

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, Civic Centre, Swansea.

On: Tuesday, 18 November 2014

Time: 2.00 pm

Members are asked to contact Chris Healey (Team Leader) on 637424 should they wish to have submitted plans and other images of any of the applications on this agenda to be available for display at the Committee meeting.

AGENDA

	Page No.
1 Apologies for Absence.	
2 Disclosures of Personal and Prejudicial Interests from Members.	1 - 2
3 Minutes. To approve as a correct record the Minutes of the meeting of the Area 2 Development Control Committee held on 21 October 2014.	3 - 10
4 Items for deferral / withdrawal.	
5 Determination of Planning Applications under the Town and Country Planning Act 1990.	11 - 20



Patrick Arran
Head of Legal, Democratic Services & Procurement
Tuesday, 11 November 2014
Contact: Democratic Services - 636824

ACCESS TO INFORMATION

LOCAL GOVERNMENT ACT 1972 (SECTION 100) (AS AMENDED)

(NOTE: The documents and files used in the preparation of this Schedule of Planning Applications are identified in the 'Background Information' Section of each report. The Application files will be available in the committee room for half an hour before the start of the meeting, to enable Members to inspect the contents).

AREA 2 DEVELOPMENT CONTROL COMMITTEE (37)

Councillors

Labour Councillors: 25

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

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
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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, CIVIC CENTRE SWANSEA ON
TUESDAY, 21 OCTOBER 2014 AT 2.00 PM

PRESENT:

Councillor(s)	Councillor(s)	Councillor(s)
J C Bayliss	T J Hennegan	C L Philpott
R A Clay	D H Hopkins	J A Raynor
A C S Colburn	L James	T H Rees
D W Cole	M H Jones	C Richards
A M Cook	R D Lewis	R V Smith
J P Curtice	D J Lewis	G J Tanner
W Evans	K E Marsh	C M R W D Thomas
R Francis-Davies	G Owens	D W W Thomas

30 ELECTION OF A CHAIR FOR THE REMAINDER OF THE MUNICIPAL YEAR 2014-2015.

RESOLVED that Councillor P Lloyd be elected Chair of the Committee for the remainder of the Municipal Year 2014-2015.

Councillor P Lloyd (Chair) Presided

31 ELECTION OF A VICE CHAIR FOR THE REMAINDER OF THE MUNICIPAL YEAR 2014-2015.

RESOLVED that Councillor J Bayliss be elected Vice Chair of the Committee for the remainder of the Municipal Year 2014-2015.

32 APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillors JE Burtonshaw, MC Child, EW Fitzgerald, YV Jardine, AJ Jones, J Newbury, RJ Stanton, M Theaker & M Thomas.

33 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 DW Cole – Personal – Planning Application No.2014/1235(Item 4) – I know the objector and Planning Application No.2014/0747(Item 5) – I know the applicant.

Councillor JP Curtice – Personal – Planning Application No.2014/1235(Item 4) – I know the objector and Planning Application No.2014/0747(Item 5) – I know the applicant.

Councillor L James – Personal – Planning Application No.2014/0747(Item 6) – Member of the Gower Society.

Councillor D J Leiws – Personal - Planning Application No.2014/1239(Item 3) – I know the applicant, Planning Application No.2014/1235(Item 4) – I know the objector and Planning Application No.2014/0747(Item 5) – I know the applicant.

Councillor C Richards – Personal - Planning Application No.2014/1235(Item 4) – Governor of Gower College Swansea.

Councillor RV Smith – Personal – Planning Application No.2014/0747(Item 5) – I know the applicant.

34 **MINUTES.**

RESOLVED that the Minutes of the meeting of the Area 2 Development Control Committee held on 23 September 2014 be approved as a correct record.

35 **ITEMS FOR DEFERRAL / WITHDRAWAL.**

None.

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

The Head of Economic Regeneration and Planning submitted a series of Planning applications.

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

RESOLVED that:

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

#(Item 2) Planning Application No.2014/0909 - Detached garage and incorporation of land into residential curtilage at Gerdinen, Llanrhidian, Swansea.

