

# CITY AND COUNTY OF SWANSEA

## NOTICE OF MEETING

You are invited to attend a Meeting of the

## PLANNING COMMITTEE

**At:** Committee Room 3A, Guildhall, Swansea

**On:** Tuesday, 11 August 2015

**Time:** 2.00 pm

## AGENDA

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<b>1 Apologies for Absence.</b>	
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<b>3 Minutes.</b> To approve as correct records the following: -	
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3b Minutes of the Planning Committee meeting held on 14 July 2015.	6 - 16
<b>4 Items for Deferral / Withdrawal.</b>	
<b>5 Determination of Planning Applications under the Town and Country Planning Act 1990.</b>	17 - 86
<b>6 Planning Application Ref: 2014/1837 - Construction of a 4MW solar farm comprising c14790 individual panels and associated structures and works - Land at Cockett Valley, Waunarwydd Road, Swansea. SA5 4RQ.</b>	87 - 114
<b>7 Welsh Government - Development Management Procedures Consultation.</b>	115 - 132
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**Patrick Arran**  
**Head of Legal, Democratic Services & Procurement**  
**Tuesday, 4 August 2015**

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**Contact: Democratic Services - 01792 636923**

## 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 SPECIAL PLANNING COMMITTEE

HELD AT COMMITTEE ROOM 2, CIVIC CENTRE, SWANSEA ON MONDAY  
6 JULY 2015 AT 11.00 A.M.

**PRESENT:** Councillor P Lloyd (Chair) presided

<b>Councillor(s):</b>	<b>Councillor(s):</b>	<b>Councillor(s):</b>
A C S Colburn	E T Kirchner	I M Richard
D W Cole	A S Lewis	D W W Thomas
A M Cook	C L Philpott	T M White
M H Jones		

30. **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor P B Smith.

31. **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS**

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interest was declared:

Councillor D W Cole - Minute No. 32 - Items 3 - GO001 - land east of Pontarddulais Road and Item 4 - PY012 - land at Tyrisha Farm, Grovesend - I know both landowners/applicants - personal and prejudicial and left the meeting prior to discussion regarding these applications.

32. **TO CONSIDER LOCAL DEVELOPMENT PLAN ALLOCATIONS**

The Chair explained that the Planning Committee had undertaken a series of site visits. The following candidate sites were submitted for inclusion in the Swansea Local Development Plan.

**RESOLVED** that:

- (1) the undermentioned sites be recommended to Council for approval:

**(Item 2) Site Reference GO008 - land at Parc Melin Mynach and Heol Eifion, Gorseinon**

25 units.

The site was recommended for approval to Council for inclusion within the Local Development Plan Deposit Plan.

**(Item 3) Site Reference GO001 - land east of Pontarddulais Road**

90 units.

The site was recommended for approval to Council for inclusion within the Local Development Plan Deposit Plan.

**(Item 4) Site Reference PY012 - land at Tyrisha Farm, Grovesend**

45 plus units.

The site was recommended for approval to Council for inclusion within the Local Development Plan Deposit Plan.

**(Item 5) Site Reference PT002 - land north of Pontarddulais**

720 plus units.

The site was recommended for approval to Council for inclusion within the Local Development Plan Deposit Plan.

(**NOTE**: Concern was expressed regarding the protection of the local landscape - to be addressed through site masterplanning work.)

**(Item 6) Site Reference LF001 - Walter's Yard, off Swansea Road, Pontlliw**

65 units.

The site was recommended for approval to Council for inclusion within the Local Development Plan Deposit Plan.

**(Item 7) Site Reference LF011 - The Poplars, Pontlliw**

15 units.

The site was recommended for approval to Council for inclusion within the Local Development Plan Deposit Plan.

(**NOTE**: Concern was expressed in relation to safe access to the site and protection of the woodland – matters to be picked up and addressed through the detailed planning application process.)

- (2) the undermentioned sites be deferred for further information:

**(Item 1) Site Reference GO007 - land at Parc Melin Mynach, Gorseinon**

250 units.

The site was deferred for further information regarding financial clawback relating to the site and additional information in relation to the site being a site of importance for nature and conservation (SINC).

- (3) the undermentioned sites be deferred for additional site visit:

**(Item 8) Site Reference NB005 - land off Clasemont Road, Morriston**

600 units.

**(Item 9) Site Reference PG002 - land at Parc Mawr Farm, Penllergaer**

850 plus units.

**(Item 10) Site Reference PG004 - land at Penllergaer Civic Offices**

80 units.

The meeting ended at 11.40 a.m.

**CHAIR**

# Agenda Item 3b

## CITY AND COUNTY OF SWANSEA

### MINUTES OF THE MEETING OF THE PLANNING COMMITTEE

HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, SWANSEA ON  
TUESDAY 14 JULY 2015 AT 2.00 P.M.

**PRESENT:** Councillor P Lloyd (Chair) presided

**Councillor(s):**

A C S Colburn  
D W Cole  
A M Cook

**Councillor(s):**

M H Jones  
E T Kirchner  
I M Richard

**Councillor(s):**

D W W Thomas  
T M White

33. **ELECTION OF VICE-CHAIR FOR THE 2015-2016 MUNICIPAL YEAR**

**RESOLVED** that Councillor A M Cook be elected Vice-Chair for the 2015-2016 Municipal Year.

34. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A S Lewis, C L Philpott and P B Smith.

35. **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS**

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interest was declared:

Councillor A M Cook - Minute No. 38 - Item 2, Planning Application No. 2014/1837 - Cockett Ward Member - personal.

36. **MINUTES**

**RESOLVED** that the following Minutes be approved as correct records:

- (a) Minutes of the Special Planning Committee Meeting held on 1 June 2015.
- (b) Minutes of the Special Planning Committee Meeting held on 4 June 2015.
- (c) Minutes of the Special Planning Committee Meeting held on 8 June 2015.
- (d) Minutes of the Planning Committee Meeting held on 9 June 2015.



Minutes of the Meeting of the Planning Committee (14.07.2015) Cont'd

- (e) Minutes of the Special Planning Committee Meeting held on 11 June 2015.
- (f) Minutes of the Special Planning Committee Meeting held on 30 June 2015.

37. **ITEMS FOR DEFERRAL/WITHDRAWAL**

**RESOLVED** that the following item be deferred/withdrawn:

**(Item 2) Application No. 2014/1837 - Construction of a 4NW solar farm comprising C.14,790 individual panels and associated structures and works at land at Cockett Valley, Waunarwydd Road, Swansea SA5 4RQ**

**Reason**

Recommendation of approval NOT accepted. **APPLICATION DEFERRED** under the two stage voting process to allow for a further report to be presented to the next Committee meeting outlining the reasons for refusal.

- A site visit to the location had been undertaken by Members of the Committee prior to the meeting.

38. **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 the 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 1) Planning Application No. 2015/1097 - retention and completion of front patio and fence at 49 Higher Lane, Langland, Swansea SA3 4NT**

- **APPLICATION APPROVED** in accordance with the recommendation subject to condition 3 being amended to read as follows:

**03.** Prior to the front patio hereby approved being brought into beneficial use, the new section of close-boarded fence illustrated on the drawings hereby approved shall be constructed in strict accordance with these approved details and shall be retained as such at all times thereafter. The fence shall only be stained or painted brown or dark green and no other colour at any time.

- Dr D E Roberts (objector) and Mrs Phillips (applicant) addressed the Committee on this application.
- A visual presentation was provided.
- A site visit to the location had been undertaken by Members of the Committee prior to the meeting.

**(Item 5) Planning Application No. 2015/0952 - replacement dwelling at Bryneglur, Bryn Eglwys, Felindre, Pontarddulais, Swansea SA4 8NS**

- **APPLICATION APPROVED** in accordance with the recommendation.

**(Item 6) Planning Application No. 2015/0570 - urban village mixed use development - variation of condition 9 of Planning Permission 2009/1851 granted 31 March 2010 to vary the proportion of affordable housing to be provided in the development from 100% to reflect the Council's policy (30%) at Urban Village Development, 212-222 High Street, Swansea SA1 1NN**

- **APPLICATION APPROVED** in accordance with the recommendation.

**(Item 7) Planning Application No. 2015/0604 - Castle Lane mixed use development - variation of condition 11 of Planning Permission 2012/1283 granted 24 January 2013 to vary the proportion of affordable housing to be provided in the development from 100% to reflect the Council's policy (30%) at land south of Castle Lane, Swansea SA1 1DW**

- **APPLICATION APPROVED** in accordance with the recommendation.

Minutes of the Meeting of the Planning Committee (14.07.2015) Cont'd

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

(#) **(Item 3) Planning Application No. 2015/0458 - construction of 8 semi-detached houses with associated off road parking (outline) (Council Development Regulation 3) at Pentyla Playing Fields, Cockett, Swansea**

- Mr P Stockton (petitioner) and Councillor N J Davies (Uplands Electoral Ward Member) addressed the Committee on the application.
- A site visit to the location had been undertaken by Members of the Committee prior to the meeting.

The following updates were provided to Members:

- For clarification, the application was reported to the Committee as the Head of Economic Regeneration and Planning considered that in view of the level of objection and as the Council is the applicant, it should be considered by the Committee.
- The site is in the Townhill Ward (omitted from report title).
- For clarification, the petition submitted in relation to the application, whilst titled 'petition of objection' it did not contain any grounds of objection. It only called for the application to be considered by Councillors at the Planning Committee.
- A letter from Geraint Davies MP submitted which forwards a copy of a letter from a constituent who fears that the concerns of residents have been ignored. Mr Davies has asked that the objections be considered and responded to before any decision is made.
- A late letter of objection received from Councillor P N May which was summarised as follows:
  - Report is flawed trying to claim that policy HC23 is now satisfied.

## Minutes of the Meeting of the Planning Committee (14.07.2015) Cont'd

- No mention that the Water Board place a restriction effectively prohibiting the development unless major diversion of services was undertaken. Queries whether the Council would pay for this.
- No mention of the Coal Board only withdrew their objections unless invasive and possibly cost surveys were undertaken. Again queries whether the Council would pay for this.
- No mention that Pentyla Road may have to be widened and again queries whether the Council would pay.
- States that the sell-off does not look as lucrative as the initial survey suggests and may cost the tax payer money.
- Requests Committee listen to his constituents and reject the application.

The following officer comments were provided in relation to the observations:

- The report clearly sets out why officers consider the proposal complies with Policy HC23 and is not therefore flawed. Dwr Cymru/Welsh Water has not objected to the proposals, subject to conditions and infomatives. The conditions and informatives are included in the report. Following a coal mining risk assessment, the Coal Authority withdrew its objection, subject to the imposition of conditions. This is clearly outlined on page 83. The comments of the Highway Authority on page 84 clearly indicate that the site frontage will need to be setback and such details will need to form part of any reserve matters application should planning permission be granted.
- Such requests and conditions are not unusual for developments of this nature and the cost of such works is part of the development costs for the site. Any issues relating to the sale of the land by the Council can be given little weight in the determination of this application.
- Recommendation **NOT** accepted. **APPLICATION REFUSED** for the following reasons:

**01.** The proposal to develop part of the Pentyla Playing Fields for residential development would involve the loss of designated community recreational land and the applicant has failed to sufficiently demonstrate that community facilities can best be retained and enhanced through the development of a small part of the site, or that there is an excess of provision in the area, or that a wider community benefit would arise from the proposal and as such would fail to satisfy the criteria and prejudice the policy intentions of Policy HC23 of the City and County of Swansea Unitary Development Plan 2008.

**02.** The proposal would lead to the use of previously undeveloped land and a loss of an importance hedgerow which would have an adverse impact on local biodiversity and visual amenity contrary to the provisions of Policies EV2 and EV30 of the City and County of Swansea Unitary Development Plan 2008.

**(Item 4) Planning Application No. 2015/0701 - retention and alteration of detached dwelling house and garage on Plot 22, Ladysmith Road, Treboeth, Swansea SA5 9DL**

- Mr K Chapman (objector) and Mr P Baxter (agent) addressed the Committee on the application.
- A site visit to the location had been undertaken by Members of the Committee prior to the meeting.
- Recommendation **NOT** accepted. **APPLICATION REFUSED** for the following reason:

**01.** The proposal by virtue of its size, height and close proximity to numbers 57 and 59, Gelli Aur will have a significant overbearing impact which is to the detriment of the residential amenity of the occupiers of those dwellings and is contrary to Policies EV1 and HC2 of the City and County of Swansea Unitary Development Plan (2008) and the Supplementary Planning Guidance 'Places to Live: Residential Design Guide 2014'.

39. **REFERRAL OF PLANNING APPLICATION REFERENCE: 2013/1745 FROM THE AREA 2 PLANNING COMMITTEE ON 3 JUNE 2014, THE DEVELOPMENT AND MANAGEMENT CONTROL COMMITTEE ON 19 JUNE 2014 AND THE PLANNING COMMITTEE ON 17 FEBRUARY 2015. CILIBION SAWMILLS, CILIBION, GOWER - DETACHED (RURAL ENTERPRISE) DWELLING IN ASSOCIATION WITH SAWMILL (OUTLINED)**

The Head of Economic Regeneration and Planning submitted a report which outlined why the Section 106 Agreement pertaining to application 2013/1745 (previously agreed by the Development Management and Control Committee held on 19 June 2014 following a referral from Area 2 Development Control Committee on 3 June 2014 and subsequent agreement by Planning Committee on 17 February 2015) could not be entered into by the interested parties (due to land ownership issues) It was explained that an amended plan had been submitted as part of the application, which meant that only land within the applicant's/ family member's ownership/control was included within the revised site boundary which was provided at Appendix 3. This amended plan therefore allowed a (revised) Section 106 agreement to be entered into.

Officers also requested that Condition 4 set out in the report be replaced with an amended Condition 4, shown below.

**RESOLVED** that the application be approved as a departure from the provisions of the Development Plan subject to:

(i) The condition listed below:

**01.** 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 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.

**02.** 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 3 years from the date of this permission.

Minutes of the Meeting of the Planning Committee (14.07.2015) Cont'd

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

03. 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 reserved matters to be approved, whichever is the latter.

**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.

The occupancy of the dwelling shall be restricted to:

- (a) a person solely or mainly working, or last working on a rural enterprise in the locality, or a widow, widower or surviving civil partner of such of a person, and to any resident dependants;

or if it can be demonstrated that there are no such eligible occupiers,

- (b) a person or persons who would be eligible for consideration for affordable housing under the Local Authority's Housing Policies or a widow, widower or surviving civil partner of such a person, and to any resident dependants.

**Reason**

Permission is not granted for new development in this area other than that which is genuinely required for rural enterprise or provides affordable housing.

- (ii) The applicant entering into a Section 106 Planning Obligation to tie the dwelling to the sawmill enterprise.

40. **PROPOSED REVOCATION OF 3 NO. TREE PRESERVATION ORDERS**

The Head of Economic Regeneration and Planning submitted a report which sought consideration of the revocation of Tree Preservation Orders as follows:

- Tree Preservation Order TPO 79 - Oystermouth Promenade, Swansea.
- Tree Preservation Order TPO 67 - Cilibion Farm, Gower.
- Tree Preservation Order TPO 53 - 49 Wentworth Crescent, Mayals.

**RESOLVED** that Tree Preservation Orders 79, 67 and 53 be revoked.

41. **TO CONSIDER LOCAL DEVELOPMENT PLAN ALLOCATIONS**

The Chair explained that the Planning Committee had undertaken a further series of site visits. The candidate sites were submitted for inclusion in the Swansea Local Development Plan.

**RESOLVED** that:

- (1) the undermentioned sites be recommended to Council for approval:

**(Item 1) Site Reference PG004 - land at Penllergaer Civic Offices**

80 units.

The site was recommended for approval to Council for inclusion within the Local Development Plan Deposit Plan.

**(Item 2) Site Reference PG002 - land at Parc Mawr Farm, Penllergaer**

750 plus units.

The site was recommended for approval to Council for inclusion within the Local Development Plan Deposit Plan.

**(NOTE:** The Committee expressed concern in relation to the outstanding Strategic Transport and Development Study)



**(Item 3) Site Reference NB005 - land off Clasemont Road, Morriston**

600 units.

The site was recommended for approval to Council for inclusion within the Local Development Plan Deposit Plan.

**(Item 5) Site Reference MR015 - land at rear of Glyncollen Primary School, Morriston**

35 units.

The site was recommended for approval to Council for inclusion within the Local Development Plan Deposit Plan.

- (2) the undermentioned sites be deferred for further information:

**(Item 4) Site Reference GO007 - land at Parc Melin Mynach, Gorseinon**

150 units.

(NOTE: - Ecological study required)

- (3) the undermentioned sites be refused and not included within the Local Development Plan Deposit Plan:

**(Item 6) Site Reference BM012 - land north of Cefn Hengoed School**

80 units.

The settlement boundary be redrawn to follow Cefn Hengoed Road along the site frontage

42. **EXCLUSION OF THE PUBLIC**

The Committee was requested to exclude the public from the meeting during consideration of the item(s) of business identified in its recommendation(s) to the report on the grounds that it/they involve(s) the disclosure of exempt information as set out in the exclusion paragraph of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, relevant to the item(s) of business set out in the report.

Minutes of the Meeting of the Planning Committee (14.07.2015) Cont'd

The Committee considered the Public Interest Test in deciding whether to exclude the public from the meeting for the items of business where the Public Interest Test was relevant as set out in the report.

**RESOLVED** that the public be excluded for the following item of business.

**(CLOSED SESSION)**

43. **ENFORCEMENT REPORT**

The Head of Economic Regeneration and Planning presented the Committee with an Enforcement Report.

**RESOLVED** that the enforcement action outlined in the report be authorised.

The meeting ended at 4.30 p.m.

**CHAIR**

CITY AND COUNTY OF SWANSEA  
DINAS A SIR ABERTAWE

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

DATE: 11<sup>TH</sup> AUGUST 2015

<b>Bay Area</b> Team Leader: Richard Jones - 635735	<b>Area 1</b> Team Leader: Ian Davies - 635714	<b>Area 2</b> Team Leader: Chris Healey - 637424
Castle Landore Mayals Oystermouth St Thomas Sketty Uplands West Cross	Bonymaen Clydach Cockett Cwmbwrla Gorseinon Llanyfelach Llansamlet Mawr Morriston Mynyddbach Penderry Penllergaer Penyrheol Pontarddulais Townhill	Bishopston Dunvant Fairwood Gower Gowerton Killay North Killay South Kingsbridge Lower Loughor Newton Penclawdd Pennard Upper Loughor

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



## 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 77 and 78 of the Constitution) will need to be reported to Council and this report will include any appropriate conditions/obligations.

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

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

## CONTENTS

ITEM	APP. NO.	SITE LOCATION	OFFICER REC.
1	2015/0070	<p>Lidl UK Gmbh Trallwn Road Llansamlet Swansea SA7 9WL</p> <p><b>Demolition of existing food store (1082sqm gross internal floorspace) and construction of a new food store (2130sqm gross internal floorspace) with associated access, parking and servicing arrangements</b></p>	APPROVE
2	2015/0036	<p>229-233 High Street and 49 - 51 The Strand, Swansea</p> <p><b>Mixed use development comprising of demolition of existing properties at 229/230 High Street and construction of 4 storey block to High Street incorporating 3 no. ground floor retail units (A1) (with the option to include 1 no. Class A3 unit), and 27 residential units on upper floors (incorporating the reconstruction of the Bush Hotel), 7 storey block to The Strand elevation comprising basement car parking / plant / refuse store and 30 residential units on the upper floors, with landscaped courtyard, infrastructure and associated works.</b></p>	APPROVE
3	2015/0073	<p>229 - 233 High Street and 49 - 51 The Strand Swansea</p> <p><b>Demolition of the former Bush Hotel in conjunction with the proposed Urban Quarter mixed use development (incorporating the reconstruction of the building's facade) (Application for Listed Building Consent).</b></p>	APPROVE
4	2015/1293	<p>Land at New Cut/Morfa Road Swansea SA1 2EN</p> <p><b>Revised layout to phase 2 Student Accommodation (340 bedrooms) including 'handing' Block D and incorporating re-arrangement of management suite / plant room and external layout of courtyard comprising landscaping, circulation and site access, car parking and cycle provision, refuse stores and sub-station (reserved matters approval pursuant to the outline planning permission 2007/2829 granted on 19th December 2008)</b></p>	APPROVE

PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015

ITEM 1

APPLICATION NO.

2015/0070

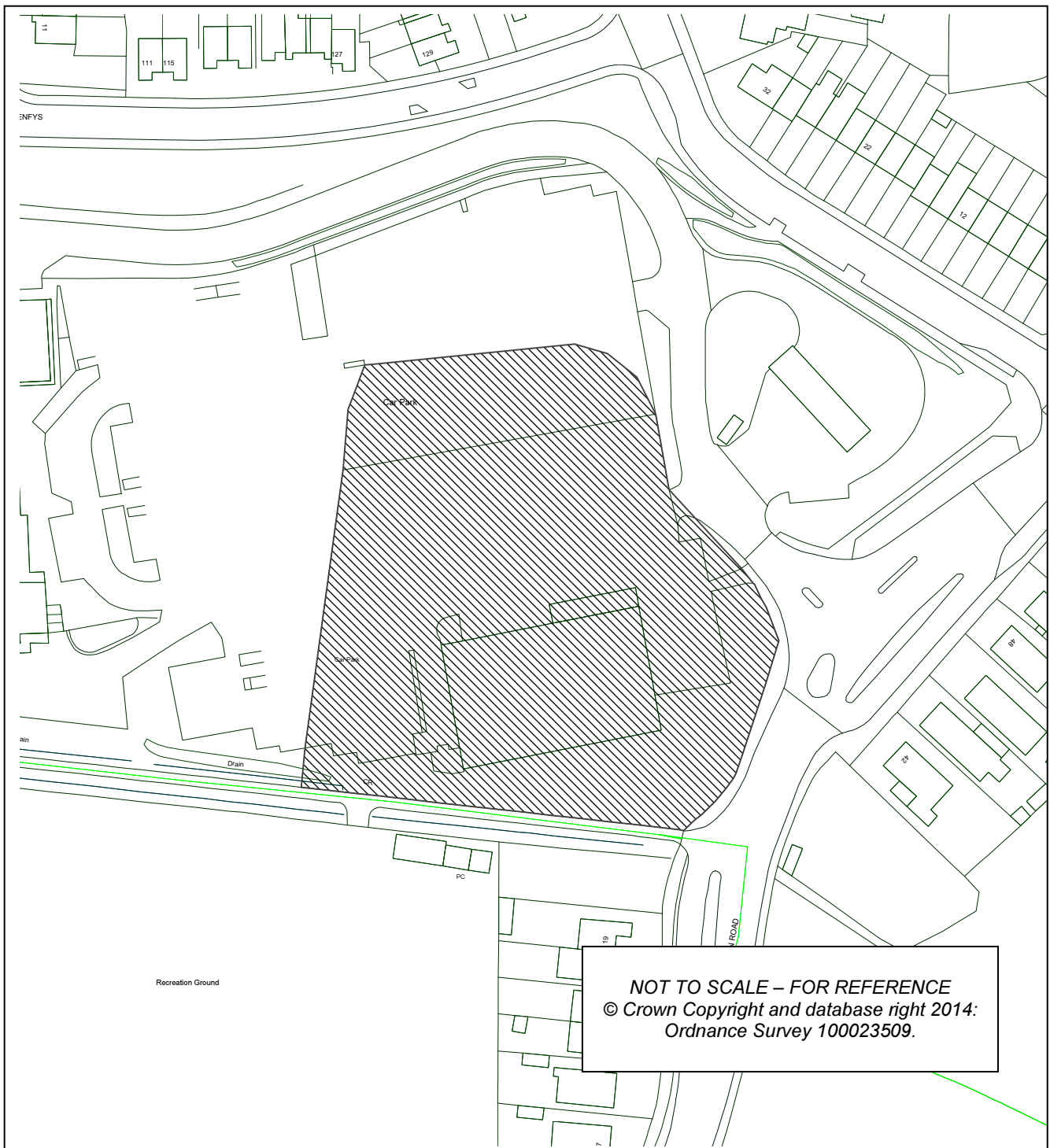
WARD:

Llansamlet

**Location:** Lidl UK Gmbh Trallwn Road Llansamlet Swansea SA7 9WL

**Proposal:** Demolition of existing food store (1082sqm gross internal floorspace) and construction of a new food store (2130sqm gross internal floorspace) with associated access, parking and servicing arrangements

**Applicant:** Dr Wendy Hurst



## PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015

ITEM 1 (CONT'D)

APPLICATION NO.

2015/0070

### BACKGROUND INFORMATION

#### **POLICIES**

<b>Policy</b>	<b>Policy Description</b>
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 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 EC4	All new retail development will be assessed against need and other specific criteria. (City & County of Swansea Unitary Development Plan 2008)
Policy EC9	Retail development at out of centre locations will be restricted. (City & County of Swansea Unitary Development Plan 2008)
Policy EV40	Development proposals will not be permitted that would cause or result in significant harm to health, local amenity, natural heritage, the historic environment or landscape character because of significant levels of air, noise or light pollution. (City & County of Swansea Unitary Development Plan 2008)

#### **SITE HISTORY**

<b>App No.</b>	<b>Proposal</b>
99/0173	ERECTION OF COVERED BICYCLE STORE Decision: *HGPC - GRANT PERMISSION CONDITIONAL Decision Date: 15/03/1999

## PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015

ITEM 1 (CONT'D)	APPLICATION NO.	2015/0070
2012/0158	One non-illuminated, free-standing, double-sided advertisement hoarding Decision: Grant Advertisement Consent (C) Decision Date: 20/03/2012	
2006/2729	Installation of 2.8m palisade fencing Decision: Refuse Decision Date: 14/04/2009	
2010/1751	One non illuminated wall mounted sign Decision: Refuse Advertisement Consent Decision Date: 19/01/2011	
2008/2410	Installation of a 12m high streetworks monopole with 3 antennas (overall height 13.4m) and associated equipment cabinet (application for the Prior Approval of the Local Planning Authority) Decision: Prior Approval is Refused Decision Date: 11/02/2009	
98/0973	ERECTION OF A SINGLE STOREY RETAIL STORE WITH CAR PARKING AND SERVICING Decision: *HGPC - GRANT PERMISSION CONDITIONAL Decision Date: 28/09/1998	
99/0517	FORMATION OF 2 NO. EXTERNAL GARDEN PRODUCT DISPLAY AREAS AND ERECTION OF TWO STOREY HIGH REAR EXTENSION FOR THE DISPLAY AND SALE OF GARDEN PRODUCTS Decision: *HGPC - GRANT PERMISSION CONDITIONAL Decision Date: 18/06/1999	
99/6060	ERECTION OF 3NO EXTERNALLY ILLUMINATED AND 1no INTERNALLY ILLUMINATED SIGNS ON FRONT AND SIDE ELEVATIONS AND 1no NON ILLUMINATED SIGN ON FRONT ELEVATION Decision: *HGCC - GRANT CONSENT WITH CONDITIONS Decision Date: 30/07/1999	
2011/1380	Construction of new south and east elevations, new roof to whole of building, landscaping works and car parking Decision: Grant Permission Conditional Decision Date: 13/01/2012	

### RESPONSE TO CONSULTATIONS

The application was advertised by site notice and press notice. ONE LETTER OF OBJECTION has been received, which may be summarised as follows:



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1. Concerns the development would result in the loss of the trees at the site. These trees are valued for their amenity and are vital for birds and wildlife. Lidl need to address and retain this mini woodland.
2. Concerns regarding litter generated by the store.
3. Concerns regarding the Japanese knotweed on the site and its potential to spread.

Other consultation responses:

### Highways Observations

#### 1. Introduction

A planning application has been submitted for the above proposed new store. The site is currently occupied by an existing Lidl with associated car parking and landscaping.

At the request of CCS Highways a Transport Statement (TS) has been submitted in support of the application to quantify the increase in movements expected as a result of the extended store. The TS has used survey data taken in the field and thus has provided a site specific analysis of this store. The document is mainly concerned with the impact in the peak hours 08.00-09.00 and 17.00-18.00 although for retail developments the flows are greatest during the Saturday morning/lunchtime

The redevelopment of the site will see the store orientation shifted and to update/improve the warehousing and operational functions within the site.

Access will remain as existing directly off Trallwn Road

#### 2. Site location

The site is located to the south east of Llansamlet. The overall site covers 6782 square metres and includes an existing foodstore with a gross internal area of 10823 square metres of which 871 is sales area.

To the north and west of the site is the Range retail unit and associated car park, to the east by Trallwn Road and to the south by residential properties and playing fields.

Vehicular access to the site is gained off a priority junction which links to Trallwn Road. Established pedestrian and cycle access is also available to the site.

