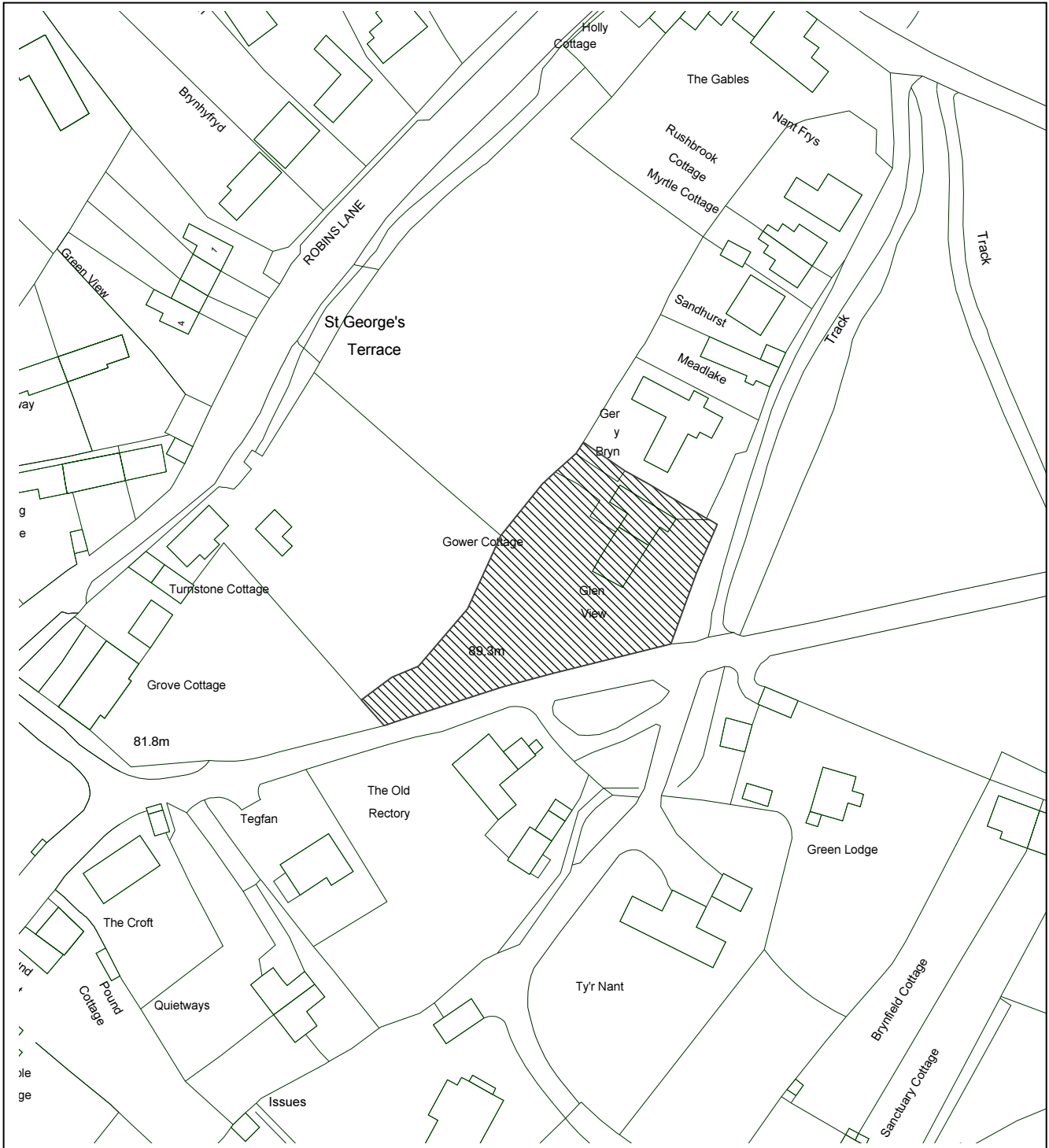
WARD:

Gower
Area 2

Location: Gower Cottage, Reynoldston, Swansea, SA3 1AD

Proposal: Single storey rear extension

Applicant: Mr Robert Jenkins



NOT TO SCALE

This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 13 (CONT'D)

APPLICATION NO.

2014/0152

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV22	The countryside throughout the County will be conserved and enhanced for the sake of its natural heritage, natural resources, historic and cultural environment and agricultural and recreational value through: i) The control of development, and ii) Practical management and improvement measures. (City & County of Swansea Unitary Development Plan 2008)
Policy EV26	Within the Gower AONB, the primary objective is the conservation and enhancement of the area's natural beauty. Development that would have a material adverse effect on the natural beauty, wildlife and cultural heritage of the AONB will not be permitted. (City & County of Swansea Unitary Development Plan 2008)
Policy EV9	Development within or adjacent to a Conservation Area will only be permitted if it would preserve or enhance the character and appearance of the Conservation Area or its setting. (City & County of Swansea Unitary Development Plan 2008)
Policy HC7	Proposals for extensions and alterations to existing residential dwellings will be assessed in terms of; relationship to the existing dwelling, impact on the character and appearance of the streetscene, effect on neighbouring properties, and impact on car parking. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2009/0961	Single storey rear extension Decision: Grant Permission Conditional Decision Date: 28/08/2009
2009/0180	Front porch, alterations to fenestration detailing on front and rear elevations and installation of rear glazing panels and creation of new vehicular access and hardstanding Decision: Grant Permission Conditional Decision Date: 08/04/2009
2006/2611	To fell 9 leylandii cypress trees covered by TPO no. 69 Decision: Grant Tree Pres Order Consent (C) Decision Date: 22/01/2007

ITEM 13 (CONT'D)

APPLICATION NO.

2014/0152

RESPONSE TO CONSULTATIONS

The application was advertised on site and in the local press as a development within the Reynoldston Conservation Area and three neighbouring properties were consulted. No response.

APPRAISAL

This application is reported to Committee for determination at the request of Councillor Richard Lewis in order to assess the impact of the proposal upon the Conservation Area and Gower AONB.

Full planning permission is sought for a single storey rear extension at Gower Cottage Reynoldston. The application property is an attractive traditional double fronted, stone built cottage situated within the Reynoldston Conservation Area. Planning permission has previously been granted for the erection of a front porch, alterations to the fenestration detailing on the front and rear elevations and the formation of a new vehicular access and parking (2009/0180 refers) and subsequently further permission granted for a single storey rear extension (2009/0961 refers).

The main issues for consideration in this instance relate to the impact of the proposed extension upon the visual and residential amenities of the area having regard to prevailing Development Plan Policies and the Gower AONB Design Guide.

The Gower AONB Design Guide, adopted in 2011, states that a key guiding principle in relation to the extension or alteration of an existing building is to respect the integrity of the building though ensuring that extensions are subordinate to the building in terms of scale massing and volume.

In this instance, the proposed extension will infill an existing gap formed by the 'U' shaped footprint of the dwelling. The extension will measure 4m in depth and 6.5m in width and will effectively square off the ground floor of the premises. The proposed extension will be built with a principally flat roof (2.3m in height) but will feature an orangery style glazed atrium detail totalling 3.3m in height. The scale of the extension (even when considered in conjunction with the previously constructed single storey rear extension) remains subordinate to the host property and does not compete with or overwhelm the parent property. The extension is relatively contemporary in its appearance, however, the Gower AONB Design Guide states that "appropriately proportioned and detailed contemporary additions can enhance both the host buildings character and that of the wider area". In terms of visual amenity therefore, overall the proposed single storey rear extension is considered to be sympathetic to and suitably subservient to the host property in terms of design and as such is considered to relate well to the character and appearance of the cottage. The proposed extension is low lying and not visible from any surrounding public vantage points and as such is not considered to have any impact upon the integrity of the surrounding Conservation Area and AONB notwithstanding the previous grant of permission.

Turning to residential amenity given the siting and location of the proposed development relative to neighbouring properties it is considered that no significant negative impacts of an overbearing, overshadowing or over looking nature will arise in respect of the proposed scheme.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 8TH APRIL 2014

ITEM 13 (CONT'D)

APPLICATION NO.

2014/0152

In conclusion therefore, and having regard to all material considerations, the proposal is considered an acceptable form of development that complies with the requirements of Policies EV1, EV9, EV22, HC7 and EV26 of the Unitary Development Plan 2008 and approval is recommended.

RECOMMENDATION

APPROVE, subject to the following condition:

- 1 The development hereby permitted shall begin not later than five years from the date of this decision.
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: Policies EV1, EV9 EV22, EV26 and HC7 of the Swansea Unitary Development Plan 2008.

PLANS

Site location plan, block plan, elevations existing, existing floor plans, south east elevation -existing, south west elevation-existing, north west elevation-existing, proposed elevations, south east elevation-proposed, south west elevation-proposed, north west elevation-proposed dated 30th January 2014. Proposed floor plans, north east elevation- existing, north east elevation -proposed dated 5th February 2014

Agenda Item 6

Report of the Head of Economic Regeneration & Planning

Area 2 Development Control Committee - 8 April 2014

Land at Cae Duke, Loughor Road, Loughor, Swansea

Construction of 106 residential units and associated works, including a new access spine road, public open space, recreational space, surface water attenuation ponds & reed bed, and public footpath linking onto Waun Road

Planning Application Reference: 2013/0261

1.0 Background

- 1.1 At the Area 2 Development Control Committee on 10th December 2013 Members resolved to approve the above planning application subject to conditions and subject to a S106 Planning Obligation.
- 1.2 The report was updated and amended to include an additional condition to restrict vehicular access from Waun Road and to amend the heads of terms of the S106 Planning Obligation to control public access to the proposed public open space and local area of play.
- 1.3 The S106 Planning Obligation as approved, therefore, requires the provision of:
 - 30 units of affordable housing on the site;
 - an education contribution of £91,832,
 - a highways contribution of £73,882;
 - management plans for the future maintenance and management of the attenuation ponds and the maintenance, management and public access to the public open space and the local area of play (LAP);
 - the variation of the original S106 in respect of the open space and woodland in the north eastern section of the site.

A copy of my updated report is attached as Appendix A.

2.0 Main Issues

- 2.1 In the process of drafting the S106 Planning Obligation it transpires that a small part of the application site straddles into part of an area of land identified, at the time, on the original S106 agreement for the future provision of playing fields. This area has, however, subsequently been allocated as housing land under the provisions of the City and County of Swansea Unitary Development Plan (2008).
- 2.2 This is, therefore, essentially a technical legal matter and in this respect it should be recognised that a planning application submitted by Loughor RFC is currently under consideration by this Authority for the construction of a single storey changing room building, one full size rugby pitch, one training pitch, a 36 space car park and installation of 11m x 15m high floodlighting columns on land adjacent to the current application site (Ref. 2014/0306).

2.3 It is recommended therefore that the terms of the S106 in so far as it relates to the “variation of the original S106 in respect of the open space and woodland in the north eastern section of the site” be amended to read as follows:

- the revocation of the original S106 in so far as it relates to all of the land within the red line of the application site.

3.0 Recommendation

It is recommended that:

(i) That planning permission be GRANTED subject to the conditions detailed in my updated report reproduced at Appendix A and to the applicant entering into a S106 Planning Obligation to provide:

- 30 units of affordable housing on the site;
- an education contribution of £91,832,
- a highways contribution of £73,882;
- management plans for the future maintenance and management of the attenuation ponds and the maintenance, management and public access to the public open space and the local area of play (LAP);
- the revocation of the original S106 in so far as it relates to all the land within the red line of the application site.

ITEM APPLICATION NO. 2013/0261
 WARD: Kingsbridge
 Upper Loughor
 Area 2

Location: Land at Cae Duke Loughor Road Loughor Swansea

Proposal: Construction of 106 residential units and associated works, including a new access spine road, public open space, recreational space, surface water attenuation ponds & reed bed, and public footpath linking onto Waun Road

Applicant: Barratt Homes South Wales

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy AS1	Accessibility - Criteria for assessing location of new development. (City & County of Swansea Unitary Development Plan 2008)
Policy AS2	Accessibility - Criteria for assessing design and layout of new development. (City & County of Swansea Unitary Development Plan 2008)
Policy AS6	Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy EV23	Within green wedges development will only be permitted if it maintains the openness and character of the green wedge and does not contribute to the coalescence of settlements or adversely affect the setting of the urban area. (City & County of Swansea Unitary Development Plan 2008)
Policy EV24	Within the greenspace system, consisting of wildlife reservoirs, green corridors, pocket sites and riparian corridors, the natural heritage and historic environment will be conserved and enhanced. (City & County of Swansea Unitary Development Plan 2008)

Policy EV30	Protection and improved management of woodlands, trees and hedgerows which are important for their visual amenity, historic environment, natural heritage, and/or recreation value will be encouraged. (City & County of Swansea Unitary Development Plan 2008)
Policy EV33	Planning permission will normally only be granted where development can be served by the public mains sewer or, where this system is inadequate, satisfactory improvements can be provided prior to the development becoming operational. (City & County of Swansea Unitary Development Plan 2008)
Policy EV34	Development proposals that may impact upon the water environment will only be permitted where it can be demonstrated that they would not pose a significant risk to the quality and or quantity of controlled waters. (City & County of Swansea Unitary Development Plan 2008)
Policy EV35	Development that would have an adverse impact on the water environment due to: i) Additional surface water run off leading to a significant risk of flooding on site or an increase in flood risk elsewhere; and/or, ii) A reduction in the quality of surface water run-off. Will only be permitted where it can be demonstrated that appropriate alleviating measures can be implemented. (City & County of Swansea Unitary Development Plan 2008)
Policy HC1	Allocation of housing sites for 10 or more dwellings. (City & County of Swansea Unitary Development Plan 2008)
Policy HC3	Provision of affordable housing in areas where a demonstrable lack of affordable housing exists. (City & County of Swansea Unitary Development Plan 2008)
Policy HC17	The Council will negotiate with developers to secure improvements to infrastructure, services, and community facilities; and to mitigate against deleterious effects of the development and to secure other social economic or environmental investment to meet identified needs, via Section 106 of the Act. (City & County of Swansea Unitary Development Plan 2008)
Policy HC24	Provision of public open space within new residential developments. (City & County of Swansea Unitary Development Plan 2008)
Policy EV4	New development will be assessed against its impact on the public realm. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2007/2097	Construction of 209 dwellings, indoor sports barn, two outdoor sports pitches, new vehicular access off Loughor Road and associated parking,

open space and landscaping works (Additional drainage plans received)
Decision: Withdrawn
Decision Date: 26/04/2012

99/0340 RESIDENTIAL DEVELOPMENT, NEW PLAYING FIELDS, CHILDRENS
PLAY AREA AND PROVISION OF SCREEN PLANTING (OUTLINE)
Decision: Withdraw
Decision Date: 22/10/1999

2012/1012 Use of property as a dwelling house without complying with agricultural
occupancy condition 1 of planning permission 81/546 granted on 23rd
February 1982 and condition 1 of planning permission 82/167 granted
29th June 1982 (application for a Certificate of Lawfulness)
Decision: Was Lawful
Decision Date: 11/09/2012

2003/1046 Rear conservatory extension
Decision: Grant Permission Conditional
Decision Date: 16/07/2003

2008/2359 Front canopy and front bay window
Decision: Grant Permission Conditional
Decision Date: 02/02/2009

2007/2866 Two storey side extension
Decision: Grant Permission Conditional
Decision Date: 23/01/2008

2011/1191 Single storey side extension
Decision: Grant Permission Conditional
Decision Date: 13/10/2011

2009/0425 To remove overhanging limbs from 2 oak trees covered by TPO No. 536
Decision: Grant Tree Pres Order Consent (C)
Decision Date: 03/06/2009

2005/1729 Side conservatory
Decision: Grant Permission Conditional
Decision Date: 03/10/2005

RESPONSE TO CONSULTATIONS

Initial Plans (108 units)

Thirty Three neighbouring properties were directly consulted and 4 site notices were placed close to the site. The application was also advertised in the press as being an application accompanied by and Environmental Statement and as being a 'DEPARTURE' from the development plan.