Report Updated as follows:

Page 22 – Plans : delete 'site location plan'. Add "Amended site location plan dated 22nd September 2014"

#(Item 4) Planning Application No.2014/1235 - Demolition of former Gower College Outreach Centre to be replaced by a new build 8 bed supported living facility incorporating public, private and communal spaces and associated works at Gower College Swansea 26 Alexandra Road Gorseinon Swansea

Mr Fuge (objector) and Mr P Baxter (agent) & Mrs Coffey (applicant) addressed the Committee.

A visual presentation was given.

Late Letter from Gorseinon Town Council as follows:

Members viewed all the plans and had received an extract of the planning report for scrutiny. No concerns were raised by any members of the public present at the meeting. Members discussed the internal layout of the accommodation, with Cllr M Curtice concerned about the small size of the bedrooms – He felt they were prison like in their layout. There was some concern about the high size frontage of the building to accommodate the lift shaft and the external materials used. Most concern was voiced about the few number of car parking spaces on site. There were 3 overall spaces on the forecourt, with only one space for the public. Members were advised that the previous occupiers (Gorseinon College) had an agreement with St Catherine's church to utilise their car park at appropriate times, and there was also the adjoining church car park that could be considered by agreement. It was felt that some form of additional off site car parking should be arranged to meet the needs of the users of the building, particularly the public element, in order to minimise impact upon the on-street residential parking opposite the site in Alexandra Road. It was also noted that the usage of the public rooms at the front of the building had not yet been established.

Report Updated as follows:

Page 29 : 4th para – Policy HC2 – 4th line : add 'significant' in front of 'loss of residential amenity';

5th line add 'significant' in front of 'adverse effect on character and appearance of the area'; 6th line add 'significant' in front of 'harm to highway safety'; 6th line add 'significant' in front of 'adverse effect to landscape'

Page 29 : 6th para – Policy HC15 – 3rd line : add 'significant' in front of 'impact on amenity'; and add 'significant' in front of 'effect on natural heritage'

Page 31 : 7th Para – point 2 : replace 'removal' with 'renewal'

Page 35 : 2nd para – line 7: replace 'if' with 'is'

Page 38 – amended wording for condition 2 : “No development, other than demolition of the existing building, shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how 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 and to minimise surface water run off.”

Amended wording for condition 3 :“No development, other than demolition of the existing building, shall take place until details of the provision of a minimum of three bird boxes within the scheme have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented before the development hereby approved is brought into beneficial use and shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason : In the interests of biodiversity and to ensure new provision is made for breeding birds”

Page 39 – Amended wording for condition 4 :“No development, other than demolition of the existing building, 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 two 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 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”

Amended wording for condition 6 : “The materials used for the external surfaces of the development shall be in accordance with details submitted to and approved in writing by the Local Planning Authority before the development, other than demolition of the existing building, is commenced.

Reason : In the interests of visual amenity.”

Page 40 – Plans :

- add 'rev A' to HG.13.19.02 (proposed block plan);
- add 'rev C' to HG.13.09.20 (proposed floor plans);
- add 'rev C' to HG.13.09.24 (proposed elevations);
- add 'rev C' to HG.13.09.26 (proposed sections);
- add 'rev C' to HG.13.09.26 (proposed sections);
- add 'rev C' to HG.13.09.28 (perspectives);
- add 'rev A' to HG.13.19.29 (proposed impressions);

#(Item 5) Planning Application No.2014/1179 - First floor rear extension at 33 Cecil Road, Gorseinon, Swansea.

Mr R Bowen (agent) addressed the Committee.

A visual presentation was given.

Report Updated as follows:

Page 42 – 2nd para - Policy HC7 – 3rd line : replace 'effect' with 'affect'

Page 43 : Para 2 – line 1: replace '2012' with '2014'

Regarding other extensions in Cecil Road,

No 39 was granted in May 2008 (before SPG on Householder Development was adopted) (2008/0675)

No 40 was granted in 1988 (LV/88/0306/03)

No 41 was granted in 1994 (LV/94/0177/03)

Application approved contrary to officer recommendation. It was considered by the Committee that the proposal would not have an adverse effect on neighbouring occupiers and planning permission was granted subject to the conditions outlined below:

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 external materials used in the development hereby approved shall match those of the existing building.