The site is well served by public transport with regular services running along Trallwn Road.

The existing vehicular access is being retained so there are no highway safety issues arising by virtue of a new access being created.

The latest personal injury statistics show that there has been one reported accident in the last five year, as such it not considered that there is any specific highway safety issue at this site.

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Part of the application site is shown to be on highway maintainable at public expense (adopted). This may necessitate 'Stopping up' under the town and country planning act section 247. This is administered by Welsh Government, the Highway Authority is a Consultee. A condition can be sought to address this aspect.

### 3. Trip generation.

Trips to the existing store have been derived from on-site surveys undertaken in March 2015 between 08.00 and 20.00 on a Friday and a Saturday. The Friday movements showed peaks coinciding with the afternoon peak (approx. 204 movements) and the Saturday movements showed peak trips at approximately 12.00 (229 movements) and again at 16.00 (215 movements).

For the proposed store the GFA will increase to 2057 square metres with an increase in floor area of the sales part from 871 to 1286 square metres.

### 4. Car parking

Currently there are 99 car parking spaces. The surveys showed that on the Saturday in question the maximum car park usage was 57% between 13.00 and 14.00, thus there is spare capacity currently at the site.

The proposals include parking for 131 cars which includes 5 for use by a disabled person, and 4 for parent and child. As you would expect they are situated closest to the store access. This equates to one space per 15 square metres which is in line with our parking standards (SPG).

The car park has been detailed with incorrect parking spaces sizes but this can be secured by condition with minimal impact on the layout/level of provision.

### 5. Cycle and pedestrian access

The site is located in a sustainable position and pedestrian access to the site is good. Long term and short term cycle parking is referenced within the supporting documents although it is not shown on the layout. This should help promote non car travel to the site for both staff and shoppers. A suitable condition can be added to ensure that these are provided.

### 6. Servicing

An Autotrack run has been submitted showing that delivery vehicles can enter, turn within the site and exist in a forward gear. Given that the access is existing and there appears to be adequate space for turning I do not consider that this will give rise to any highway safety issues.

### 7. Impact

The main bulk of the proposed extension will be for backroom activities, storage etc. The Design and Access Statement makes reference to the fact that there will be no now lines stocked therefore the increase in traffic movements is expected to be negligible.

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Notwithstanding this assumption in order to provide a robust case for the impact of the development I have considered the scheme to have an impact of between 10-15% additional vehicles and I have outlined the details in the following text.

Traffic on Trallwn Road is currently approaching 7000 movements over a 12 hr survey period with 1250 movements in the morning peak and 1500 in the afternoon peak (CCS tube survey December 2014 ). The mean speed reported was 26mph.

From dealing with similar retail expansions for Tesco's and Sainsbury's it has been demonstrated that a percentage expansion of floor space does not generate an equivalent percentage increase in trips. Thus an approximate increase in floor space of 50% will not result in an extra 50% of trips. From experience an increase of approximately 10-15% may be generated. This would equate to an additional 20-30 vehicles in the Friday peak p.m. hour. Given the existing flows leaving/arriving at Lidl of 204 vehicles over the hour then this equivalent to an extra one vehicle every 2-3 minutes. This is not considered that this is a significant impact given that the baseline flows are 1500 vehicles on Trallwn Road (which includes the existing flows generated by the current Lidl) so the nett increase is only 2% (based on the predicted additional trips).

Given that the existing store operates without issue I do not consider that this minor increase in movements will have any detrimental impact on highway safety nor congestion in the area.

### 8. Recommendations

I recommend that no highway objections are raised to the proposal subject to:

1. The front boundary wall at the access being kept below 1m in the interests of visibility.
2. A revised parking layout being submitted showing parking spaces at 2.6m width by 4.8m length and not as shown the submitted site layout plan.
3. A scheme for cycle parking to be submitted for approval to the LPA, to be implemented prior to beneficial use of the store commencing.
4. The applicant be required to submit a Travel Plan for approval within 12 months of consent and that the Travel Plan be implemented prior to the beneficial use of the building commencing.
5. No work on the highway is to be carried out until stopping up of any part of the highway has been carried out via Section 247 of the Town and Country Planning Act.

### Natural Resources Wales 14.04.15

We object to the above application until further surveys are carried out to fully assess the potential for the proposals to impact on bats potentially roosting in the trees at the site.

### Natural Resources Wales 22.07.15

We welcome the submission of the document entitled; '*Trallwyn Road: Bat Survey Report*', dated 26 June 2015, by BSG Ecology.

We note from the report that a dawn survey was carried out on the 18 June 2015 and that no bats used the tree. The survey also states it is very unlikely that the tree would support a bat roost and that it has been downgraded to a Category 2 tree – with no further survey works required or recommended.

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We support the recommendations made in Section 6 of the document entitled; *'Lidl, Trallwn Road, Swansea: Ecological Survey Report'*, by BSG Ecology, in relation to: sensitive lighting design and the proposals for general enhancement.

We noted that it was proposed to discharge surface water to the mains sewer. Whilst we acknowledge that this may be the existing scenario, we would advise that should there be any opportunity to divert the surface water from the main sewer to, for example soakaway (if ground conditions are acceptable), then it should be taken in accordance with Section 8 of TAN15.

We would also advise that Dwr Cymru/Welsh Water (DCWW) should be consulted with regards to the potential increase in impermeable area and therefore any increase in surface water flows into the mains sewer.

Given the nature of the proposals and the presence of a ditch close to the southern boundary of the site, we would recommend appropriate pollution prevention measures are in place during demolition and construction. As best practice, we would advise the developer to produce a site specific construction management / pollution prevention plan, to be agreed with your Authority.

Information provided in the document entitled *'Lidl, Trallwn Road, Swansea: Ecological Survey Report'*, by BSG Ecology; states that Japanese knotweed is present on the site. If this invasive plant species is present, then appropriate measures must be implemented for its removal or long-term management. Japanese knotweed is classed as a controlled waste under the Environmental Protection Act 1990 and as such must be disposed of in a suitable manner.

Furthermore, 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.

We would not object to the above application, providing appropriately worded conditions are attached to any planning permission your Authority is minded to grant.

### Drainage and Coastal Management 26.03.15

We have reviewed the submitted application and note that the new, larger store will utilise the existing SW connections to the DCWW sewers in the area, given the increase in impermeable area and consequential increase in discharged rates we strongly recommend that DCWW are consulted.

### Planning Ecologist Comments 27.03.15

The site at Lidl Llansamlet (2015/0070) appears from the ecological survey to be of low ecological value. It seems unlikely from the building inspection that the site is unlikely to contain bat roosts although one tree was noted as having features suitable for bats, this should be checked by a suitable qualified ecologist if it to be felled. The only habitat of any value is the small area of woodland behind the present building, this should be retained. If this area of woodland is to be reduced in size the continuity of the hedge should be maintained. Any loss of habitat should be compensated for by suitable areas of landscape planting. As a precaution please include the informatives below.

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### Planning Ecologist Comments 15.07.15

No bats were recorded using the tree at the time of the survey, I don't think any further work is required. Bats that use trees will move roosts frequently so as a precaution please could we add a bat informative.

### Swansea Access for Everyone (SAFE) 10.04.15

In a car park of 132 spaces only 5 are allocated for Blue Badge/disabled use. The Council's parking guidelines require 6% of the total spaces to be for Blue Badge/disabled use. This would mean an allocation of 8 spaces, an increase of more than 50%.

We request that the Blue Badge/disabled parking spaces be increased to 8 before planning permission is granted.

### Pollution Control Comments 13.04.15

I have looked at the noise assessment and I don't believe there should be any issues caused by plant or deliveries so I don't feel any conditions are necessary. If at a later date we receive any complaints from residents we will investigate and use statutory nuisance legislation if necessary.

### Dwr Cymru Welsh Water (DCWW) 15.04.15

No objection to the proposal subject to standard conditions and advisory notes.

The proposed development is crossed by a trunk/distribution watermain. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times.

### South Wales Police 23.04.15

Detailed comments provided in relation to designing out crime.

### Landscape Officer 6.07.15

My overarching comment is that there is little space allowed for screening or softening the impact of the building or mitigating the loss of trees to be removed to build the development, mainly due to the very narrow, often tapering to nothing spaces allowed for planting between the car parking bays or other structures (including the building) and the boundaries. I am also concerned that the shrub planting has been designed to be as low as possible and to maximise views of both the car parking areas and the building.

Most of the smaller planting areas are unfeasible for planting and consideration should be given to designing the car parking layout to allow for a cohesive planting design as oppose to filling up the spaces that are left after maximising the potential car parking numbers. Small and in particular narrow planting areas don't work as they are trampled or bake adjacent to hard landscaped areas / underground concrete haunching etc. even if they are protected by suitable barriers.

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Any tree planting within 1m of hard landscape will need to be pit planted with tree pits being detailed to provide suitable water holding capacity and root anchorage.

I would contend that any trees planted as part of a new landscape scheme or that can be retained from the existing planting be protected by TPO as soon as they are planted.

Environment Officer 9.04.15

A planning condition must be placed upon this application.

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.

### **APPRAISAL**

This application seeks full planning permission for the demolition of the existing Lidl store (1082m<sup>2</sup>) on Trallwn Road and the construction of a new 2130m<sup>2</sup> food store (class A1) with parking, landscaping and associated works.

According to the application details the proposal has been submitted to provide a new store at the site as the current 'first generation' store no longer meets the preferred operational model for the operator, Lidl UK GmbH. The proposed food store will provide a new sales area of 1,286m<sup>2</sup> (existing 860m<sup>2</sup>), improved staff facilities and customer toilets.

The application site forms part of a wider commercial site which includes The Range, a car wash and car sales business. The existing store and car park are located in the south eastern corner of this wider site and are bounded to the north and west by car parking areas, to the south by playing fields and housing, and to the east by Trallwn Road. The southern and eastern boundaries are defined by mature landscaping. A public right of way also runs adjacent to the southern boundary which provides access from Trallwn Road to the adjacent playing fields.

In view of the scale of the development it, in accordance with paragraph 4 of Part II of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, the Local Planning Authority must screen every application for Schedule 2 Development, in order to determine whether or not an Environmental Impact Assessment (EIA) is required. The application has been screened and it has been determined that the proposed development would not result in any significant environmental impacts to the extent that an Environmental Impact Assessment would be required to accompany the planning application.

### **MAIN ISSUES**

The main issues for consideration with this application are the principle of a larger retail store in this location having regard to National Planning Policy and the Development Plan; the retail need and impact of the proposal on established stores and nearby shopping centres, including sequential considerations; the transport impact of the proposal in terms of traffic generation, public transport accessibility, accessibility for pedestrians and cyclists and car parking; the impact of the proposal on the residential amenities of neighbouring occupiers; the impact of the development on the character and appearance of the area; and any environmental implications arising from the development of the site.

### **The Principle of Development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan is the City and County of Swansea Unitary Development Plan (UDP) (2008).

The following UDP policies are relevant to the consideration of this proposal: AS2 (Design and Layout), AS6 (Parking), EV1 (Design), EV2 (Siting and Location), EV3 (Accessibility), EV30 (Tree, Woodland and Hedgerow Protection), EV40 (Air, Noise and Light Pollution), EC4 (New Retail Development) and EC9 (Out-of-Centre Retailing).

In addition Planning Policy Wales provides up to date national policy guidance together with TAN 4 'Retailing in Town Centres' and TAN 23 'Economic Development'.

The application site lies in an out-of-centre location and is not allocated for any specific use within the adopted UDP.

The retail policies of the UDP are generally aimed at supporting the maintenance and enhancement of the established shopping structure. They aim to prevent the dispersal of major retail investment to locations outside established shopping centres where such development would serve to undermine the appeal and ultimately the success of nearby centres. The plan is fully consistent with national planning policy guidance in this regard. Strategic Policy SP6 emphasises that out of centre retailing will not generally be supported in the interests of the above stated aims. This is amplified by Policy EC9 which states that retail development at out of centre sites will be resisted except for certain exceptional forms, for example, small scale shopping facilities required to meet local needs (Policy EC6 refers). Small scale is defined as a maximum 1000 sqm, which is exceeded by the scheme proposed. Aside from the exceptions stipulated, Policy EC9 does also acknowledge that an out-of-centre retail scheme in excess of local needs provision may be considered appropriate if a clear deficiency in shopping provision exists and there are no sequentially preferable sites available. The key criteria against which all significant retail proposals are considered are set out in Policy EC4. As well as the standard tests of need and sequential suitability, the policy emphasises that schemes must not adversely impact on the vitality and viability of established centres; must be compatible with the function, scale and character of the centre near to which it is located; and be sited in a highly accessible location.

National planning policy guidance on retail policy is set out in PPW, Chapter 10. The guidance makes clear that town, district and local centres are the most appropriate locations for retailing, in the interests of sustaining communities, enhancing accessibility and safeguarding the vitality and viability of established shopping centres. The critical factors for determining a planning application for a retail scheme best located in a town centre are identified as: the need for the development; the sequential approach to site selection; the impact on existing centres; accessibility and transport implications; and compatibility with any community strategy or up to date development plan strategy. In terms of the sequential test, developers are required to demonstrate that all potential town centre locations have been thoroughly assessed before edge of centre sites are considered, requiring a flexibility of approach from both the developer and planning authority.

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The guidance makes clear that the retailer must be innovative about the format, design and scale of the proposed store, which should be tailored to fit local circumstances. In establishing the need for the development, the retailer is required to demonstrate quantitative need, in precedence of any qualitative need. Fundamentally, the guidance makes clear that the scale, type and location of out-of-centre retail developments should not be such as to be likely to undermine the vitality, attractiveness and viability of those town centres that would otherwise serve the community well.

PPW and TAN 23 also explain, for planning purposes, that Welsh Government defines economic development as development of land and buildings for activities that generate wealth, jobs and incomes. Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services. The construction and energy sectors are also important to the economy and are sensitive to planning policies. In addition PPW states that Local Planning Authorities should adopt a positive and constructive approach to applications for economic development. In determining applications for economic land uses authorities should take account of the likely economic benefits of the development based on robust evidence. In assessing these benefits, key factors include:

- the numbers and types of jobs expected to be created or retained on the site;
- whether and how far the development will help redress economic disadvantage or support regeneration priorities, for example by enhancing employment opportunities or upgrading the environment;
- a consideration of the contribution to wider spatial strategies, for example for the growth or regeneration of certain areas.

### Key Issues

Preventing retail development that is likely to have an unacceptable adverse impact on established shopping centres is a key objective of planning policy at both local and national level. Maintaining the health of the City Centre and all district and local shopping centres within Swansea is important to sustain communities, support other essential services, and provide combined shopping facilities. The application site does not lie within any established shopping centre and the abovementioned UDP policies make clear that significant new retail proposals in such locations will only be supported if it can be demonstrated that:

- a) there is an identified need (quantitative/qualitative) for the size of store proposed;
- b) no suitable sequentially preferable sites exist
- c) there would be no detrimental impact on established centres and stores; and
- d) it is a highly accessible site and can realistically be reached by a choice of means of transport

It is the extent to which the application sufficiently addresses matters a - d above together with due regard to the economic benefits that are most critical to the consideration of the principle of the proposal. These key elements are appraised under the headings below:

### Need for the store

The application is supported by a Retail Statement (RS), which assesses qualitative need in terms of the operational needs of the operator and quantitative need based on retail capacity within the catchment area of the store.



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In terms of quantitative need taking into account the approved scheme for the new Aldi store on Samlet Road (Planning Ref: 2014/0275) and the proposed replacement store at Trallwn Road, the RS finds there is a residual retail capacity of £7.03m at 2019. This information suggests that there is sufficient surplus expenditure within the local area to accommodate the proposal. On the basis of the information provided within the RS, it is considered that a quantitative need has been established.

In terms of qualitative need reference is made to the existing store being a 'first generation' store which, according to the RS, no longer meets the preferred operational model for the operator. In particular it is claimed that the standard product range cannot be stocked in sufficient depth and stock handling cannot be carried out efficiently, particularly at peak times when the store is busy.

The RS emphasises, however, that there will not be a material increase in the range of products that are displayed for sale. Instead, the new store will allow more facings of the same product to be stocked. In addition, the RS considers the increase in trading floorspace will be small at 332m<sup>2</sup> net convenience and 83m<sup>2</sup> net comparison.

The submission of this planning application demonstrates a desire by the applicant to continue to operate at this established location. The business model for the operator has evolved from when this store was first constructed and the growing popularity and success of deep discount stores is well reported in the media. Against this context, and in light of the information submitted, it is considered that the applicant has demonstrated a justifiable case for the need to increase the retail floor space at this location, as described.

### Impact

In relation to the impact on local stores and centres, the applicant's assessment includes convenience goods impacts and the impact on existing centres and stores.

This takes the form of a 'high level' assessment of potential trade diversion and resulting impacts with the trading of the replacement store. This draws upon the findings of the retail assessment submitted in support of the planning application for the new Aldi store at Llansamlet approved under Planning Ref: 2014/0275. The impact of the additional comparison goods turnover has not been assessed, this was considered to be negligible and outweighed by expenditure growth in the period up to and beyond 2019. In view of the limited increase in the floor space for comparison goods (83m<sup>2</sup>) and that the non-food range varies from week to week it is accepted that no further assessment of the impact from comparison goods is required.

The RS expects the majority of the proposed turnover would come from large out of centre stores in the catchment area particular the Tesco Extra store at Nantylffin Road and the Asda at Upper Forest Way.

The RS expects a negligible level of impact (0.1%) on the convenience goods turnover of Morryston which is the nearest centre with a tangible convenience store offer. When the combined trading effects of the replacement Lidl and proposed Aldi stores are considered, the impact on Morryston District Centre is estimated at 1.6%. The RS considers this is a small level of impact can be sustained and offset by expenditure growth post 2019. The RS identified no perceptible impact on Trallwn Road Local Centre has been identified given its limited retail offer and minimal influence over shopping patterns in the catchment area.

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It is acknowledged there will be some trade diversion from these centres to the proposed store although, in the context of existing retail provision in the surrounding area, it is not considered that there would be an unacceptable impact upon the health of these centres.

Therefore, whilst there would be an adverse impact upon nearby district and local centres, it is considered the scale of impact would not lead to an unacceptable impact upon the health of these centres thus warranting a specific reason for refusal in relation to impact. On this basis, it is considered that with the provision of suitable conditions to restrict the occupation of the development to deep discount foodstore operators and to restrict the net sales area and range of goods to be sold, it is considered the proposed development would not have a significant impact on existing shopping centres.

### The Sequential Test

The consideration of alternative sites assessed by the applicant was limited to those within local centres in proximity to the site and the closest district centres of Morriston and Clydach. It is accepted, particularly when considering that this application is for a replacement store, that there are no alternative sites that would provide any satisfactory sequentially preferable locations for the development.

### Economic Benefits

The RS confirms that the new store would result in two additional jobs. In line with the advice in PPW the potential economic benefits arising from the development is a material planning consideration, however, given the small increase in employment as a result of the proposed store only limited weight in favour of the proposal may be afforded in terms of its economic benefits.

### Conclusions on the principle of the development

UDP Policy EC9 allows for new out of centre retailing in excess of local needs where it would meet a deficiency. The applicant's retail statement has demonstrated a quantitative need, and there is a justifiable need for the operator to increase the size of the premises to fit with their business model, which has evolved since the construction of the existing 'first generation' store. It is acknowledged that the proposal would have an adverse impact on surrounding centres, however, this would not be so significant as to recommend the proposal be refused for this reason. The application has demonstrated there are no sequentially preferable locations for the development and having regard to the limited positive economic benefits arising from the proposal, it is considered the principle of an increase in the size of the discount store at this location is considered to be satisfactory having regard to national and local planning policies.

### **Design and Visual Impact**

In order to try to address officer concerns regarding the visual impact of the development the building has been re-sited some 2m to the north, which will allow more space for planting along the southern boundary.

The existing store is single story in height with a duo-pitched gable roof form. The external material are mainly profile cladding with rendered panels. The building has the following dimensions: width- 42m, depth-31m, height to ridge-7m. It is sited centrally within the site and is splayed away from the southern boundary.

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Between the store and this boundary is a mature landscaping screen comprising a mature hedge and trees which effectively screen the development from views when approaching the site from the south along Trallwn Road. This landscaped setting also frames and softens the development when approaching the site from the north.

The proposed building has a rectangular footprint with a monopitched roof form that rises to the north. The external materials proposed are profile metal sheeting to the roof, a cladding system to the upper parts of the structure with large areas of glazing within the side elevation facing Trallwn Road. The remainder of the building is generally faced in plasterwork infill panels. The proposed building has the following approximate dimensions: width- 75.6m, depth-32m, height to ridge-8.1m. The proposed building would be sited some 7m from the southern boundary and at its closest would be approximately 4 metres from the footway on Trallwn Road. Parking provision is indicated to the north of the building within a revised parking layout. Servicing for the store would be from the western elevation.

In terms of its scale and design the proposed building would not be out of keeping with the surrounding commercial context, which includes the large commercial premises 'The Range' to the west of the site and the expansive areas of car parking associated with this premises. Notwithstanding this, the siting of the building in proximity to the southern boundary and the proximity to the Trallwn Road frontage would result in the loss of the existing hedge and tree screen together with a reduction in the landscaping area adjacent to Trallwn Road. It is acknowledged the site is located within a commercial area, however, it is surrounded to the east and south by residential and leisure uses as such there is a high sensitivity to change from these receptors. The existing landscape screen, whilst not protected by a tree preservation order, provides a good level of screening to the existing store and a pleasant contrast to the large expanses of car parking to the north. UDP Policy EV30 encourages the protection of both trees and hedgerows which are important for their visual amenity and natural heritage. A tree survey has been submitted which identifies in total 15 individual trees, a group of approximately 77 trees and a fragmented hedge. Five trees have been assessed as being Category B trees mostly due to their landscape value. Seven trees have been assessed as being Category C trees and according to the survey have little arboricultural, landscape or cultural benefit. Three trees have been assessed as Category U trees meaning they are of such poor condition that retention is not a feasible option.

Without suitable mitigation for the loss of these landscaped areas, which positively contribute to the visual amenity of the area, there is a concern that the proposed development would be overly prominent and would have a harmful visual impact when viewed from Trallwn Road and the public right of way to the south. Furthermore, the use of paladine mesh fencing along the southern boundary is not supported. Given the location of this boundary adjacent to a public right of way which leads to a playing field, the use of vertical railings is considered to be more visually appropriate. This element of the scheme can be controlled by condition.

In order to address the above concerns the applicant has submitted a landscaping scheme for the site which proposes a new native hedge along the southern boundary, a line of trees to the western boundary and tree and shrub planting along the eastern boundary. The Council's landscape officer has critiqued the applicant's landscape scheme and has expressed concerns that there is insufficient space allowed for screening or softening the impact of the building or mitigating the loss of trees to be removed.

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It should be noted, however, that these comments were made on the landscaping scheme which shows the original layout, whereas the amended layout now allows for greater space for planting along the prominent southern boundary of the site.

The landscaping officer has provided detailed comments on measures that could be incorporated into the landscaping scheme to improve its screening and softening function. These measures include planting species within the proposed native hedge along the southern boundary that will be allowed to grow to maturity, the use of evergreen planting to the east elevation which can reliably reach a height of 2m and 4m respectively, and the planting of tree species that will provide better screening to the east elevation.

A revised landscaping scheme has now been submitted which has incorporated a number of the amendments recommended by the landscape officer. With these amendments, it is considered that the applicant has demonstrated that a landscaping scheme can be provided that would serve to soften the visual impact of the development and would provide satisfactory mitigation for the loss of the existing trees on the site. On balance, therefore, it is considered that any significant visual impacts arising from the proposed development can be adequately mitigated through the proposed landscaping scheme, the final details of which can be agreed by condition. In view of the commercial context of the site, on balance, therefore it is not considered the proposed development would have such a harmful visual impact that a refusal for these reasons could be sustained at appeal. In terms of the visual impact, therefore, the proposal would be in accordance with UDP Policies EV1 and EV2.

### **Residential Amenity**

The nearest residential property is sited to the south and has its gable end facing the site. There are also residential properties on the opposite side of Trallwn Road. A separation distance in excess of 25m would be maintained to these properties which is considered to be sufficient to ensure that there would be no significant overbearing, overshadowing or overlooking impacts to the occupiers of these properties.

The application has been accompanied by a noise survey which considers noise from delivery vehicles, customer vehicles and fixed plant/refrigeration equipment. The assessment covers day and night time periods. The plant noise assessment concludes that the specified plant for the store will represent a reduction in noise exposure to the closest properties. The assessment also identifies that noise from vehicle deliveries and full occupancy of the car park during the quietest measured period of the day is highly unlikely to change prevailing noise levels at the closest properties. The Pollution Control Division have considered the survey results and concur with its findings. As such it is not considered the proposed development would result in any significant noise or disturbance impacts to neighbouring occupiers over and above the existing situation

In light of the above it is considered the proposed development would not result in any significant impacts to the residential amenities of neighbouring occupiers. In this respect the proposed development would be in accordance with UDP policies EV1 and EV2.

**Access, Parking and Highway Safety**

The site will utilise the existing access to the site off Trallwn Road. The service access is the same vehicular access that staff/customers will use. Autotrack has been superimposed onto the car park layout to show that delivery vehicles can access, turn within the site then egress all in a forward gear.

The application has been supported by a Transport Assessment which assesses the highways impacts of the development. This information has been supplemented with information held by the Council.

Trips to the existing store have been derived from on-site surveys undertaken in March 2015 between 08.00 and 20.00 on a Friday and a Saturday. The Friday movements showed peaks coinciding with the afternoon peak (approx. 204 movements) and the Saturday movements showed peak trips at approximately 12.00 (229 movements) and again at 16.00 (215 movements).

Traffic on Trallwn Road is currently approaching 7000 movements over a 12 hr survey period with 1250 movements in the morning peak and 1500 in the afternoon peak (CCS tube survey December 2014 ). The mean speed reported was 26mph.

The Head of Highways and Transportation has noted from dealing with similar retail expansions for Tesco's and Sainsbury's it has been demonstrated that a percentage expansion of floor space does not generate an equivalent percentage increase in trips. Thus an approximate increase in floor space of 50% will not result in an extra 50% of trips. From experience, they consider an increase of approximately 10-15% may be generated. This would equate to an additional 20-30 vehicles in the Friday peak p.m. hour. Given the existing flows leaving/arriving at Lidl of 204 vehicles over the hour then this equates to an extra one vehicle every 2-3 minutes. The Head of Highways and Transportation does not consider that this is a significant impact given that the baseline flows are 1500 vehicles on Trallwn Road (which includes the existing flows generated by the current Lidl) so the net increase is only 2% (based on the predicted additional trips).

In terms of parking the proposals include parking for 131 cars which includes 5 for use by a disabled person, and 4 for parent and child. This equates to one space per 15 square metres which is in line with adopted parking standards.

The car park has been detailed with incorrect parking space sizes, it is considered a revised car parking layout to adopted guidelines can be secured by condition with minimal impact on the layout/level of provision.

In view of the above the Head of Highways and Transportation considers that the proposed development would not result in any significant highway safety impact and has offer no objection to the proposal subject to the requirements outlined in the Highways observations (above), which may be secured by conditions and informatives. Having regard to these observation the proposal is considered to be in accordance with UDP policies EV1, EV2, EV3, AS2 and AS6.

### **Drainage**

The applicant's drainage strategy indicates that surface water would be discharge to the existing SW connections to the DCWW sewers in the area. It is noted that the proposed development would increase the impermeable area at the site as such it is considered necessary for drainage details to be agreed by condition. However, in principle DCWW have raised no objection to the proposal subject to standard conditions and advisory notes.

### **Ecology**

The application has been accompanied by an ecological survey which found overall that the site is of low ecological value. One tree was identified as having the potential to support small numbers of roosting bats. A further bat survey has been undertaken at the request of the Council's ecologist and NRW. No bats were recorded using the tree at the time of the survey, as such it was not considered necessary for further survey work. The Council's planning ecologist has requested the retention of the woodland area to the south of the site, however, it has not been possible to retain this area with the siting and scale of the building as proposed. Instead, replacement tree planting has been provided as part of the landscaping scheme which will provide mitigation for this loss. NRW have requested that the recommendations within the ecological survey should be implemented these relate to bats and lighting, vegetation to be cleared outside of the breeding bird season, a roof check of the existing building prior to demolition, construction works to avoid impacts to the ditch to the south, and the provision of bat boxes to the new store. These mitigation measures can be secured by conditions and informatives. It will also be necessary for a condition to be imposed for a scheme to be implemented to eradicate Japanese knotweed from the site.