TWENTY NINE LETTERS OF OBJECTION have been received. The concerns raised are as follows:

- There is already an increase in traffic on Loughor Road and it is becoming increasingly busy particularly at peak times where it is almost gridlocked, despite the by-pass. Trinity Street, Lime Street and Libanus Road will be used increasingly more as the unofficial bypass for Gorseinon Centre to get to the site.
- During the start of the school day, cars are parked on both sides of the road from the bottom of Loughor Road to its junction with the Highfield Estate.
- Pontybrenin School & Gorseinon College are virtually impassable and highly dangerous at drop off / pick up times which has been overlooked and not taken into account in the traffic survey.
- The traffic survey is highly flawed – no pedestrians recorded – many people walk around the neighbourhood on a daily basis during the times the traffic survey was carried out, so the fact that not a single pedestrian passed in the 6 hours tested is very questionable / unrealistic
- The spine Road will cause more congestion.
- Loughor Road already has an access to Heritage Park and a mini roundabout into Highfield, in very close proximity, both of which have caused accidents and frequent near misses – many drivers fail to give way at the roundabout. Children walking to school will be put at even greater danger if another entrance is allowed from Loughor Road.
- The plans encourage other means of transport including public transport and cycling to work. It would take a brave or foolhardy cyclist to brave the Loughor Road in the rush hour. Given the lack of public transport in this area, a car is a necessity.
- The impact of construction traffic will be significant and has not been considered in the planning submission.
- The proposal and additional traffic will lead to a decrease in air quality.
- No strategic assessment of traffic from all UDP housing allocation sites feeding onto Loughor Road has been undertaken.
- The quantity of housing proposed will have a significant effect on the existing community. The population of Kingsbridge is currently given as 4,000+. Assuming that 108 dwellings house 254 people (2.35 people per dwelling), the population will increase sharply. I believe this will be damaging to the existing community. In addition, as public transport, walking and cycling do not offer viable alternatives to the use of a car in this location, the proposal can not be supported by local infrastructure. No shops, no post office, no chemist, in fact no retail premises within walking distance. Also no health centre or surgery.
- The proposal submitted is for 108 houses on approximately half of the land allocated for housing in the Unitary Development Plan. Whilst this proposal on its own may be considered acceptable, a significant quantity of land allocated for housing will remain. We note that the application includes scope for future development. We do not believe that the infrastructure in this area can accommodate this and future applications.
- The infrastructure of Gorseinon is already at breaking point i.e. dentists, schools and GP's and health centres.
- Local hospitals are full. Morriston is full to capacity with wards closing, waiting times increasing, breaches of ambulance and A&E is constant. More pressure on an already over pressurised health service.
- A survey has admitted that the local primary school, Te Uchaf is oversubscribed. I would like to point out that the other primaries in the area are also full, whilst the Welsh medium primary for the catchment area, Ysgol Cymreag Pontybrenin is full to

bursting point. More houses in the area will create even more pressure on oversubscribed schools.

- Public utilities are already over-stretched and power cuts are fairly frequent. Extra housing will put a strain on sewerage, lighting and other services.
- More antisocial behaviour as children will have nothing to do.
- Police / emergency services will be unable to cope with increases in population to the area.
- Loss of green belt area again. We live in a small town and would like to maintain that – we do not live in a city.
- The area to be developed extends outside the area set out in the draft UDP.
- Noise nuisance to neighbours, we tolerated Cae Duke Estate when it was built 14 years ago, won't tolerate any more building work.
- The proposal has little regard for the standard of living of future occupants. The developer has squeezed properties onto the site with little regard for the standard of living of the future occupants. High housing density encourages a high turn over in occupants which is detrimental to the stability of the community. High density housing and a high turn over in occupants also creates problems of antisocial behaviour.
- Sewerage & flood plain damage. The sewerage work is already overworked. Orders have been made to clear up due to the effect on the estuary.
- Culverting & surface water drainage issues which would exacerbate problems already on Waun Road. Current ditches will not cope with the run off.
- The stench from the sewage works would indicate that the system at Gowerton cannot cope at present. It has not been confirmed that the sewers have the capacity to accept the additional flow from the proposed development in this application.
- Storm water drains are inadequate already leading to flooding; surface water drainage has not been fully investigated.
- We do not believe that there would be sufficient capacity in the water supply of water to accommodate the proposed development. There are already problems in the supply to the current vicinity and there are problems with the water supply being discoloured.
- The site drains into the Afon Lliw, tributary of the Burry Inlet & Loughor Estuary site of Special Scientific Interest (SSSI), part of the Carmarthen Bay and Estuaries candidate Special Area of Conservation (cSAC) – impacting on the European Site.
- Loss of historical site of interest i.e. Roman Road which runs right through the site.
- The Local Authority designated green area has a proposed access road driven through it.
- The land that the site access road passes through is subject to a S106 agreement for open space. This piece of land forms the boundary between the historic villages of Upper Loughor and Kingsbridge. We do not feel that the development of this land is in the spirit of the S106 agreement. The development also includes the construction of several houses on the area of open space subject to an S106 agreement. This proposal breaches the S106 agreement.
- Loss of wildlife habitat and grazing land which is already at a premium in this area.
- The area is already overdeveloped.
- Brownfield sites should be considered over green fields and wedges.
- Three storey houses are completely out of character for the area.
- Spurs in the road plans clearly indicate an intention to extend the site further in the future with the possibility of even further developments into the green fields and increasing all the issues raised, if planning permission is given to this development, breaching planning policy.

- If planning permission is granted for the initial 108 houses it will be relatively easy to gain permission for further development. If this happens the pressure on existing roads, sewerage and other facilities will be enormous.
- There is a complete disregard for the rural aspect of the area that such a large scale development would cause. The pleasant green area would be completely obliterated and the associated wildlife e.g. badgers, foxes etc destroyed. I would point out that many hedgerows have already been cleared by developers illegally prior to planning consent being obtained in an effort to get rid of any wildlife habitat, a matter that has been reported to the planning dept on several occasions.
- The area between Ffordd Cae Duke and Highfield is a designated “green wedge” area and in accordance with the original planning application for Heritage Park should not be developed. Why are criteria allowed to change to accommodate subsequent planning applications.
- The site access road passes through land earmarked as EV24 protected open space in the UDP. This is the last piece of natural green land left open on Loughor Road. Replacing this with a tree lined, landscaped road can not replace the local character that will be lost as a result of this proposal. Loughor will become irrevocably linked to Kingsbridge.
- The development proposal includes houses to be built on an area of open space subjected to EV24 open space protection in the UDP. This is a breach of the UDP. As this area is semi-rural, we believe that the housing proposed is too dense and is out of character with the surrounding area.
- There are many local brown field areas which could benefit from a development of this nature without putting it in the middle of a pleasant green area surrounded by private housing.
- There are already plans for two other developments on that road already.
- The initial planning application for the Cae Duke Colliery site was allowed in order to clear up and improve the visual area. This I agree it has achieved. However to allow this new development into greenfield is a retrograde step and will ruin the rural aspect of the area.
- The development is extremely high density. This will erode what remains of the green wedge separating Kingsbridge from Loughor.
- It will add strain to the existing sewerage. The water pressure is already substandard and will only worsen with extra demand.
- The credit crunch is on going and houses aren’t being sold, never mind building new ones.
- Policy E09 (2) of the Lliw Valley plan concedes that “it is desirable to retain a green wedge between the two communities of Loughor and Kingsbridge”.
- The development has made a proviso for recreational space but this space is intersected by the only road into the development. To site a recreational space in which children would play adjacent to a main road and intersected by the only road into the development seems to be highly dangerous and a recipe for an accident to happen.
- The track behind Highfield should remain as it was thought to be a ‘public right of way’ and green wedge land should stay as such.
- The site may have a detrimental impact on the already prone to flooding area at the bottom of Waun Road making it hazardous.
- I do not feel that this application or previous applications have ever taken into consideration the objections of the residents of Gorseinon and Loughor, it’s just the same proposal altered very slightly. It seems the applicant has no concern for the social consequences of this development.

- Detriment on badger population near to the proposed development area and other wildlife, to include bats, jays and other indigenous species.
- Loss of trees and hedgerows will have a detrimental effect on all wildlife.
- Enabling works have facilitated the spread of Japanese knotweed.
- The proposed development fails to comply with the following Welsh Assembly Policies from Planning Policy Wales (March 2002)

5.2.8 Trees & Woodlands

Trees, woodlands and hedgerows are of great importance both as wildlife habitats and in terms of their contribution to landscape character and beauty. Local Planning Authorities should seek to protect tree, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality. Still stand.

9.2.8 Housing

Local planning authorities should consider the following criteria in deciding which sites to allocate for housing in their UDP's. The availability of previously developed sites and empty or underused buildings and their suitability for housing use; the location and accessibility of potential development sites to jobs, shops and services by modes other than the car, and the potential for improving such accessibility; the capacity of the existing and potential infrastructure including public transport, water and sewerage, other utilities and social infrastructure (such as schools and hospitals) to absorb further development and the cost of adding to further infrastructure; the ability to build communities to support new physical and social infrastructure, including the consideration of the effect on welsh language to provide sufficient demand to sustain appropriate local services.

- I suspect that given the 'future road links' shown on the plan, this will eventually lead to the building of yet more houses in the area behind Harding Close, and that this proposal is a cynical ploy to achieve this end.

Llwrch Town Council – The Council proposes to object to the application for the following reasons:

- (i) Has concerns that the level of traffic generated by the development will be too high having regard to existing levels; and
- (ii) Has concerns regarding the adequacy of the educational facilities to cope with the potential numbers of children living in the residential units.

Amended Plans (106 Units)

Following negotiations with officers, amended plans were received showing a reduction of the number of units from 108 to 106 units.

All previous objectors were reconsulted with regard to the amended plans. A further SEVENTEEN letters of objection have been received raising the following objections:

- The inevitable substantial increase in population which will result from this proposed application along with the housing development currently under construction in this area will have a significant negative impact on an already highly congested local road network.
- The increased population will also have a detrimental impact on the local schools and amenities. The Loughor/Gorseinon area has had problems with groups of children/youths that do not have adequate after school facilities resulting in gangs of children/youths hanging around on the local streets and shopping areas. Potentially adding to the number of children/youths in the area is a recipe for anti social behaviour

- I notice in this application the Local Authority designated green area has a proposed road access driven through it. The two "Access left for future development" entries shown on the proposal gives me great cause for concern. If this current application is approved the future developments earmarked for this area will only compound the above problems.
- I do not feel that this application or previous applications have ever taken into consideration the objections of the residents of Gorseinon and Loughor, it is just the same proposal altered very slightly. It seems to me the applicant has no concern for the social consequences of this development.
- This development is proposed on land which has historically been designated 'green wedge'. I was under the impression that no building was allowed on this land – when did that change?? Allowing development of this land will make a mockery of the 'green wedge' policy which it appears can be overturned whenever large developers find an attractive area in which to build.
- There are many brownfield sites in the area which would benefit greatly from development – the area in question is not one of them! The effect will be detrimental to the environment and to the communities involved. I would urge you reject this application and preserve the pleasant rural aspect of the area.
- Another concern is the complete disregard for the rural aspect of the area that such a large scale development would cause. The pleasant green area would be completely obliterated and the associated wildlife e.g. badgers, foxes etc destroyed. I would point out that many hedgerows have already been cleared by developers illegally prior to planning consent being obtained in an effort to get rid of any wildlife habitat, a matter that has been reported to the planning department on several occasions for investigation.
- The average property has two cars, and the infrastructure of Gorseinon/Loughor isn't in place to take the vehicles that the new properties will bring.
- I am a regular walker around the area and the existing estates already have blocked pavements because cars are on pavements instead of driveways. The area will become one grid-locked car park with very few green areas.
- In view of the complete mess the Council made regarding the flow of construction traffic for the Persimmon Kingsbridge Fields Development lower down on Loughor Road, can the Council advise where construction traffic will be entering and leaving Cae Duke, over what dates, and during which hours.
- A large number of extra dwellings will put an extra strain on public utilities. This area is already subject to frequent power cuts low water pressure and more houses will only make the situation worse.
- It is noted that there has been clearance started on the Cae Duke development is this in order when the planning has not been approved yet?
- All these houses are being built on top of a mine, how many more houses will be built before the mine collapses.
- The development has made a proviso for recreational space but this is intersected by the only road into the development. To site a recreational space in which children would play adjacent to a main road and intersected by the only road in to the development seems to me to be a highly dangerous and a recipe for an accident to happen.
- There is no documentation in the proposed plans to confirm if there is sufficient capacity in the sewage system to accommodate the proposed developments. We also note that there are at least two other new housing estates (one being constructed i.e. Kingsbridge Fields and one being planned off Glebe Road Loughor) in the close vicinity that would put even further strain on a system that already requires updated/replacing. Again there is no documentary evidence in

the plans to show that any surface water from the developments can be dealt with adequately.