Reason: In the interests of visual amenity.

(Item 6) Planning Application No.2014/0747 - Demolition of existing cottage and replacement with single-storey, two bed cottage at Beach View Stone's Field, Three Cliffs, Swansea.

2) The undermentioned planning applications **BE REFUSED** for the reasons indicated in the report and/or below:

#(Item 1) Planning Application No.2014/1184 - Retention and completion of front patio at 49 Higher Lane, Langland, Swansea.

Dr Roberts (objector) addressed the Committee.

A visual presentation was given.

Late letter from Mumbles Community Council response – No Objection

One additional late letter of objection received.

Concerns raised:

- I wish to first note that one working day for consultation is inadequate and wish to ask for deferment of this agenda item until the next committee allowing time for consultation and proper governance procedure.
- The appraisal carried out is not consistent, it mentions a reduction in height of 50% of the patio from 1.4 m to 0.7m. the plans show a max height of 0.95 m from an initial height of 1.4 m this is less than a 30% reduction. This is a material error in the evidence provided to the councillors and would result in a boundary fence nearly 3m high which would result in loss of amenity. The plans do not show the relief of the ground and slope involved particularly from

our property. The box hedging has failed once and this likely to recur particularly in view of the exposed conditions.

- These are some very amateurish and rushed observations regarding this retrospective application and even in this amended form the structure results in loss of amenity to our property (see initial letters of objection which still stand).
- In short, please defer for adequate consultation to be recorded .

Report updated as follows:-

Page 11 – 2nd para - Policy HC7 – 3rd line : replace 'effect' with 'affect'

Page 14 – 2nd para – delete entire paragraph and replace with the following paragraph;

“Following a site visit with the agent/applicant/builder, amended plans have been received showing that the finished floor level of the patio area is to be reduced by 0.38m (by introducing steps down from the front extension onto the patio) from the 1.4m previously proposed, to a maximum height of approximately 1m. The steps to the front of the patio are to be constructed in the manner originally proposed, to a height of 0.95m.”

Application refused contrary to officer recommendation for the following reason:

1. The front patio, by reason of its elevated ground level and close proximity to the common boundary with 51 Higher Lane, will give rise to users of the patio overlooking this neighbouring property, resulting in a loss of privacy to the neighbouring occupiers, contrary to Policies EV1 and HC7 of the City and County of Swansea Unitary Development Plan and the Council's Design Guide for Householder Development.

#(Item 3) Planning Application No.2014/1239 - Increase in ridge height/rear roof extension and side dormer to provide accommodation in roof space, rear windows with Juliet balcony at second floor level and attached side garage at Y Lletty Pengry Road, Loughor, Swansea.

Mrs R Smith (applicant) addressed the Committee.

A visual presentation was given.

Report updated as follows:-

Page 24 – 2nd para - Policy HC7 – 3rd line: replace 'effect' with 'affect'

(Item 7) Planning Application No. 2014/1048 - Conversion and extension of barn to provide holiday accommodation (amendment to planning permission 2012/1667 granted 20th March 2013) at Hardingsdown Farm, Llangennith, Swansea.