### **Other Matters**

Concerns have been raised in letters of objection regarding litter arising from the premises. In order to address this potential concern it is recommended that a condition is imposed requiring the submission of a litter management plan for the new store. All other material matters raised in the consultation exercise have been addressed in the above report.

### **Conclusion**

Having regard to all material considerations it is considered that the proposal represents an acceptable form of development. For the reasons discussed in the main body of the report it is not considered that the likely level of adverse impact to existing shopping centres to be of such material significance to withhold planning permission for this reason. On balance the proposed development would not result in any significant harmful visual impacts upon the character and appearance of the area. The proposal would not result in any significant impacts to the residential amenities of neighbouring occupiers and the development is considered to be acceptable in terms of its impacts on parking and highway safety. Subject to conditions there would be no significant ecological impacts. In view of the above, therefore, the proposal is recommended for conditional approval.

**PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015**

ITEM 1 (CONT'D)

APPLICATION NO.

2015/0070

**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 development shall be carried out in accordance with the following approved plans and documents: Site Location Plan - 1000 PL.1, Proposed Floor Plan - 1100 PL.1, Proposed Roof Plan - 1101 PL.1, Proposed Elevations 1200 PL.2, Section 1300 PL.2 received 20th January 2015. Site Layout Plan - 1020 PL.6 received 7th May 2015. Landscape Proposals and Section - 2015/43 Rev A, Landscape Proposals Planting Details - 2015/48 Rev A received 3rd August 2015.  
Reason: To define the extent of the permission granted.
- 3 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 any ground disturbing works on site.  
Reason: In the interests of the ecology and amenity of the area.
- 4 Notwithstanding the submitted details, prior to the commencement of development a landscaping scheme for the site shall be submitted to and approved in writing by the local planning authority. The approved scheme which relates to areas that will be affected by the Japanese Knotweed treatment scheme under condition 3 shall be planted in the first planting season following the completion of the Japanese Knotweed eradication scheme. The residual areas shall be planted in accordance with the approved scheme within the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner and shall be maintained as specified within the approved scheme. Any trees, shrubs or plant material which are part of the scheme, which die, become seriously damaged or diseased within four years of planting shall be replaced by trees or shrubs of a similar size and species to those originally planted.  
Reason: In order to provide satisfactory landscaping for the development in the interests of visual amenity.
- 5 The development hereby approved shall not to be brought into beneficial use until a travel plan has been submitted to and approved in writing by the Local Planning Authority. The travel plan shall be implemented in accordance with the approved details.  
Reason: In the interests of promoting sustainable modes of transportation.

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ITEM 1 (CONT'D)

APPLICATION NO.

2015/0070

- 6 No development shall commence until details of lighting schemes for the construction phase and the operation phase have been submitted to and approved in writing by the Local Planning Authority. The lighting schemes shall be implemented as approved.

Reason: To ensure the lighting schemes are not detrimental to the ecology of the area.

- 7 The development hereby approved shall not to be brought into beneficial use until a revised car parking layout has been completed on site in accordance with details to be submitted to and approved in writing by the local planning authority. The revised car parking layout shall include the following elements:

a) Cycle parking provision and disabled parking provision to be provided in accordance with adopted standards.

b) Car parking spaces (non-disabled use) to be laid out to the following dimensions 2.6m in width by 4.8m in length.

The development shall be completed and retained in accordance with the approved details for as long as the use continues.

Reason: In order to provide a satisfactory parking layout for the development and in the interests of highway safety.

- 8 No development shall commence until a Construction Pollution Management Plan (CPMP) has been submitted to and approved in writing by the Local Planning Authority. 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 management 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.

l) Identification of surrounding watercourses and potential pollution pathways from the construction site to those watercourses.



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ITEM 1 (CONT'D)

APPLICATION NO.

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- 8 m) How each of those watercourses and pathways will be protected from site run off.  
n) How the water quality of the watercourses will be monitored and recorded.  
o) How surface water runoff from the site will be managed during the construction phase. Please note that it is not acceptable for ANY pollution (e.g. sediment/silt/oils/chemicals/cement etc.) to enter the surrounding watercourses.

The CPMP shall be implemented in accordance with the approved details.

Reason: To ensure minimal nuisance impact to surrounding occupiers from construction activities and no detriment to the environment nor highway safety.

- 9 The materials used for the external surfaces of the development shall be in accordance with details to be submitted to and approved in writing by the Local Planning Authority before any superstructure works are commenced. The development shall be implemented and retained in accordance with the approved details and shall be retained for the duration of the use.

Reason: In the interests of visual amenity.

- 10 No superstructure works 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 by the Local Planning Authority. The approved scheme shall be completed prior to the construction of any impermeable surfaces draining into the system and shall be retained in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of a satisfactory means of surface water disposal and to protect the health and safety of existing residents and to ensure no detriment to the environment

- 11 The building hereby approved shall only be occupied by a Limited Assortment Discounter retailer.

Reason: To ensure the development does not have an adverse impact on the vitality and viability of existing shopping centres.

- 12 The gross retail floorspace hereby permitted shall not exceed 1286 square metres of which 257 square metres only may be used for the display and sale of comparison goods.

Reason: To ensure the development does not have an adverse impact on the vitality and viability of existing shopping centres.

- 13 The retail unit hereby permitted shall not be sub-divided to form more than one retail unit.

Reason: To ensure the development does not have an adverse impact on the vitality and viability of existing shopping centres.

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ITEM 1 (CONT'D)

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- 14 The retail unit hereby permitted shall only be open to customers between the hours of 08:00am and 22:00pm on Mondays - Saturdays; 10:00am to 16:00pm on Sundays and Bank Holidays.  
Reason: In the interests of residential amenity.
- 15 A scheme of litter management for the site shall be submitted to and approved in writing by the Local Planning Authority prior to the beneficial occupation of the building hereby approved. The premises shall be operated in accordance with the approved scheme for the duration of the use.  
Reason: To ensure reasonable steps are in place to prevent the generation of excessive litter from the site.
- 16 Two bat boxes shall be erected on the southern elevation of the building hereby approved in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The bat boxes shall be installed in accordance with the approved details on the completion of the construction of the development or prior to occupation, whichever occurs first, and shall be retained as such unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In the interests of providing mitigation for the loss of a tree at the site which has the potential to support roosting bats.
- 17 Notwithstanding the submitted details, 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 prior to the occupation of the development. The approved means of enclosure shall be retained for the duration of the use unless otherwise agreed in writing by the Local Planning Authority.  
Reason: In the interests of visual amenity and security.

### INFORMATIVES

- 1 A Limited Assortment Discounter is a retailer as defined in Part 1 of The Groceries Market Investigation (Controlled Land) Order 2010 and for the avoidance of doubt means a Grocery Retailer which sells a significantly more limited range of Groceries than a Large Grocery Retailer at a low price.
- 2 The front boundary wall shall be kept below 1m in the interests of visibility at all times.
- 3 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.

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ITEM 1 (CONT'D)

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- 4 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
  - 5 No work on the highway is to be carried out until stopping up of any part of the highway has been carried out via Section 247 of the Town and Country Planning Act.
  - 6 Before demolition of the building precedes a visual check should be made of the roof by contractors to ensure no breeding gulls or other roof nesting birds are utilising the roof for breeding purposes. If any birds are found to be nesting then works will have to cease and the advice from a suitably qualified ecologist should be sought for further guidance.
  - 7 The ditch 4m south of the site boundary was assessed as offering potential to support water vole. Construction works should avoid impacts on this feature. If impacts are unavoidable then advice from a suitably qualified ecologist should be sought.
  - 8 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, EV30, EV40, EC4, EC9, AS2, AS6.
  - 9 Bats may be present in the dead alder surveyed by BSG ecology on the 18th June. 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 (Natural Habitats & c.) Regulations 1994. 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 or intentionally disturb such an animal. If evidence of bat use is encountered (e.g. live or dead bats or droppings), work must cease immediately and the advice of Natural Resources Wales sought before continuing with any work (01792 634960).
  - 10 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.
-

PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015

ITEM 2

APPLICATION NO.

2015/0036

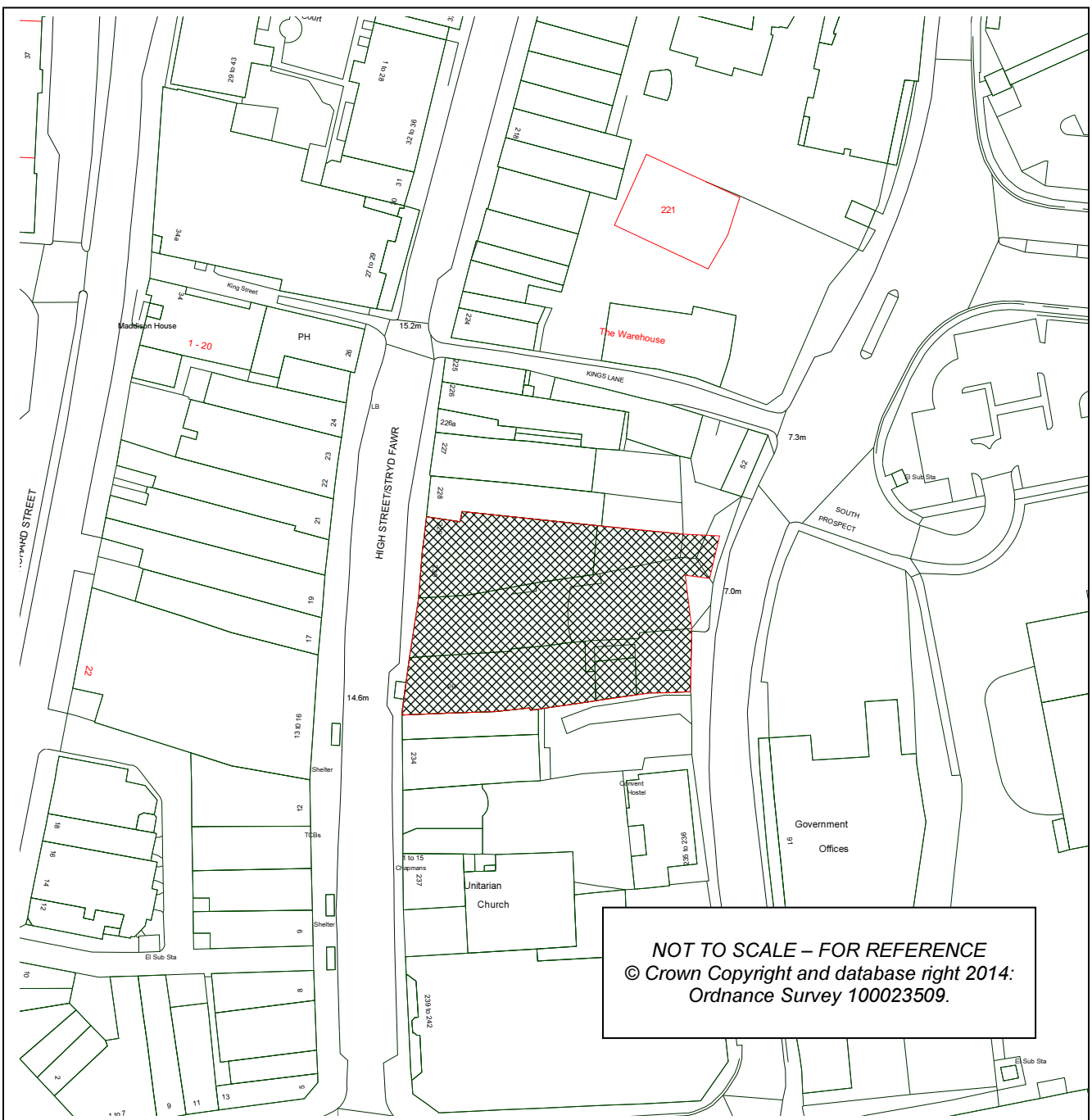
WARD:

Castle

**Location:** 229-233 High Street and 49 - 51 The Strand, Swansea

**Proposal:** Mixed use development comprising of demolition of existing properties at 229/230 High Street and construction of 4 storey block to High Street incorporating 3 no. ground floor retail units (A1) (with the option to include 1 no. Class A3 unit), and 27 residential units on upper floors (incorporating the reconstruction of the Bush Hotel), 7 storey block to The Strand elevation comprising basement car parking / plant / refuse store and 30 residential units on the upper floors, with landscaped courtyard, infrastructure and associated works.

**Applicant:** Coastal Housing Group Ltd



**BACKGROUND INFORMATION**

**RELEVANT PLANNING POLICIES**

**Swansea Unitary Development Plan**

- Policy EV1 New development shall accord with a defined set of criteria of good design including to have regard to the desirability of preserving the setting of any listed building
- 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 Accessibility criteria for new development.
- PolicyEV5 The provision of public works of art, craft or decorative features to enhance the identity and interest of major new developments or refurbishment schemes will be supported.
- Policy EV8 Permission will not be granted for the total or substantial demolition of a listed building other than where there is the strongest justification and convincing evidence that:
- i) Every reasonable effort has been made to sustain existing uses or find viable new uses compatible with the building's character and setting, and
  - ii) Preservation in some form of charitable or community ownership is not possible or suitable, and
  - iii) The proposed new development would produce substantial benefits for the community, which would decisively outweigh the loss resulting from demolition.
- Policy EV13 Proposals for new shopfronts should be sympathetic to the character of the building, adjacent properties and the surrounding area.
- Policy EV33 Planning permission will 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
- Policy EV34 Development proposals will only be permitted where they would not pose a significant risk to the quality of controlled waters.
- Policy EV35 Surface water run-off
- Policy EV36 New development within flood risk areas will only be permitted where flooding consequences are acceptable.
- Policy EV38 Development proposals on contaminated land will not be permitted unless it can be demonstrated that measures can be taken to overcome damage to life, health and controlled waters.

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ITEM 2 (CONT'D)

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- Policy EV40 Development proposals will not be permitted that would cause or result in significant harm to health, local amenity because of significant levels of air, noise or light pollution.
- Policy EC3 Improvement and enhancement of the established industrial and commercial areas will be encouraged where appropriate through building enhancements, environmental improvements, infrastructure works, development opportunities and targeted business support.
- Policy EC4 All new retail development will be assessed against need and other specific criteria
- Policy HC2 Proposals for housing developments within the urban area will be supported where the site has been previously developed or is not covered by conflicting plans policies or proposals.
- Policy HC3 In areas where a demonstrable lack of housing exists, the Council will seek to negotiate the inclusion of an appropriate element of affordable housing on sites which are suitable in locational / accessibility terms and where this is not ruled out by exceptional development costs
- Policy HC17 In considering proposals for development the Council will, where appropriate, enter into negotiations with developers to deliver planning obligations under Section 106 of the Town and Country Planning Act 1990. The Council will expect developers to make contributions towards:
- (i) Improvements to infrastructure, services or community facilities,
  - (ii) Mitigating measures made necessary by a development, and
  - (iii) Other social, economic or environmental investment to address reasonable identified needs.
- Provisions should be fairly and reasonably related in scale and kind to the individual development
- Policy AS1 New developments (including housing) should be located in areas that are currently highly accessible by a range of transport modes, in particular public transport, walking and cycling
- Policy AS2 New developments should be designed to promote the use of public transport and facilitate sustainable travel choices, and comply with the principles of accessibility for all.
- Policy AS5 Development proposals will be required to consider the access requirements for pedestrians and cyclists, where necessary, provide appropriate facilities and / or infrastructure to encourage their use.
- Policy AS6 Parking provision to serve developments will be assessed against adopted maximum parking standards to ensure appropriate levels of parking
- Policy CC1 Within the City Centre, development of the following uses will be supported:-

## PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015

ITEM 2 (CONT'D)

APPLICATION NO.

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- (i) Retailing and associated uses (Classes A1, A2, A3),
  - (ii) Offices (B1),
  - (iii) Hotels, residential institutions and housing (C1, C2, C3),
  - (iv) Community and appropriate leisure uses (D1, D2, A3)
  - (v) Marine related industry (B1, B2).
- Subject to compliance with specified criteria.

Policy CC2 New retail development that maintains and enhances the vitality, attractiveness and viability of the City Centre as a regional shopping destination will be encouraged subject to compliance with specified criteria.

### RELEVANT PLANNING HISTORY

- 2015/0073 Demolition of the former Bush Hotel in conjunction with the proposed Urban Quarter mixed use development (incorporating the reconstruction of the building's facade) (Application for Listed Building Consent).  
Currently being considered
- 2015/0951 Demolition of 229-230 High Street (application for the Prior Notification of Proposed Demolition)  
Prior Approval not required June, 2015

### RESPONSE TO CONSULTATIONS

The application was advertised in the local press and on site. No public response.

#### Swansea Civic Society –

Background: During the planning process for the Urban Village in High Street and The Strand, the Civic Society expressed their strong concerns relating to the achieving of active frontages to both streets and the risk of an overbearing nature of the residential tower block. It is of considerable regret that the final form of the Urban Village and especially it's frontage onto The Strand failed in these aspects. The elevation to the High Street dominates the location with little or no active frontages which combined with gated entrances leave the street scape dead out of hours. In addition the promise of an internal courtyard space as a venue for public events disappeared. The frontage onto the Strand is dominated by a multi storey car park with a residential tower block above it, lacking in interest or activity.

The Civic society supports the established planning policy to reinvigorate the High Street and develop The Strand as a stronger link between the City Centre and Parc Tawe and the river. The recently published City Centre Strategic Framework Review reinforces this objective and states that future developments should:

“Create an attractive high quality development with active frontages along.....The Strand.”

“Significantly improve links to the City Centre..... The Strand and the river corridor”.

“Redevelopment of vacant sites along the west of The Strand, some of which are taking place, should provide edge definition, a mix of uses that provide natural surveillance and points of activity”.

## PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015

ITEM 2 (CONT'D)

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Having reviewed the documentation in support of the above application, described as the Urban Quarter, it would appear that a similar approach has been employed which will replicate the shortcomings of the previous Urban Village project.

### Objections & comments

1. The proposed frontages to the High Street will not contribute to the public realm and active street scene, with the retail/commercial units of minimal dimensions which will not provide sufficient space for significant businesses. Amendments should be made.
2. To create a replica or imitation of the former Bush Hotel is an insult to the intelligence of the City and only serves to highlight what many perceive as the wilful neglect of its owners. Despite any "private" agreement which may have been arrived at with CADW, this element should be removed from the scheme, the salvaged columns to the original entrance porch could be incorporated into a design without requiring an imitation of a Georgian façade which sets out to deceive.
3. The proposed frontage onto The Strand consists of a screened car park and a resident's entrance with no attempt to enhance the public realm or provide an active frontage. This should not be accepted.
4. The residential tower block to The Strand is described as finished in flat rain-screen panels. This is a blank and brutal block and must be improved with better quality materials with a greater degree of architectural interest deserving of its key position. It should not replicate the shortcomings of nearby Alexandra House.
5. It is notable that the Design Report by the Design commission for Wales supports our concerns and objections and also recommends improvements.

It is therefore the recommendation of the Swansea Civic Society that this application be refused and an amended proposal submitted to reflect the concerns raised.

**Natural Resources Wales** – would not object to the application, providing appropriately worded conditions are attached to any planning permission your Authority is minded to grant.

### Protected Species

We note the findings of Emergence / Return Bat Surveys (dated 16 June, 2014) report, that no bats were recorded emerging or returning to any building onsite during the survey. Nevertheless, the report states that given the presence of potential roosting features, it is possible that bats may utilise these features at some point in the future.

Therefore, the applicant should be reminded there is a possibility that bats may be encountered unexpectedly. We recommend that the development proceeds with caution whilst carrying out works to the walls and / or roof. Building contractors must be informed of the possibility of encountering bats unexpectedly during works. If any bats are encountered during works, the development must stop immediately and NRW contacted for advice.



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APPLICATION NO.

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We support the recommendations for ecological enhancements laid down in the Report.

Pollution Prevention

We advise that a robust Construction Environmental Management Plan (CEMP) is provided.

As your Authority will be aware there can be no deterioration of water bodies under the Water Framework Directive. It is therefore vital that all appropriate pollution control measures are adopted on site to ensure that the integrity of controlled waters (surface and ground) is assured.

As best practice, we would advise the developer to produce a site specific construction management / pollution prevention plan with particular reference given to the protection of the surrounding land & water environments.

Waste Management

Given the size of this development, 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.

Surface Water Disposal

Wherever possible surface water should be managed by means of a sustainable drainage system (SUDS), as advocated by current planning guidance PPW and TAN15 (July 2004). Paragraph 8.2 of TAN 15 states that '*SUDS can perform an important role in managing run-off from a site and should be implemented wherever they will be effective on all new development proposals irrespective of the zone in which they are located*'.

Whilst we would prefer to see surface water removed from the mains sewer, we acknowledge that the connection is existing and options to utilise infiltration techniques on the site have been explored.

Nevertheless, we advise that you discuss the proposal with your Authority's own Drainage Engineers and that you seek confirmation from Dwr Cymru / Welsh Water (DCWW) that they are satisfied with the proposals.

Foul Water Drainage

We note that foul water flows are to be discharged to the main public sewer. This is our preferred means of foul water discharge and is considered to be the most sustainable. We recommend that DCWW are consulted and asked to confirm that there is sufficient hydraulic capacity within the sewer network at this location to accommodate the flows generated without causing pollution.

**Dwr Cymru Welsh Water** – request conditions and informatives to ensure no detriment to existing residents or the environment and to Welsh Water's assets.

**Glamorgan Gwent Archaeological Trust** – We have concluded that the proposed works require archaeological mitigation.

## PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015

ITEM 2 (CONT'D)

APPLICATION NO.

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You will recall that precious archaeological work in the area of the proposed development has included an archaeological appraisal and archaeological watching brief during geotechnical work in 2007 and an archaeological evaluation following the clearance of part of the site in 2014. In both 2007 and 2014 archaeological work identified presence of medieval and post-medieval remains within an application area and were noted that the degree of preservation of the remains was high. As a result, there is considerable likelihood that ground disturbing activities during the proposed development will encounter significant archaeological remains. In addition, the building forming 229-23 High Street, appear similar in their ground plan to the present on the 1879 first edition Ordnance Survey map, it is possible therefore that elements of the early building may survive as part of the existing structure.

Consequently, whilst we do not object to the granting of planning permission for the development, in our role as the archaeological advisor to your Members we strongly recommend that a condition be attached to any consent that is granted ensuring that a programme of archaeological investigation be implemented during the construction work.

It is envisaged that the programme of investigation would include investigation and recording of any historic feature forming part of 229 / 23 High Street prior to the demolition and further archaeological evaluations, excavations and watching briefs during ground disturbing activities within the area of archaeological potential, and should include suitable contingency arrangements to allow for sufficient time and resource to enable any archaeological features and finds that are discovered, including any human remains, to be fully investigated and recorded.

### **Pollution Control –**

#### Noise:-

- Prior to the commencement of demolition/construction works on the application site (including all access roads) a Construction Pollution Management Plan (CPMP) shall 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

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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 arising from site related activities [see **Informatives**].*

*Note: If, during the writing of the CPM, any specific issue needs to be discussed/clarified the applicant should contact the Pollution Control Division, Housing and Public Protection Service, Rm 401 Guildhall SA1 4PE 01792 635600*

- Prior to the beneficial occupation of the development, the developer shall confirm in writing the provision of  $R_w$ 40dB,  $R_w$ 38dB and  $R_w$ 32dB glazing and the associated MVHR central ventilation system (High Street) and a MEV (central extract) system pulling air through acoustic trickle vents to achieve a minimum  $D_{n,e,w}$  (Ctr) of 42dB. The developer shall provide the independent laboratory test data to confirm that the glazing and ventilation systems meet the stipulated standard.
- The building services plant noise emissions from the proposed development shall be designed so as not to exceed the sound pressure levels as set out within section 5.2 Environmental Noise Survey & External Building Fabric Acoustic Assessment. 3393/ENS1-R1
- Unless otherwise agreed in writing by the Local Planning Authority, prior to commencement of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority that adequately restricts the flow of sound energy through party walls and floors between the commercial and residential class uses within the development. The scheme supplied shall achieve a minimum  $D_{nT,w}$  – (Ctr) of 50dB for the ceiling/floor between the commercial and residential uses.

### Contaminated Land:

The remediation works advised in the Ground Investigation Report (sections 5.4.5 and 5.4.6) are satisfactory for the protection of future users at the site. I'm not sure if you wish to condition the requirement to adhere to them or not?

With regard to Asbestos, the report refers to chrysotile being discovered (sporadic fragments) by location WS107 and that measures will be utilised by the contractor during the construction phase to ensure staff are protected as it is not envisaged to be a ground issue but I would like to see further information regarding the amosite stated as found at location WS103?

- If, during the course of development, contamination not previously identified is found to be present at the site no further development [unless previously 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, a detailed strategy for dealing with said contamination.

The site investigation report refers in 5.4.4 that the Generic Assessment Criteria for residential land use without plant uptake has been used, as long as they carry out the works as stated within the report it maybe worth ensuring that no growing of produce for consumption is allowed.

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Air Quality

High Street is currently an area of interest for the annual mean objective of  $40\mu\text{g}\text{m}^{-3}$  of Nitrogen Dioxide ( $\text{NO}_2$ ). However due to the increase specification for fenestration required and the use of mechanical ventilation on the High Street elevation, the Pollution Control Division has no objection to make. I have been through the information posted on the Portal and have not been able to ascertain the exact location of the air and out for the mechanical ventilation system they propose. I would be grateful if this information could be forwarded to ensure that 'no objection' is still valid.

**Highway Observations** – Mixed use Urban Quarter development comprising of demolition of existing properties at 229/230 High Street and construction of 4 storey block to High Street incorporating 3 no. ground floor retail units (A1) (with the option to include 1 no. Class A3 unit), and 27 residential units on upper floors (incorporating the reconstruction of the Bush Hotel), 7 storey block to The Strand elevation comprising basement car parking / plant / refuse store and 30 residential units on the upper floors, with landscaped courtyard, infrastructure and associated works.

Limited parking facilities are proposed within the site (8 spaces) and ten cycle stands and all servicing of the retail units will have to take place from High Street. The flats total 57 units. Direct vehicular access is available directly off the Strand

Adopted parking guidelines do not require any resident parking for this proposal as it is located within the city centre core area and therefore it complies with parking policy. Cycle parking is indicated within the development and this is acceptable. It is important that any future residents are aware of the parking situation and therefore a Travel Plan needs to be formulated which will include information packs for new residents identifying alternative modes of travel that are available.

As the works could involve damage to the footways to the front and rear then it will be a condition to re-construct the footways and resurface carriageways along both the High Street and Strand boundaries under a section 278 Agreement with the Highways Authority. There could also be upgrades necessary to the public Lighting particularly and possible amendments to the Traffic Regulation Orders in the area.

Due to the restricted site accesses it will also be a requirement to provide a Construction Traffic Management Plan in order to safeguard existing traffic flows during the construction Phase.

I recommend no highway objection subject to the following;

1. The provision of the cycle parking facilities within the development prior to beneficial occupation of any part of the development.
2. A Travel Plan must be submitted for approval within 12 months of consent and the approved Travel Plan must be implemented prior to the beneficial use of the building commencing.
3. Prior to any works commencing on the site, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved traffic management plan shall be implemented and adhered to at all times unless otherwise agreed by the Local Planning Authority.

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4. The re-construction / re-surfacing works/new vehicular accesses/TRO's/public lighting alterations to be undertaken under a section 278 Agreement with the Highway Authority.

Note 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 Principal Engineer, e-mails to mark.jones@swansea.gov.uk , tel. no. 01792 636091

Note 2: The Travel Plan shall include details of car reduction initiatives and methods of monitoring, review and adjustment where necessary.

Note 3: The applicant should be made aware that no resident parking facilities will be provided by the Authority and therefore the development is suitable for non-car owning residents only.

Note 4: Applicants must satisfy themselves with regard to exact site/highway boundaries before carrying out any development works, in order that any necessary highway works licenses are obtained, or the requirement to extinguish highway rights are addressed

### APPRAISAL

This application is reported to Committee for decision as the proposal relates to a development which meets the Development Threshold – c i) *the provision of the number of dwelling houses to be provided is 20 or more.*

#### *Introduction*

The application seeks full planning permission for a mixed use redevelopment of 229 – 230 High Street and 49-51 The Strand comprising:

- the demolition of existing properties at 229/230 High Street;
- Construction of 4 storey block to High Street incorporating 3 no. ground floor retail units (A1) (with the option to include 1 no. Class A3 unit), and 27 residential units on upper floors (incorporating the reconstruction of the Bush Hotel);
- Construction 7 storey block to The Strand elevation comprising basement car parking / plant / refuse store and incorporating 30 residential units on the upper floors, with landscaped courtyard, infrastructure and associated works.