- We object to any two and a half storey housing if the application was granted as again privacy would be lost.
- We note having compared the boundaries of both application sites that there is a discrepancy on the northern boundary of the current application. Our client has not received the requisite notice required of an applicant who wishes to apply for planning consent on another ownership.
- We note that the access road is to be gained over land subject to a S106 Agreement to which Loughor RFC is a party. It was formerly agreed that this access be granted, only due to the fact that an earlier planning condition relating to Heritage Park and impacting on our clients land had not been dovetailed into a highways Section 38 agreement. This error by the Council gave a ransom strip to the developer of Heritage Park and as this is no longer an issue as our client has the right to access the proposed playing ground via Ffordd Cae Duke and Heritage Park.
- We note that the recently amended site plan shows potential access onto our clients land but short of the boundary. If this application were to be granted we urge the council not to repeat the earlier mistake of requiring access onto the Cae Duke site and then not adopting the highway to the boundary.

One further letter of objection raising concerns regarding impact upon local infrastructure, wildlife, environment and the community and the impact upon the protected land between Loughor and Kingsbridge.

The Agent acting for Loughor RFC has raised concerns regarding land ownership. The applicant has confirmed that there is no boundary dispute and that correct notices have been served.

Llŵchwr Town Council – The proposed amendments do not address the concerns of the Council outlines previously and as such the council would wish to continue with its objection to the application.

Natural Resources Wales (NRW)

Initial Comments (18/04/13)

Prior to determination, we would seek further information regarding the proposed means of surface water drainage. As your Authority is aware, the site is located in an area where there are ongoing concerns regarding the foul and surface water drainage networks, which are resulting in additional pollution and nutrient loading spilling to the Burry Inlet (Carmarthen Bay and Estuaries) SAC. This has resulted in a Memorandum of Understanding (MOU) being prepared to enable development in this area to go forward.

Protection of the water environment is a material planning consideration and your Authority must be satisfied that the proposed method of foul and surface water drainage will not cause any detriment to water quality. We note that a drainage statement has been prepared in support of this application, (Hammonds Yates ref. 1421 dated 22/01/13,) which details the proposed means of foul and surface water disposal.

Surface Water - We note that site investigation works included as appendix 8 to the Environmental Statement (ES) (Integral Geotechnique Site Investigation Report) have recommended that infiltration methods are not suitable due to ground conditions. It is therefore proposed to install an adoptable gravity drainage network which comprises of the roads and private drainage systems. It is unclear from the drainage statement what techniques are to be used for the private drainage systems and it is indicated that further

investigation is required. The proposed surface water sewers will exit the site at the southern boundary into an underground attenuation tank, which is to be sized to accommodate the 1 in 100yr storm event plus climate change. The piped outfall will then discharge via a hydrobrake into the adjacent existing ditch. It is stated that the discharge rate into the ditch will be equivalent to 'greenfield' runoff of the development site area. This ditch will then pass through a reed bed and eventually discharge into the River Lliw.

We would prefer to see overground storage used at the site as underground storage can result in future/long term maintenance issues. An above ground SUDS system would also provide some biodiversity value to the site and have been successful in reintroducing biodiversity in the urban environment. Furthermore, it is not clear whether this attenuation tank is intended to manage surface water run-off during construction. Experience has shown that pollution of surface water drains and attenuation tanks with sediments during the construction phase of this type of development is common. We have seen prolonged pollution incidents in watercourses from contaminated surface water systems and attenuation tanks. These issues are usually difficult and expensive to resolve and can result in enforcement action. Again, above ground attenuation would be preferable and we would especially like to see an above ground system in place to manage surface water during construction.

If however your Authority is satisfied that underground storage is appropriate then an agreement must be in place to ensure the long term maintenance of the surface water system. No calculations have been provided with the application in support of the proposed surface water drainage system. The detailed design of the underground storage tank (or any other attenuation system) is a matter for Dwr Cymru Welsh Water (DCWW) and your Authority's Drainage Engineers to advise on as the adopting authorities.

However, we will require design calculations and drawings of the system to enable us to determine whether it is designed to the required standards/storm events. This is to ensure the tank or other attenuation features are adequately designed to not increase flood risk elsewhere. We would advise that the design of the attenuation tank should incorporate a system to manage exceedance flows should the storage reach capacity.

We would also welcome the use of additional sustainable drainage systems (SUDS) as part of the development proposal. This is in line with TAN15 guidance (July 2004). While we recognise ground conditions may not be suitable for infiltration techniques, other SUDS could be implemented, for example attenuation pond, swales, grey-water recycling etc. No details have been provided as to whether these techniques have even been considered, or evidence provided to show why they could not be used. Please also note that any works which may affect the flow in the ditch, which is classed as an ordinary watercourse, will require prior consent from the Lead Local Flood Authority (LLFA) which in this instance will be Swansea Council.

Carmarthen Bay and Estuaries European Marine Site (Surface Water) - As you are aware, the ultimate destination of surface water discharged from this site via the Afon Llan is the Carmarthen Bay and Estuaries Special Area of Conservation. As such we advise that you must consider this application under Regulation 61 (1) of the Conservation of Species and Habitats Regulations 2010. This states that an appropriate assessment of the implications for that site in view of its conservation objectives must be undertaken in respect of any plan or project which:

- a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans and projects), and

b) is not directly connected with or necessary for the management of that site.

Should a competent authority be unable to conclude no significant effect, an appropriate assessment will be required. In considering whether it can ascertain whether the project would have an adverse effect on the integrity of the European site, the competent authority should consider whether the imposition of conditions, or other restrictions, on the project, and the way in which it would be carried out, would enable it to be ascertained that the project would not have an adverse effect on the integrity of the site. We advise that the quality and quantity of surface water discharges from the site are issues that should be considered in the Regulation 61 assessment.

Foul Drainage - With regard to foul water drainage, we note from section 3.1 of the drainage statement that all foul flows will discharge into the public sewer. We also note that a point of connection has been agreed with DCWW. We assume from this that DCWW are satisfied capacity exists at the treatment works (Gowerton) to accommodate the flows generated, without causing pollution. We would recommend that you confirm this with DCWW prior to determination. We would also remind your Authority that to accord with the terms and content of the agreed MOU, foul connections should only be allowed when compensatory surface water removal has been implemented within the same catchment. We note from section 3.1 that a scheme is currently being negotiated between Waterman Transport & Development and DCWW. Any agreed scheme must be recorded on the Hydraulic Register of compensatory surface water disposal as held by your Authority. Compensatory phosphate removal should also be implemented at the Llannant STW pro rata to the size of the development to accord with the requirements of the Water Framework Directive.

Carmarthen Bay and Estuaries European Marine Site (Foul Water) - We would also refer you to the following document: "Habitats Regulations Assessment of the effects of wastewater associated with new development in the catchment of the Carmarthen Bay and Estuaries European Marine Site": Final Version (v2) David Tyldesley Associates, 10 December 2012. We note that you will be using this report as the Habitats Regulations Assessment for all planning applications in Swansea that fall within the foul drainage catchment area for the Burry Inlet and Loughor Estuary (unless there are other ecological concerns that fall outside the water quality issues covered by this report).

Water Quality / Pollution Prevention - The Water Framework Directive is mentioned as part of the supporting documents, but there is no reference to the actual waterbody in question (Loughor, waterbody number GB531005913500). It is currently failing to meet its ecological requirements and as such, if planning is secured it is imperative that all appropriate steps are taken to ensure the development does not cause any further deterioration. We note that a construction management plan is to be produced, which will detail what pollution prevention measures are to be implemented on site. This must include a detailed surface water management plan (for the construction phase) and site specific pollution prevention plan. Ideally, we would like to see this information prior to determination, but accept that this could be provided under an appropriately worded condition on any permission granted. This plan should include the following:

- Identification of surrounding watercourses and potential pollution pathways from the construction site to those watercourses.
- How each of those watercourses and pathways will be protected from site run off during construction.
- How the water quality of the watercourses will be monitored and recorded.
- How surface water runoff from the site during construction will be managed/discharged. Please note that it is not acceptable for ANY pollution (e.g.

sediment/silt/oils/chemicals/cement etc.) to enter the surrounding watercourses.

Any drains laid must also be protected in a way that prevents dirty water from the construction site entering them. Please note that allowing site drainage to enter the foul sewerage system during the construction phase is unacceptable.

Ecology/Biodiversity - We note that some of the habitats and species considered in the ES are included on the UK BAP and Section 42 list of habitats and species of principal importance for conservation of biological diversity in Wales. We remind you of your duty to have regard to the purpose of conserving biodiversity when exercising your authority's functions (Section 40 Natural Environment and Rural Communities Act 2006). As such we welcome the proposal as outlined in section 5.10 (Ecology) and 5.11 (Trees and Hedgerows) to retain features identified as important or of value.

Habitats - The ES highlights the presence of the following UK BAP and Section 42 habitats: Purple moor grass and rush pasture. We note that this habitat will be subject to total loss at the site, but was assessed as being of low conservation value.

Badgers - We note from the ES that there are badger setts within 50m of the boundary of the application site but none within the site itself.

Contaminated Land - We note that a Site Investigation Report, prepared by Integral Geotechnique has been prepared (ref: 11034/MJE/12, Nov 2012) to support this application. We have no comments however in terms of controlled waters. The developer should address risks to controlled waters from contamination at the site, following the requirements of Policy for Wales and the Environment Agency's which can be found on the website www.environment-agency.gov.uk

In consideration of the above, we would ask that determination of the application is deferred until the requested information regarding the discharge calculations and the private drainage systems has been submitted for review and comment.

ADDITIONAL COMMENTS (05/11/13)

Having reviewed the information on your website, it appears that the information relevant to Natural Resources Wales (NRW) comprises of a revised Drainage Statement, (ref: 1421, Rev. C, dated 24/09/13) and a plan titled ' Off-Site surface Water Proposals Layout' (Job No. 1421, Dwg no 301, Rev C, dated June 2013). These documents have been produced by Hammond Yates.

In our previous response, (dated 18 April 2013), we asked that further information be provided regarding surface water drainage. This latest set of information is insufficient to enable us to fully advise your Authority on the acceptability of the drainage system proposed for this development. As this is a full application for a large residential development, which is located in a sensitive area in terms of water quality, we would expect full drainage proposals to be provided and agreed prior to determination.

Surface Water Drainage - A statement is made within Section 3.2 of the drainage report that the use of sustainable drainage techniques (SUDS) will be investigated. We note however that a site investigation report (Integral Geotechnique Report 9833/AF/07) recommends infiltration measures should not be employed due to ground conditions. We would again like to repeat our previous observations that the use of alternative, non infiltration techniques for drainage should be fully investigated and implemented within the

development site itself. There is no evidence to show whether such SUDS techniques have even been considered by the applicant for this proposal.

This section also states that flow control devices are to be used to limit the rate of discharge into the receiving ditch course to 'greenfield' run-off. The calculated Greenfield run-off rates have not been provided, nor have the design standards and drawings for the proposed drainage system. As highlighted in our previous response, this information should be submitted prior to determination. These calculations should include the area of the development to which the drainage system applies and the calculations used to determine the attenuation and maximum discharge rates. This information is requested so that your Authority can be satisfied that the system has been designed to the required standards/storm events and that the run-off rates are appropriate.

The proposed surface water drainage strategy appears to rely on off-site storage ponds to attenuate flows, thereby allowing a greater density of development on site without setting land aside for SUDS within the application site itself. We must assume that the off-site land allocated for attenuation is either within the applicant's ownership or that agreement has been reached with the landowner. This should be clarified within the document.

Furthermore, we would also seek confirmation as to whether this off-site work is part of the existing planning application, or whether it subject to a separate planning application? If it is to be considered as part of this application, we would query whether the planning application 'red line' boundary needs to be amended? In addition we would also seek clarification as to the responsibility for maintenance of these off-site features in perpetuity, as it presumably would not be adopted as part of the development site infrastructure?

Until all relevant information, as detailed above is provided, we are unable to advise your Authority on the acceptability of the surface water drainage system proposed for this development.

Foul Water Drainage - With regard to the foul water drainage proposals, we welcome and support the proposal to discharge to the main public sewer. As indicated in our previous response, confirmation that sufficient hydraulic capacity exists to accept the foul flows should be sought from DCWW.

Furthermore we again acknowledge that negotiations are taking place between Waterman Transport & Development and DCWW to identify an appropriate compensatory surface water removal scheme to enable this development to move forward. Ideally, this scheme should be delivered within the same sewerage catchment (Gowerton) and an agreement should be made prior to determination.

Other - All other comments made in our previous response with regard to water quality, pollution prevention, biodiversity, habitats and protected species still stand.

In consideration of the above, we would again ask that determination of the application is deferred until further information regarding the management of surface water from the development has been submitted for review and comment. Based on the information provided to date we are unable to advise your Authority on the acceptability of the proposals. Should you be unable to defer determination and are minded to approve this application, we would ask to be informed of this decision. We would also ask that we be granted further time in which to provide additional advice and to enable us to provide some planning conditions which we consider must be included on any permission granted.