The meeting ended at 3.43 pm

CHAIR

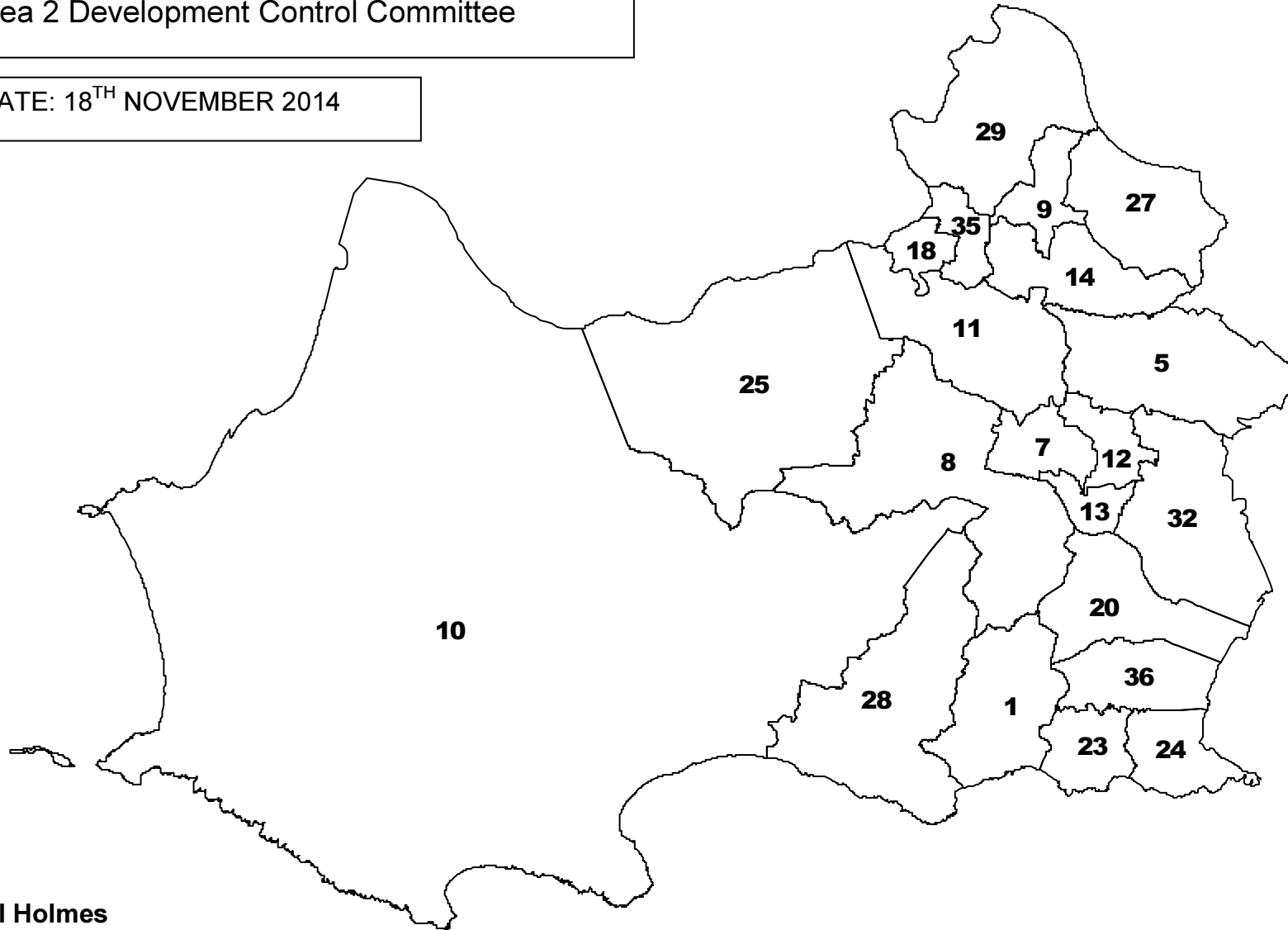
CITY AND COUNTY OF SWANSEA
DINAS A SIR ABERTAWE

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

DATE: 18TH NOVEMBER 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 11



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	2014/1269	57 Southgate Road, Southgate, Swansea, SA3 2DA Retention and completion of detached dwelling, detached garage and front boundary wall	APPROVE

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 18TH NOVEMBER 2014

ITEM 1

APPLICATION NO.