This development is proposed to take place on land which will be referred to as the 'Urban Quarter' proposal (229 – 233 High Street and 4 – 51 The Strand) and should be considered in conjunction with the corresponding application for Listed Building Consent for the demolition 2015/0073 of the former Bush Hotel (incorporating the reconstruction of the building's facade) (Ref:2015/0073). The proposed development is intended to form part of a wider regeneration of High Street and in this context, the site to the south of Coastal's Housing Group Urban Village Scheme, which is currently being completed. In this respect, the Planning Statement indicates that Coastal Housing Group's long term vision is:

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*“To deliver a series of integrated development proposals that together transform the area contained by High Street, The Strand and Castle Lane through the creation of safe and vibrant residential led mixed use schemes that introduce vitality into this quarter of the City through the creation of a greater connectivity with the wider context and which reflects its important historical context. Development proposals which capitalise on this strategically important arrival point into the city centre and recognise the relationship with adjacent future development opportunities”.*

The application is supported by the following information:

- Planning Statement
- Design and Access Statement
- Transport Assessment
- Travel Plan
- Drainage Statement
- Archaeological Field Evaluation
- Ground Investigation Report
- Extended Phase 1 Habitat Survey (including Bay Survey)
- Sun Path Analysis
- Design Commission for Wales Design Review (20 /11 / 14)
- Environmental Noise Survey
- Sustainability Statement

### *Site Description*

The site is bounded by High Street to the west and The Strand to the east, and the site slopes steeply from west to east with The Strand frontage some 8 m below High Street. A large part of the site has already been cleared, and includes the demolished Grade II Listed Building of the Bush Hotel (233 High Street). The existing buildings at 229 230 High Street will be demolished as part of the scheme. In mitigation for the loss of the Bush Hotel, a facsimile of the building will be constructed as part of the development so as to ensure the urban design heritage is re-introduced into the townscape.

### *Material Planning Considerations*

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

- Compliance with prevailing Development Plan policy and Supplementary Planning Guidance;
- Urban Design;
- Impact on residential amenity including noise impact;
- Highways, traffic, car parking, access and pedestrian movements;
- Impact on archaeology;
- Drainage ;
- Geology and Ground Contamination;
- Impact on ecology;
- Issues arising from the representations received.

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

***Compliance with prevailing Development Plan policy and Supplementary Planning Guidance***

*Development Plan and Supplementary Planning Guidance*

National Planning Policy

In line with recent Welsh Assembly Government guidance provided by Planning Policy Wales (PPW) (July 2014 7<sup>th</sup> Edition), the redevelopment of the site would ensure that previously developed land is used in preference to a greenfield site, and seeks to ensure new housing is well designed, meets national standards for the sustainability of new homes, makes a significant contribution to promoting community regeneration to improve the quality of life, and provides a greater choice and variety of homes in sustainable communities.

Unitary Development Plan (UDP)

The UDP vision is a sustainable approach to the development of a prosperous region, which capitalises on Swansea's waterfront location. In this respect, the application proposals are considered to amount to an inherently sustainable scheme, proposing a mix of uses on a brownfield site in an accessible city centre location in very close proximity to frequent local and national public transport services.

The site is not specifically allocated under the UDP and Policy HC2 indicates that proposals for housing development within the urban area will be supported where the site has been previously developed or is not covered by conflicting plan policies or proposals provided the proposed development does not result in cramped / overintensive development; significant loss of residential amenity; significant adverse effect on the character and appearance of the area or significant harm to highway safety. The amplification to this policy indicates that this policy offers guidance on the determination of proposals for residential development on unallocated sites, or white land. It seeks to maximise the use of previously developed (brownfield) land and buildings, with higher density encouraged on easily accessible sites within or adjacent to the Central Area. Infill development is defined as the development of land within an existing settlement and within this context, the proposal falls to be considered against the above criteria for urban infill housing.

In terms of the overall mix of uses proposed, UDP Policy CC1 supports retailing and associated uses (Classes A1, A2, A3), offices (Class B1), housing (Class C3) and community and leisure uses (Classes D1, D2 and A3) within the City Centre. The uses proposed are therefore in principle in accordance with Policy CC1.

Further policy support for the proposal is drawn from Policy EC3 of the UDP, which encourages the enhancement of established industrial and commercial areas along with Policy CC2 which encourages development that maintains and enhances the vitality, attractiveness and viability of the City Centre as a shopping destination.

On the matter of affordable housing, the Head of Strategic Services (Housing Enabling) is supportive of the redevelopment of this site as proposed. Whilst the accompanying Planning Statement confirms that all affordable units will be retained as such in perpetuity, it is recommended however, in accordance with UDP Policy HC3 (which seeks to negotiate the inclusion of an appropriate element of affordable housing on sites which are suitable in locational/accessibility terms where a demonstrable lack of affordable housing exists), that the retention of affordable housing be secured by way of a Section 106 Planning Obligation.

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Having regard to the foregoing, the Urban Quarter proposal is supported in principle, subject to the assessment below of other relevant UDP Policies and SPG.

Of particular relevance to this application is the Swansea City Centre Strategic Framework which was endorsed as SPG in January 2009. The vision for High Street is to contribute to a mixed-use area of distinctive character, and form a key link between the core retail area and adjacent Districts which provide employment, housing and other uses. It is envisaged that new development and refurbishment will consolidate this mixed-use role. It is recognised that the east side of High Street has development potential that would benefit from its attractive ridge setting with views to the east, and provide an attractive gateway vista of Swansea from the river bridges and approaches to the east.

The development principles for High Street are to:

- Establish an attractive mixed-use character street with individual buildings of an appropriate scale reflecting the existing pattern of development;
- Encourage further housing development as part of mixed use schemes, which should possibly also include offices, live-work premises, specialist or service retail, and education/cultural/arts uses;
- Encourage development or refurbishment on the eastern side of High Street to generate attractive frontage development to High Street, and a positive gateway impression of Swansea from the east;
- Continue to address the issue of “problem buildings”, and encourage refurbishment, modernisation or redevelopment where appropriate for active uses.

This application represents the latest iteration of the Urban Village / Quarter proposals presented by the Coastal Group Ltd. The Framework recognises that the scheme will stimulate further investment in individual or small groups of properties, and could itself be extended north towards the station. It is stated that the scheme should safeguard the specific qualities of High Street, and deliver real improvements along the Strand.

The proposals therefore in principle, fully accord with the aspirations of the Swansea City Centre Strategic Framework. The wider design requirements of the Framework are considered in the Urban Design section of the report below.

Given the height of the proposal, in particular The Strand elevations, the application also falls to be considered against the Council's Tall Buildings Strategy, which was also endorsed as SPG in January 2009.

The Strategy considers the urban context of the city, the role of tall buildings and identifies appropriate places where tall buildings may be located. The aim of the Strategy is not to be site specific, nor to establish appropriate building heights, but to identify areas of opportunity. It focuses on the responsibility of the applicant to justify their tall building application, encouraging high quality design. The Strategy recognises that tall buildings can have a positive role in the city, but that they must relate to the context of the area, be well designed, demonstrate the application of sustainability principles and be close to supporting uses and infrastructure.

The application site falls within the identified City Gateway area and Tall Building Consider Zone. In principle therefore proposal could be acceptable in this location, subject to the considerations set out below in the Urban Design and Townscape section of the report.



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*Urban Design*

In assessing the landscape and visual impact of the proposal, specific regard must be had to Policies EV1, EV2 and CC5 of the Council's adopted UDP.

Policy EV1 UDP sets out the council's commitment to achieving high standards of design and layout in all new developments whilst Policy EV2 addresses the siting and location of new development and gives preference to the use of previously developed land over greenfield sites, having regard to the physical character and topography of the site and its surroundings. Policy CC5 states that the design of all new development schemes will be required to make a positive contribution to enhancing the City Centre's environment.

The proposal is in two distinct elements; firstly, an infill frontage onto High Street, secondly a standalone block onto The Strand.

The High Street block comprises the rebuild of the former Bush Hotel frontage and an infill development alongside, which require the demolition of the Volcano building. This new frontage has been designed as number of separate joined buildings that references the historic medieval burgage plots and the remaining positive characteristics in other parts of High Street. This approach is supported. The proposed scale of the infill development at three storeys plus roof accommodation reflects the general scale on High Street and leaves the rebuilt Bush Hotel frontage as a focal building at four stories. The roof accommodation is handled in a subservient manner for example with a pitched roof and traditional 'cat slide' dormer alongside the rebuilt Bush Hotel to respect its setting.

The ground floor uses comprise a number of small commercial units and a feature screen that conceals the bin store within the building. The main residential entrance is provided via a corridor to the courtyard which is secured by a gate but allows glimpsed views into the private green space.

The frontage is designed as four separate buildings using different architectural treatments and materials. This is supported and it is considered that this development must raise the quality of architecture on High Street in all aspects following the legacy of the Urban Village project and the details also need to show the same commitment to quality. A condition is recommended to control the precise detailing of the scheme and use of materials.

The rear elevation of High Street block is full four stories throughout with the rear of the rebuilt Bush Hotel apparent. This results in a different elevation onto the private courtyard and this is broken down by projections in the elevation and through the use of materials. This courtyard elevation is proposed to be finished with rain screen cladding as opposed to render (with the exception of the rebuilt Bush Hotel) and this continues the high quality materials of Urban Village which will weather well and is welcomed subject to a condition to control colours, joints and fixings.

The upper floors of the High Street block are proposed to accommodate 25 flats, of which 9 face onto High Street. This activity and natural surveillance from upper floors coupled with the use of the main residential entrance on High Street will further help to bring life to the High Street.

At Strand level the street edge is dominated by advertising hoardings and is completely devoid of active frontage. The block onto the Strand which defines the eastern side of the courtyard is proposed as a much simpler building taking inspiration from the former and existing warehouses in this area. The building has six floors of accommodation above a ground floor parking/ entrance area and accommodates 30 flats of which 15 will face the Strand to provide natural surveillance.

This block is proposed to be clad in rain screen panels. The risk that the building will appear monolithic has been discussed with the applicant and their response is the subtle variation in the cladding panels, plus use of splashes of colour on the reveals to enliven the elevation.

The success of the Strand block as a piece of architecture will depend on detailing. Therefore items such as vents/ service penetrations, rain screen panel fixings and joints will be very important and this should be conditioned. The applicant has acknowledged this and is proposing to group the boiler flues into the recessed zones relating to the corridors. This detail is very important as a Strand elevation peppered by numerous boiler flues will not be acceptable. These details can be conditioned to control all vents and flues.

The scale onto the courtyard is 6 stories due to the topography of the site with the lower ground level of the stand block set below the level of the courtyard. An overbearing relationship is avoided through the courtyard being sloped down to these units.

At Strand level a vehicle entrance to a small car park (8 spaces) is proposed along with a residential entrance. This continues the Urban Village approach of creating points of activity on the Strand (as opposed to active frontages on High Street). The Strand frontage at street level has been revised so that the entrance doors are now pushed out as a feature lobby, the gabion wall is punched with slot windows and a projecting canopy the full length of the Strand elevation unifies the various ground floor elements. This revision is welcomed to create a 'focal point of activity' on the Strand and the details such as canopy materials etc can be controlled by condition.

The development on The Strand is 7 storeys above street level. As explained above, the Urban Village site is identified in the Tall Buildings Strategy (SPG) as part of a Consider Zone which is defined as an area of the city where tall buildings may have a positive impact, subject to the availability of supporting information. The SPG indicates that tall buildings should emphasise key locations, help define the edges of streets and open spaces. Proposals should consider the human scale of the building at ground level, and clearly define the public and private realm. It is stressed that consideration should be given to the design of the top of the building and its contribution to the skyline, plus proposals should encourage interaction at the street level, ensuring active frontages and well overlooked spaces. The positioning of the entrance and access to the building should form a key consideration.

At seven stories this block is considerably higher than the two storey church building to the south on The Strand, however the block is also viewed with the rear of the Argos building behind the church building which is considerably taller. Looking north the proposed building is viewed in context with the completed and consented buildings at the Urban Village to the north, therefore this scale is considered acceptable in this context.

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The end elevations are proposed to be broken up as follows; the north elevation is stepped relative to the internal corridor to reduce the apparent depth of the building and enlivened by a stack of 'porthole' windows overlooking the sites owned by Coastal Housing Group. The land to the south isn't controlled by Coastal so this area cannot be overlooked by habitable room windows as this may fetter future development onto the Strand. Therefore the building form is split at the central corridor by means of a slot and the corridor windows in this area can be obscure glazed if required.

This project has been the subject of two Design Review sessions with the Design Commission for Wales who are generally supportive of this project and their most recent comments can be summarized as follows:

*“Overall, the Design Commission is supportive of the approach taken by Coastal Housing in this part of Swansea. We commend the earlier phases and the impact they are having on the city, especially the regeneration of High Street. The proposals for High Street presented at this review appear to be a continuation of the successful approach to the Urban Village streetscape.”*

*“The positioning and massing of this large residential block (Strand Block) is improved since the previous review. The current position now provides better potential for sunlight in the courtyard space and an opportunity for the block to better address The Strand.”*

*“At the moment, The Strand is not an attractive street for walking or cycling and it lacks active frontages. This new block presents an opportunity to improve The Strand by strengthening the street edge, creating active frontage and making the street a more attractive and safe place to walk. The proposed residential entrance off The Strand will help by adding some activity, but the Commission was not convinced that other opportunities for the scheme to act as a catalyst for improvement along The Strand had been fully explored. The detailing and materiality of the car park entrance and block at street level will be important, but there was insufficient detail in the proposals presented at the review to properly assess this. It would be useful to explore the impact of the block on views from different approach points along The Strand.”*

*“The current proposal shows a simple, repetitive elevation (to the Strand). This could be very successful if the detail design and execution is of exceptionally high quality. .... However, boiler flues and other protrusions will compromise the elegance of a simple façade and should be avoided.”*

It is considered that these issues have been addressed.

Overall therefore this mixed use, high quality proposal is welcomed to further enhance the regeneration of High Street and The Strand with a scheme with a distinctive, high quality character. It is considered that the scheme will deliver the design principle aspirations of the Swansea City Centre Strategic Framework and Tall Buildings SPG and in doing so will make a significant contribution to enhancing the City Centre environment in accordance with UDP Policy CC5. It is also considered that the scheme would meet the design criteria of Policy EV1 and the siting, locational, character and topography criteria of Policy EV2.

*Impact on residential amenity including noise impact*

As stated 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 generally degraded appearance of the site and many parts of its immediate surroundings, it has already been concluded that the proposal would have a significantly positive visual impact both in terms of The Strand and High Street. Whilst the application site is located within a mixed use area, the predominant land use is however commercial in nature. Residential properties are almost entirely restricted to flats located above commercial ground floor uses. Whilst the proposal will result in a greater critical mass of activity in this location, this is considered to be a positive regenerative aspect of the proposal for High Street and would not result in an unacceptable level of disturbance for existing residents, having regard in particular to the levels of disturbance that can be reasonably expected in a City Centre location as apposed to a suburban location.

Other than further servicing as per the existing situation on High Street, traffic movements associated with the development would be mostly restricted to The Strand and therefore would not unacceptably impact on the residents of existing properties in the vicinity of the application site.

In terms of future residents of the development, a noise impact assessment has been submitted in support of the application. Having regard to the location of the development and the mix of uses proposed, the Head of Environment, Management and Protection has recommended a number of sound attenuation conditions to ensure that compatibility issues are satisfactorily resolved. Noise attenuation conditions including time conditions are therefore considered necessary to ensure that the amenities of residents are not unacceptably compromised for those living in close proximity to any commercial development.

The window to window distance across the private courtyard varies from 17m to 23m between the four and six storey buildings. Whilst this is below the 21m suburban separation standard, the distances are considered acceptable in this urban context. The supporting information in the Design and Access Statement indicates that the private courtyard will received good levels of sun and daylight through much of the day and the plans indicate that this space can be laid out to provide useable amenity space for the residents. Whilst being a high density urban scheme, it is not considered that the proposed layout is such that unacceptable levels of overlooking or loss of privacy would be created for any future residents of the development itself. Moreover, it is not considered that the proposal results in unacceptable levels of overshadowing within the courtyard areas and residential elements of the scheme, again having regard to its high density urban context.

Accordingly it is not considered that the development conflicts with criteria (iii) of Policy EV1 which states that 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.

Furthermore, subject to the imposition of the conditions recommended by Head of Environment, Management and Protection it is not considered that the proposal would conflict with UDP Policy EV40, which states that development proposals will not be permitted that would cause or result in significant harm to health, local amenity, natural heritage, the historic environment or landscape character because of significant levels of air, noise or light pollution.

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

A Transport Statement and Framework Travel Plan have been submitted in support of the application. The proposed development will provide limited parking facilities (8 spaces) within the basement car park which will be accessed from The Strand, in addition to secure cycle storage. Servicing of the retail units will have to take place directly from High Street. Adopted parking guidelines do not require any resident parking for this proposal as it is located within the city centre core area and therefore it complies with parking policy. Additionally, the development is centrally located within a sustainable location accessible to public transport facilities and the Travel Plan will further encourage the use of alternative modes of travel to the motor car. Conditions are recommended to ensure the provision of the cycle parking facilities and also the approval of the Travel Plan and its implementation upon occupation of the development.

The proposed development will be likely to damage the footways to the front on High Street and to the rear along The Strand and the Head of Transportation recommends that a condition is imposed to re-construct the footways and resurface carriageways along both the High Street and Strand boundaries under a section 278 Agreement with the Highways Authority. There could also be upgrades necessary to the public Lighting particularly and possible amendments to the Traffic Regulation Orders in the area. Additionally, due to the restricted site accesses it will also be a requirement to provide a Construction Traffic Management Plan in order to safeguard existing traffic flows during the Construction Phase.

*Impact on Archaeology*

UDP Policy EV6 seeks to protect, preserve and enhance Scheduled Ancient Monuments and their settings, and also unscheduled archaeological sites and monuments. Where proposals affect sites and areas of archaeological potential, applicants will be required to provide the following information with planning applications:

- An assessment or evaluation of the archaeological or historic importance of the site or structure,
- The likely impact of development on the archaeological site, and
- The measures proposed to preserve, enhance and record features of archaeological interest.

In accordance with Policy EV6 an Archaeological Field Evaluation has been submitted in support of this application and an archaeological evaluation of the site has been conducted. This work has allowed Glamorgan Gwent Archaeological Trust to determine the importance of the archaeological resource in the area and the impact of the proposals on it.

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Consequently whilst the Trust do not object to the positive determination of the current application, a condition is however recommended to implement a programme of archaeological investigation during the construction work. It is considered therefore that subject to the imposition of such a condition, the proposal would be in accordance with UDP Policy EV6.

### **Impact on Ecology**

A Phase 1 Habitat and Protected Species report including an Emergence / Return Bat Survey have been submitted in support of the application in accordance with UDP Policy EV2(v), which requires at the earliest opportunity an assessment of species and habitats on site and, where planning permission is granted, implementing any necessary mitigation measures. In this respect, Natural Resources Wales and the Council's Ecologist have raised no objections, subject to conditions.

### **Conclusions**

In conclusion it is considered that the principle of development is in accordance with UDP Policies HC2 (Infill housing sites), CC1 (City Centre mixed use development), EC3 (established industrial and commercial areas) and CC2 (City Centre retail core). The proposal is also considered to be in accordance with Swansea City Centre Strategic Framework SPG the Council's Tall Buildings Strategy.

Overall it is considered that the proposal is of distinctive, high quality character. It is considered that the scheme will deliver the design principle aspirations of the Swansea City Centre Strategic Framework and Tall Buildings SPG and in doing so will make a significant contribution to enhancing the City Centre environment in accordance with UDP Policy CC5. It is also considered that the scheme would meet the design criteria of Policy EV1 and the siting, locational, character and topography criteria of Policy EV2.

Subject to the imposition of conditions, it is not considered that the proposal conflicts with the amenity considerations detailed in criteria (iii) of Policy EV1, either for existing residents or future residents of the scheme itself. Similarly, nor is it considered that the proposal would result in significant harm to local amenity because of significant levels of noise pollution, subject to the imposition of appropriate conditions.

Approval is therefore recommended.

### **RECOMMENDATION**

**It is recommended that the application be APPROVED, subject to the following conditions and to the Applicant entering into a Section 106 Obligation to provide 30% of the total number of residential units within the development as affordable housing.**

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.

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2 The development shall be carried out in accordance with the following approved plans and documents: A-00-01A - 07A; A-00-10A; A-00-20C; A-00-21B; A-00-22A; A-00-23B; A-00-24B; AL-90-10; AL-90-11, AL90-12A, AL-90-13 (plans received 13 January, 2015)

Reason: To define the extent of the permission granted.

3 The development shall be completed in accordance with a programme of programme of phasing to be submitted to and approved by the Local Planning Authority prior to the commencement of work.

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.

4 Prior to the commencement of superstructure works on any phase of the development, details at an appropriate scale of the following shall be submitted to and agreed in writing by the Local Planning Authority for each phase of the development:

\* Glazed Shop fronts (including any security grills), typical window and external door units within their openings for the High Street and Strand blocks;

\* Pedestrian gates off High Street;

\* Projecting bay and decorative balustrade;

\* Eaves, parapet/ verges;

\* Ventilation grills and flues;

\* Dormer windows;

\* Rainwater goods;

\* Strand lobby / gabions / projecting canopy;

\* Railings;

\* Cladding details of Strand block.

The approved details for each phase of the development shall be carried out in accordance with the approved scheme.

Reason: In the interests of visual amenity.

5 Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of superstructure works, details of a public art enhancement shall be submitted to and approved in writing by the Local Planning Authority, and shall be implemented before any part of the development hereby permitted is occupied.

Reason: To accord with the City and County Council's policy of encouraging the provision of public art features on appropriate sites.

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6 Notwithstanding the details shown on any approved plan, the materials used for the external surfaces of each phase of the development (including doors and windows) and the precise pattern and distribution of the external finishes shall be in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Composite sample panels shall be erected on site and the approved sample panel shall be retained on site for the duration of the works, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

7 A scheme for the hard and soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the completion of any phase of the development. 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.

8 Unless otherwise agreed in writing by the Local Planning Authority, 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.

9 The development shall be implemented in accordance with a site waste management plan to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To enable the developer/contractor to manage waste materials efficiently and reduce the amount of waste materials produced.

10 Prior to the commencement of construction works a Construction Pollution Management Plan (CPMP) should be submitted to and approved in writing by the Local Planning Authority. The CPMP shall 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;

- Continued -



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- 11
- 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 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 on site vibration mitigation measures having regard to BPM;
  - k) Details of waste management arrangements (including any proposed crushing/screening operations); and
  - l) Notification of whether a Control of Pollution Act 1974 (Section 61) Notice to be served by Principle Contractor on Local Authority.

Items g) - l) inclusive need to take particular account of the potential for statutory nuisance from site related activities.

The development shall be implemented in accordance with the approved CPMP.

Reason: To enable the developer to present a coherent plan addressing all environmental pollution issues likely to impact on the public.

- 11
- Prior to beneficial use of the development all reconstruction / re-surfacing works to the Highway (footway and carriageway) including ant Traffic Regulation Orders / public lighting alterations have been undertaken under a section 278 agreement with the Highway Authority. This will include resurfacing of the footways on The Strand and High Street frontages in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In interests of highway and pedestrian safety.

- 12
- The cycle parking / storage facility indicated within the development must be provided prior to beneficial occupation of any part of the development.

Reason: To ensure cycle use in the interests of sustainability.

- 13
- The development shall be carried out in accordance with a travel plan to be submitted to and agreed in writing by the Local Planning Authority prior to any beneficial use of the development commencing.

Reason: In the interests of sustainability and to prevent unacceptable highway congestion.

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- 14 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. 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.
- 15 The proposed development site is crossed by X2 150mm public sewers with the approximate position being marked on the attached Statutory Public Sewer Record. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times. No part of the building will be permitted within 3 metres either side of the centreline of each of the public sewer.  
Reason: To protect the integrity of the public sewer and avoid damage thereto.
- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or amending that Order), Part 24 of Schedule 2 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.
- 17 Unless otherwise agreed in writing by the Local Planning Authority, details of the single satellite television system solution shall be submitted to and approved in writing prior to the commencement of the external envelope construction for the High Street Block.  
Reason: In the interests of visual amenity.
- 18 The food and drink (Class A3) premises shall not be used by customers before 08.00hrs nor after 0.00hrs on any day.  
Reason: To safeguard the amenities of the occupiers of neighbouring properties.
- 19 Unless otherwise agreed in writing by the Local Planning Authority, prior to the beneficial occupation of each Class A3 unit a method of ventilation and fume extraction shall be submitted to and agreed in writing by the Local Planning Authority.  
Reason: To prevent any nuisance from fumes and/or cooking odours to the occupiers of neighbouring premises.

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- 20 Unless otherwise agreed in writing by the Local Planning Authority, prior to commencement of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority that adequately restricts the flow of sound energy through party walls and floors between the commercial and residential uses within the development. The scheme supplied shall achieve a minimum  $D_{nT,w} - (Ctr)$  of 50dB for the ceiling / floor between the commercial and residential uses.

Reason: To ensure that each unit is adequately soundproofed in the interests of the amenity of the residents of the units.

- 21 Prior to beneficial occupation of the development, the developer shall confirm in writing the provision of  $R_{w40Db}$ ,  $R_{w32Db}$  glazing and the associated MVHR central ventilation system (High Street) and a MEV (central extract) system pulling air through acoustic trickle vents to achieve a minimum  $D_{n,e,w} (Ctr)$  of 42Db. The developer shall the independent laboratory test data to confirm that the glazing and ventilation systems meet the stipulated standard.

Reason: To protect future residents from sleep disturbance due to community noise.

- 22 If, during the course of development, contamination not previously identified is found to be present at the site no further development (unless previously 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, a detailed strategy for dealing with said contamination.

Reason: Given the size / complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.

### INFORMATIVES

- 1 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).

- 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: (UDP Policies EV1, EV2, EV3, EV5, EV8, EV13, EV33, EV34, EV35, EV40, EC3, EC4, HC2, HC3, HC17, AS1, AS2, AS5, AS6, CC1 & CC2)

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ITEM 3

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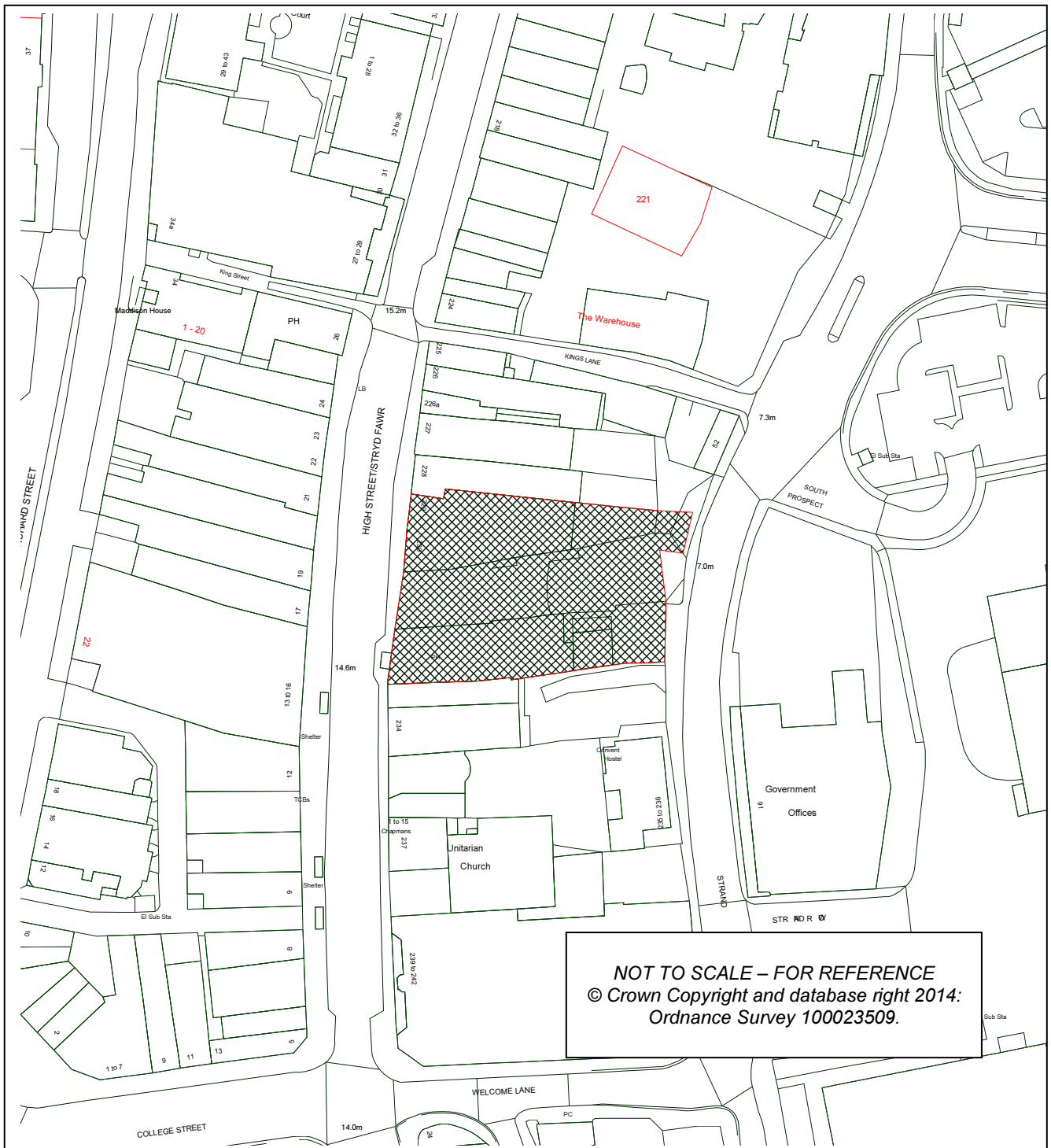
WARD:

Castle

**Location:** 229 - 233 High Street and 49 - 51 The Strand Swansea

**Proposal:** Demolition of the former Bush Hotel in conjunction with the proposed Urban Quarter mixed use development (incorporating the reconstruction of the building's facade) (Application for Listed Building Consent).