FINAL COMMENTS (26/11/13)

Surface Water Drainage - In our response on 5 November 2013, we raised concerns in relation to the off-site storage ponds in that these were located outside of the red line planning boundary. We also queried whether this land was within the applicant's ownership and what, if any measures were in place to ensure this area of land was not subject to future development. We welcome the provision of the revised location plan (Job No. 1421, Dwg No. 101, Rev C), which confirms that the attenuation ponds are within the red line planning boundary. We also note from the UDP extract you have provided, that the land to the south of the proposed development is located within a 'green wedge' area, thereby safeguarding it against future development. We can confirm that this information has addressed our concerns regarding the location of the attenuation ponds.

We have also reviewed the additional information provided, which includes an overall drainage area plan (drawing no. 277), drainage layout sheets (drawing no's 211 & 212) and a plan detailing the attenuation areas (drawing no 203) and a micro-drainage report (dated 22.10.2013). Our comments below are based on this information as well as that previously provided.

We note from drawing no. 277 that the impermeable area to be served by the proposed drainage system has been identified as 1.86 ha. We can confirm that the Greenfield run-off rate of 9.6 l/s, as provided in the micro-drainage report, is considered suitable for use for the 1.86 ha development. This rate of discharge applies for the area served by the drainage scheme. All water which enters the system must be accounted for, and if other green areas drain into this system, then these too must be reflected in any calculations. We can also confirm that a 20% addition for climate change has been used in the calculations for the storage ponds (micro-drainage report ref: Pond calcs_95536). However, with the exception of the calculations for the ponds, no design standards or calculations have been provided for the remainder of the surface water drainage system. Supporting calculations used to design the whole system should be submitted in writing to your Authority for approval.

As indicated in our previous responses, as this is a full application for a large residential development, we would expect the drainage proposals to be agreed prior to determination. However we note that your Authority's drainage engineers are satisfied that the development will be acceptable subject to the inclusion of appropriate planning conditions.

We would agree with the conditions put forward by your Drainage Engineer, Mr Dan McAuley (sent to us by email on 26 November 2013). If your Authority are minded to approve this application then these conditions must be included to ensure a satisfactory drainage scheme for the site. In particular, we welcome proposed condition 3 which relates to the need for a long term ownership and maintenance of the drainage scheme to ensure the long term operation of the system.

With regard to proposed condition 2, we are satisfied that this will address our comments with regard to the need for further detailed design standards/calculations. In discharging any future planning condition, your Authority must be satisfied that the proposed surface water system includes sufficient storage in line with current guidance.

Foul Water Drainage - Our previous comments in relation to foul water drainage from the site remain. We are also aware that Waterman Transport & Development have submitted 2 drainage reports relating to off-site surface water removal schemes, which it is stated in a covering email by Asbri Planning, have identified sufficient surface water removal to cater for the foul flows generated from this development site. We agree with DCWW that the

most appropriate way forward on this matter is to take these schemes to the Technical Working Group for discussion and approval.

Pollution Prevention - As noted in our response of 18 April 2013, we welcome the intention to produce a construction management plan for the site. This must include a site specific pollution prevention plan and particular care must be given to the protection of the surrounding water environment. If planning permission is granted, we would ask that conditions are included.

We would recommend that the CMP include as a minimum:

- Identification of surrounding watercourses and potential pollution pathways from the construction site to those watercourses.
- How each of those watercourses and pathways will be protected from site run off during construction.
- How the water quality of the watercourses will be monitored and recorded.
- How surface water runoff from the site during construction will be managed/discharged. Please note that it is not acceptable for ANY pollution (e.g. sediment/silt/oils/chemicals/cement etc.) to enter the surrounding watercourses.
- storage facilities for all fuels, oils and chemicals
- construction compounds, car parks, offices etc
- details of the nature, type and quantity of materials to be imported on to the site
- measures for dealing with any contaminated material (demolition waste or excavated waste)
- identification of any buried services, such as foul sewers, so that they are protected
- details of emergency contacts, for example Natural Resources Wales hotline 0800 807 060

Waste Management - Given the nature and scale of this development, we would recommend that a site waste management plan (SWMP) is produced. Completion of a SWMP will help the developer /contractor manage waste materials efficiently, reduce the amount of waste materials produced and potentially save money. Guidance on SWMPs is available from the DEFRA website (www.defra.gov.uk). We acknowledge that a SWMP may be something best undertaken by the contractor employed to undertake the project. Furthermore, we note that these documents are often 'live' and as such, we would recommend an appropriately worded condition is included on any permission granted. The following condition is suggested, but could be amended as you see fit. Please note that any waste materials that are generated on site (either as a result of construction or demolition) must be stored and treated in line with relevant environmental legislation. Any waste materials transported off site must be done so by a registered waste carrier and disposed of at an appropriately licensed facility.

Contaminated Land - It is possible that historic uses of the site may have led to contamination. As a precautionary measure, we would recommend that a condition is included.

Ecology/Biodiversity - Our comments made in our response of 18 April 2013 with regard to ecology, habitats, and protected species still stand. We have no further comments to make in this regard.

Japanese knotweed/Invasive Species - If the alien plant species, Japanese knotweed (or any other invasive species) is present on site, appropriate measures must be implemented for the removal or long-term management. The spread of Japanese knotweed is a contravention of the Wildlife and Countryside Act 1981 (as amended) and is also a

controlled waste under the Environmental Protection Act 1990. As such it must be disposed of in an appropriate manner. If not treated properly, Japanese knotweed will continue to grow and spread and can easily compromise the structural integrity of all hardstanding areas and built structures of the development.

Dwr Cymru / Welsh Water (DCWW)

Initial Comments – Sewerage – conditions – The proposed development would overload the existing public sewerage system downstream of the proposed development. Currently we have no improvements planned as part of our Capital Investment Programme. As a result we consider any development prior to improvements being undertaken to be premature and therefore we would recommend you resist and refuse the proposed development. It may, however be possible for the developer to fund the accelerate provision of replacement infrastructure or to requisition a new sewer under Section 98-101 of the Water Industry Act 1991. Reason: To prevent hydraulic overloading to the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

Our concerns may be overcome by undertaking works consistent with one of the fundamental principles of the Memorandum of Understanding (MoU) between all signatories including the City & County of Swansea and Dwr Cymru / Welsh Water, i.e. by providing compensation on the foul flows from the development by the removal of surface water which currently enters the combined sewer network. Any such compensation would preferably be located within the catchment of the combined storm overflow (CSO) downstream of Cae Duke, namely the Rhosog Pumping Station CSO. Alternatively, any compensation scheme may be located within the wider Gowerton Catchment area. It should be noted that the applicant has sought to address the issues arising from the MoU through early engagement with us, however, as this issue is still outstanding we have no option but to object at this time.

Additional Comments – I am mindful of your proposed ‘Grampion’ condition to secure a scheme to be delivered and surface water removed prior to occupation.

Coal Authority

The Coal Authority considers that the content and conclusions of the Site Investigation Report are sufficient for the purposes of the planning system and meets the requirements of PPW in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development,

Glamorgan Gwent Archaeological Trust

You will recall that following an archaeological evaluation of the application area by Cambria Archaeology in 2007 and the submission of an updated Archaeological Desk Based Assessment by the Dyfed Archaeological Trust (report number 2012/79) in 2012 in support of the proposed development at Cae Duke we had no objection to the positive determination of this application provided a condition be attached to any consent granted. We therefore recommend that a condition requiring the applicant submit a detailed programme of investigation for the archaeological resource should be attached to any consent that is granted by your Members. We envisage that this programme of work would take the form of a watching brief during the initial topsoil stripping/ground work required for the development, and the recording of the features named in the assessment, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that archaeological features that are located are properly excavated, recorded and a report containing the results and analysis of the work is produced.

Highway Observations

This proposal is for the erection of up to 106 dwellings on land adjacent to Cae Duke. A previous application (2007/2097) for 209 dwellings and a sports barn was withdrawn prior to determination. This development site is one of 3 allocated sites along Loughor Road / Glebe Road and recently consent was granted for 86 dwellings off Loughor Road opposite the Belgrave Road junction. In considering any of the three allocated sites, the cumulative traffic impact needs to be considered and this aspect has been covered.

Access and Traffic - The site is to be accessed from a new mini roundabout located between the existing Cae Duke and Highfield accesses. The proposed mini roundabout will address highway safety concerns associated with excessive speed at that location. The recent development opposite the Belgrave Road junction considered the combined affect of the then Cae Duke development for 209 Dwellings and the sports barn and concluded that the impact on Loughor Road and its junctions with Belgrave Road and West Street was acceptable, with both junctions continuing to operate within theoretical capacity. This current proposal is predicted to generate 60 two-way movements in the am peak and 68 two-way movements in the pm peak. The predictions are based on nationally held data for residential developments. Sensitivity testing has been undertaken, using artificially high trip rates derived from the existing Cae Duke estate adjacent to this site. The sensitivity test has considered up to 145 two-way movements in the pm peak and the network is shown to be able to accommodate that artificially high traffic generation. It should be noted that the previous proposal for 209 dwellings with a sports barn was predicted to generate far higher traffic volumes and testing for that including the Loughor Road development of 86 dwellings indicated that junctions along Loughor Road would continue to operate within capacity.

Accessibility - There is a two hourly service past the site which currently enters Highfield and circumnavigates along Belgrave Road. To the west of the site at Bryn Road approximately 450m away, there is a 20 min frequency service and a 10 - 15 min frequency service east of the site at West Street which is over 700m away. Welsh Government guidance recommends that the walking distance to bus facilities in an urban environment should be between 300m and 500m. The service currently serving Highfield is too infrequent to be considered suitable and therefore the next nearest service is on Bryn Road and is within the recommended maximum of 500m. Footways are present along Loughor Road and provide for pedestrian movements in the locality. Additionally, footways will be provided within the site layout and there is a proposal to connect the site southward towards Waun Road where there is a footpath and bridleway. This will improve the accessibility of the site and allow for both pedestrian and possibly cycle movements to enable connection to NCN Route 4, The Wales Coastal Path and LC37 footpath together with LC38 Bridleway all of which are south of the site. The details of the actual connection would be subject to further detailed design to ensure safety. Local facilities are available in Gorseinon. Walking distance is approximately 1.3Km to Gorseinon Cross and this is approaching the maximum recommended walking distance to facilities of 1.5Km for urban areas.

Highway Safety - As previously recommended and conditioned with the Loughor Road development, the site will need to contribute to a package of measures identified under the safe routes in the community scheme (£73,882). This includes for crossing facilities on Loughor Road together with traffic management and general safety improvements in the area with a related scheme to provide a school drop off facility for Pontybrenin school. The latter would be subject to separate planning consent. All three allocated sites in this area will be required to contribute to the works on a pro-rata basis.

Local Concerns - A number of local concerns have been raised relating to traffic and road safety issues which are addressed below;

- Traffic Volume - Traffic levels on Loughor Road are commensurate with its function providing the main access route from Loughor to Kingsbridge and onwards. Peak hour volume, as with any local distributor road, does result in some localised congestion. The additional traffic movements associated with the development have been assessed and results indicate that the additional traffic will not add significantly to current flows.
- Congestion at Pontybrenin School - This issue is recognised and this development, as with others in the locality, is required to contribute to a scheme to provide a school drop-off facility. This will help to reduce school time congestion along that part of Loughor Road.
- No pedestrian flows in traffic survey - Traffic surveys normally concentrate on vehicle movements as that is what causes congestion. Pedestrian movement is catered for with footway provision in the area and is unlikely to be of such a volume as to present any issues.
- Additional access onto Loughor Road - The site access will be positioned sufficiently distant from both Highfield and Cae Duke so as not to present any proximity issues. Additionally, the inclusion of a mini roundabout at the access will help to reduce speed and increase safety. Testing indicates that no congestion issues will occur as a result of the access.
- Lack of Public Transport and Cycle facilities - This is addressed in the report with distances to current public transport provision and additional cycle/footpath links to the wider network.
- UDP allocated sites not included within assessment - All relevant UDP sites have been assessed with the previous submission and also with the nearby Loughor Road scheme. Additionally, the third UDP site is currently being considered and this also includes cumulative traffic impact. It is considered that further duplication of this is not necessary on this occasion.
- Lack of accessibility leading to traffic congestion - The accessibility of the site has been addressed in the report. Additionally, traffic volume issues have been assessed as acceptable and are also included in this report.
- Additional development of remaining land would have unacceptable impact - Any further development would need to be assessed on its merits. Developers will often include possible future links to adjacent undeveloped land.
- Construction site congestion – a condition will be added requiring a construction site management plan to be submitted and approved in the interests of highway safety.

Highway Conclusions - The traffic impact of the development has been formally assessed and is considered to be acceptable. Contribution towards safer routes in the communities will be required and the provision of a mini roundabout at the access will potentially improve safety along that part of Loughor Road.

Highway Recommendation - I recommend that no highway objections are raised subject to the following;

- i. Prior to any works commencing on site, a contribution shall be made towards a scheme for local highway safety enhancements.
- ii. Prior to any works commencing on site the proposed mini roundabout detail shall be submitted and approved. The approved details shall be implemented prior to beneficial occupation of any dwelling within the site. Note the off site highway works will be subject to an agreement under Section 278 of the Highways Act 1980.
- iii. A pedestrian/cycle path shall be constructed linking the application site to the Footpath/Bridleway (LC37/LC38) in accordance with details to be submitted and agreed.
- iv. The applicant shall submit a detailed Travel Plan for approval within 12 months of consent and the Travel Plan shall be implemented prior to the beneficial use of the development commencing.
- v. Prior to any works commencing on site, a construction management plan shall be submitted for approval. The development shall be carried out in accordance with the approved construction management plan.

Drainage Observations

Initially, concerns were raised with regard to the proposed drainage of the site and the use of an attenuation tank. However following negotiations and amendments to the plans showing attenuation ponds instead of tanks, the Drainage Officer has comments that having reviewed the additional information submitted by Hammonds Yates via emails dated 11th, 15th and 18th November we find the details contained therein acceptable, therefore we recommend that conditions are appended to any permissions given.