2014/1269

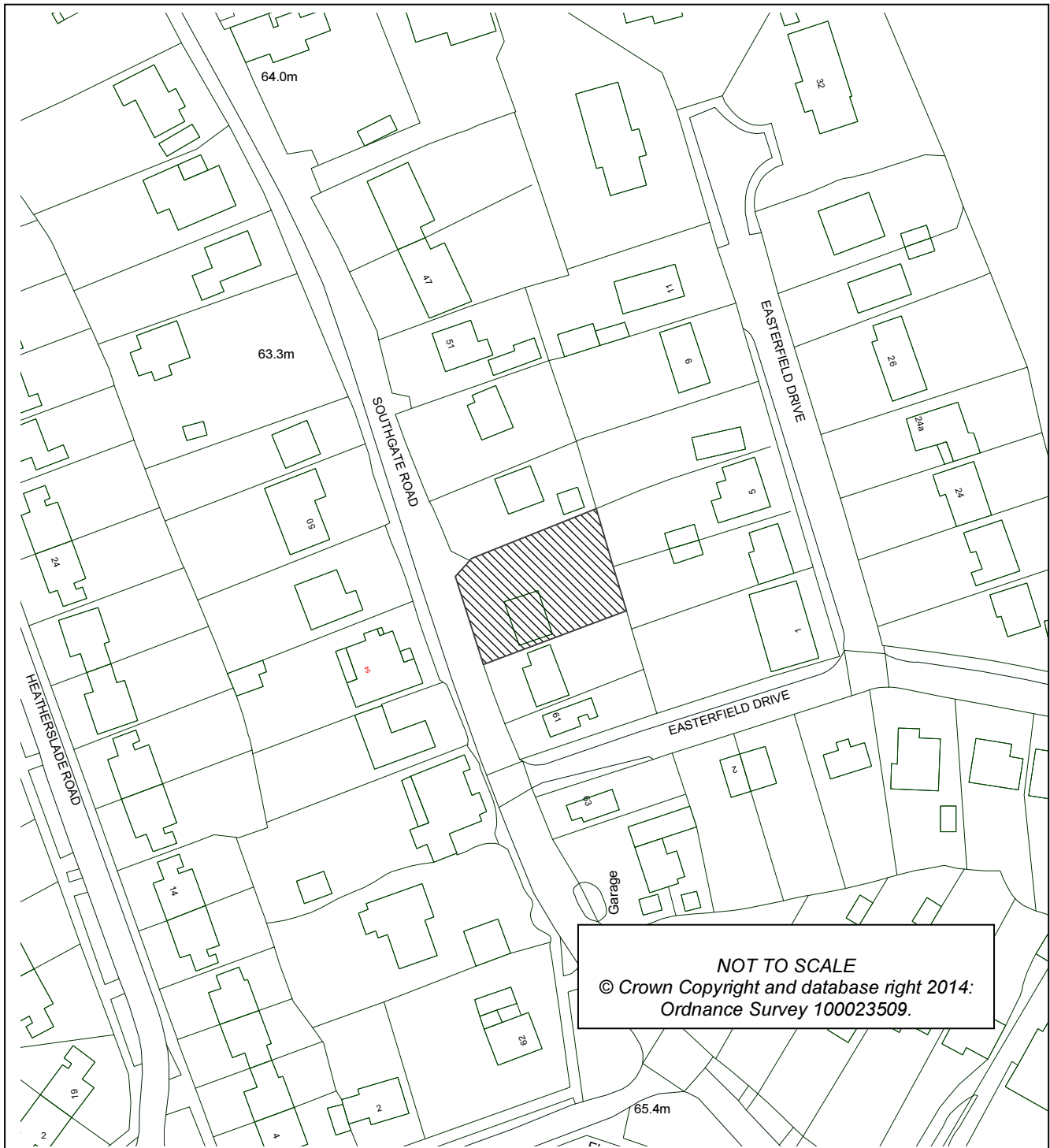
WARD:

Pennard
Area 2

Location: 57 Southgate Road, Southgate, Swansea, SA3 2DA

Proposal: Retention and completion of detached dwelling, detached garage and front boundary wall

Applicant: Mr Chris Rees



AREA 2 DEVELOPMENT CONTROL COMMITTEE – 18TH NOVEMBER 2014

ITEM 1 (CONT'D)

APPLICATION NO.