**Applicant:** Coastal Housing Group Ltd.



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### **BACKGROUND INFORMATION**

#### **RELEVANT PLANNING POLICIES**

##### **National Planning Policy**

Planning (Listed Buildings and Conservation Areas) Act 1990

Planning Policy Wales (Edition 7, July 2014)

##### **Swansea Unitary Development Plan**

Policy EV8      Permission will not be granted for the total or substantial demolition of a listed building other than where there is the strongest justification and convincing evidence that:

- i) Every reasonable effort has been made to sustain existing uses or find viable new uses compatible with the building's character and setting, and
- ii) Preservation in some form of charitable or community ownership is not possible or suitable, and
- iii) The proposed new development would produce substantial benefits for the community, which would decisively outweigh the loss resulting from demolition.

#### **RELEVANT PLANNING HISTORY**

2015/0036      Mixed use Urban Quarter development comprising of demolition of existing properties at 229/230 High Street and construction of 4 storey block to High Street incorporating 3 no. ground floor retail units (A1) (with the option to include 1 no. Class A3 unit), and 27 residential units on upper floors (incorporating the reconstruction of the Bush Hotel), 7 storey block to The Strand elevation comprising basement car parking / plant / refuse store and 30 residential units on the upper floors, with landscaped courtyard, infrastructure and associated works.  
Currently being considered

2015/0951      Demolition of 229-230 High Street (application for the Prior Notification of Proposed Demolition)  
Prior Approval 9 June, 2015

#### **RESPONSE TO CONSULTATIONS**

The application was advertised on site and in the local press. No Response

**Royal Commission on the Ancient and Historical Monuments in Wales** - The Bush Hotel was listed for its special interest as a four-storey Georgian town-house/hotel retaining period detail. The demolition of this building was certainly a loss to the built heritage of Swansea. The proposals to reinstate the façade (informed by an historical assessment by Graham Frecknall Architecture & Design) is to be welcomed.

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**The Georgian Group** - Thank you for informing The Georgian Group of the above listed building application.

It has come as a surprise to The Georgian Group that this important Swansea landmark building has already been demolished since 2013.

Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990, states: *'Subject to the following provisions of this Act, no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised.'*

We would welcome evidence that the Local Authority/applicant has indeed followed the correct procedures, and not in effect completed unauthorised works under the Act.

The building was demolished because it posed a public danger. Section 9(3)(a) of the Act states *'that the works to the building were urgently necessary in the interests of safety or health or for the preservation of the building.'* This reasoning does not cover total demolition. Temporary works should have taken place to ensure the safety of the site, as well as keeping future options to the building open. Again, we would welcome any defence why this did not occur.

As a result of this total demolition, we could not possibly support such an application until the points in this letter has been satisfactorily answered.

**Ancient Monument Society** - Thank you for consulting us on this application, which was discussed at the Society's Casework Committee on 4 February.

The Ancient Monuments Society objects to this application.

### SIGNIFICANCE OF THE BUSH HOTEL

The applicant's Structural Report of 2008 claims that the Bush Hotel was "constructed circa 1890" and that "up until the demolition of No 231 & 232, the building would have formed part of a continuous terraced block of commercial buildings along the High Street" (Paragraph 3.1). The CADW list description of 1987 states that the building has a 'late Georgian stucco front' and that it is shown on a Swansea Local Board of Health Map of 1852.

It is not clear from the information provided whether the stucco front was a reworking of an earlier building, but the images included in the Structural Report suggest that an older structure may have survived behind. Other standing buildings in this section of the High Street suggest that there was ribbon development along the route from at least the early 19<sup>th</sup> century.

Whatever its precise age, the Bush Hotel was an attractive building with handsome detailing, notably a distinctive porch with cast iron columns, fine sash windows and ironwork balconies. There are reports that this was the last public house Dylan Thomas drank in before his journey to America in 1953 and at the time of its demolition the local press described the Hotel as "a city landmark".

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The building's listing means that it was recognised by law as a building of importance to the nation's heritage and that it was given an added level of protection. Listing is a statutory recognition that comes with responsibilities. We are concerned that in this case those responsibilities appear to have been neglected.

### DEMOLITION OF THE BUSH HOTEL

Trustees were shocked to learn that the former Bush Hotel, a Grade II-listed building, had already been demolished. The information submitted seems to indicate that no consents were sought for the demolition. Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990, under the heading "Restriction on works affecting listed buildings", states that:

*"Subject to the following provisions of this Act, no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised."*

Similarly Paragraph 66 of the Wales Office Circular 61/96 addresses the issue of demolition:

*"Once a building is listed (or is the subject of a Building Preservation Notice) under Section 1 of the Act, Section 7 provides that consent is normally required for its demolition, in whole or in part, and for any works of alteration or extension which would affect its character as a building of special architectural or historic interest. It is a criminal offence to carry out such works without consent, which should be sought from the local planning authority."*

CADW, in its guidance on listed building, has similar advice: *"It is a criminal offence to carry out works (either to the exterior or interior) which would affect the character of a building once it is listed unless listed building consent has been obtained from the appropriate planning authority."* (CADW, *What is Listing 2005*).

As consent was not sought for the works under Section 7 they were therefore effectively unauthorised and a contraventions under Section 9 the 1990 Act.

Although four specific defences are permissible under Section 9(3), they have to be relevant to the specifics of the situation and all four are inter-related and must be complied with predicated on: urgency; the applicability of immediate emergency action; and be minimal in scope.

Under Section 9(3)(a) the Act states *"that the works to the building were urgently necessary in the interests of safety or health or for the preservation of the building;"*

The issue here is urgency with works to stem deterioration but the urgent work should have to be confined to temporary support only while a proper assessment of options for repair (including for example any separate insurance requirements) and the relevant planning consents were obtained from the Council.

This defence expressly does not cover complete demolition and clearance. If this defence were otherwise to apply it might be argued no consent is ever required under any circumstances.

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*Section 9(3)(b) requires proof “that it was not practicable to secure safety or health or, as the case may be, the preservation of the building by works of repair or works for affording temporary support or shelter;”*

This is about practicality. There is no evidence to suggest that it might not have been possible to prevent further structural instability by temporary support nor that the building could not have been temporarily fenced off to address issues of public safety while a thorough independent assessment was undertaken.

*Section 9(3)(c) requires “that the works carried but were limited to the minimum measures immediately necessary”;*

Complete demolition and clearance of the building does not constitute minimum measures, and although some works might have been immediately desirable to the owner it is by no means clear or proven they were immediately necessary.

*Section 9(3)(d) requires “that notice in writing justifying in detail the carrying out of the works was given to the local planning authority as soon as reasonably practicable.”*

The Society has not been presented with any evidence by the Council that any notice in writing was expeditiously received. The interposing of the word “and” between Section 9(3) (c) and (d) is important and intended to ensure that all the four clauses in the Act must be complied with for a defence under S.9(3) to succeed, but in the case of the listed Bush Hotel it would appear that none of the tests under S.9(3) of the 1990 Act were met.

### Structural condition

The applicant argues in his Design and Access Statement that the building had been structurally unsound for a number of years. The application is supported by two Structural Reports – one from 2008 and another from 2012. The first report does not appear to have highlighted any serious structural defects, apart from some bulging to a retaining wall to the rear of the property. The 2012 report indicated that “the gable wall to the front section [was leaning] outward at the top by 10-15mm and this may be a result of disturbance when the adjoining buildings were demolished with the wall weight then causing movement”. It is not clear why no measures were taken to prop up the side wall to the Hotel at the time Nos 231& 232 were demolished, but it seems that defects were allowed to get progressively worse between 2008 and 2012.

The 2012 report concludes that: *“the building, especially at the front and north gable elevations, is in a potentially dangerous condition with a number of structural defects and building defects present that need attention to preserve the integrity of the structure in the short to medium term”* (Paragraph 5.0). A Recommendation was made that:

*“Due to the condition of the building and, what appears to be, slow progressive movement to the front elevation [...] short term measures are implemented to safeguard the structural integrity of the building, especially the front, whilst a decision is made for the building [...] (Paragraph 6.1).*

More detailed recommendations were made under Paragraph 6.2.2.

We wonder if your authority took steps to address the situation? Paragraph 123 of the Wales Office Circular 61/96 is unambiguous:



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*“Local planning authorities may not consider making a dangerous structures order for listed buildings, buildings subject to building preservation notices and buildings in conservation areas unless they have considered, as an alternative, whether to exercise their powers under Sections 47, 48 or 54 of the Act relating to repairs (Section 56). Even when they consider that a dangerous structures order is appropriate, the works specified in such an order relating to such buildings still require listed building consent. Authorities making dangerous structures orders should remind owners of the need to obtain listed building consent – or fulfil the requirements of Section 9 (3) which provides a defence against prosecution.”*

Dangerous structure

Section 78 of the Building Act 1984 explains that a local authority “*may take steps as may be necessary*” to “*remove the danger*” presented by a “*building or structure, or part of a building or structure, [which] is in such a state, or is used to carry such loads, as to be dangerous*”. However the Act also insists that:

*“Before exercising their powers under this section, the authority shall, if it is reasonably practicable to do so, give notice of their intention to the owner and occupier of the building, or of the premises on which the structure is situated.”*

A clear inference can be drawn from the powers under Section 78 regarding immediate action, that in making explicit provision for cost recovery it should be expected that such works should not exceed fencing off the building or structure, or arranging for it to be watched. It would seem to the Society therefore that the use of this power by the Council rather than the process permitted under Section 77 (which would be in contravention of the listed building legislation) was misdirected.

It is not clear to us that your authority issued such a notice, or even that the demolition works (which were carried out by the owner) related to Section 78 of the Building Act rather than Section 77, which requires Listed Building Consent.

We would be grateful if you could clarify these points. If the building was demolished in advance of listed building consent, your authority should consider whether action should be taken against the owner, as the 1990 Act requires.

In conclusion, the Ancient Monuments Society regrets the demolition of the Bush Hotel, objects to this application and urges your authority to consider the issues outlined in this letter.

**Swansea Civic Society –**

Background: During the planning process for the Urban Village in High Street and The Strand, the Civic Society expressed their strong concerns relating to the achieving of active frontages to both streets and the risk of an overbearing nature of the residential tower block. It is of considerable regret that the final form of the Urban Village and especially it's frontage onto The Strand failed in these aspects. The elevation to the High Street dominates the location with little or no active frontages which combined with gated entrances leave the street scape dead out of hours. In addition the promise of an internal courtyard space as a venue for public events disappeared. The frontage onto the Strand is dominated by a multi storey car park with a residential tower block above it, lacking in interest or activity.

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The Civic society supports the established planning policy to reinvigorate the High Street and develop The Strand as a stronger link between the City Centre and Parc Tawe and the river. The recently published City Centre Strategic Framework Review reinforces this objective and states that future developments should:

“Create an attractive high quality development with active frontages along.....The Strand.”

“Significantly improve links to the City Centre..... The Strand and the river corridor”.

“Redevelopment of vacant sites along the west of The Strand, some of which are taking place, should provide edge definition, a mix of uses that provide natural surveillance and points of activity”.

Having reviewed the documentation in support of the above application, described as the Urban Quarter, it would appear that a similar approach has been employed which will replicate the shortcomings of the previous Urban Village project.

### Objections & comments

1. The proposed frontages to the High Street will not contribute to the public realm and active street scene, with the retail/commercial units of minimal dimensions which will not provide sufficient space for significant businesses. Amendments should be made.
2. To create a replica or imitation of the former Bush Hotel is an insult to the intelligence of the City and only serves to highlight what many perceive as the wilful neglect of its owners. Despite any “private” agreement which may have been arrived at with CADW, this element should be removed from the scheme, the salvaged columns to the original entrance porch could be incorporated into a design without requiring an imitation of a Georgian façade which sets out to deceive.
3. The proposed frontage onto The Strand consists of a screened car park and a resident’s entrance with no attempt to enhance the public realm or provide an active frontage. This should not be accepted.
4. The residential tower block to The Strand is described as finished in flat rain-screen panels. This is a blank and brutal block and must be improved with better quality materials with a greater degree of architectural interest deserving of its key position. It should not replicate the shortcomings of nearby Alexandra House.
5. It is notable that the Design Report by the Design commission for Wales supports our concerns and objections and also recommends improvements.

It is therefore the recommendation of the Swansea Civic Society that this application be refused and an amended proposal submitted to reflect the concerns raised.

**Highway Observations** – no highway objection

## APPRAISAL

The application seeks Listed Building Consent (LBC) for the demolition of the former Bush Hotel (233 High Street), Grade II Listed Building together with the reconstruction of a facsimile of the building as mitigation for the loss of the building, so as to ensure the urban design heritage aspects of the now demolished building are reintroduced into the street scene.

The proposed development comprises part of the wider proposal involving the demolition of the existing structures (229 – 230 High Street) to facilitate a residential led mixed use development of 57 no. affordable residential units and 3 no retail units and associated works and is to be referred to as the Urban Quarter development. The associated application for full planning permission has been submitted under Ref:2015/0036 and essentially comprises a 4 storey block to High Street incorporating 3 no. ground floor retail units (A1) (with the option to include 1 no. Class A3 unit), and 27 residential units on upper floors (incorporating the reconstruction of the Bush Hotel), and a seven storey block to The Strand elevation comprising basement car parking / plant / refuse store and 30 residential units on the upper floors.

A Listed Building Justification Statement is submitted with the application together with a Heritage Statement which has informed the design process in addition to the required Design and Access Statement. The application seeks to justify the progressive demolition of the building which took place during the months of June / July 2013. This followed the involvement of the Council's Building Control Dept. under Section 78 of the Building Act 1984, that the building was considered to pose an immediate danger to the public and required emergency work of demolition to remove the danger.

Notwithstanding that the former Bush Hotel was demolished in 2013, the main issue to be considered is whether there was a justification for its demolition having regard to the relevant Planning Legislation, under the Planning (Listed Buildings and Conservations Areas) Act 1990 and other related national planning policy and guidance. Additionally, whether the reconstruction of a facsimile of the building would provide adequate mitigation for the loss of the building.

### **Planning (Listed Building and Conservations) Act 1990 & National Planning Policy Framework**

Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that no person shall execute or cause to be executed any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest, unless the works are authorised. Section 9 (1) states if a person contraveners section 7 he shall be guilty of an offence and under section 9(4) a person who is guilty of an offence under this section shall be liable on summary conviction to imprisonment or a fine, or both. It is therefore a criminal offence to carry out such works without consent. However, under Section 9(3) in proceedings for an offence under this section it shall be a defence to prove the following matters-

*(a) that works to the building were urgently necessary in the interests of safety or health or for the preservation of the building;*

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*(b) that it was not practicable to secure safety or health or, as the case may be, the preservation of the building by works of repair or works for affording temporary support or shelter;*

*(c) that the works carried out were limited to the minimum measures immediately necessary; and*

*(d) that notice in writing justifying in detail the carrying out of the works was given to the local planning authority as soon as reasonably practicable*

Section 8 (3) of the Act allows listed building consent to be sought even though the works have already been completed. Applications for consent to retain such works should follow the same procedures as other listed building consent applications. Authorities should not grant without considering the merits of the case as they would if consent for the works had been sought before they were carried out. If consent is granted, it is not retrospective; the works are authorised only from the date of the consent.

Planning Policy Wales sets out the land use planning policies as they apply to Wales, lists relevant legislation and sets out the general sustainable development principles and the role of the planning system. Section 6 sets out the objectives in respect of conserving the historic environment and in particular the objective of ensuring the character of historic buildings is safeguarded from alterations, extensions or demolition that would compromise a building special architectural and historic interest (6.1.1.).

PPW states that whilst it is an objective of Welsh Government Policy to secure the conservation and sustainable use of historic buildings, there will very occasionally be cases where demolition is unavoidable. Listed building controls ensure that proposals for demolition are fully scrutinised and justified before any decision is reached. In determining applications for total or substantial demolition of listed buildings, authorities should take into account the condition of the building, the cost of repairing and maintaining it in relation to its importance and the value derived from its continued use, the adequacy of efforts made to retain the building in use and the merits of alternative proposals for the site (6.5.12).

Planning and the Historic Environment: Historic Buildings and Conservations Area (5 Dec. 1996) (W.O.Circular 61/96) sets out advice on legislation and procedures relating of historic buildings and together with PPW, the combined guidance may be material to decisions in individual planning applications and should always be taken into account in the exercise of listed building and conservation area controls.

### **Justification for demolition**

Coastal Housing Group purchased the Bush Hotel in September 2011 and the Council wrote to Coastal in October 2012 expressing concern at the condition of the Bush Hotel and sought confirmation of the structural condition of the building. Correspondence followed in early 2013 which resulted in an internal inspection in March 2013 and further request for clarity on the condition of the building. Coastal confirmed that they were monitoring the building and was to be reused as part of their 'Peoples Square' project.

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The Bush Hotel was regrettably demolished in June/July 2013 following the intervention of the Council's Building Control department. They deemed that the building was 'dangerous and that immediate action was needed' and instructed the owners to take appropriate action. The demolition was approached in an incremental manner but in the opinion of the owner's structural engineer and the Councils Building Control Section the building was not saveable.

The Councils Conservation Officer was informed of the structural concerns and advised the owner to only undertake the 'minimum necessary' work to make safe on accordance with section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is reiterated that it is a criminal offence to demolish a listed building without consent under Section 9 of the Act, however, in doing so it is defence that it can be demonstrated that the works were the minimum necessary and therefore it is imperative that the reasons for demolition are fully transparent.

The observations by the Mel Williams Structural Engineer in Jan 2013 (submitted in support of the application) were that the front of the listed building onto High Street wall '*could be rescued using a temporary system of dead and raking shores*' (paragraph 4.02) but there is no explanation of why this approach was not adopted. Within the additional information submitted in May 2015, it is explained that the raking shores to support the front elevation would have blocked the High Street to traffic movement, so it is accepted that this option was considered and discounted. However it is not explained whether a system of structural support and concrete counterweights was considered.

It was not clear in the original submission when the structures to the rear of the former Bush Hotel and also the buildings on High Street were demolished, however, it has since been clarified that the structures were cleared prior to ownership by Coastal Housing Group.

With regard to the justification for demolition and that the works carried out were the minimum necessary under Section 9(3) of the Act, the following issues are summarised as follows:

- a) It is agreed that the works were necessary in the interests of public safety as indicated by the verbal instruction by the Councils Building Control Officer under section 78 of the Building Act to make the building safe.
- b) Some temporary solutions were considered and discounted, although it is not clear if all potential options were explored.
- c) The Councils Conservation Officer gave clear advice that the work carried out should be limited to the minimum necessary. The Councils Building Control Officer supervised the controlled demolition by hand. The issues arising from the 'bookend' effect had destabilised the front elevation, roof and north gable. However the justification for the demolition for the rear parts of the building which were back from the High Street is not apparent.
- d) Notice of the work was given to the Councils Conservation officer on the day that the Dangerous Structure was declared verbally (18<sup>th</sup> June 2013). Rapid consideration was given to the use of Sections 47, 48 and 54 of the Planning (Listed Buildings and Conservation Areas) act 1990 in accordance with paragraph 123 of circular 61/96 (Planning and the Historic Environment). However the option of the Council intervening using Listed Building powers was unfortunately ruled out due to the uncertainty over the potential costs and the lack of a budget for works in default.

It is not disputed that the building was in poor condition prior to its demolition, and it is considered that adequate justification has been given for its demolition. The rebuilding underpinned by historic references and conservation principles will effectively recreate the façade in the streetscene and the remainder of the building will be screened by infill development alongside. Therefore whilst the demolition of the Bush Hotel was regrettable, the proposals are supported as a key element of the regeneration proposals for High Street as part of the Vibrant and Viable Places (VVP) programme for Swansea.

### **Proposed Building Facsimile**

The former Bush Hotel dated from around 1840. It had a four storey Georgian façade constructed of pennant rubble stone and finished in render with dressed stone cills and cornice. The windows were multi-pane sash with a triple sash window at ground floor level (the surrounds shown in the photos were actually painted, but there was a cill band at second floor level). At ground floor level was a portico porch with cast iron columns. The roof had been replaced with concrete roof tiles but the chimney stacks and pots remained.

The Council's Conservation Officer was able to inspect the Bush Hotel internally a few months before the demolition. This resulted in advice that the structural condition of the building be urgently looked at, but also revealed that the building had been changed considerably internally, with very little historic fabric remaining. The panelled room referenced in the listing description had vanished apparently under previous ownership and the ground floor layout had removed the original stairs. The upper floors retained the original stairs, but the rooms were devoid of architectural features. The rear wing was a later addition and this also was devoid of architectural features. Therefore based on the inspection it is considered that it was the façade and shell of the building that contained the most significance as a streetscene building and internally significant change would have been allowable.

The Ancient Monument Society in their objection suggest that the building was a reworking of an earlier structure. There certainly is a scar in the party wall of the building to the south that indicates a building of three stories that steps back at each floor. This suggests an earlier structure that pre-dates the 1840 building and this needs to be recorded prior to any development.

The Listed Building Justification statement indicates that the following items were salvaged and are now in store:

- Timber portico roof structure;
- Cast iron portico support columns with decorative scrolling;
- Decorative wrought iron railing detailing;
- Decorative wrought iron work from portico roof;
- Metal support brackets with spotlights;
- Front entrance door;
- Original casement windows (1st, 2nd and 3rd floors front elevation)
- Original casement windows (ground floor front elevation)
- Stone window cill;
- Terracotta Chimney pots.

## PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015

ITEM 3 (CONT'D)

APPLICATION NO.

2015/0073

A photographic record of the salvaged items has been provided. This indicates that the portico/ decorative metal work/ stone cills/chimney pots can be reused, whilst the timber window frames can be used to achieve correct detailing of new timber frames.

The applicants are proposing to rebuild the façade of the Bush Hotel and to recreate the span of the building under a traditional slated pitched roof. It should also be noted that the façade is to be constructed from modern blockwork with cement render, it will not be a traditional pennant stone construction with lime render, however the cills and details such as the cornice should be natural stone as evidenced by the items salvaged.

However it is indicated that the façade will be rebuilt to a slightly increased vertical proportion (90cm higher at cornice level) due to the inflexible greater floor to ceiling requirements and cill height requirements of affordable housing as set by the Welsh Government. The applicant's heritage professional has undertaken thorough analysis of the original Bush Hotel proportions based on a measured survey and also of similar Georgian facades in other Welsh towns. They have identified the underlying proportions based on a 'pattern book approach' and have provided examples of other Georgian facades with slightly greater vertical proportions. Therefore there is a justification for the altered portions that results in the parapet coping being some 90cm higher than originally.

The ground floor vertical proportion remains the same as the original dimensions are well suited to modern commercial use, plus this allows the salvaged canopy and cast iron columns to be reinstated. The windows on all floors all remain to their original proportions (but of new timber construction), it is the masonry area between and around the windows that is varied in the reconstruction and the following summarises the main vertical dimensional changes:

Vertical proportions changes:

- Street level to head of ground floor window – unchanged
- Head of ground floor window to cill of first floor window – increased by 50cm
- Cill of first floor window to head of first floor window – unchanged
- Head of first floor window to cill of second floor window – increased by 20cm
- Cill of second floor window to head of second floor window – unchanged
- Head of second floor window to fill of third floor window – increased by 10cm
- Cill of third floor window to head of third floor window – unchanged
- Head of third floor window to top of cornice – unchanged
- Cornice to top of parapet – unchanged
- Parapet to ridge (vertical distance) – unchanged
- Overall increase in height = 90cm

Based on the proportional analysis of the geometry underlying the pattern book design, the frontage is proposed to be increased by 25cm to balance with the vertical proportion and the following summarises the main horizontal dimensional changes:

Horizontal proportion changes:

- Front door width – unchanged
- Door reveal width - unchanged
- Door reveal to window jambs (equal both sides) – increased by 5cm
- Ground floor window width – unchanged

## PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015

ITEM 3 (CONT'D)

APPLICATION NO.

2015/0073

- Right window jamb to adjoining existing building – increased by 37cm
  - Left window jamb to adjoining new building – decreased by 35cm
- Overall increase in width = 25cm

The changes to the horizontal proportions and original asymmetrical profile has been discussed by the applicants historic building advisor. They have acknowledged that there is no justification for altering the horizontal proportions, so amended drawings have been submitted which show the horizontal distances remaining as per the original survey drawings. Therefore the rebuilt elevation will retain the original asymmetrical appearance and this is welcomed.

The ground floor plan indicates that the street level of the Bush is proposed to be a commercial unit (it was originally a bar). The upper three floors are proposed to be residential accommodation (bedrooms and living rooms). As noted above the increase in vertical proportions is due to the inflexible Welsh Government DQR requirements in terms of ceiling heights, cill heights etc. The detail of these windows was discussed at length during the pre-application stage and details of the proposed windows were provided on 3<sup>rd</sup> March 2015 some 6 weeks after the application was submitted. A full set of details of the proposed new timber sash windows have now been provided to reflect the salvaged window details. The sashes now have the correct number of panes and the drawing indicates that all details are to be matched including sash weights albeit with slimlite double glazing.

### Summary

As indicated above the justification for the unauthorised demolition of the Bush Hotel is accepted on balance and the construction of the replacement facsimile façade within the proposed development would be underpinned by historic references and conservation principles reflecting its former appearance within the streets scene. Furthermore the regeneration benefits of the proposal to create new homes and commercial space are key elements of the VVP project for the High Street. Therefore approval is recommended for the unauthorised demolition and the rebuilding of the façade subject to the conditions.

### **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 18 of the Planning (Listed Buildings and Conservation Area) Act 1990.
- 2 The development shall be carried out in accordance with the following approved plans and documents: [AL-90-10, AL-90-11, AL-90-13, Listed Building Justification Statement, Historical Statement (19 January, 2015; AL--90-12b, A-00-01C, A-00-01C, A-00-03C, A-00-04C, A-00-05C, A-00-06C, A-00-07B, A-00-10B, A-0020-D, A-00-21C, A-00-22B, A-0023C, AD-31-100A, AD-31-101A, AD-31-102A, AL-90-12B, AL-90-13A (18 May, 2015)]  
Reason: To define the extent of the permission granted.



## PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015

ITEM 3 (CONT'D)

APPLICATION NO.

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3 Notwithstanding the details indicated in the application, the rebuilt facade shall incorporate the following salvaged items:

- \* portico structure, columns and flagstones;
- \* front door;
- \* stone cills;
- \* decorative metal work;
- \* chimney pots

Reason: In order to create the character of the former Listed Building.

4 Notwithstanding the details shown on any approved plan, the materials used for the external surfaces of the development including the architectural stonework, render details, quoins and colour shall be in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Composite sample panels shall be erected on site and the approved sample panel shall be retained on site for the duration of the works, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to create the character of the former Listed Building.

### 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: (EV8)

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PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015

ITEM 4

APPLICATION NO.