Pollution Control Observations

No objection subject to conditions

Education Observations

The Schools in the catchment area for the site are:

English Medium Primary - Pontybrenin Primary

English Medium Secondary - Penyrheol Comprehensive

Welsh Medium Primary - YGG Pontybrenin

Welsh Medium Secondary - Ysgol Gyfun Gwyr .

At present there is spare capacity at all the 4 schools (2 Welsh & 2 English) for 2012 and 2013. With regard to future capacity (2019) both of the English schools have capacity.

As such it is not necessary to ask for contributions for the English schools. The projected capacities suggests that there will be a deficiency in Welsh school places. The S106 contribution for the welsh school places therefore would equate to: £44,288 for primary (£10,372 x 4.27) £47,544 for secondary (£15, 848 x 3) = Total £91,832

Housing Enabling Observations

I can confirm that there is a demand for affordable housing in the Loughor Area. The proposal includes 30 units representing 28% provision across the site. It will comprise of 20 low cost ownership units and 10 DQR social rented units which will be pepper-potted across the site which is considered to be integrated enough within the site to satisfy our requirements. This is acceptable to the Housing Service.

Arboricultural Observations

Initial Comments - Insufficient information is provided within the submitted arboricultural report. Please can all details be provided to the British Standard 5837:2012 Trees in relation to design, demolition and construction – Recommendations. This must include: Full tree survey data; Accurate and scalable Tree Constraints Plan clearly showing the above ground constraints and below ground constraints of the trees on or adjacent to the site that are affected by the development including the trees around the reed beds and drainage area; Detailed Arboricultural Impact Assessment; Accurate and scalable plan showing the proposed design clearly overlaid onto the Tree Constraints Plan; Scalable and clear Tree Protection Plan/method statement.

Additional Comments - A tree survey report written by Treescene Ltd dated 17th October 2013 has been submitted. This report provides details regarding the quality, condition and constraints of the trees and hedgerows on this site. Also an Arboricultural Impact Assessment (AIA) and Tree Protection Plan written again by Treescene dated 25th October has been submitted. Overall this proposal provides adequate space for many of the retained trees and hedgerows on this site. Some trees and hedgerows as identified within the Treescene AIA have been highlighted to be removed. Further to this some branch pruning work will be required to many of the boundary trees/hedgerows on this site. Overall the proposal is acceptable in arboricultural terms subject to the inclusion of the planning conditions and informative.

Ecology Observations

The site has features that are of ecological value several of these will be lost as the site is developed. As part mitigation for this loss please could a condition be added to any permission we give ensuring the retention of the southern hedge row, the hedge buffer zone and badger proof fence to the west of the site, the open space and the area containing the attenuation ponds and reed bed. The recommendations in section 5 of the ecological report should be followed

APPRAISAL

This application is reported to Committee for decision and a Site Visit has been requested by Councillor Will Evans to assess the impact of the development on existing dwellings and to assess the impact of the new access road.

Full planning permission is sought for the construction of 106 residential units and associated works, including a new access spine road, public open space, recreational space, surface water attenuation ponds and reed bed, and public footpath linking onto Waun Road

Site and Surroundings

The application site is located to the South of Loughor Road, on the fringes of the existing urban area, between Kingsbridge and Lower Loughor, and is sited approximately 1.4km to the south of the nearest urban centre of Gorseinon District Centre. The site boundaries are defined by the highway of Loughor Road to the north (approx 100m in length), the residential estate of Highfield to the east, the residential estate of Heritage Park, field hedgerow boundaries to agricultural fields to the south and west, within part of the site adjoining Waun Road to the west.

To the north of the site is Loughor Road which has a variety of traditional and more recent housing forms including wide fronted rendered cottages directly opposite the site entrance. There are expansive views to the south over the shallow Afon Lliw Valley to Craig

Cefngolau. The site is highly prominent from the south and forms a green edge to the settlement when viewed from the A484.

The site does not include the land known as the former Cae Duke Colliery site which separates the application site from the southern boundary of houses in Heritage Park.

The irregular shaped site comprises approximately 4.07 hectares of land, currently characterised by a mixture of improved and semi-improved pasture land used for grazing horses and cattle, with areas of gorse, scrub woodland, and mature hedgerows and trees.

The majority of the site is allocated as a housing site under Policy HC1 (104) of the City & County of Swansea Unitary Development Plan 2008 (UDP).

The northern section of the site, however, is allocated as 'greenspace' under Policy EV24 of the Unitary Development Plan 2008.

The Proposal

The application consists of 106 residential units with the following dwelling mix:

- 13no. five bedroom houses
- 49no. four bedroom houses
- 26no. three bedroom houses
- 12no. two bedroom houses
- 6no. one bedroom flats

Thirty dwellings are proposed to be 'affordable housing' which equates to 28% provision across the site. It will comprise of 20 low cost ownership houses (12no. three bedroom houses and 8no. two bed houses) and 10 DQR (Development Quality Requirement) social rented units (4no. two bedroom houses and 6no. one bedroom flats).

Car parking is provided in the layout in various ways including private drives, garages and small parking courts.

A new access road and mini roundabout is proposed from Loughor Road, opposite No. 188 Loughor Road. It is proposed that the new access road will be offered for adoption by the Local Highway Authority (via a Section 38 agreement).

An area of open space of approx 0.8ha is proposed adjacent to the Loughor Road frontage and it is intended that much of the existing hedge boundary to Loughor Road will be retained. A local area of play (LAP) of approx 148sq.m is proposed within the site adjacent to plots 13-14 which is a facility intended to be equipped with play facilities and will provide a small area of unsupervised open space specifically designed for young children for play close to where they live. These open spaces are proposed to be managed and maintained by a private management company.

A new public footpath is proposed linking the application site to Waun Road, including a new footpath adjacent to the southern hedge boundary

Two surface water attenuation ponds and reed bed would be located to the south of the development site within the 'green wedge' area. The future maintenance of the ponds is also proposed to be managed by a private management company.

No TPO trees are to be removed as part of the application, however part of the existing hedgerow adjacent to Loughor Road and the raised hedgerow within the site would need to be removed to accommodate the new access road. Three non-protected hedgerows within the site and 5 non-TPO trees would be removed. The hedge forming the eastern and southern boundary would be retained.

An Environmental Statement (ES) was submitted voluntarily by the applicant in association with the application.

Main Issues

The main issues for consideration with regard to this application relate to the acceptability of residential development at this greenfield site in terms of the impacts of the development on the character and appearance of the area, residential amenity impacts on neighbouring occupiers, impact of the development on access, parking, highway safety and impacts upon environmental interests having regard to the provisions of the policies of the City and County of Swansea Unitary Development Plan 2008 (UDP) listed within the previous pages. There are in this instance no additional overriding issues for consideration under the provisions of the Human Rights Act.

Principle of Development

The site forms part of an allocated housing site within the current UDP under Policy HC1 (Housing Sites) (104) 'Land South of the Former Cae Duke Colliery, Loughor Road' where the potential for 212 homes is indicated. This site represents approximately 4ha of the wider allocation and with 106 homes within the red line, it has a density of approximately 26 homes per hectare.

It is allocated within the Greater North West Swansea housing policy zone. The amplification to the policy confirms that it is not necessary to phase the release of greenfield land given the relatively low levels of release proposed. These greenfield sites (including this site) are all within this housing policy zone where there would otherwise be a housing land shortage due to the lack of available alternative sites within existing settlements. Having regard to Policy HC1, the principle of residential development on this greenfield site is acceptable in accordance with the UDP housing strategy.

It is noted however that the scheme does not include the whole of the housing allocation site HC1 (104) as it excludes the land to the north and east of the allocation. However it is noted that within the proposed layout, provision is made for future access to this land.

The main access road to the site will be within an area of 'greenspace' as defined under Policy EV24. The historic designation of this land was to prevent the coalescence of Kingsbridge and Loughor. However, the housing allocation which is subject to this application has no other vehicular access point. It is noted that the land in question is in private ownership and at present is not accessible or able to be used by the general public. The land is not of high landscape quality and is screened from view by a large hedge adjacent to Loughor Road. The new road will bisect the land, with much of the hedge row fronting Loughor Road remaining. The land would be open space and would provide access to the general public thus making it more accessible for informal recreational uses.

The introduction of a new access road through the space would allow a central access and a 'gateway' landscape for the new estate. An avenue of trees is proposed along the new access road which would enable the introduction of a stronger landscape structure which

would create two distinct green recreational spaces. The existing hedgerows along the northern, eastern and southern boundaries would be predominantly retained and repaired with new infill planting.

Policy EV24 states that within the greenspace system, the environment will be conserved and enhanced, and those development proposals which would be likely to have a significant adverse effect on the greenspace system or which do not provide appropriate compensatory or mitigation measures will not be permitted. It is considered that the new access road would not have a significant adverse effect on the greenspace system due to the compensatory and mitigation proposals for new planting and the opening up of the land for public access and use. As such the location of the new access road is considered to be acceptable when considered under the provisions of Policy EV24 in this instance.

Previous related planning history and legal agreement

Outline planning permission was granted in 1994 for the original residential development at Cae Duke (now built out as the residential estate at Heritage Park), and this was subject to a legal agreement requiring inter alia the following:-

- 1) a small area for playing fields immediately to the south of the houses with access off the estate road from Heritage Park. (This area is outside the boundary of the current planning application),
- 2) the retention of an area of open space to the east and south east of the development for open space, recreational or agricultural use (this land lies between the current residential estates of Heritage Park and Highfield where the new access road is proposed),
- 3) the creation of a woodland boundary between the above protected open space and the eastern boundary of the new housing development at Heritage Park. (This woodland boundary has been planted out and is outside the current application site).

These elements of the legal agreement were required to be completed before completion of 75% of the houses in the Heritage Park development. However, whilst planning permission was granted in 1997 for the playing fields, this was not implemented. Reserved matters details for 88 houses at Heritage Park were granted approval in February 1988 (ref. 98/0032). A unilateral undertaking was entered into by the owner of the land to pay monies towards other recreational facilities in the area in lieu of provision of the playing fields.

It is noted, however, that the legal agreement in respect of the open space and woodland in the north eastern section of the current application site is still in effect, and the relevant clauses of that legal agreement are proposed to be varied within the Section 106 Agreement in association with this planning application.

Visual Amenity and Urban Design

The site is located to the south of Loughor Road between the settlements of Kingsbridge and Loughor. The development proposes a new roundabout on Loughor Road with a new access road running through the open space (as referred to above) in a southward direction to the new housing estate. The first line of the housing estate would be located to the south of the existing raised hedgerow which is to be retained.

The proposed street layout within the site is considered to be well defined as the street structure is legible with a clear 'spine' street and secondary streets off this. The proposed streets would be directly overlooked by housing frontages with special designed houses to

turn the corners. The front gardens would be defined and softened by hedges which gives a strong sense of enclosure reminiscent of traditional Welsh settlements whilst maximising the natural surveillance of the public realm. The side and rear boundaries treatment are proposed to generally be brick in order provide a robust good quality boundary treatment. There are some instances where additional brick walls are required which can be controlled by condition.

The adjoining area to the north is also allocated for housing development under policy HC1 (104). The proposed layout of the application site indicates two street connections to the adjoining land, however the adjoining land is at a higher level and the layout plan indicates a 2.5m crib lock retaining wall where one of the street connections would be made. Therefore it will be important to condition the final levels of the streets and houses on the application site to ensure that the future connections can be made.

The southern part of the layout would be outward facing with the frontages of the houses including front doors facing the countryside. This is a welcome orientation given that all recent developments have backed onto the countryside and as a result many of the views to existing developments are currently dominated by rear fences. The outward facing arrangement facing south across the Afon Lliw Valley also includes a pedestrian footpath and a new hedge along the site boundary which links to Waun Road. This ensures that the scheme achieves a positive relationship to the countryside and that the expansive rural views are available for all to enjoy as part of the public realm.

The Design and Access Statement indicates that the existing overhead power line across the site will be relocated underground which will improve the visual appearance of the locality.

The proposed layout aims to accommodate parked cars without allowing them to dominate the living environment. To this end a variety of parking solutions are proposed which varies depending on the context:

- The majority of parking provision is on plot to the side of dwellings (many dwellings benefit from garages) where it is convenient for users and not visually prominent.
- In some less sensitive locations, the parking provision is located to the front of the houses served and is softened by planting.

A range of dwelling sizes are proposed from 1 bed flats up to 5 bed homes which forms the basis for interesting street-scenes and helps establish a balanced community. The houses are proposed to be predominantly two stories with pitched roofs, although some would also have rooms in the roof areas to create focal buildings at key points. A number of the proposed houses are to be enlivened by gable two storey features and single storey bays. The proposed materials include red and buff bricks and ivory render with grey tiled roofs – all of which respond to the character of the area and would create an interesting streetscene. There is no strong architectural character to this locality and it is considered that the proposal represents a distinctive sense of place.

The development of a part of this wider allocated site is welcomed. The proposed layout is legible, the homes have a positive relationship to the street and the outward facing homes along the southern boundary are especially notable. Two areas of public open space would be created and house designs would be distinctive thereby adding character to the area

As such it is considered that the proposed design and layout of the estate is acceptable and complies with the provisions of Policy EV1 and EV2 of the UDP.

Residential Amenity

With regard to the amenity of existing residents in Heritage Park and Highfield, the existing properties that would be closest to the proposed development are Nos. 19 and 23 Ffordd Cae Duke, Heritage Park and Nos. 16 – 40 Highfield.

To the rear of 19 Ffordd Cae Duke would be a single storey triple garage (serving plots 1 and 2) which would be set over 20m from the rear elevation of No. 19 and at a significantly lower level. To the rear of 23 Ffordd Cae Duke would be the rear gardens of Plots 1 and 7, which would be over 20m from the rear elevation of No 23 and again would be at a significantly lower level. As such in terms of overbearance, overlooking and overshadowing, neither of the properties in Ffordd Cae Duke would be adversely affected due to the sufficient separation distances and lower land levels. As such the application is considered to be acceptable in this regard.