2014/1269

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
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 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 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
2013/1572	Increase in eaves and ridge height to provide first floor living accommodation, two storey side/front/rear extension and detached garage Decision: Grant Permission Conditional Decision Date: 23/01/2014

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 18TH NOVEMBER 2014

ITEM 1 (CONT'D)	APPLICATION NO.	2014/1269
2006/0517	Demolition of existing bungalow and construction of replacement detached dwelling Decision: Grant Permission Conditional Decision Date: 04/09/2006	
89/0270/03	21M BAY EXTENSION - TO INCREASE FACILITIES Decision: *HGPC - GRANT PERMISSION CONDITIONAL Decision Date: 04/04/1989	
89/1072/03	ERECTION OF CONSERVATORY TO REAR OF LOUNGE (FOR JOINT USE BY REGISTERED DISABLED ELDERLY) Decision: *HGPC - GRANT PERMISSION CONDITIONAL Decision Date: 22/09/1989	

RESPONSE TO CONSULTATION

Three neighbouring properties have been consulted and the proposal was advertised on site. TWO LETTERS OF OBJECTION (both from the occupier of 5 Easterfield Drive) have been received which are summarised as follows:

- 1) If windows were to be inserted above the first floor windows to serve the attic space, this will affect my privacy

Pennard Community Council - objects on the following grounds:

- 1) The front boundary wall is not in keeping with the surroundings and is too high
- 2) The development is out of character with the area
- 3) Greenery has been removed from the site
- 4) The development has commenced
- 5) The garage cannot be accessed by a car

The Council's **Head of Transportation and Engineering comments** - Parking on the drive and in the garage is sufficient together with on site turning facilities. I recommend no highway objections.

APPRAISAL

This application is reported to Committee for determination at the request of Councillor Lynda James, in order to assess whether the scheme is built in accordance with the submitted plans. Cllr James has also requested a Committee site visit.

Full planning permission is sought for the retention and completion of a detached dwelling, detached garage and front boundary wall at 57 Southgate Road, Southgate.

The main issues for consideration with regard to this application relate to the impact of the proposal upon visual and residential amenities in respect of Policies HC2, EV1, EV2, EV3 and AS6 of the City and County of Swansea Unitary Development Plan 2008 and the Supplementary Planning Guidance documents entitled 'Gower Design Guide' and 'Infill and Backland Design Guide'.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 18TH NOVEMBER 2014

ITEM 1 (CONT'D)

APPLICATION NO.

2014/1269

There are in this case considered to be no additional issues arising from the provisions of the Human Rights Act, nor are there any highway safety issues to consider.

A previous planning application (ref: 2013/1572) relating to the original (now demolished) dwelling on the site, was granted planning consent for an increase in the eaves and ridge height of the dwelling (to provide first floor living accommodation), the erection of a two storey side/front/rear extension and detached garage. Following the commencement of these approved works, the property was substantially demolished and works commenced on the new dwelling now under consideration. For this reason, the original consent became void and a new application has been submitted to regularise the situation. At the time of writing this report, works are at an advanced stage, with the majority of the shell of the dwelling complete

The original property was a detached single story dwelling with accommodation in the roof space. The site is located in an established residential area within the Gower AONB. The street scene through this part of Southgate is mixed in character with a range of dwelling types from traditional two storey buildings to bungalows.

It should be noted that the current proposed plans are almost identical to the previously approved plans (subject of the 2013/1572 planning permission) with the exception of some fenestration detailing. It is therefore considered that the proposed dwelling and garage have previously been deemed acceptable by the Local Planning Authority, and their impacts on the visual and residential amenities of the area have been fully assessed and deemed appropriate at this location. The highway safety implications of the scheme are also considered acceptable. As there are no material changes in circumstances since the granting of the previous permission, in terms of the dwelling and garage, the proposed dwelling and garage are considered acceptable in this instance and are therefore not given any detailed further assessment or comment here.

In summary, it is considered that the proposed dwelling and garage do not adversely impinge on the living conditions of neighbouring occupiers to such an extent that warrants the refusal of the application on such grounds subject to the imposition of suitable conditions. Furthermore it is considered that the proposed garage and dwelling are acceptable in visual/design terms and they respect the character and visual amenities of the area generally.