2015/1293

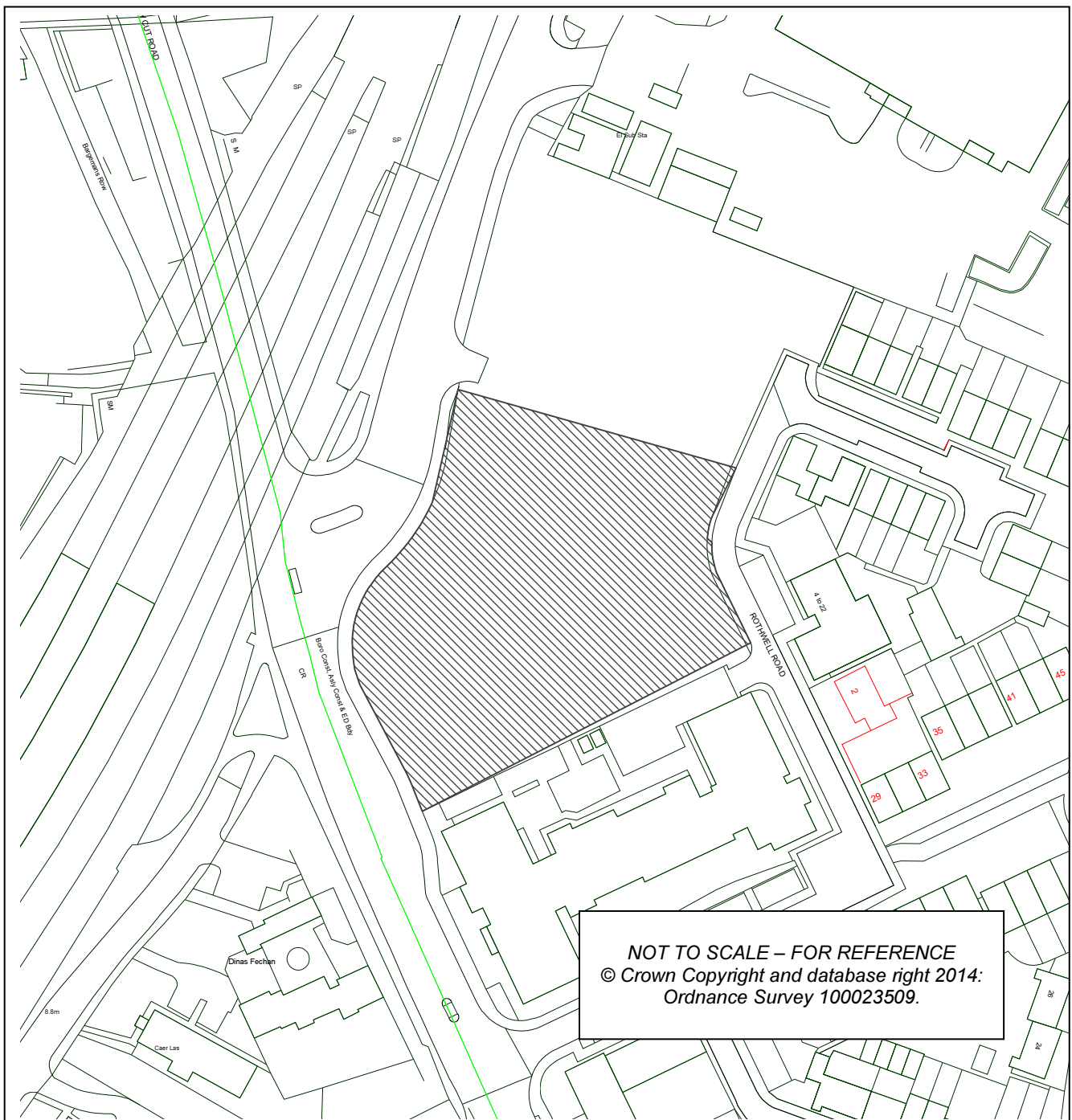
WARD:

Landore  
Area 1

**Location:** Land at New Cut/Morfa Road Swansea SA1 2EN

**Proposal:** Revised layout to phase 2 Student Accommodation (340 bedrooms) including 'handing' Block D and incorporating re-arrangement of management suite / plant room and external layout of courtyard comprising landscaping, circulation and site access, car parking and cycle provision, refuse stores and sub-station (reserved matters approval pursuant to the outline planning permission 2007/2829 granted on 19th December 2008)

**Applicant:** Watkin Jones Construction



**BACKGROUND INFORMATION**

**RELEVANT PLANNING POLICIES**

**National Planning Guidance**

Planning Policy Wales (PPW – Edition 7 (July, 2014)

Technical Advice Note 12 – Design

**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 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.

**Supplementary Planning Guidance:**

River Tawe Corridor Study

Places to Live: Residential Design 2014

**RELEVANT PLANNING HISTORY**

2007/2829 Mixed use development comprising 967 student accommodation units within 1 no. part 6 storey, part 7 storey, part 8 storey part 10 storey block, incorporating ground floor retail unit (Class A1), and 1 no. part single storey part 6 storey block plus up to 349 residential units, freestanding café/restaurant (Class A3), bicycle storage, car parking, riverside walkway, reconfigured public open space, landscaping, highways and infrastructure works (outline).

## PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015

ITEM 4 (CONT'D)	APPLICATION NO.	2015/1293
2008/1990	Details of landscaping for proposed student accommodation (reserved matters approval pursuant to outline planning application ref: 2007/2829) (resolved to grant planning permission 19th August 2008) Decision: Grant Permission Conditional Decision Date: 21/05/2009	
2010/0844	Construction of 106 residential units (59 two & three storey dwellings and 38 apartments in 3 three/four storey blocks & 9 "flat over garages") (details of the siting, design, external appearance, means of access and landscaping pursuant to conditions 2,4 & 7 of the outline planning permission 2007/2829 granted on 19th December 2008) Decision: Grant Permission Conditional Decision Date: 22/02/2011	
2013/1016	Revised ground floor layout to phase 1 Student Accommodation incorporating management suite/common room, refuse store, plant room and retail area; and external layout comprising additional vehicular access via residential estate road together with 5 space car park and revised cycle provision, substation relocation and landscaping (reserved matters approval pursuant to the outline planning permission 2007/2829 granted on 19th December 2008)	

### RESPONSE TO CONSULTATIONS

The application was advertised on site and in the local press. No response

**NRW** – do not object to the application.

**Welsh Water** – no objections subject to conditions

**Highway Observations** – none to date.

### Introduction

The application is reported to Committee at it exceeds the development threshold (d) the provision of a building or buildings where the floorspace to be created by the development is 2,000 square metres or more.

Outline Planning Permission was granted on 19 December, 2008 following the completion of a Section 106 Agreement for a mixed use development comprising 967 student accommodation units within 1 no. part 6 storey, part 7 storey, part 8 storey part 10 storey block, incorporating ground floor retail unit (Class A1), and 1 no. part single storey part 6 storey block plus up to 349 residential units, freestanding café/restaurant (Class A3), bicycle storage, car parking, riverside walkway, reconfigured public open space, landscaping, highways and infrastructure works (outline).

## PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015

ITEM 4 (CONT'D)

APPLICATION NO.

2015/1293

The planning permission comprised a 'hybrid' outline planning application, whereby full details of siting, design, external appearance and means of access were provided and approved in respect of the student accommodation element of the scheme, including the retail store (but excluded the details of the landscaping being reserved for subsequent submission – ref:2008/1990 granted 21 May, 2009) with the remainder of the site (comprising the residential development and the riverside walkway / open space) to be subject to a reserved matters submission.

A reserved matters submission has since been approved for Bellway (ref:2010/0844) for the residential component of the scheme and has been completed together with the riverside walkway and open space provision. The construction of the residential units effectively implemented the permission in accordance with the time limits imposed by Condition 6 of the outline permission.

The phase 1 student accommodation units consisting of Blocks A & B (totalling 382 bedrooms) has been completed and a revised ground floor layout to the Phase 1 area together with a revised external layout and an additional vehicular access via the residential estate road was approved under ref:2013/1016.

### **Description**

The current revised layout relates to the second phase of the student development (340 bedrooms) and involves a number of revisions to the approved scheme, in particular:

- 'Handing' Block D;
- Revised ground floor layout incorporating the re-arrangement of management suite / plant room;
- Revised external layout of courtyard comprising landscaping, circulation and site access;
- Revised car parking and cycle provision, refuse stores and sub-station

The principal changes to the building have resulted from the proposed phasing programme so that the approved Block E (at the end of Block D) which fronts onto Morfa Road will not be constructed until the last phase of the development. This has resulted in 'handing' Block D to enable the staircase to be centrally located with the adjoining Block C. The management suite / common room area has been reconfigured at the main entrance which enables a secure single entrance into the development to be provided.

The existing 'temporary' vehicle access off the Residential estate will now be closed, so that vehicular access will be obtained from the original approved access from Morfa Road. The internal courtyard area will be re-configured with revised circulation routes, communal landscaping, and refuse stores, cycle parking and sub-station. The external building envelope and layout of the Phase 2 development remains substantially unchanged and is being constructed as approved. The pre-commencement conditions have been discharged and the provisions of the Section 106 Agreement remain in place.

### **Policy Issues**

Policy EV1 of the Unitary Development Plan seeks to establish the principles of development to ensure new development shall accord with a defined set of criteria of good design and be appropriate to its local context in terms of scale, elevational treatment, materials and detailing and should not result in a significant detrimental impact on local amenity in terms of visual impact.

Policy EV2 indicates that new development must have regard to the physical character and topography of the site and its surroundings by avoiding locations that would have a significant adverse impact on landscapes, open spaces and the general locality, including loss of visual amenity.

Policies EV3, AS2, AS5 and AS6 address accessibility and require developments to provide access and facilities for all, and provide satisfactory parking in accordance with Council adopted design standards.

### **Visual Amenity**

As indicated the siting and also the elevations of the phase 2 blocks (C, D & F) remain substantially unchanged and will be constructed as approved. The revisions to the ground management suite allow for a more controlled access into the building enhancing the buildings' security.

The existing 'temporary' additional vehicle access would prejudice the development of Block F and therefore was always only intended as a temporary arrangement pending the development of this phase of the development. The revised external layout of the seating / recreational area will now provide a much larger courtyard area to serve Phase 1 and Phase 2. Additional conditions are recommended regarding the design and materials of the refuse store and cycle stores, and substation, landscaping details in respect of planting, any external lighting, and other external works and also requiring the means of enclosure around the site perimeter.

### **Residential Amenity**

The adjacent Bellway residential development has now been completed and the majority of the units are now occupied. As indicated, the siting of the phase 2 blocks (C, D & F) remains unchanged and is being constructed as per the approved development. The proposed refuse store allows for access from New Cut Road / Morfa Road and therefore the noise / disturbance impact from the emptying of bins will be minimised.

### **Access and Highway Safety**

The approved development for the 967 student accommodation units does not provide any specific on-site parking for students and the Section 106 Agreement incorporates a clause requiring the students to enter into a tenancy agreement containing an obligation not to keep or use a Motorized Vehicle within three kilometres of the boundary of the site, although the restriction does not apply to students allocated a disabled parking space or to a visitor who has been allocated a designated parking space within the site for the duration of their visit. The provided car parking spaces are largely intended for blue badge holders and visitors to the development (including parental drop-offs).

### **Conclusions**

In conclusion, having regard to all material considerations, including the Human Rights Act., the proposal would represent a satisfactory form of development which complies with the criteria of Policies EV1, EV2 and EV3 of the Unitary Development Plan and would have an acceptable impact on the residential and visual amenities of the area. Approval is therefore recommended.

**PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015**

ITEM 4 (CONT'D)

APPLICATION NO.

2015/1293

**RECOMMENDATION**

**APPROVE, subject to the following conditions;**

- 1 The development shall be carried out in accordance with the following approved plans and documents: [Location Plan - 4405\_22\_P1; Phase 2 Site Plan - 4405\_25\_P1; Ground Floor 4405\_03\_P5; First Floor 4405\_04\_P5; Second Floor 4405\_05\_P5; Third Floor 4405\_06\_P5; Fourth Floor 4405\_07\_P4; Fifth Floor 4405\_08\_P4; Sixth Floor 4405\_09\_P4; Elevations 4405\_10\_P2 & 4405\_09\_P4 - 9 July, 2015]

Reason: To define the extent of the permission granted.

- 2 Notwithstanding the details indicated on any of the approved plans, the precise design and use of materials of the refuse store and bicycle stores shall be constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order so that such details can be assessed in the interests of the visual amenities of the area.

- 3 Notwithstanding the details approved under the reserved matters consent ref: 2008/1990, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of superstructure works and shall include details of any external lighting and all other external features as well as all proposed tree and shrub planting and other soft landscaping works.

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.

- 4 Notwithstanding the details indicated in the application, the proposed means of enclosure to this Phase 2 development shall be completed in accordance with details to be submitted to and approved by the Local Planning Authority.

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

- 5 The proposed car parking spaces shall be laid out in accordance with the City and County of Swansea parking standards.

Reason: In order to ensure the car parking spaces are accessible.

- 6 Notwithstanding the details indicated in the application, the development shall not be occupied until a refuse strategy has been submitted to and approved by the Local Planning Authority.

Reason: In order to ensure the management and movement of refuse within the site in the interests of site safety.

**PLANNING COMMITTEE – 11<sup>TH</sup> AUGUST 2015**

ITEM 4 (CONT'D)

APPLICATION NO.

2015/1293

**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, EV4, AS1, AS2, AS3, AS5 & AS6)
-



## **Report of the Head of Economic Regeneration and Planning**

**Planning Committee – 11 August 2015**

**Planning Application Ref: 2014/1837**

### **Construction of a 4MW solar farm comprising c14790 individual panels and associated structures and works**

**Land at Cockett Valley, Waunarlwydd Road, Swansea. SA5 4RQ**

#### **1.0 Background**

- 1.1 This application was reported to Planning Committee on 14<sup>th</sup> July 2015 with the recommendation that planning permission be approved subject to conditions. Members did not accept the recommendation but resolved that the application be deferred under the two stage voting process so that further advice could be provided on reasons for refusal. The application will not be deemed to be refused unless and until reasons for refusal have been recorded and approved by members
- 1.2 A copy of the report to Planning Committee on 14<sup>th</sup> July 2014 is attached as Appendix A.

#### **2.0 Main Issues**

- 2.1 Members identified the following areas as possible grounds for refusal of the application: residential amenity, highway safety, the visual impact on the Cockett Valley Green Wedge and the efficiency of the solar panels in meeting renewable energy targets.
- 2.2 In terms of residential amenity, the site in general is well screened from surrounding residential properties due to the landform and intervening vegetation. The siting and height of the panels would ensure that the structures would not be overbearing nor have an overshadowing impact on the occupiers of nearby residential properties and the nature of the use is such that there would be no overlooking from the site. With regards to noise and disturbance, it is accepted that there will be some during the construction process but these impacts would be temporary and short in duration. Good site management during the construction process would ensure that the impact of noise and disturbance is limited. It is not considered therefore that a reason for refusal based on an unacceptable impact on the residential amenity of the occupiers of nearby residential properties could be sustained.
- 2.3 With regards to highway safety, the main impacts from traffic movements would be during the construction phase. It is predicted that during this phase, there would be up to 34 daily movements by light vehicles (e.g. staff cars), and 8 – 10 HGV movements per day. Following completion of the construction phase, traffic movements will be minimal and relate to occasional maintenance visits only.

The Head of Highways and Transportation has raised no objection to the proposal subject to conditions and it is considered that should the application be refused on highway grounds, it would be difficult to produce evidence at appeal demonstrating that the proposal would have an unacceptable impact on highway safety. In the absence of such evidence, the Local Planning Authority could be the subject of a successful costs application in the event of an appeal.

- 2.4 As Members will be aware, the application site is situated within the Cockett Valley Green Wedge as identified in Policy EV23 of the UDP. The amplification to this policy states that green wedges are areas of countryside that are under pressure for development and which are important for containing and shaping the surrounding settlements. They also protect the environmental and wildlife interests in these areas and are intended to prevent any development that would contribute to coalescence of settlements. The amplification goes on to say it is important to retain their open character. The UDP describes the Cockett Valley Green Wedge as follows:

*'Cockett Valley: This area of lowland rolling farmland with mosaic field pattern and scattered woodland cuts into the urban area, utilising strong landscape and topographical features to contain and shape the urban form. Land between Dunvant, Three Crosses and Gowerton is under development pressure that could lead to a coalescence of these villages, whilst the urban influence is strong towards the eastern part of the green wedge, where the urban edge encircles the rural area.'*

- 2.5 Policy EV23 states:

*Within these areas, 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 area. Appropriate development within the green wedge comprises the following:*

- (i) Justified development in association with agriculture or forestry*
- (ii) Essential facilities for outdoor sport and recreation or cemetery use*
- (iii) Limited extension, alteration or replacement of existing dwellings*
- (iv) Small scale farm diversification*
- (v) The re-use of existing permanent/substantial buildings*
- (vi) Affordable housing for local needs under Policy EV18*
- (vii) Other uses of land or forms of development that maintain the openness of the green wedge and do not conflict with the purpose of including land within it.*

- 2.6 As the report to Committee on 14<sup>th</sup> July indicated, it is the view of officers that the existing landform and vegetation, together with the proposed additional planting would prevent the solar farm having an unacceptable impact on the openness and character of the green wedge. It is further considered that when viewed from the south, the solar farm would be viewed against the background of urban areas Waunarlyydd and the industrial land beyond. There have been no objections raised by consultees in relation to environmental and wildlife issues. It is not considered that the proposal would lead to the coalescence of settlements around this green wedge.

- 2.7 Due regard has to be given to Local and National Planning Policy which seeks to achieve a national target of achieving 20% of electricity needs being met from renewable energy by 2020. At Committee, one of the reasons for refusal suggested by Members was that the solar panels are not efficient.

As the report at Appendix A outlines, correspondence from Welsh Government has indicated that based on data for 2013, an output of roughly 10% of capacity for all types of solar panels in Wales was produced. The scheme assessment and decision outcome is essentially a balance between the national and international will for a future with renewable energy, against the impact of the scheme on the landscape and environment of the Cockett Valley Green Wedge.

2.8 Members will be aware from my original report to Committee that I consider the visual impact from the development is not sufficient to warrant refusal of the application and as a result the recommendation was for approval.

### **3.0 Recommendation**

3.1 It is recommended that:

(i) If Committee considers that the need to produce renewable energy and the contribution of this proposal to meet renewable energy targets set by Welsh Government is insufficient to outweigh the visual impact of the development on the Cockett Valley Green Wedge, the application should be refused for the following reason:

*1. The proposal is considered to constitute inappropriate development which would neither conserve nor enhance the character of the countryside or the openness of the Cockett Valley Green Wedge. The need to produce renewable energy and the contribution of this proposal to meet renewable energy targets set in National Planning Policy is insufficient to outweigh the visual harm that would be caused by the proposal. The proposed development is therefore contrary to Policies EV1, EV23 and R11 of the City and County of Swansea Unitary Development Plan (2008).*

(ii) If, however, Committee does not consider that the application should be refused for the reason given above, the application should be APPROVED subject to conditions as outlined in my report to Committee on 14<sup>th</sup> July 2015 and set out in Appendix A.

## **BACKGROUND PAPERS**

### **Local Government Act 1972 (Section 100) (As Amended)**

The following documents were used in the preparation of this report:  
Application file, together with the files and documents referred to in the background information section of the appended Development Control committee report.

<b>Contact Officer:</b>	<i>Ian Davies</i>	<b>Extension No:</b>	<i>5714</i>
<b>Date of Production:</b>	<i>23<sup>rd</sup> July 2015</i>	<b>Document Name:</b>	<i>Cockett Valley Solar Farm</i>

ITEM 2

APPLICATION NO.

2014/1837

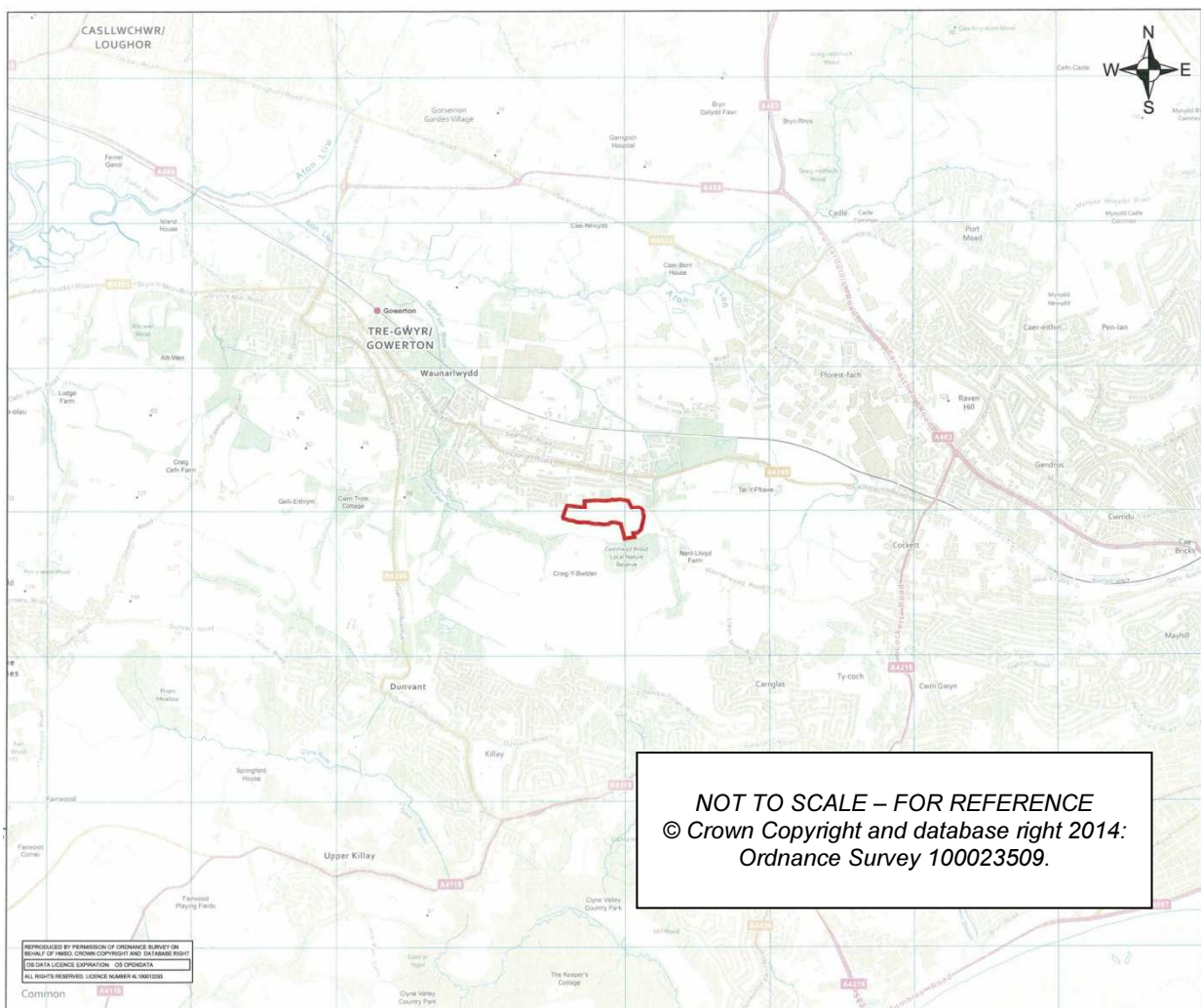
WARD:

Cockett

**Location:** Land at Cockett Valley Waunarlwydd Road Swansea SA5 4RQ

**Proposal:** Construction of a 4MW solar farm comprising c. 14,790 individual panels and associated structures and works.

**Applicant:** Renewable Developments Wales



**BACKGROUND INFORMATION****POLICIES**

<b>Policy</b>	<b>Policy Description</b>
Policy EV21	In the countryside non-residential development will only be permitted where it can be demonstrated that it is beneficial for the rural economy, or it meets overriding social or economic local needs, or it is appropriate development associated with farm diversification, sustainable tourism or nature conservation, or it provides an acceptable economic use for brown field land or existing buildings, or it is essential for communications, other utility services, minerals or renewable energy generation. (City & County of Swansea Unitary Development Plan 2008)
Policy R11	<p>Proposals for the provision of renewable energy resources, including ancillary infrastructure and buildings, will be permitted provided:</p> <p>(i) The social, economic or environmental benefits of the scheme in meeting local, and national energy targets outweigh any adverse impacts,</p> <p>(ii) The scale, form, design, appearance and cumulative impacts of proposals can be satisfactorily incorporated into the landscape, seascape or built environment and would not significantly adversely affect the visual amenity, local environment or recreational/tourist use of these areas,</p> <p>(iii) There would be no significant adverse effect on local amenity, highways, aircraft operations or telecommunications,</p> <p>(iv) There would be no significant adverse effect on natural heritage and the historic environment,</p> <p>(v) The development would preserve or enhance any conservation areas and not adversely affect listed buildings or their settings,</p> <p>(vi) The development is accompanied by adequate information to indicate the extent of possible environmental effects and how they can be satisfactorily contained and/or mitigated,</p> <p>(vii) The development includes measures to secure the satisfactory removal of structures/related infrastructure and an acceptable after use which brings about a net gain where practically feasible for biodiversity following cessation of operation of the installation.</p> <p>Proposals for large-scale (over 25MW) onshore wind developments shall be directed to within the Strategic Search Area defined on the Proposals Map subject to consideration of the above criteria. (City &amp; County of Swansea Unitary Development Plan 2008)</p>

- 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 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 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 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)

## **SITE HISTORY**

None

## **RESPONSE TO CONSULTATIONS**

The application was advertised on site and in the press as a Departure from the Unitary Development Plan. No representations have been received to date.

**The Gower Society** – Comment as follows:

1. We have grave concerns about the location of this solar power station within the land currently designated as EV23 Green Wedge. The contents of EV23 and the Amplification on page 37 of the UDP would lead us to assume that this proposal would not be allowed. However we accept that it is less damaging than being in the AONB but that is covered in turn by much stronger legislation.
2. By any stretch of imagination this is a large industrial complex covering in all about 9 hectares of agricultural land within land set aside as a buffer zone.
3. The site is adjacent to both the housing site in Waunarlwydd to the North and Cwmllywd Wood Nature Reserve to the South. It will impact on these properties and the nature reserve.

4. We are minded to point out that Green Wedges are for the very purposes that the name implies i.e. to separate urban areas. If this application is allowed the implications of future 'copycat' applications in the area must not be ignored. We are greatly concerned about the concentration of such industrialisation that is happening to the North of the M4 in Mawr. It is essential that an overall policy for such applications is prepared for the LDP in order to produce consistent planning responses.
5. Without any question this development will be conspicuous from many areas as indicated by the applicants own plans.
6. The impact upon the ecology of the area will be significant and we query the quality of the environmental study, particularly that on birds.
7. In our opinion these solar panels could have been placed almost invisibly on the roofs of the large industrial complexes like Alcoa to the North of this site and many of the vast areas of retail park roofs such as Llansamlet, Swansea Vale, Cwmbwrla and Fforestfach.

**Glamorgan Gwent Archaeological Trust** – We identified a possible archaeological issue for this planning application.

A Heritage statement prepared by SLR Consulting Ltd (report ref: 404.0027.000002), identified a number of historic environment features within the application associated with the post-medieval agricultural landscape in this area; including field boundaries, industrial features and ridge and furrow. The heritage statement noted the importance of these features and that they should be preserved in situ by the development, though this will not be possible for the ridge and furrow as these are in an area where it is proposed panels will be erected.

As these features are significant to the historic environments of Cockett Valley a record should be made of them prior to their alteration and in some cases loss. As such we recommend that a condition be attached to any consent granted requiring the applicant to commission a photographic survey of the historic features identified in the SLR report.

**Natural Resources Wales** - We would offer no objection to the above application, providing appropriately worded conditions are attached to any planning permission your authority is minded to grant.

#### Flood Risk

The site is located within zone A, as defined by the development advice maps referred to under TAN 15 Development and Flood Risk (July 2004). Our Flood Map information, which is updated on a quarterly basis, indicated the site to be outside of the flood zones.

We note that the site is approximately 9.14 hectares in size and as a solar farm it can be classed as less vulnerable development according to TAN 15.

#### Surface Water Disposal

We note that SUDS and soakaways are listed as the methods of surface water disposal in the application forms whilst the Planning Statement mentions the use of swales on the southern boundary of the site.

We would advise that any swales are installed at the start of the construction phase in order to protect the nearby Gors Fawr Brook from any construction related run-off from entering the watercourse. The swales would also need to be created and established (i.e. vegetated), before any construction work begins on site, in order to provide the best protection for the brook.

We would be supportive of this approach, along with the provision and implementation of a site specific Surface Water Management Plan, which should provide details as to where and how any water that is generated/collected on site during the various phases of the development will go and will be managed, particularly during the construction phase.

This is important as the Gors Fawr brook (which is a tributary of the Afon Llan, a waterbody classified as of "Moderate" ecological status under the Water Framework Directive), is located close to the boundary of the site.