With regard to houses in Highfield, the closest dwelling would be No 16 Highfield which would be located 22m from the side elevation of the nearest proposed house fronting onto the open space, and the distance gradually increases up to. No 40 Highfield which would be located 31m from the proposed house to its rear.

All of the proposed houses within the new development would be located in excess of the minimum 21m standard in relation to all the existing dwellings in Highfield and Ffordd Cae Duke.

As such it is considered that there would be no adverse impacts upon the residential amenity of the surrounding existing dwellings with regard to overbearance, overlooking and overshadowing impacts.

No. 118 Loughor Road is located adjacent to the proposed mini-roundabout and opposite the proposed new access road. Whilst it is acknowledged that the proposed development may result in additional noise and disturbance from the new access, this is unlikely to be significant given the relatively high existing background noise levels already arising from traffic using Loughor Road.

In terms of the residential amenities of the future occupiers of the development, the site layout has been amended to ensure a minimum separation distance of 21m from rear to rear elevations of all the dwellings. In addition the vast majority of the proposed plots would have rear gardens of a length of 10m. On this basis, it is considered that the proposed layout would not give rise to any harmful impacts on the residential amenities of the future occupiers.

Having regard to the above, it is considered that the proposed development would not result in any significant impacts on the amenities of existing residents in Heritage Park, Highfield and Loughor Road and would not raise adverse impacts in respect of the residential amenities of the proposed development. The proposal would therefore be in accordance with Policy EV1 of the UDP.

Highways Impacts

Vehicular access would be derived from a new access road and mini roundabout from Loughor Road. The new access road would have footpaths on both sides which would run

the entire length of the new road within the estate. A new foot path is proposed along the southern boundary of the site which will connect to Waun Road.

A previous application (2007/2097) for 209 dwellings and a sports barn was withdrawn prior to determination. This development site is one of 3 allocated sites along Loughor Road / Glebe Road and recently consent was granted for 86 dwellings off Loughor Road opposite the Belgrave Road junction. In considering any of the three allocated sites, the cumulative traffic impact needs to be considered and this aspect has been addressed.

Access and Traffic - The site is to be accessed from a new mini roundabout located between the existing Cae Duke and Highfield accesses. The proposed mini roundabout will address highway safety concerns associated with excessive speed at that location. The recent development opposite the Belgrave Road junction considered the combined affect of the then Cae Duke development for 209 dwellings and the sports barn and concluded that the impact on Loughor Road and its junctions with Belgrave Road and West Street was acceptable, with both junctions continuing to operate within theoretical capacity. This current proposal is predicted to generate 60 two-way movements in the am peak and 68 two-way movements in the pm peak. The predictions are based on nationally held data for residential developments. Sensitivity testing has been undertaken, using artificially high trip rates derived from the existing Cae Duke estate adjacent to this site. The sensitivity test has considered up to 145 two-way movements in the pm peak and the network is shown to be able to accommodate that artificially high traffic generation. It should be noted that the previous proposal for 209 dwellings with a sports barn was predicted to generate far higher traffic volumes and testing for that including the Loughor Road development of 86 dwellings indicated that junctions along Loughor Road would continue to operate within capacity.

Accessibility - There is a two hourly service past the site which currently enters Highfield and circumnavigates along Belgrave Road. To the west of the site at Bryn Road approximately 450m away, there is a 20 min frequency service and a 10 - 15 min frequency service east of the site at West Street which is over 700m away. Welsh Government guidance recommends that the walking distance to bus facilities in an urban environment should be between 300m and 500m. The service currently serving Highfield is too infrequent to be considered suitable and therefore the next nearest service is on Bryn Road and is within the recommended maximum of 500m. Footways are present along Loughor Road and provide for pedestrian movements in the locality. Additionally, footways will be provided within the site layout and there is a proposal to connect the site southward towards Waun Road where there is a footpath and bridleway. This will improve the accessibility of the site and allow for both pedestrian and possibly cycle movements to enable connection to NCN Route 4, The Wales Coastal Path and LC37 footpath together with LC38 Bridleway all of which are south of the site. The details of the actual connection would be subject to further detailed design to ensure safety. Local facilities are available in Gorseinon. Walking distance is approximately 1.3Km to Gorseinon Cross and this is approaching the maximum recommended walking distance to facilities of 1.5Km for urban areas.

Highway Safety - As previously recommended and conditioned with the Loughor Road development, the site will need to contribute to a package of measures identified under the safe routes in the community scheme (£73,882). This includes for crossing facilities on Loughor Road together with traffic management and general safety improvements in the area with a related scheme to provide a school drop off facility for Pontybrenin School. The latter would be subject to separate planning consent. All three allocated sites in this area will be required to contribute to the works on a pro-rata basis.

Local Concerns - A number of local concerns have been raised relating to traffic and road safety issues which are addressed below;

- Traffic Volume - Traffic levels on Loughor Road are commensurate with its function providing the main access route from Loughor to Kingsbridge and onwards. Peak hour volume, as with any local distributor road, does result in some localised congestion. The additional traffic movements associated with the development have been assessed and results indicate that the additional traffic will not add significantly to current flows.
- Congestion at Pontybrenin School - This issue is recognised and this development, as with others in the locality, is required to contribute to a scheme to provide a school drop-off facility. This will help to reduce school time congestion along that part of Loughor Road.
- No pedestrian flows in traffic survey - Traffic surveys normally concentrate on vehicle movements as that is what causes congestion. Pedestrian movement is catered for with footway provision in the area and is unlikely to be of such a volume as to present any issues.
- Additional access onto Loughor Road - The site access will be positioned sufficiently distant from both Highfield and Cae Duke so as not to present any proximity issues. Additionally, the inclusion of a mini roundabout at the access will help to reduce speed and increase safety. Testing indicates that no congestion issues will occur as a result of the access.
- Lack of Public Transport and Cycle facilities - This is addressed in the report with distances to current public transport provision and additional cycle/footpath links to the wider network.
- UDP allocated sites not included within assessment - All relevant UDP sites have been assessed with the previous submission and also with the nearby Loughor Road scheme. Additionally, the third UDP site is currently being considered and this also includes cumulative traffic impact. It is considered that further duplication of this is not necessary on this occasion.
- Lack of accessibility leading to traffic congestion - The accessibility of the site has been addressed in the report. Additionally, traffic volume issues have been assessed as acceptable and are also included in this report.
- Additional development of remaining land would have unacceptable impact - Any further development would need to be assessed on its merits. Developers will often include possible future links to adjacent undeveloped land.
- Construction site traffic / congestion – a condition will be added requiring a construction site management plan to be submitted and approved in the interests of highway safety.

Highway Conclusions - The traffic impact of the development has been formally assessed and is considered to be acceptable. Contribution towards safer routes in the communities will be required and the provision of a mini roundabout at the access will potentially improve safety along that part of Loughor Road.

Highway Recommendation – The Head of Transportation and Engineering recommends that no highway objections are raised subject to the following;

- i. Prior to any works commencing on site, a contribution shall be made towards a scheme for local highway safety enhancements.
- ii. Prior to any works commencing on site the proposed mini roundabout detail shall be submitted and approved. The approved details shall be implemented prior to beneficial occupation of any dwelling within the site. Note the off site highway works will be subject to an agreement under Section 278 of the Highways Act 1980.
- iii. A pedestrian/cycle path shall be constructed linking the application site to the Footpath/Bridleway (LC37/LC38) in accordance with details to be submitted and agreed.
- iv. The applicant shall submit a detailed Travel Plan for approval within 12 months of consent and the Travel Plan shall be implemented prior to the beneficial use of the development commencing.
- v. Prior to any works commencing on site, a construction management plan shall be submitted for approval. The development shall be carried out in accordance with the approved construction management plan.

In the light of the above, the proposal is considered to be acceptable and in accordance with the provisions of Policies AS1, AS2, AS6 and EV3 of the UDP

Affordable Housing

UDP Policy HC3 (Affordable Housing) highlights that where a demonstrable lack of affordable housing exists, the Council will seek to negotiate the inclusion of an appropriate element of affordable housing on suitable sites. The evidence base for this need is the Local Housing Market Assessment which assessed the dynamics of the housing market in around Swansea and underpins the Council's Housing Strategy. The affordable housing provisions has been subject to negotiations which has resulted in a total of 30 affordable housing units being agreed, comprising of 20 low cost home ownership units and 10 social rented units. These units have been identified on the submitted plans and have been sited throughout the site. The provision of the agreed level of affordable housing can be secured by a S106 planning obligation.

Education

The Director of Education has requested a financial contribution for local the following schools within the catchment of the application site:

English Medium Primary - Pontybrenin Primary
English Medium Secondary - Penyrheol Comprehensive
Welsh Medium Primary - YGG Pontybrenin
Welsh Medium Secondary - Ysgol Gyfun Gwyr .

At present there is spare capacity at all the 4 schools (2 Welsh & 2 English) for 2012 and 2013. With regard to future capacity (2019) both of the English schools have capacity. As such it is not necessary to ask for contributions for the English schools. The projected capacities suggest that there will be a deficiency in Welsh school places. The S106 contribution for the welsh school places therefore would equate to: £44,288 for primary (£10,372 x 4.27) £47,544 for secondary (£15, 848 x 3) = Total £91,832

Open Space / Play Space Provision

UDP Policy HC24 (Play Areas / Public Open Space) requires new housing developments where the level and nature of open space provision in the locality is inadequate, to: make provision for open space within or near to the development or: to contribute towards the provision or improvement of existing off-site facilities.

An appropriate area of open space is to be maintained at the north of the application site adjacent to Loughor Road, as previously referred to earlier in this report. At present this area is not accessible to the public; however the inclusion of this space for public access / informal recreation is acceptable in terms of providing open space in relation to this application.

In addition a Local Area of Plan (LAP) of approx 148sq.m is proposed within the site adjacent to plots 13-14 which is a facility intended to be equipped with play facilities and will provide a small area of unsupervised open space specifically designed for young children for play close to where they live. These open spaces are proposed to be managed and maintained by a private management company.

The provision of the 2 areas of open space within the application site is considered to be acceptable and complies with the provisions of Policy HC24 of the UDP.

Ecological Issues

The applicant has submitted an extended Phase 1 Habitat Survey which highlights that the trees and hedgerows have an intrinsic interest in a local context and are likely to function as important sources of shelter and corridors for both bats and birds. The grassland area was considered to have a low intrinsic ecological interest.

The Council's Ecologist has confirmed that the loss of a number of the hedgerows within the site is acceptable as long as measures are taken to mitigation for this loss. As such it is considered appropriate to recommend conditions ensuring the retention of the southern hedge row, the hedge buffer zone and the provision of a badger proof fence to the west of the site, and the open space and the area containing the attenuation ponds and reed bed. The recommendations in section 5 of the ecological report should be followed.

Trees

The site contains a number of trees, none of which are subject to Tree Preservation Orders (TPO). A Tree Survey report, an Arboricultural Impact Assessment (AIA) and Tree Protection Plan was submitted which provides details regarding the quality, condition and constraints of the trees and hedgerows on this site. The Council's Tree Officer considers that the details submitted provide adequate space for many of the retained trees and hedgerows on this site. Some trees and hedgerows as identified have been highlighted to be removed and some branch pruning work will be required to many of the boundary trees/hedgerows on this site. It is considered that the proposal is acceptable in arboricultural terms subject to the inclusion of the planning conditions and informatives.

Coal Mining Issues

The Coal Authority considers that the content and conclusions of the Site Investigation Report are sufficient for the purposes of the planning system and meets the requirements of Planning Policy Wales in demonstrating that the application site is, or can be made, safe

and stable for the proposed development. As such, the Coal Authority has no objection to the proposed development.

Archaeological Issues

Glamorgan Gwent Archaeological Trust have confirmed that they have no objection to the positive determination of this application provided a condition be attached to any consent granted requiring the applicant submit a detailed programme of investigation for the archaeological resource. The programme of work should take the form of a watching brief during the initial topsoil stripping/ground work required for the development, and the recording of the features named in the assessment, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that archaeological features that are located are properly excavated, recorded and a report containing the results and analysis of the work is produced.

Water Quality Issues

This application is one of a number of major planning applications that have been held in abeyance since 2009, due to ongoing concerns raised by Europe and Welsh Government regarding the water quality of the Loughor Estuary which is part of the following European protected sites: Carmarthen Bay and Estuaries Special Area of Conservation; Carmarthen Bay Special Protection Area; and Carmarthen Bay RAMSAR (CBEEMs). The City and County of Swansea as Local Planning Authority has followed the precautionary approach advised by its statutory advisor CCW towards all development that drains into CBEEMs, and carried out the following Habitat Regulations Assessment

Burry Inlet Habitat Regulations Assessment

Introduction

The City and County of Swansea, as the competent authority, is required under Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 (known as the 'Habitat Regulations') to undertake a Habitat Regulations Assessment of any project likely to have an effect on a European Site, or candidate/proposed European Site, either alone or in combination with other plans or projects, that is not necessary to the management of the site for management of the site for nature conservation.

In this instance, the European sites potentially affected are the Carmarthen Bay and Estuaries European Marine Site (CBEEMS), the Carmarthen Bay Special Protection Area (SPA) and the Burry Inlet SPA and RAMSAR site. Before deciding to give permission we must therefore first consider whether this development is likely to have a significant effect on the CBEEMS either alone or in combination with other plans or projects in the same catchment area.

Following an investigation of likely significant effects on the CBEEMS features water quality was identified as the only factor that might have an effect this is discussed below.

Water Quality

With regard to the water quality issues in the Burry inlet and Loughor Estuary, the City and County of Swansea has followed the advice of their statutory advisor, and has commissioned a preliminary assessment under the above Regulations which is limited to the assessment of potential wastewater effects only.

This assessment notes that as part of their review of consents (RoC) under regulation 63 the Environment Agency (EA) undertook a detailed Habitats Regulations assessment in relation to the effects of their consented activities. Consent modifications were identified to enable the Environment Agency to conclude no adverse effect on the integrity of the CBEEMS in respect of their consents operating at their maximum consented limits.