The fenestration changes now proposed are minor in nature. They relate to the substitution of the originally approved full length doors and Juliet balconies featured within the rear elevation of the originally approved scheme with conventional windows, together with some minor amendments to previously approved rooflights. It is worthy to note that all of the rooflights shown in this new scheme are a minimum height of 1.7m above internal floor level in order to avoid overlooking issues arising. These changes are considered to be acceptable in visual/design terms. Furthermore, they are not considered to have an unacceptable impact on the amenities of neighbouring occupiers.

The main change from the original consent is that of the front boundary wall. Previously it was proposed to retain the hedge to the front of the property. However a 1.1m high blue pennant stone wall has been erected spanning the frontage of the site. This matter is discussed below.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 18TH NOVEMBER 2014

ITEM 1 (CONT'D)

APPLICATION NO. 2014/1269

The area contains a wide variety of boundary treatments fronting Southgate Road ranging from traditional stone walls, embankments, timber fences and hedgerows. Immediately adjacent to the application site is a red brick front boundary wall. It is acknowledged that a 1m high front boundary wall could be erected without the need for planning permission, utilising any material. It is also noted that there is no footway along this stretch of Southgate Road and therefore the ground level is slightly lower than opposite the application site.

In light of the above, it is considered that the retention of the wall would not give rise to any adverse impact upon the character and appearance of the wider surrounding area that would warrant a refusal of the application.

With regard to residential amenity and in particular the front boundary wall, due to its restricted height and location it is not considered to result in any adverse impact upon the occupiers of the neighbouring properties by virtue of overbearing or overshadowing.

With regard to the dwelling, as conditioned in the previous consent, all windows on the north facing elevation are to be obscure glazed and should the proposal receive the grant of consent, this should be secured in perpetuity by way of condition.

With regard to highway safety, the Head of Transportation and Engineering raises no highway objection to the proposal.

Turning now to the issues raised in the letters of objection, points 2, 3 and 6 have been addressed above.

With regard to point 4, the removal of the shrubs and hedgerows within the site did not require planning permission.

Point 5 relates to works commencing without permission. The commencement of works without planning permission is regrettable. They are carried out at the applicant's own risk. However, the fact that the works have already commenced should not influence or prejudice the planning process or decision outcome.

Point 1 is largely irrelevant as the submitted plans indicate a rear gable feature with no windows at second floor level. Any windows inserted in this gable would result in the building not being completed in accordance with the approved plans and therefore enforcement action could be taken.

In conclusion and having regard to all material considerations including the Human Rights Act, the proposal is considered to represent a satisfactory form of development which complies with current development plan Policies HC7, EV2, EV3, AS6 and EV1 of the City and County of Swansea Unitary Development Plan 2008, the Supplementary Planning Guidance documents entitled the 'Infill and Backland Design Guide' and 'Gower Design Guide' and has an acceptable impact on the character and visual amenities of the street scene and area in which it is situated and the residential amenity of neighbouring occupiers. Approval is therefore recommended.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 18TH NOVEMBER 2014

ITEM 1 (CONT'D)

APPLICATION NO.

2014/1269

RECOMMENDATION

APPROVE, subject to the following conditions;

- 1 The development hereby permitted shall be completed in accordance with the approved plans.
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.
- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or amending that Order), Classes A and B of Part 1 of Schedule 2 of Article 3 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.
- 3 Foul water and surface water discharges shall be drained separately from the site.
Reason: To protect the integrity of the Public Sewerage System.
- 4 No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.
- 5 Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.
Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.
- 6 The first floor windows in the north facing side elevation, as indicated on Plan No: HG.13.57.02 Rev10 shall be obscure glazed and unopenable below a height of 1.7m from internal floor level, and shall be retained as such at all times unless otherwise agreed in writing with the Local Planning Authority.
Reason: In the interest of residential amenity.

INFORMATIVES

- 1 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 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: Policies EV1, EV2, EV3, EV26, HC2 and AS6 of the City and County of Swansea Unitary Development Plan 2008.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 18TH NOVEMBER 2014

ITEM 1 (CONT'D)

APPLICATION NO.

2014/1269

- 3 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).
- 4 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.

PLANS

HG.13.57.OS-site location plan & block plan, dated 29th August 2014; HG.13.57.02-Rev10 proposed plans & elevations received 22nd October 2014.