Ultimately the drainage system design and future maintenance is a matter for your Authority's engineers. Therefore would advise that they are consulted. We would also recommended that any surface water drainage system must be designed to ensure no increased run-off from the site during and post development in all events up to the 1:100 year storm with an allowance for climate change.

We acknowledge that the panels will allow rainwater to runoff and infiltrate into the ground. However, this run off will concentrate infiltration to a smaller area and depending upon the topography of the site this may led to the creation of rivets or small channels which could speed up the flow to the runoff down the slope. Therefore consideration for this possibility, along with suitable measures to prevent and/or minimise this from occurring should be implemented as part of any proposal, should your Authority be minded to grant planning permission.

#### Ecology and Protected Species

We welcome the submission of the document entitled "Proposed Solar Farm – Cockett Valley, Swansea: Extended Phase 1 Ecological Report (Ref:404.05027.00002)", dated November 2014 by SLR.

The application site is located within the Duvant Brickworks Site of Importance for Nature Conservation (SINC). Although, this is a non-statutory designation, it does include habitats and features of ecological interest. Therefore, we advise that you discuss the proposal with your Authority's Planning Ecologist.

We note that a site walkover was undertaken on the 4<sup>th</sup> June 2014, with an initial Phase 1 survey on 14<sup>th</sup> July 2014 and follow up tree and badger surveys on the 8<sup>th</sup> August 2014. The report states that the fields within the application boundary can be classified as semi-improved grasslands with species typical of acid soils. Parcels of scrub land are also present across the site, which is subject to varying levels of grazing.

The report confirms that there are no built structures within the site, although a group of trees (G1) and six individual trees (ref. Number; 7,9,10,12,15 and 19) were identified as having features which could support roosting bats. Section5.2.1 of the report states that these trees will be retained and will not be subject to any indirect impacts. We support this proposal, but advise that should these trees require any future maintenance then a further assessment would be required, prior to any work taking place.



We support the Habitat Management and Creation proposals laid down in Sections 6.1.1 to 6.2.5 of the document entitled "Proposed Solar Farm – Cockett Valley, Swansea: Extended Phase 1 Ecological Report (Ref:404.05027.00002)", dated November 2014 by SLR.

We also advise that any "wildflower mix" should wherever possible, be of local provenance. We support a structured mowing or grazing regime in order to manage the sward height during the operation phase of the proposal, but wish to highlight the importance of the removal of cuttings from the site (in order to prevent smoothing and/or enrichment), should grazing not be an option. We also advise that measures for bracken control should be considered within the Habitat Management, if it is found that grazing and /or mowing do not prevent the further encroachment of bracken. We are also supportive of the proposal to plant approximately 360m of new hedgerows, although it is unclear if this will be accompanied by fencing. If grazing is to form a part of the management of this site, then there should be suitable fencing in place to protect the new planting. In addition, any hedging plants which fail should be replaced.

We recommend that the proposals laid down in Section s6.1.1 to 6.2.5 are discussed and agreed with your Authority's Planning Ecologist and should be implemented through suitable Landscape and Habitat Management Plan and delivered by an enforceable planning condition should your Authority be minded to grant planning permission.

#### Landscape

We consider that the proposal is not likely to have a significant landscape or visual effect on the LANDMAP outstanding historic aspect area (SWNSHL726 Gower Subboscus Agricultural) or on the Gower AONB, which lies approximately 2.75km away.

We note that a new length of hedgerow planting is proposed along the northern edge of the site and are supportive of this mitigation measure to strengthen the field boundary. The management of the grassland, hedgerows and trees on the site should be subject to a suitable Management Plan and implemented via an enforceable planning condition, should you be minded to grant planning permission.

The historic landscape aspect area is identified as outstanding by LANDMAP, mainly because of the historic field pattern, boundary treatment and historic monuments. The proposal is not considered likely to have more than local effects on the historic landscape. The field pattern and boundary features would remain intact. There would be an adverse effect on the character of the landscape locally, considered of moderate significance in the LVIA. We consider the effect on the character of the site to be significant, however in the context of the historic landscape aspect area, this is localised.

Visual effects are identified as of minor in the LVIA, with the exception of viewpoints C and D where effects on viewers are considered of moderate significance. The LVIA states that the AONB falls outside the ZTV. No photographs have been produced to demonstrate whether the development would be visible from the AONB (e.g. from Fairwood Common, approximately 4km away). However, we consider it unlikely that there would be significant effects on the AONB from this distance.

The visual effects from areas of Access land (e.g. to the east of Waunarlyydd) and near Penllergaer do not appear to have been considered in the LVIA, but are unlikely to increase the effect on the historic landscape to significant.

### Pollution Prevention

Should your Authority be minded to grant planning permission, we advise that a site specific Pollution Prevention Plan needs to be provided.

As your Authority will be aware there can be no deterioration of water bodies under the Water Framework Directive. It is therefore vital that all appropriate pollution control measures are adopted on site to ensure that the integrity of controlled waters (surface and ground) is assured.

As best practice, we would advise the developer to produce a site specific construction management/pollution prevention plan with particular reference given to the protection of the surrounding land and water environments. If planning permission is granted we would ask that the following conditions are included:

Condition: No development approved by this permission shall be commenced until a pollution prevention management plan 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 plan 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.

As a minimum we would recommend that the plan include the following points:

- 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 (NRW) hotline 0800 807 060.

Pollution prevention guidance is available from the Environment Agency's website.

### Waste Management

We note that an "Outline Site Waste Management Plan can be found within Appendix B of the Planning Statement document (submitted with the application), dated November 2014, by SLR (ref:404.5027.0002). Given the nature and location of this development, we would recommend that a site waste management plan (SWMP) for the project is produced. Guidance for SWMPs are available from the DEFRA website ([www.defra.gov.uk](http://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 may be best undertaken post permission. The following condition is suggested, but could be amended as you see fit.

Condition: 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.

Any waste materials that are generated on site as a result of construction must be stored and treated in line with relevant environmental legislation. If it is proposed to treat waste on site, a relevant waste permit/exemption must be registered with NRW. More information on relevant waste exemptions can be found on our website: [www.naturalresourceswales.gov.uk](http://www.naturalresourceswales.gov.uk).

In addition to the above, we would ask that the attached planning advice note is provided to the applicant/developer. This provides further information and advice on matters such as SUDS, pollution prevention and waste management.

Should your Authority be minded to grant planning permission NRW recommend that appropriately worded conditions are attached to any planning permission you are minded to grant.

**Dwr Cymru Welsh Water** – No objection

**The Coal Authority** - The Coal Authority has raised no objection to the proposed development, subject to the imposition of a standard potential hazards informative and concludes that a Coal Mining Risk Assessment is not required.

**Council's Drainage Section** - We have reviewed the application and while we have no objection to the proposals we would recommend that the Site Layout – Figure 1 is amended to show a SUDs swale on the northern edge to intercept any additional surface water run-off that is created given the proximity to residential properties.

**Council's Pollution Control Division** - No comments on the application.

**Council's Planning Ecologist** - The site has been subject to an extended phase 1 ecological survey, this has provided sufficient information to assess the impact of the development of the proposals on the ecology of the site. The site falls within the Duvant Brickworks SINC. There will be some negative impact on the ecology of the site although if the mitigation and management recommendations described in section 6 of the Extended Phase 1 Survey dated November 2014 are followed there will be an overall ecological enhancement of the site. The recommendations listed in section 6 of the survey should be made a condition of any permission we give.

**Highways Observations** - This proposal is for a solar farm on land at Cockett Valley. The site is accessed from Waunarlyydd Road and details submitted with the application indicate that the construction phase is estimated to last for 3 months. Traffic movements during this phase are predicted to be up to 34 daily movements by light vehicles (staff by car etc.) and 8 - 10 daily HGV movements. Overall, the predicted movements are not considered to be of a high volume.

The indicated route for traffic accessing the site is J47, Fforestfach cross, Cockett, Cwmbach Road and finally Waunarlyydd Road leading to the site access. Following completion of the construction phase, traffic movements will be minimal and relate to occasional maintenance visits only.

I recommend no highway objection, subject to the submission of a Construction Traffic Management Plan prior to commencement of any work at the site. All works shall be completed in accordance with the approved management plan.

## **APPRAISAL**

### Description

Full planning permission is sought for the installation of a solar photovoltaic (PV) array on land at Cockett Valley off Waunarlyydd Road, Swansea. The array would comprise approximately 14,790 individual panels and associated works and structures over a site area of approximately 9 hectares and will have a total installed capacity of 4MW. Ancillary development would include a small number of inverters and a transformer station placed amongst the solar panels, a small substation building, security fencing up to 2.4 m in height and associated security features (including CCTV cameras), and a temporary construction compound.

### Site Location and Use

The application site sits in the Cockett Valley, which lies to the immediate south of the settlement of Waunarlyydd. The site lies within the Cockett Valley Green Wedge. The valley is U-shaped in character with the north and south ridges of the valley largely screening the application site from wider public views. No water courses cross the application site, although the Gors Fawr Brook runs within 15 metres of its southern boundary. The brook runs in an east to west direction, feeding into the Afon Llan river approximately 3 km downstream.

The topography of the application site is undulating in character ranging from a maximum elevation of 100m, which occurs in the north central part of the site, to a low point of 70m, which occurs to the south eastern corner of the site. This low point occurs at the foot of the Cockett Valley near to the aforementioned brook.

The application site comprises a series of fields currently subject to varying levels of grazing, although no formal or structured management regime is currently in place. Field boundaries are typically marked by low earth and stone banks, some of which support defunct hedgerows with occasional semi-mature trees. Other field boundaries remain more open in character with tall ruderal vegetation defining the features from the surrounding grassland.

The grassland swards are semi-improved with a species assemblage typical of acidic soils. Specific habitat features within the site are described in the Extended Phase 1 Ecological Survey Report, which accompanies this planning application.

The site suffers from unauthorised motorcycle/quad bike use, and there is evidence of fly tipped waste throughout. Numerous informal footpaths and vehicles track markings cross the site, none of which are designated as public rights of way.

Immediately to the north of the application site the predominantly residential settlements of Waunarwydd and Gowerton merge to form an elongated belt of development that sits parallel to the Swansea to Llanelli railway line. Some of the housing in Waunarwydd sits directly to the north and north-west of the application site. On the northern side of the railway line there are a series of industrial estates. The north-western edge of Swansea is approximately 1km to the south of the application site on the opposite side of the aforementioned ridge feature. Cockett village lies approximately 1.5 km to the east of the application site again marking the outer extent of the Swansea's urban area.

Access to the site will be gained off Waunarwydd Road and the existing farm access track leading from Waunarwydd Road will be upgraded and used for all construction and maintenance traffic.

The wider surrounding area is predominantly rural in character and lies within the Clyne Valley/Cockett Valley Green Wedge. The layout of the site has taken this infrastructure constraint into consideration.

The site is located entirely within the Duvant Brickworks SINC, which extends to 124.09 ha in total. This SINC contains a mosaic of habitats, with the largest SINC area (57.19 ha) being assigned to 'Woodland containing an Assemblage of Ancient Woodland Indicator species', with additional habitats including 'Structurally diverse and species-rich scrub', lowland meadow, species rich purple moor-grass and rush pasture, and species-rich bracken communities. The Duvant Brickworks SINC has associated faunal interest, with species such as small pearl-bordered fritillary (*Boloria selene*), brown banded carder bee (*Bombus humilis*), willow tit (*Poecile montana*) and song thrush (*Turdus philomelos*)

The nearest residential properties to the site include properties in Barnabus Close which are within 30m of the nearest solar panel array and within 13m of the edge of the site. The other properties in Caergynydd Road would be within 80m of the northern boundary of the site.

### Screening Opinion

In February 2014, prior to the submission of the application, the local planning authority was approached for a Screening Opinion for a 10M capacity solar farm at the site over 22ha. Following the submission and having regard to the provisions of the Town and Country Planning Act (Environmental Impact Assessment) (England and Wales) (Amendment) Regulations 1999 the Local Planning Authority determined that an Environmental Impact Assessment (EIA) was required for this proposed development. The current application differs from the screening opinion submission in that the site area has been reduced and as such this has resulted in the generation capacity of the scheme being lower than envisaged at the screening stage (4MW and 9ha).

The Authority has undertaken a further screening opinion on the submitted scheme and it has been determined that an EIA is not required for the proposal.

### Supporting Documents

The planning application is accompanied by a number of supporting documents.

A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application including several photomontages of views of the site from a number of locations in the surrounding area, both nearby and from distance. Overall it concludes that the characteristics of the landscape mean that the proposed development would have a moderate localised effect and the effects on Landscape Character would be minimal when taking into account the scale of the proposed development relative to the wider context of the landscape.

There are few notable recreational receptors identified within the study area other than the Gower Way; which based on the ZTV study is only likely to have views from distinct sections.

The application site is located entirely within the Dunvant Brickworks Site of Interest for Nature Conservation (SINC), which extends to 124.09 ha in total. This SINC contains a mosaic of habitats, with the majority of SINC area (57.19 ha) being assigned to 'Woodland containing an Assemblage of Ancient Woodland Indicator species', with additional habitats including 'structurally diverse and species-rich scrub', lowland meadow, species-rich purple moor-grass and rush pasture, and species-rich bracken communities, although there is little evidence of these habitats within the application site. An Extended Phase I Habitat Survey and Protected Species Survey Report has been submitted which assesses the ecological value of the site, recording any protected or otherwise important habitats and any evidence for notable or protected species within and adjacent to the survey area and provides recommendations on mitigation and enhancement where appropriate.

An outline Construction Traffic Management Plan has been submitted which sets out details of the anticipated construction programme, anticipated activity and site parking and manoeuvring arrangements and the proposed access route. Construction works will involve the delivery of equipment and material to and from the site, an indicative timetable for which is:

Site preparation/mobilisation - 2 weeks,  
Construction - 8 weeks,  
Commissioning - 2 weeks.

During the construction phases it is anticipated there will be up to 34 daily two-way light vehicle movements associated with construction works and supervisors. HGVs will be used to deliver all equipment and materials to and from the application site. The potential number of HGVs in any one day will vary between the phases. It is expected that deliveries of materials to the site during the construction phase will be limited to 8-10 two-way movements per day, based on a 5 day working week.

A Glint and Glare Assessment has been included in the Planning Statement and covers the potential effects on potential visual receptors within the vicinity of the site. It states that any possible glint and glare arising from the proposed development would occur from the south only owing to the orientation of the solar panels. Receptors in this area comprise the Craig-y-bwldan farmstead only. However, owing to the location of the farmstead within a valley running south / north views into the site would be restricted. The non-reflective nature of the proposed panels together with their static nature and the restricted nature of views means that there will be no significant nuisance impact on nearby properties or recreational users of the area.

A Coal Mining Risk Assessment has been submitted. This establishes that the application site has been subjected to previous underground coal mining. However, the seams that have been extracted beneath the site are at depths which will not impact the proposed development which will have limited or shallow foundations, with only shallow piling used on the site. The Coal Authority has considered the report and is satisfied that the application site is, or can be made, safe and stable for the proposed development.

Surface water will be managed through a number of swales located across the southern section of the site.

### Issues

The main issues for consideration are the impacts of the proposed solar farm on the visual amenity of the area, upon residential amenity, highway safety, ecology & habitats with regard to policies EV1, EV2, EV21, EV23, EV30 and R11 of the City & County of Swansea Unitary Development Plan 2008. There are no overriding issues with regard to the Human Rights Act.

Policy EV1 is a general design policy and states that new development shall accord with the objectives of good design, including, inter alia:

- (i) Be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, layout, form, mix and density;
- (iii) Not result in a significant detrimental impact on local amenity in terms of visual impact, loss of light or privacy, disturbance and traffic movements;
- (iv) Incorporate a good standard of landscape design;
- (v) Sensitively relate to existing development patterns and seek to protect natural heritage, the historic and cultural environment not only on-site, but in terms of potential impact on neighbouring areas of importance;
- (xi) Having regard to the desirability of preserving the setting of any listed building.

Policy R11 supports the provision of renewable energy resources including ancillary buildings and infrastructure subject to:

- (i) The social, economic or environmental benefits of the scheme in meeting local, and national energy targets outweigh any adverse impacts;
- (ii) The scale, form, design, appearance and cumulative impacts of proposals can be satisfactorily incorporated into the landscape, seascape or built environment and would not significantly adversely affect the visual amenity, local environment or recreational/tourist use of these areas;

- (iii) There would be no significant adverse effect on local amenity, highways, aircraft operations or telecommunications;
- (iv) There would be no significant adverse effect on natural heritage and the historic environment;
- (v) The development would preserve or enhance any conservation areas and not adversely affect listed buildings or their settings;
- (vi) The development is accompanied by adequate information to indicate the extent of possible environmental effects and how they can be satisfactorily contained and/or mitigated;
- (vii) The development includes measures to secure the satisfactory removal of structures/related infrastructure and an acceptable after use which brings about a net gain where practically feasible for biodiversity following cessation of operation of the installation.

Policy EV2 states that the siting of new development should give preference to the use of previously developed land over greenfield sites and must have regard to the physical character and topography of the site and its surroundings. Policy EV21 refers to criteria for non-residential development in the countryside being permitted where it can be demonstrated that (v) it is essential for communications, telecommunications or renewable energy generation.

Policy EV23 refers to developments within Green Wedges and states that within these areas 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. EV30 states that 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 EV35 relates specifically to considerations of surface water run-off.

#### Amount, Scale and Layout

The proposed development comprises the construction of photovoltaic (PV) solar panels in a series of arrays running west-east across the application site. The panels will be angled so as to maximise the capture of solar energy, facing south, with the top edge up to a maximum of 2.5m above ground. The rows will be placed approximately 5-7m apart.

The solar panels will be bolt anchored to a metal frame (table) mounted on steel posts drive or screwed into the ground, to a depth of 1-2m depending on the ground conditions. No substantial areas of concrete construction will be required, with the possible exception of foundations for the inverter and transformer station to be located in the north eastern corner of the site. The panels will be connected by cable via inverters to a small on-site substation, that will subsequently connect with the electricity grid.

The application site will be secured using a 2.4m stock-proof fence (deer fence) that will protect the equipment from theft, vandalism or damage. To the north of the site annotated as Area 1 and Area 2 on the Additional Landscape Mitigation Detail plan, the amount of panels has been reduced to pull back from the site edge and a woodland copse will be planted to further mitigate against any potential visual impact from surrounding areas and to provide an additional screening band for the nearest residential properties in Barnabus Close.



The ground surface below the PV panels will remain vegetated. Any bare areas of ground left after construction works will be planted with a species rich mix of grass seed in order to improve the biodiversity of the application site.

The operational life of the solar farm will be approximately 25 years.

#### Construction Phase & Access

The anticipated construction period for the proposed solar farm will be approximately three months and will consist of the following operations, listed here in the approximate order of implementation:

- Upgrading of the existing site access onto Waunarlwydd Road and erection of construction routing signage;
- Installation of sustainable drainage system (SuDS), comprising swales along the southern boundary of the application site;
- preparation of the construction compound;
- laying of construction phase access tracks;
- digging of cable trenches;
- erection of fence and gates to define the site boundaries;
- delivery of panels, frames, inverters and substation, concrete for building foundations if required;
- installation of frames and panels;
- cable laying;
- commissioning of the panels and installation of inverter and substation enclosures and connection to grid; and
- reinstatement works primarily to the construction compound..

SuDS will be installed in the form of shallow swales along the southern (downward) boundary of the application site. The SuDS will be designed to accommodate surplus run off which may arise in the future, although it should be noted that there would be no material increase in surface water runoff, when compared to existing (pre-development) conditions and no specific measures need to be taken.

The swales will be installed at the start of the construction phase to protect the nearby Gors-Fawr Brook from any construction related run-off entering the watercourse. During construction works hedgerows and ditches will be avoided. A new hedgerow will be planted along the northern boundary of the application site to provide further screening of the proposed apparatus, with particular reference to views from the north. Details are described in the Landscape and Visual Impact Statement and shown on the additional Landscape mitigation details plan.

During the construction phase there is anticipated to be up to 34 daily two-way light vehicle movements associated with construction workers and supervisors.

SuDS will be installed in the form of shallow swales along key sections of the application site prior to construction works commencing. The SuDS will be designed to accommodate surplus run off which may arise in the future (although it should be noted that there would be no material increase in surface water runoff, when compared to existing pre-development conditions).

During construction works hedgerows and ditches will be avoided and hedgerows will be allowed to reach a height of 2.5m to increase their screening function. New hedgerows will be planted within parts of the site to provide further screening of the proposed apparatus.

HGV's will be used to deliver all equipment and materials to and from the site. The potential number of HGVs in any one day will vary between the phases of the construction works. It is anticipated that deliveries of materials to the site during the construction phase will be between 8-10 two-way movements per day.

Deliveries to the site will be programmed by agreement with the suppliers and / or hauliers to minimise the risk of queuing on site and conflicts on the approach road. A formal 'just in time' delivery protocol would be provided to minimise the requirements for on-site storage; and a banksman will be employed to co-ordinate arrival and departure where necessary.

All contractors, hauliers and suppliers will be informed of the approved Construction Traffic Management Plan and required to conform to the relevant restrictions, mitigation actions and contractor obligations contained therein.

#### Decommissioning

When the panels reach the end of their lifetime (approximately 25 years), the solar farm would be decommissioned, all equipment would be dismantled and removed from the site and the site restored to its previous use.

#### Visual Amenity

Turing to visual amenity, the site lies within the Cockett Valley Green Wedge which was designated to prevent coalescing of villages and retaining the openness and character of the area. It is considered that as this proposal is for a specific time period i.e. 25 years and that the land could be reinstated after this time, the requirements of this Policy will be met in the long term.

In terms of the impact of the scheme upon the character and appearance of the open countryside, the LVIA has investigated a number of viewpoints to analyse the existing baseline conditions and assess the likelihood for potential visual effects caused by the proposed development. These are considered in turn.

The viewpoint analysis shows that the nature of visual effects varies across the study area; this is principally due to the topography, with views generally being channelled east to west up the Cockett Valley. Views from the south are restricted by the ridge on the opposite side of the valley which is c.70m higher than the level of the application site. Views of the proposed development from the north would be restricted by the existing hedgerow and trees that follow the boundary of the application site, these being supplemented by additional planting as per the landscape mitigation scheme.

The potential visual impacts have been described in the viewpoint analyses provided in the previous sub-section; these focus on local residents and users of recreational facilities including footpaths, bridleways and long distance routes as these are likely to be the most 'sensitive' receptors in terms of visual effects.

Viewpoints A, B, C and D represent views from the immediate vicinity of the application site focusing on these receptors, with Viewpoint A demonstrating that housing immediately to the north of the application site would have very restricted views of the proposed development, particularly when taking into account the additional screening that would be provided by proposed planting; as such only minor visual effects were recorded at this location.

Viewpoint B is also taken in close proximity to the application site and again illustrates the views from the adjacent properties; intervening vegetation also acts as a screen from this location with only negligible visual impacts being predicted. Viewpoint C represents what would be the clearest and most open view of the proposed development as it is taken from the opposite side of the Cockett Valley. A moderate visual impact is predicted from this location. This conclusion is principally derived from the fact that the access track at this point and none of the surrounding area is designated as a Public Right of Way at this point.

Viewpoint D is taken from the edge of the application site, representing both adjacent properties and users of the footpath at the end of the Bridleway. Access to the application site would be fenced off at this point. In this regard it would not be seen as an important local route. Views from the adjacent properties are more restricted than that shown on the viewpoint photograph with upper floor views looking over the proposed development rather than it blocking out their view. Taking this into account, only moderate visual impacts are predicted at this location despite its close proximity. Overall visual impacts on local residents and users of nearby footpaths and roads are unlikely to experience any significant effects. A hedgerow would be planted along this boundary which in the medium to long term would reduce the magnitude of impact from this viewpoint, reducing the significance of effects in the medium to long term.

Viewpoints E, F, G, H and I all represent more distant views, again focusing on local residents whilst also picking up on key recreational features such as the Gower Way. Viewpoint E represents the northerly extent from which the proposed development is theoretically visible; however as described in relation to Viewpoint A peripheral screening coupled with additional planting along the northern boundary of the application site would screen views from this direction with negligible or no visual impacts occurring. Viewpoints F and G are both taken from residential areas to the east of the application site and the proposed development would theoretically be visible but it would only represent a very small scale change to the view; it has also been factored in that the industrial fringes of Swansea feature heavily in views when moving around these areas, so it is unlikely that a smaller scale distant change within the view will be notable; as a result negligible and minor visual impacts have been recorded for viewpoints F and G respectively. Viewpoint H represents one of the most southerly views of the proposed development and has principally been included to represent local residents; albeit from upper floors or the road / adjacent areas as garden vegetation will most likely limit views from ground floors. At this location a gateway allows views out over the wider landscape with the application site being down slope (and mostly hidden by) intervening vegetation it is therefore unlikely to be the focus of the view, as such only minor visual impacts are assessed at this location.

While Viewpoint I is representative of residential receptors, the principal reason for its inclusion is that it represents one of the few views of the application site from the Gower Way.

Fieldwork identified that views are very restricted from the section of the Gower Way which heads north from the northern edge of Dunvant to the point it crosses the B4296; while the ZTV indicates that inter-visibility is possible from this area it does not take into account the presence of the mature woodland which covers these lower slopes. Further to the north of this location the Gower Way enters Gowerton / the western edge of Waunarlwydd, again limiting views of the wider landscape; on crossing the railway and heading further north to Gorseinon distant views are again theoretically possible but intervening built form means that no views of the proposed development are likely. When taking this into account the only section of the Gower Way likely to be impacted upon is that represented by Viewpoint I; overall impacts to recreational receptors using this long distance route would not be significant, with only localised minor effects.

As revealed within the baseline other designated landscapes within the study area, such as the Gower AONB, Special Areas of Conservation and RAMSAR sites would remain physically unchanged by the proposed development, with the ZTV illustrating that visual connectivity is very unlikely. As such receptors at these locations are very unlikely to be affected by the proposed development.

### Residential Amenity

Turning now to residential amenity, in general the site is well screened from the surrounding villages and residential properties due to intervening vegetation and landform. There are residential properties close to the north western corner boundary of the site, and the solar farm will be legible from private views from these properties at a distance of approximately 30m. The LVIA considers the visual impact of the proposed development from the surrounding residential properties and concludes that whilst it will be visible from these properties, existing screening provided by hedgerows and proposed planting will mitigate these impacts. The impact of the proposed development on a localised level is therefore not considered to be of such significance that would warrant a refusal in this instance. Furthermore the retention and addition of hedgerows and woodland copses within the site is considered to minimise the extent of the perceived change to the site when viewed from both private and public vantage points. The planting of additional vegetation would serve to enhance the landscape character which would also provide greater value for wildlife

In terms of the potential for glint and glare, particularly from private amenity spaces in properties in the wider surrounding area, a glint and glare assessment has been submitted and it has been concluded that this would not result in any undue impact upon the nearest residential properties.

With regards to potential noise and disturbance, again there are significant distances involved in terms of the application site and neighbouring residential properties. Whilst it is accepted that there would be a certain level of noise and disturbance during construction, particularly from deliveries and site works, given that the construction period is anticipated to be completed within three months and is not a continuous construction process, these impacts would be temporary. It is therefore considered that the proposed development would not create significant levels of noise and dust and any noise/dust created during operation would be short in duration. It should also be noted that no adverse comments have been received from neighbours in response to this application.

### Public Right Of Way

There are no public rights of way across the application site.

### Hedgerow Planting and Management

The proposed hedgerows would use a variety of typical species including Hawthorn, Blackthorn, Field maple and Hazel; these would be planted into a 500mm wide cultivated trench as a double staggered row at 300mm intervals. The plant would be introduced as bare rooted and would be 60-80cm tall. Whilst it is acknowledged this planting will need several seasons of growth to establish what would be recognised as a hedge, the taller, bushier form will provide a degree of structure and height from an early stage.

It is not expected that any significant hedgerow maintenance would be required in the first 5 years, as the trees and shrubs will need time to establish. In the longer term the sensitive management of hedgerows would be compatible with the safeguarding of wildlife.

The seed mix for re-establishing grassland would be chosen to reflect the type of vegetation seen locally within woodland edges and along hedgerows. A wildflower seed mix would be sown, with the exact mix (to include a minimum of 20% wildflower species) would be agreed via consultation with the Council's Ecologist and via the imposition of a planning condition.

The woodland copses would comprise of a range of native species including Oak, Silver Birch and Mountain Ash with holly and Field maple being included. These would be introduced using slightly larger feathered stock with their branches providing a more instant effect. The species will be planted in groups of 5-12 number at 1 – 1.15m intervals between the groups.