As the consents in question have already been subject to a full assessment (alone and in-combination) under the provisions of the Habitat Regulations, there is no need for the City and County of Swansea to undertake a further assessment where development can be accommodated within the post RoC discharge consent limits.

It is the opinion of the authority that this development can be accommodated within the post RoC discharge consent limits, and will not be likely to have a significant effect either alone or in-combination on the Carmarthen Bay and Estuaries SAC, the Carmarthen Bay SPA, or the Burry Inlet SPA and RAMSAR. Such effects can be excluded on the basis of the objective information available through the Environment Agency review.

Other Possible Effects on CBEEMS features

In addition, it is considered that there are no other potential adverse effects from this development proposal, either alone or in combination with other plans or projects on the above protected European sites.

On this basis there is no requirement to make an appropriate assessment of the implications of the proposed development in accordance with regulation 61(1).

The LPA has therefore satisfied its obligations as the 'competent authority' under the Habitats Directive and associated Habitat Regulations. This is in line with the requirements of National Policy Guidance and Policy EV25 of the Unitary Development Plan.

Hydraulic Capacity Issues in Gowerton WwTW Drainage Network

Whilst the LPA is satisfied that it has addresses the issues relating to the Habitat Regulations on this site, there are still outstanding issues in the Gowerton Waste Water Treatment Works (WwTW) catchment area.

In 2011 Dwr Cymru Welsh Water adopted the findings of a study commissioned to investigate the problems and solutions relating to foul drainage in this drainage catchment area. They have also prepared a plan of improvements works for Gowerton WwTW catchment area to start in 2020 (AMP7). In the meantime they are prepared to bring forward schemes if developers finance them.

In addition, the Council has kept a register of savings made on brownfield sites and some of these have been completed. The register is required by the Memorandum of Understanding 2011 agreed and signed by the City & County of Swansea, together with its partners Carmarthenshire County Council, Dwr Cymru Welsh Water, and Natural Resources Wales.

Foul Drainage

This development will separate surface water and land drainage from foul water, so the only drainage impact on the existing sewerage drainage system to Gowerton WwTW would be the foul connections. It is estimated that the maximum foul flow from this site can easily be

accommodated by potential surface water removal schemes or compensatory water savings already made from other brownfield developments in the area.

Dwr Cymru Welsh Water has not objected to this scheme. Whilst Natural Resources Wales raised concerns last autumn regarding the impact of new residential development on the water quality of the estuary, there is no conclusive evidence that supports this view, and the Agency has since agreed to the Council's adopted Habitats Regulation Assessment. The HRA conclusions are based on objective information available through the 2010 Environment Agency's own Review of Consents of Gowerton WwTW.

The current application if approved will be subject to planning conditions controlling drainage, including the use of SUDs, on this basis, there is no known evidence to justify refusal on drainage grounds. Subject to further control by conditions, it is considered that the drainage arrangements for this scheme are acceptable and can meet the overarching aims of sustainable development in this area, and satisfy the provisions of Policies EV33, EV34, and EV35 of the UDP.

Land and Surface Water Drainage

The arrangements for surface water drainage have been submitted and have been considered by the Council's Drainage Officer and NRW. Surface water from the roofs, hard surfaces and roads will be discharged via an attenuation pond and reed bed system at greenfield rates.

The details provided are considered to be satisfactory in principle, but it is considered necessary to secure further details of the drainage arrangements via conditions, prior to the commencement of development on site, to ensure there is no potential future harm to the water environment of the estuary or the amenities of existing and future residents. On the basis of the information submitted to date, it is considered that there are no overriding reasons to warrant a refusal of permission on drainage grounds alone.

Subject to further control by conditions, it is considered that the drainage arrangements for this scheme are acceptable and are in accordance with the provisions of Policies EV33, EV34 and EV35 of the UDP.

Environmental Sustainability

The applicant has submitted a pre-assessment document which confirms the dwellings proposed would be capable of achieving Code for Sustainable Homes Level 3 and are capable of achieving 1 credit under ENE 1 (Dwelling Emission Rate). This mandatory sustainability standard may be secured by condition.

Other Material Considerations

The concerns raised by third parties are summarised above and have been addressed within the above appraisal. This includes reference to UDP policy considerations, the current status of this greenfield site, its acceptability for development and impacts upon schools. The highway access and public safety concerns relating to traffic (including during the course of construction) are considered in the Highways section above. The design and layout considerations have been carefully assessed and amendments have been made to ensure that the design and layout would be acceptable. The impact on trees, local wildlife and ecology has been properly assessed by NRW, the Council's Ecologist and the

Council's Arboricultural Officer and subject to conditions is considered to be satisfactory in this respect.

Concerns have been raised with regard to air quality from car fumes – the site is not located in a specified area of concern with regard to air quality and the Pollution Control Team have raised no objections to this development.

The management of the attenuation ponds, the public open space and the LAP will be secured under the Section 106 Planning Obligation Agreement.

Conclusion

The proposal is for residential development of 106 dwellings on a site allocated for housing in the UDP. The proposal is considered to be acceptable in terms of its impacts on the character and appearance of the area, impacts on residential amenity and impacts on access, parking and highway safety.

The layout and design of the development will create a distinctive development that has had regard to the hedgerows bounding the site and will enable land not previously accessible to the public to be used as open space / informal recreation, and will provide connections to the wider sections of the allocated housing site.

The drainage proposals have been considered in the above report including the foul connections and the hydraulic capacity issues, as well as the land / surface water drainage issues. It is considered that the requirements of DCWW and NRW for compensatory surface water savings in the Gowerton WwTW catchment area can be accommodated for by potential surface water removal scheme or the Council's Register of savings made from brownfield sites within the Gowerton WwTW catchment area

RECOMMENDATION

That planning permission be GRANTED subject to the following conditions and the applicant entering into a S106 Planning Obligation to provide:

- **30 units of affordable housing on the site;**
- **an education contribution of £91,832,**
- **a highways contribution of £73,882;**
- **management plans for the future maintenance and management of the attenuation ponds and the maintenance, management and public access to the public open space and the local area of play (LAP);**
- **the variation of the original S106 in respect of the open space and woodland in the north eastern section of the site.**

1 The development hereby permitted shall begin not later than five years from the date of this decision.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.

2 Prior to the beneficial occupation of the development hereby approved either,
a) a surface water removal strategy delivering sufficient compensation for the

foul flows from the development shall have been implemented in accordance with details which have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, or,

b) Works to upgrade the sewage infrastructure at Gowerton WwTW have been implemented in full and written confirmation of this has been issued by the Local Planning Authority.

Reason: To prevent hydraulic overloading of the public sewage system and pollution of the water environment.

- 3 Unless otherwise agreed in writing with the Local Planning Authority, foul water and surface water discharges must be drained separately from the site and no surface water or land drainage shall be allowed to connect (either directly or indirectly) to the public foul sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system and pollution of the environment.

- 4 Surface water from the site shall discharge at no greater than 5.85l/s/ha as stated in email dated 18 November 2013 from Hammonds Yates.

Reason: To reduce surface water loading to the watercourse network and reduce surface water flood risk downstream.

- 5 No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been approved in writing by the Local Planning Authority. This scheme shall include details of a sustainable drainage system (SuDS) for surface water drainage and/or details of any connections to a surface water drainage network. The development shall not be brought into beneficial use until the works have been completed in accordance with the approved drainage scheme, and this scheme shall be retained and maintained as approved unless otherwise agreed in writing 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 and to minimise surface water run-off.

- 6 Prior to the commencement of any development, a scheme for the ownership and maintenance of the surface water system shall be submitted and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.

Reason: To ensure the satisfactory long-term operation of the surface water management scheme to prevent the increased risk of flooding to the development itself and surrounding third parties.

- 7 No development approved by this permission shall be commenced until a construction management plan (CMP) detailing all necessary pollution prevention measures for the construction phase of the development is submitted to and approved in writing by the Local Planning Authority. The details of the CMP shall be implemented as approved and must be efficiently communicated to all contractors and sub-contractors (for example, via toolbox talks) and any

deficiencies rectified immediately.

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

- 8 The development hereby permitted shall not be commenced until such time as a scheme to treat and remove suspended solids from surface water run-off during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason: To prevent pollution of controlled waters.

- 9 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%. All filling points, vents, gauges and site glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

- 10 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved

Reason: To prevent pollution of controlled waters.

- 11 A detailed scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority, and shall be implemented prior to the commencement of work on site.

Reason: In the interests of the ecology and amenity of the area.

- 12 No development approved by this permission shall be commenced until a Site Waste Management Plan has been produced and submitted in writing for approval by the Local Planning Authority.

Reason: To ensure waste at the site is managed in line with the Waste Hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal option.

- 13 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

14 Land Contamination - Site Characterisation

The applicant shall submit a phased scheme, comprising three progressively more detailed reports, detailing measures to be undertaken in order to investigate the presence of land contamination, including relevant gas, vapour and, where appropriate, radiation related risks, at the proposed site.

Where the initial investigations indicate the presence of such contamination, including the presence of relevant gas/vapour and/or radioactivity, subsequent reports shall include:

A. a list of potential receptors; B. an assessment of the extent of the contamination; C. an assessment of the potential risks; D. an appraisal of remedial options, and proposal of the preferred remedial option(s).

The reports shall be submitted individually.

The provision of Phase 2 and Phase 3 reports will be required only where the contents of the previous report indicate to the Local Planning Authority that the next phase of investigation/ remediation is required.

Phase 1 report: Desk Top Study : ALREADY PROVIDED AS PART OF THE APPLICATION

Phase 2: Detailed Investigation : this shall: A. Provide detailed site-specific information on substances in or on the ground, geology, and surface/groundwater and in particular further characterisation of the presence of Chromium compounds and of ground gas. B. Provide for a more detailed investigation [Human Health Risk Assessment] of the site in order to confirm the presence or absence of those potentially significant source-pathway-receptor pollutant linkages identified in Phase 1.

Note; where any substance should be encountered that may affect any controlled waters the applicant, or representative, must contact the Environment Agency in order to agree any further investigations required.

In the event that the need for remediation is identified the applicant shall submit a subsequent detailed [Phase 3] report to the Local Planning Authority, viz: Phase 3: Remediation Strategy

Reason: To ensure that the safety of future occupiers is not prejudiced.

15 Imported Soils - Any topsoil [natural or manufactured], or subsoil to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, verification sampling of the material received at the development site is required to verify that the imported soil is free from contamination and shall be undertaken in accordance with a scheme agreed with in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced.

16 Imported Aggregates - Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of

its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, verification sampling of the material received at the development site is required to verify that the imported soil is free from contamination and shall be undertaken in accordance with a scheme agreed with in writing by the LPA.

Reason: To ensure that the safety of future occupiers is not prejudiced

- 17 Verification/Validation of Remediation Works. Prior to the occupation of any residential unit, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long term monitoring and maintenance plan') for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and the reporting of this to the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced.

- 18 Construction Site Management. Prior to the commencement of demolition/construction works on the application site (including all access roads) a Construction Pollution Management Plan (CPMP) should be submitted to and approved in writing by the LPA. The CPMP is to include the following:
- a) Demolition/Construction programme and timetable
 - b) Detailed site plans to include indications of temporary site offices/ compounds, materials storage areas, proposed compounds, delivery and parking areas etc
 - c) Traffic scheme (access and egress) in respect of all demolition/construction related vehicles;
 - d) An assessment of construction traffic generation and management in so far as public roads are affected, including provisions to keep all public roads free from mud and silt;
 - e) Proposed working hours;
 - f) Principal Contractor details, which will include a nominated contact for complaints;
 - g) Details of all on site lighting (including mitigation measures) having regard to best practicable means (BPM);
 - h) Details of on site dust mitigation measures having regard to BPM;
 - i) Details of on site noise mitigation measures having regard to BPM;
 - j) Details of waste management arrangements (including any proposed crushing/screening operations); and
 - k) Notification of whether a Control of Pollution Act 1974 (Section 61) Notice is to be served by Principle Contractor on Local Authority.

Note: items g - j inclusive need to take particular account of the potential for statutory nuisance from site related activities [see Informatives].

Reason: To ensure minimal nuisance impact on local residents/ businesses from

construction activities.

- 19 Prior to any works commencing on site, details of the proposed mini roundabout shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to beneficial occupation of any dwelling within the site. (Note: the off site highway works will be subject to an agreement under Section 278 of the Highways Act 1980).
Reason: In the interests of highway safety.
- 20 Prior to the first occupation of the dwellings hereby approved, the pedestrian/cycle path shall be constructed linking the application site to the Footpath/Bridleway (LC37/LC38) and Waun Road in accordance with full details (including profiles) to be submitted to and agreed in writing by the Local Planning Authority.
Reason: In the interests of public accessibility by foot and by cycle
- 21 The applicant shall submit a detailed Travel Plan for approval within 12 months of consent and the Travel Plan shall be implemented prior to the beneficial use of the development commencing.
Reason: In the interests of highway safety
- 22 Prior to the commencement of development on site, full details of a badger proof fence for the western boundary adjacent to plots 39, 41, 42, 43, 44, 45, and 49 as shown on approved plan 1421 100 Rev P Planning Layout received on 4 Oct 2013 shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with the details thereby approved.
Reason: To prevent badgers accessing the rear gardens of the development
- 23 The development shall be completed in accordance with the recommendations in section 5 of the approved Ecological Assessment Report by Barry Stewart and Associates received on the 26 February 2013.
Reason: In the interests of protecting the ecology of the site and surrounding area.
- 24 No development including demolition work shall commence on site until all tree protection measures as that detailed within the submitted tree protection scheme written by Treescene Ltd (Dated 25th October 2013) are in place. No development shall take place except in complete accordance with this tree protection scheme. All protective fencing, ground protection, construction methods etc shall be retained intact and followed for the full duration of the development hereby approved, and shall only be removed, or altered in that time with the prior written approval of the Local Planning Authority.
Reason: To ensure protection of retained trees/hedgerows on site during construction works
- 25 No development including demolition work shall commence on site until all tree protection measures as that detailed within the submitted tree protection scheme written by Treescene Ltd (Dated 25th October 2013) has been implemented, inspected and approved in writing by the Local Planning Authority.

Reason: To ensure protection of retained trees/hedgerows on site during construction works

- 26 No retained trees or hedgerows shall be cut down, uprooted, destroyed, pruned, cut or damaged during the construction phase other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority.

Reason: To ensure the protection of the trees and hedgerows

- 27 If any retained trees or hedgerows are cut down, uprooted, destroyed or die during the construction phase another tree/hedgerow shall be planted at the same location and that tree/hedgerow shall be of a size, species as specified in writing by the Local Planning Authority.

Reason: To ensure the protection of the trees and hedgerows

- 28 No development shall take place without the prior written approval of the Local Planning Authority of a scheme for the landscaping of the site. The landscaping scheme shall be carried out within 12 months from the completion of the development. Any trees or shrubs planted in accordance with this condition which are removed, die, become seriously diseased within 5 years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted

Reason: To ensure as far as possible that the landscaping scheme is fully effective

- 29 No retained trees or hedgerows shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner within 5 years from the date of the occupation of the building for its permitted use, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority.

Reason: To ensure as far as possible that the landscaping scheme is fully effective.

- 30 If any retained trees or hedgerows are cut down, uprooted, destroyed or die within 5 years from the date of the occupation of the building for its permitted use then another tree/hedgerow shall be planted at the same location and that tree/hedgerow shall be of a size, species as specified in writing by the Local Planning Authority.

Reason: To ensure as far as possible that the landscaping scheme is fully effective.

- 31 Prior to the commencement of development on site full details for the following shall be submitted to and approved in writing by the Local Planning Authority :

A. Materials sample panel including all external materials including door and fenestration details;

B. Full details of undergrounding of overhead cables including the location of the end terminal pylons / poles;

C. Full details of the road levels and slab levels for the future roads links and plots 12, 13, 14 and the LAP and plots 25, 26 and 27 and the points where the future

road links meet the boundaries of the site as shown on approved plan 1421 100 Rev P Planning Layout.

D. Full details of all the wall boundaries to: plots 58 and 59 (entire boundary); to the rear of plot 25 connecting to the garage of plot 24; to the side of plot 19 connecting to garage; to the rear of plot 17 abutting parking spaces to apartments; between house 79 and side wall to 81; to the side garden of 12 abutting footway; to the rear of 106 connecting to garage; to the side of 100 connecting to garage; to the southern side of plot 68 and rear of plots 71 and 72, including the boundary to the two car parking spaces for plot 72.

The development shall then be completed in accordance with the details thereby approved unless otherwise agreed in writing by the Local Planning Authority.

E. The Entrance feature.

Reason: In the interests of visual amenity.

- 32 Prior to superstructure works commencing on any dwelling unit hereby approved details of the phasing of the construction of the internal access roads shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.

Reason: To ensure that the development is provided with satisfactory vehicular access in the interests of public safety.

- 33 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or amending that Order), Classes A, B, C, D and E of Schedule 2, Part 1 shall not apply

Reason: The development hereby approved is such that the Council wish to retain control over any future development being permitted in order to ensure that a satisfactory form of development is achieved at all times.

- 34 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), other than those enclosures indicated on the approved plans, no fences, gates or walls shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road.

Reason: To ensure that the overall open plan housing layout is not prejudiced by uncontrolled development.

- 35 No dwelling unit in the development shall be occupied until the means of enclosure to the respective individual curtilages have been completed in accordance with condition 31 above and approved plans 1421 105 D and 106 D External Works Layout Sheets 1 and 2 received on 4 October 2013, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and general amenity.

- 36 The dwelling(s) shall be constructed to achieve a minimum of Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category "Ene1 - Dwelling Emission Rate" in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (November 2010 - Version 3). The development shall be carried out entirely in accordance with the approved

assessment and certification.

Reason: In the interests of sustainability.

- 37 The construction of the dwelling(s) hereby permitted and any external works shall not begin until an "Interim Certificate" has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes (Level 3) and a minimum of 1 credit under "Ene1 - Dwelling Emission Rate", has been achieved in accordance with the requirements of the Code for Sustainable Homes; Technical Advice Guide (November 2010 - Version 3).

Reason: In the interests of sustainability.

- 38 Prior to the occupation of the dwelling(s) hereby permitted, a Code for Sustainable Homes "Final certificate" shall be submitted to the Local Planning Authority certifying that a minimum Code for Sustainable Homes (Level 3) and a minimum of 1 credit under "Ene1 - Dwelling Emission Rate", has been achieved in accordance with the requirements of the Code for Sustainable Homes; Technical Advice Guide (November 2010 - Version 3).

Reason: In the interests of sustainability.

- 39 No part of the development hereby permitted shall be occupied until street lighting has been installed in accordance with a detailed scheme to be agreed with the Local Planning Authority.

Reason: To ensure a convenient and safe form of development.

- 40 Unless otherwise agreed in writing by the Local Planning Authority, the proposed parking areas hereby approved/illustrated on the submitted plan shall be:

- (i) porous or permeable; or
- (ii) constructed to direct run-off water from the hard surface to a porous or permeable area or surface within the curtilage of the dwellinghouse; and
- (iii) be permanently maintained so that it continues to comply with the requirements of paragraph (i) and (ii).

Reason: In the interests of sustainability.

- 41 Before the development hereby permitted is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) together with any changes proposed in the levels of the site shall be submitted to and agreed by the Local Planning Authority in writing.

Reason: To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, and the amenities of adjoining occupiers.

- 42 The garage(s) indicated in the submitted plans shall be retained for the parking of vehicles and purposes incidental to that use and shall not be used as or converted to domestic living accommodation.

Reason: To ensure adequate on site car parking provision in the interests of highway safety, and residential and visual amenity.

- 43 Prior to the first occupation of the dwellings hereby approved the following

windows shall be obscurely glazed and unopenable except for a fan light and shall be permanently retained in that condition thereafter unless otherwise agreed in writing by the Local Planning Authority: Plots 7, 101 and 103, (Rothbury) first floor bedroom 1 as shown on plan 1421 166 B received 4th October 2013;

Plot 4 (Lincoln) first floor bedroom 1 side window; Plot 106 (Lincoln) first floor bedroom 2 side window and Plot 5 (Lincoln) first floor bedroom 1 rear window as shown on plan 1421 160 B received 4th October 2013

Reason: To safeguard the privacy of the occupiers of neighbouring residential properties.

- 44 During the course of construction there shall be no vehicular access between the site and Waun Road.

Reason: In the interests of residential amenity and highway safety.

- 45 During the course of construction there shall be no vehicular access between the site and Waun Road.

Reason: In the interests of residential amenity and highway safety.

INFORMATIVES

- 1 The applicant is advised that the development must be carried out in accordance with the approved plans. If, prior to or during the implementation of this permission, any particulars are found to be inaccurate then the Local Planning Authority must be informed and works shall not commence or be continued until the matter has been resolved. Failure to do so could lead to the serving of an enforcement or stop notice.
- 2 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: EV1, EV2, EV3, EV4, EV23, EV24, EV30, EV33, EV34, EV35, HC1, HC3, HC17, HC24, AS1, AS2, AS6.
- 3 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 4 Please be aware that under the Flood and Water Management Act 2010 the City and County of Swansea is now classified as the Lead Local Flood Authority (LLFA) and as part of this role is responsible for the regulation of works affecting ordinary watercourses. Our prior written consent for any works affecting a watercourse may be required irrespective of any other permissions given and we encourage early engagement with us to avoid any issues.
- 5 As part of a sustainable drainage system the developer is advised to consider the use of sustainable drainage (SUDS) measures, such as permeable paving for the driveway access and car parking area, and rainwater or grey water harvesting from the new buildings, etc.
- 6 The developer is advised to contact Dwr Cymru Welsh Water on Tel. No. 0800 917 2652, e.mail developer.services@dwrcymru.com, regarding the adequacy of water supply, and the adequacy of the sewerage system serving this area, to be agreed independently with the Water Authority.

7 Any drains laid must be protected in a way that prevents dirty water from the construction site entering them. Please also note that allowing site drainage to enter the foul sewerage system during the construction phase is unacceptable.

8 http://www.swansea.gov.uk/media/pdfwithtranslation/q/3/WLGAEAW_Guide_for_Developers_rev_2012.pdf

Development of Land Affected by Contamination: A Guide for Developers

http://www.swansea.gov.uk/media/pdf/a/2/Imported_Materials_Guidance_WLGA.pdf

Requirements for the Chemical Testing of Imported Materials for Various End Uses

http://www.swansea.gov.uk/media/pdf/a/2/Imported_Materials_Guidance_WLGA.pdf

Requirements for the Chemical Testing of Imported Materials for Various End Uses

9 Construction Noise

The following restrictions should be applied to all works of demolition/ construction carried out on the development site

All works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of 08.00 and 18.00 hours on Mondays to Fridays and between the hours of 08.00 and 13.00 hours on Saturdays and at no time on Sundays and Public Holidays and Bank Holidays.

The Local Authority has the power to impose the specified hours by service of an enforcement notice.

Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

Smoke/ Burning of materials - No burning of any material to be undertaken on site.

The Local Authority has the power to enforce this requirement by service of an abatement notice.

Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

Dust Control: During construction work the developer shall operate all best practice to minimise dust arisings or dust nuisance from the site. This includes dust and debris from vehicles leaving the site.

The Local Authority has the power to enforce this requirement by service of an abatement notice.

Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

Lighting - During construction work the developer shall operate all best practice to minimise nuisance to locals residences from on site lighting. Due consideration should be taken of the Institute of Lighting [www.ile.org.uk] recommendations

10 The Travel Plan shall include details of car reduction initiatives and methods of monitoring, review and adjustment where necessary. Advice on Travel Plans can be obtained from Jayne Cornelius, SWWITCH Travel Plan Co-ordinator Tel 07796 275711.

The Developer must contact the Network Manager City and County of Swansea,

Highways Division, Players Industrial Estate, Clydach, Swansea, SA6 5BJ. Tel 01792 841601 before carrying out any work.

- 11 Note well it is an offence under the Town and Country Planning Act 1990 to:

Cut down, uproot, top, lop, wilfully destroy or wilfully damage a tree protected by a Tree Preservation Order.

Wilful damage to a protected tree includes damage to its surrounding rooting area by: excavation work, storage of materials or machinery, parking of vehicles, deposit of soil or rubble, disposal of liquids, or the mixing of cement.
- 12 The Council is responsible for the naming and numbering of streets within the administrative area. All new property addresses or changes to existing addresses arising from development for which planning consent is sought must be cleared through the Council's Street Naming and Numbering Officer as soon as building work commences. Street naming and numbering proposals must be agreed with the Council prior to addresses being created or revised. Please note that there is a charge for the provision of some street naming and numbering services.
For further information please visit www.swansea.gov.uk/snn or contact the Council's Street Naming and Numbering Officer, City & County of Swansea, Room 2.4.2F, Civic Centre, Swansea, SA1 3SN. Tel: 01792 637127; email snn@swansea.gov.uk
- 13 Bats may be present. All British bat species are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2010. This legislation implements the EC Habitats & Species Directive in the UK making it an offence to capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It is also an offence to recklessly / intentionally to disturb such an animal.
If evidence of bats is encountered during site clearance, work should cease immediately and the advice of the Countryside Council for Wales sought before continuing with any work (01792 634960).
- 14 The Developer must contact the Team Leader - Highways Management, City and County of Swansea (Highways), Penllergaer Offices c/o Civic Centre, Swansea, SA1 3SN (Tel 01792 636091) before carrying out any work.
- 15 The site of this application is crossed by high voltage overhead electricity lines. Please ensure that you contact Western Power Distribution prior to the commencement of any work within the vicinity of the electricity lines. Western Power Distribution Phoenix Way Llansamlet Swansea SA7 9HW.
- 16 Underground mining operations have been carried out beneath this site and the developer is advised to seek appropriate technical advice in order to decide what precautions if any, need to be taken to reduce the risk of damage from subsidence. If as a consequence of this technical advice, the developer wishes to carry out exploratory works to coal seams or to old coal workings upon this site, then his proposals should be forwarded to the Coal Authority for its written approval, prior to their execution. It is suggested that the developers discuss the proposals with the Authority's Building Control Officers prior to submitting an

application under the Building Regulations.

PLANS

105 Rev A-external works layout Sheet 1, 106 Rev A -external works layout Sheet 2, P1453-site survey, landscape appraisal of green open space, updated archaeological desk-based assessment, ecological assessment, site investigation report, framework residential travel plan, transport assessment, tree survey, tree constraints arboricultural impact assessment, code for sustainable homes pre-assessment received 26th February 2013. Amended Plans No: 100 Rev P -Planning layout,101Rev C-site location plan, 103 Rev D, 104 Rev D, 150 Rev B, 151 Rev A, 152 Rev A, 153 Rev B, 154 Rev B, 155 Rev B, 156 Rev B, 157 Rev A, 158 Rev B, 159 Rev A, 160 Rev B, 161Rev A, 162 Rev A, 163 Rev A, 164 Rev A, 165 Rev A, 166 Rev B,167 Rev A, 168 Rev B, 169 Rev A, 170 Rev A, 172 Rev A, 174 Rev A, 176 Rev B, 177 Rev A, 178 Rev A, 179 Rev B, 180, 181, 182, 183 Rev A,184 Rev A, 105 Rev C- Street Scenes, 108 Rev C-site sections, drainage statement,. Additional plans 185, 186, 187, 188, 189, 301 Rev C, 109 Received 4th October 2013. Amended plan 1421 201 F- engineering layout dated 13th November 2013. Amended plans: 1421 203C-attenuation area dated 20th Nov 2013, 1421 277-overall drainage area, 1421 211-drainage layout sheet1, 1421-212-drainage layout sheet 2, Ponds 1 & 2 CALCS, Greenfield run off CALCS, site investigation report dated 13th November.