All planting stock would be sourced locally whenever possible and planted between the end of November and the start of March. All newly planted copses and hedgerow would be protected using transparent rabbit spirals or shrub shelters, supported by 450mm stout bamboo canes.

To maximise the potential screen value of the landscape features it is proposed that the easterly section of hedgerow is planted on earth bunding created using arisings generated by the formation of the new access track. The bunding will be seeded with a mixture of grasses and native flora. The vegetation structure in the area will be developed and the proposed hedgerows south of the field access route being used to connect up proposed woodland copses within the site and to existing mature vegetation on the periphery of the site. The earth bunding would be constructed under dry conditions and placed with minimal compaction in order to provide suitable conditions for the hedgerow to grow. Some grading of the surface may be required to create a seed bed and the area of tree planting may require some cross ripping to reliance surface contraction to the root zone.

### Access and Highway Safety

The Head of Transportation and Engineering raises no highway objection subject to the submission of a Construction Traffic Management Plan prior to commencement of any work at the site.

It is noted that the site is accessed from Waunarlyydd Road and details submitted with the application indicate that the construction phase is estimated to last for 3 months. Traffic movements during this phase are predicted to be up to 34 daily movements by light vehicles (staff by car etc.) and 8 - 10 daily HGV movements. Overall, the predicted movements are not considered to be of a high volume. The indicated route for traffic accessing the site is J47, Fforestfach Cross, Cockett, Cwmbach Road and finally Waunarlyydd Road leading to the site access. Following completion of the construction phase, traffic movements will be minimal and relate to occasional maintenance visits only. The aforementioned condition requiring the applicant to provide a construction management plan is recommended.

### Other Issues

The ecological assessment found evidence of a protected species within the study area. A more detailed study was undertaken of this species and mitigation measures are included in this scheme. Notwithstanding this it is proposed to include an informative advising the developer to contact NRW to confirm if a 'licence to disturb' application is required. The Council's Planning Ecologist has advised there will be some negative impact on the ecology of the site although if the mitigation and management recommendations described in section 6 of the Extended Phase 1 Survey dated November 2014 are followed there will be an overall ecological enhancement of the site. He also comments that the recommendations listed in section 6 of the survey should be appended to any planning permission to ensure the mitigation recommendations proposed in the survey report are followed and implemented.

The Council's Drainage Officer recommends that a SUDS swale is located on the northern edge of the site to intercept any additional surface water run-off that is created given the proximity to residential properties. An appropriate condition is therefore recommended.

The Coal Authority raises no objections to the proposal following consideration of the Coal Mining Risk Assessment. The Glamorgan Gwent Archaeological Trust have reviewed the Heritage Assessment and have requested a condition regarding a historical photographic record is undertaken prior to development. Natural Resources Wales have requested conditions regarding a Site Waste Management Plan and pollution prevention measures and these would be attached to any grant of consent.

### Response to consultations

Concerns have been raised that this is quasi-industrial development in the countryside and the site is not designated for such use by EV23, however, renewable energy development in the countryside is supported in TAN6 and UDP Policy EV21, subject to environmental safeguards.

Concerns have been raised about the impact upon visual amenity, the nature reserve, neighbouring properties and the ecology of the site, and these issues have been addressed in the main body of the report.

The Gower Society have also commented that the solar panels could have been placed on the roofs of other large industrial complexes, and whilst this may be the case, that is not the proposal that is currently under consideration and would not be a reason for refusal of this application.

### Conclusion

Solar Farms present an opportunity for the provision of renewable energy in the UK and are encouraged by the Government's feed-in tariffs for schemes producing 5MW or more. There is wide scale commitment to expand the deployment of renewable energy to secure the future energy demand within the UK and protect the end users of the sector from the instability of fossil fuels. Such schemes also provide investment, jobs and contribute to the UK's drive towards carbon reduction. UK Government Policy on renewable energy is set out in the Energy White Paper 'Our Energy Future - Creating a low carbon economy (2003) and this document establishes a national target of achieving 20% of electricity needs from renewable energy by 2020. This target is broadly reflected in Welsh Assembly document TAN 8. This compulsion drives the financial mechanism for Government incentives for the development of large scale renewable energy generation. Certain Areas of the UK have been identified as being optimum areas for solar energy generation. The South West and South Wales are classed as optimum areas ([uksolarenergy.co.uk](http://uksolarenergy.co.uk)).

In essence, the scheme assessment and decision outcome is essentially a balance between the national and international will for a future with renewable energy, supported by regional and local policy in principle, against the impact of such schemes on the landscape and environment in which they are sited. Correspondence from Welsh Government has indicated that based on data for 2013, an output of roughly 10% of capacity for all types of solar panel in Wales was produced. This contribution to renewable energy targets has to be assessed against the impact of such schemes.

On balance, this application is considered appropriate in terms of its scale and design and would not cause unacceptable loss of amenity to neighbouring properties or surrounding land. There would not be significantly adverse visual impact on landscapes and the general locality from the site, and there would be no significantly adverse or detrimental impact on the ecology, habitats, highway safety or land drainage in the area. On balance therefore the scheme is considered acceptable and is in accordance with the criteria laid out in Policies EV1, EV2, EV21, EV23, EV30, EV35 and R11 of the City and County of Swansea Unitary Development Plan 2008. Approval is recommended.

### **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 development shall be carried out in accordance with the following approved plans and documents: Site location plan received 28th November 2014, KV substation, client substation, met mast, cctv, site fence and maintenance, solar panel configuration, topography, zone of theoretical visibility, received 5th December 2015, amended landscape scheme plan received 4th March 2015, additional landscape mitigation plan received 15th May 2015, site layout plan received 1st July 2015.  
Reason: To define the extent of the permission granted.

- 3 Development shall not begin until an appropriate photographic survey of the historic environment features on the site has been carried out in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.
- The resulting photographs should be deposited with the Historic Environment Record, curated by the Glamorgan Gwent Archaeological Trust (Heathfield House, Heathfield Swansea SA1 6EL. Tel: 01792 655208).
- Reason: As the historic environment features are of significance the specified records are required to mitigate the impact of the alterations.
- 4 Prior to the commencement of works on site, a Landscape and Habitat Management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include the exact seed mix to re-establish the grassland and include the specific mix of wildflower species to be used. Once approved the scheme shall be implemented in accordance with the approved details for the lifetime of the development.
- Reason: In the interests of biodiversity and habitat management.
- 5 Prior to the commencement of works on site, a Construction Traffic Management plan shall be submitted to and approved in writing by the Local Planning Authority. Once, approved the scheme shall be implemented in accordance with the approved details.
- Reason: In the interests of highway safety.
- 6 Prior to the commencement of works on site, a Site Waste Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Once, approved the scheme shall be implemented in accordance with the approved details.
- 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.
- 7 Prior to the commencement of works on site, a site specific Surface Water Management Plan, which shall also include a SUDS swale in the northern edge of the site, shall be submitted to and approved in writing by the Local Planning Authority. The Plan should provide details as to where and how any water that is generated/collected on site during the various phases of the development will go and will be managed, particularly during the construction phase. Once, approved the scheme shall be implemented in accordance with the approved details. The swales will need to be created and established prior to the construction work on site commencing.
- Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.



- 8 The mitigation and management recommendations described in section 6 of the Extended Phase 1 Survey received 5th December 2014 (REF: 404.05027.00002) should be implemented as stated.  
Reason: In the interest of visual amenity and biodiversity
- 9 No later than 12 months from the first generation of electricity, the following schemes shall be submitted in writing for the written approval of the Local Planning Authority:
- (i) A scheme detailing the removal of all surface elements of the photo voltaic solar farm and any foundations or anchor systems to a depth of 300mm below ground level;
  - (ii) A scheme detailing the restoration and aftercare, following consultation with such other parties as the Local Planning Authority considers appropriate.
  - (iii) A timetable for completion of the works
- These schemes shall be implemented within 12 months from the date of the last electricity generated, should the site no longer be utilised for the permission hereby granted, and completed in accordance with the approved timetable for completion of the works.  
Reason: In the interest of visual amenity and to ensure the land is restored in an acceptable manner
- 10 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. The surface water drainage system must be designed to ensure no increased run-off from the site during and post development in all events up to the 1:100 year storm with an allowance for climate change.  
Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.
- 11 No development approved by this permission shall take place until a Construction Environmental Management Plan (CEMP), which sets out all pollution prevention measures and environmental management requirements for the construction phase, has been submitted to and approved in writing by the Local Planning Authority. The plan shall make particular reference to the protection of surrounding land and water environments. The details of the plan 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: In the interests of biodiversity and to prevent pollution of controlled waters and the wider environment.

**INFORMATIVES**

- 1 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).
- 2 Birds may be present. 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 birdIt is recommended that the proposed development work (and any pollarding work) is not undertaken during the bird breeding season (March-August inclusive). Should this not be possible further survey work for breeding birds should be undertaken and the results submitted to the Local Planning Authority.
- 3 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, EV21, EV23, EV30, EV35, R11
- 4 Care should be taken during development, and should anything be uncovered likely to be associated with mining, this should be reported to the Coal Authority.
- 5 The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

- Continued -

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. 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 a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com)

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority) .

- 6 Prior to the commencement of any work on site, the developer is advised to contact NRW to clarify if a 'licence to disturb' application is required due to the presence of protected species within the vicinity of the application site.
- 7 The Construction Environment Management Plan identified in Condition 12 shall 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.
  - 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.

The Plan shall make specific reference to ensure that the water quality of the ditch running into the SSSI (north to south) is protected from any significant effects through appropriate pollution prevention measures.

It should also include:

- 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;

- Continued -

- 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
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## Report of the Head of Economic Regeneration and Planning

Planning Committee - 11 August 2015

### WELSH GOVERNMENT – DEVELOPMENT MANAGEMENT PROCEDURES CONSULTATION

#### 1.0 Background

1.1 The consultation paper is not seeking opinions in respect of the primary legislation included in the Bill as this has already been approved by the National Assembly for Wales, which now has Royal Assent. The Council's views are sought on secondary legislation which is summarised below.

#### 2.0 Invalid applications

2.1 Where the Local Planning Authority (LPA) think that an application is not valid they must give the applicant formal notice to that effect. The notice must identify the requirements or information in question and the reasons why it is not valid. The applicant can appeal this notice within 14 days and the Welsh Ministers will make a determination within 24 days.

2.2 Where the appeal is allowed, the statutory determination period will run from the original date of submission.

2.3 Potential Impacts include:

- Additional time and resources taken to invalidate applications and issue decision notices
- Impact on 8 week figures where appeals are allowed as the invalid time is included.

#### 3.0 Live Decision Notices

3.1 The Welsh Government's intention is that Decision Notices will be updated to take into account subsequent amendments or approvals (such as discharge of conditions and removal of conditions). The consultation suggests that the updated decision notice will need to be placed on the planning register.

3.2 Potential Impacts:

- Time and resources to constantly update the planning register and issue new decision notices – this may be multiple times on larger schemes where decision notices running into several pages have to be re-issued as conditions are discharged individually

#### **4.0 Developer to notify LPA on commencement of development**

4.1 Developers will have to notify LPAs of the date a development is to begin. It also requires developers to display a notice of the decision to grant planning permission at or near to the development site at all times when it is being carried out. It is intended that such notifications will only be required for major developments and developments of national significance (DNS).

4.2 Potential Impacts:

- LPA will be able to ensure that all relevant conditions are discharged prior to the commencement of development but this places burden on the Local Planning Authority,
- Only on major/ DNS schemes but could be utilised on smaller sites where it is considered that a condition to the effect would be necessary. .

#### **5.0 Substantive consultation responses within 21 days**

5.1 The consultation proposes that consultees must provide a substantive response to consultation requests within a specified time period (21 days) and that they report to the Welsh Ministers on their compliance with these requirements. This will not apply to urgent Crown developments.

5.2 Potential Impacts:

- Greater emphasis on timely responses to expedite the decision making process

#### **6.0 Appeals on S215 Notices:**

6.1 The changes transfer responsibility for determining appeals against notices, issued under section 215 in respect of land adversely affecting amenity, to the Welsh Ministers from the Magistrates' Court. Welsh Ministers will prescribe the appeal procedure and the information to be provided for the purposes of the appeal. For consistency, the appeal procedure should so far as possible be consistent with the current appeal process for enforcement appeals, whilst maintaining the existing grounds of appeal identified under section 217.

6.2 Potential Impacts:

- Expedited and more consistent approach to appeals.

#### **7.0 Post submission amendments**

7.1 Where amendments are proposed following the submission of an application, it is proposed to extend the determination period for that application by four weeks (from the date of the amendment or the end of the statutory determination period – whichever is the latest). Depending on the complexity of the post-submission amendment, additional time may be necessary to determine the application, especially if those consulted on the application and those who may be affected by the amendment, are to have the opportunity to comment on the final development proposal. A fee will be payable to cover costs of reconsidering the information.

- 7.2 Potential Impacts:
- May improve performance against statutory determination period,
  - Additional fee income for the Authority for works it currently carries out,
  - May deter amendments that would make a scheme acceptable and could result in increased appeals following refusals.
- 8.0 Section 73 applications (renewals, minor material amendments and variation/removal of conditions)**
- 8.1 The Section 73 procedure is a useful tool which provides flexibility, but it was never designed for the wide ranging purposes that it can now be applied to. Given the changes that can be made under this section, it could be considered to place unnecessary demands on applicants to provide information to support their application or put onerous requirements on LPAs in terms of consultation/notification.
- 8.2 When a Section 73 application is submitted, the authority should already have a copy of such documents on the original application file. Given that the nature of the changes that can be made through section 73 are limited to those that are minor-material, there may be no need to resubmit any additional information with the application. Not requiring information to be resubmitted can reduce the complexity of submitting and registering applications, simplifying the process for both applicants and LPAs. LPAs have the right to request additional supporting information following the validation of the application, but only if it is considered necessary for the consideration of the application. This would allow requests for updated assessments (e.g. a transport assessment).
- 8.3 In the same manner that the information submitted with the application may be unnecessary for its determination; the changes proposed through the section 73 application may not have an impact that is sufficient to warrant further consultation. LPAs, having determined the original application and considered the issues that it raised, are going to be best placed to decide who is affected by the change and who should be consulted on an application.
- 8.4 In these circumstances, WG do not propose a blanket requirement to consult as this would create additional burden of time and cost to the LPA and consultees. For example, a change to road layout in the centre of an unfinished housing estate may only impact upon the highway authority. In this instance, if LPAs have discretion over the consultation requirements, unnecessary consultation can be avoided and the highway authority would form the sole consultee in this example.
- 8.5 Carrying out the same notification of the public as the original application may create unnecessary work, resulting in people notified of applications where the change has no impact upon them – which could cause confusion and misunderstanding over the application. Providing discretion to the LPA over who is notified would allow for a more targeted approach to this process. However general notification on applications would continue through the community council and the use of site notices.

## 8.6 Potential Impacts:

- Reduce amount of information submitted – will require links back to original application for members of the public to access all information which would be offset by the reduced administrative burden for the LPA in the scanning/ saving unnecessary documentation,
- Reduced burden on LPA in terms of consultations/ neighbour notification requirements – no requirement to advertise in press will result in savings,
- Reliance on site notices for general members of the public to be informed of changes.

## 9.0 Proposed fees for pre-application advice

9.1 The Bill introduces new pre-application processes that will be key to the delivery of effective frontloading. Responses will be expected within 21 days. WG consider that LPAs should be able to recover the cost of providing a statutory pre-application service. However, they recognise that it is important to ensure that fees do not discourage prospective applicants from engaging with LPAs at the pre-application stage. Proposed fees are: £25 for householders, £100 for minor development (e.g. 1-9 dwellings), £300 for major development (e.g. 10-24 dwellings), £600 for large major (e.g. 25 dwellings plus) and £1,000 for DNS pre-apps.

## 9.2 Potential Impacts

- Reduced fees for pre-application advice based on the Authority's current fee schedule,
- Resource issues regarding responding to major/ large major/ DNS pre-apps within 21 days.

## 10.0 Recommendation

10.1 It is recommended that the content of the consultation response set out in Appendix A be approved

**Contact Officer:** Andrew Ferguson

**Extension No:** 3947

**Date of Production:** 23<sup>rd</sup> July 2015

**Document Name:** DMP and Secondary Legislation Summary Report



## Consultation Response Form

### Secondary legislation for new development management procedures

We want your views on our proposals for the detail to be provided in subordinate legislation supporting development management provisions contained in the Planning (Wales) Bill, as well as some other changes to development management legislation.

***Please submit your comments by 4 September 2015.***

If you have any queries on this consultation, please email: [planconsultations-i@wales.gsi.gov.uk](mailto:planconsultations-i@wales.gsi.gov.uk) or telephone Kristian Morgan on 029 2082 3360.

#### Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

Consultation Reference: WG24900

Secondary legislation for new development management procedures		
Date of consultation period: 12 June 2015 – 4 September 2015		
<b>Name</b>		
<b>Organisation</b>		
<b>Address</b>		
<b>E-mail address</b>		
<b>Type</b> <i>(please select one from the following)</i>	Businesses/Planning Consultants	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency/Other Public Sector	<input type="checkbox"/>
	Professional Bodies/Interest Groups	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self help groups, co-operatives, social enterprises, religious, and not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above) or individual	<input type="checkbox"/>

Consultation Reference: WG24900

**2.0 Invalid Applications: Notices and Appeals**

<b>Q1</b>	<b>Do you agree that a notice that an application is not valid should include criteria a) to f)?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comments:</p> <p>The point is to expedite the system and yet more work will be required on everybody's part in order to issue a notice. A LPA should be able to advise why an application is invalid informally rather than through a specified Notice.</p> <p>I agree that it should be clear why an application is invalid and what can be done to rectify this but it shouldn't be necessary to state which part of the legislation requires this to be done (the application will either have been submitted by a planning professional in which case they should be familiar with the legislation or if not, stating the section is somewhat irrelevant). This is an unnecessary burden.</p> <p>The letter/ email should advise the applicant of their right of appeal however but this could be a standard paragraph. The whole process is becoming too formal and bureaucratic which has been a common complaint of the system you're aiming to improve.</p> <p>It would also appear that C) and D) should be within the same bullet point as C) does not make sense on its own.</p>				

<b>Q2</b>	<b>Is there any information you think should accompany a notice of non-validation? If so, why is this information necessary?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comments:</p>				

<b>Q3</b>	<b>Do you agree that a period of 14 days for the applicant to submit their appeal is sufficient time given the desired quick turn around of appeals under section 29 of the Planning (Wales) Bill (the Bill)?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Consultation Reference: WG24900

**Comments:**  
 Given the limited nature of the appeals procedure with regards to non-validation, the applicant should be given 7 days in which to lodge an appeal providing the applicant is notified immediately via email/ telephone. There is no reason to add additional time into the procedure. A Local Planning Authority will be expected to validate within a week, therefore an appeal should also be submitted within this deadline.

<b>Q4</b>	Do you agree that the Welsh Ministers should be required to determine appeals within 21 days of the start of the appeal period?	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**  
 The whole point of this provision is to expedite the process. Therefore, a determination should be made within 7 days of the submission of an appeal - not 2-3 days to acknowledge the appeal and a further 21 days to make a decision. The Inspectorate will have the appeal form specifying why an application is considered to be invalid (based on the proposed criteria) and the appeal statement why this is contested. They should therefore be able to respond more expediently than proposed.

Therefore, if an appeal is allowed, a decision could still be made within the statutory period. If the process is not quick, invalid applications would be rushed through as LPAs focus on the 8 week deadline and this could have problems further along the line for everybody involved. Therefore, with a minimum requirement for 21 day consultation, 4 weeks from submission should be the maximum length of time that is allowed to elapse.

<b>Q5</b>	Where an application is considered to be invalid and an appeal submitted in respect of the notice of non-validation, do you agree that	Yes	Yes (subject to	No
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Consultation Reference: WG24900

	<b>the fee should be retained by the LPA pending the outcome of that appeal?</b>		further comment)	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:  
 Yes. Firstly, there are costs associated with refunding a fee which are incurred by the LPA. They may be incurred unnecessarily if an application is subsequently validated. Secondly, and equally as important, a valid fee is required to make an application valid. If the fee is refunded, and an application is subsequently validated, the application would be technically invalid by reason of there being no fee. The LPA would then have to chase up this fee and await its submission before an application could be progressed.

**3.0 Decision Notices**

<b>Q6</b>	<b>Do you agree that when a decision notice is revised it should include a) the date of the approval, and, b) the relevant application reference in the updated version of the notice?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:  
 The updated decision notice should be electronic for the reasons set out in response to Q7.

<b>Q7</b>	<b>Do you agree that the DMPO should be updated to require LPAs to keep a copy of the most recent decision notice on the planning register?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:  
 Decision Notices should not be updated in paper form on a regular basis as this is clearly a waste of resources and genuinely unsustainable. An application with 30

Consultation Reference: WG24900

conditions covering several pages may require to be updated up to 30 times as each condition is discharged. If the GDMPO is updated, it should reflect that an electronic planning register should be kept and updated as and when required. Otherwise, this will place considerable time and resources in having to keep the planning register up to date by updating historic decision notices from various periods. This will involve a significant amount of filing on a regular basis.

**4.0 Notification of Development**

<b>Q8</b>	<p><b>Are there any other requirements which you think should be made of the developer in respect of the form, content or display of a notification of development?</b></p>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>Comments:</b> The applicant should also confirm that all pre-commencement conditions have been complied with and the date on which approval for each was granted. This is to ensure that they have undertaken the necessary steps and discharged the necessary conditions prior to starting on site and cannot claim they were unaware that a condition was required to be discharged prior to commencement. Not all of the burden should be on the LPA.</p>				

**5.0 Consultations etc. in Respect of Certain Applications for Approval**

<b>Q9</b>	<p><b>Do you agree that LPAs shall not determine an application subject to consultation until any of the following periods have elapsed:</b></p> <p>a) a period of 21 days,</p> <p>b) until all statutory consultees have provided a substantive response, whichever is the sooner, or</p> <p>c) subject to a longer period if agreed in writing between the LPA and consultee?</p>	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>Comments:</b></p>				

Consultation Reference: WG24900

**Urgent Crown development**

<b>Q10</b>	<b>Do you agree that earliest time that Welsh Ministers can determine an application made under s.293A of the Town and Country Planning Act 1990 (TCPA) should remain as 14 days after giving statutory consultees notice of the application, as stated in Article 15 of the DMPO?</b>	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

**6.0 Appeal Against A Notice Issued in Respect of Land Adversely Affecting Amenity (Unightly Land)**

<b>Q11</b>	<b>Do you agree that appeals determined by Welsh Ministers under s.217of the TCPA should follow the same format as existing enforcement appeals?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: Provided there is a presumption towards the written reps procedure given their nature.				

<b>Q12</b>	<b>Do you agree that a four week period for LPAs to write their appeal statement is reasonable? If you consider an alternative period is more appropriate for s.217 appeals, please state why.</b>	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments: Four weeks is sufficient to prepare an appeal statement if required.				

Consultation Reference: WG24900

**7.0 Post Submission Amendments**

<b>Q13</b>	<b>Do you agree that where an amendment is submitted in relation to major development applications, LPAs should be given an additional four weeks to determine the planning application?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p> <p>This recommendation is sensible but should also include all types of applications where amendments are provided to enable careful consideration and re-consultation to be undertaken.</p>				

<b>Q14 i)</b>	<b>Do you think a fee should be charged for minor material amendments to major applications which have yet to be determined?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p> <p>One amendment should be allowed within the application fee to enable LPAs to encourage amendments that would result in an improved layout whilst not putting off developers from submitting an amendment to a scheme due to cost. Thereafter, further amendments should be liable to fees.</p> <p>However, this approach could result in developers avoiding submitting pre-application enquiries as they could see amendments as a cheaper alternative. An approach whereby minor material amendments post submission are at the discretion of the LPA where no pre-application advice has been sought may be required.</p>				
<b>Q14 ii)</b>	<b>If yes, do you agree that £190 is an appropriate fee to charge in light of the recent consultation on planning application fees?</b>	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p>				

**8.0 Applications that fall within Section 73 of the TCPA 1990**



**Renewals**

<b>Q15 i)</b>	<b>Should the validation requirements for a renewal application be the same as the original application?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comments:                  Not all of the information may be required as Local Planning Authorities will already have access to the information in terms of the plans etc however it would be useful if key documents/ plans were submitted for ease of reference and an application form should be mandatory. The submitted information should reflect the situation at the time of the current application i.e. updated surveys/ reports where relevant and this should be made clear in any new legislation.</p>				
<b>Q15 ii)</b>	<b>Should the LPA have discretion over the consultation requirements for a renewal application?</b>	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p>				
<b>Q15 iii)</b>	<b>Should the LPA have discretion over the notification requirements for a renewal application?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments:                  Site notices should not be mandatory for all renewal applications as suggested. Targeted consultation may be more appropriate.</p>				

**Minor material amendments**

<b>Q16 i)</b>	<b>Should the validation requirements for a minor material amendment application be the same as the original application?</b>	Yes	Yes (subject to further comment)	No
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Consultation Reference: WG24900

		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comments:</p> <p>Not all of the information may be required as Local Planning Authorities will already have access to the information in terms of the plans etc however it would be useful if key documents/ plans were submitted for ease of reference and an application form should be mandatory. The submitted information should reflect the situation at the time of the current application i.e. updated surveys/ reports where relevant and this should be made clear in any new legislation.</p> <p>Clarification should be provided in the form of a covering statement identifying what the amendment(s) is and why it is being sought to give consultees/ members of the public a better understanding of the proposal.</p> <p>It should also be clarified whether a minor material amendment can be submitted for a) an application that has already commenced and b) a development that has been completed.</p>				
<b>Q16 ii)</b>	<b>Should the LPA have discretion over the consultation requirements for a minor material amendment application?</b>	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p>				
<b>Q16 iii)</b>	<b>Should the LPA have discretion over the notification requirements for a minor material amendment application?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p> <p>Site notices should not be mandatory for all renewal applications as suggested. Targeted consultation may be more appropriate.</p>				

**Variation or removal of a condition attached to a planning permission that does not fall within the above categories (renewal and minor-material)**

<b>Q17 i)</b>	<b>Should the validation requirements for these applications be the same as the original</b>	Yes	Yes	No
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Consultation Reference: WG24900

	<b>application?</b>		(subject to further comment)	
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:  
 Not all of the information may be required as Local Planning Authorities will already have access to the information in terms of the plans etc however it would be useful if key documents/ plans were submitted for ease of reference and an application form should be mandatory. For example, a Design and Access Statement would not be pertinent to an application to extend/ alter opening hours where the original application required a DAS.

The submitted information should reflect the situation at the time of the current application i.e. updated surveys/ reports where relevant and this should be made clear in any new legislation. Clarification should be provided in the form of a covering statement identifying what the amendment(s) is and why it is being sought to give consultees a better understanding of the proposal.

<b>Q17 ii)</b>	<b>Should the LPA have discretion over the consultation requirements for these applications?</b>	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

<b>Q17 iii)</b>	<b>Should the LPA have discretion over the notification requirements for these applications?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:  
 Site notices should not be mandatory for all renewal applications as suggested. Targeted consultation may be more appropriate.

<b>Q18</b>	<b>Should the fee to accompany an application that falls within s.73 submitted after refusal of an application under s.96A of the TCPA only be that required to make up the difference in fee cost?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Consultation Reference: WG24900

**Comments:**  
 The approach would appear reasonable, however a subsequent S73 would only be applicable in certain instances where a condition is attached to a NMA refusal.

In other circumstances, the applicant will already have the opportunity to submit a S73 application and an NMA submission may be seen as a cheaper alternative with nothing to lose if it is refused, adding to the burden on LPAs in terms of processing the NMA application, registering it and issuing a decision.

Therefore, the difference proposal should only be applied in circumstances where there is no condition to amend in the first instance.

A full fee should be levied against other NMA's where the applicant can submit a S73 in the first instance.

**9.0 Statutory pre-application service fees**

<b>Q19</b>	<b>Do you agree that extensions of time should be permitted, subject to both the LPA and applicant agreeing in writing?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Comments:**  
 Firstly, what is the recourse if a response is given outside of this timeframe.

Secondly, in general, a period of 28 days would be preferable as a minimum period as it would allow internal consultation on a scheme for 21 days (as per a planning application) and then give sufficient time to respond.

<b>Q20</b>	<b>Do you agree with the level of proposed fees set out in Table 1? If not, what should the fee be?</b>	Yes	Yes (subject to further comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comments:**  
 Firstly, fees should be in line with new development thresholds for committee applications for consistency. Proposed fees as follows:

Householders - £25

Minor development relating to a small business (less than 100m2 floor space) or site less than 0.1ha (excluding redevelopment for non-business purposes) - £100

Consultation Reference: WG24900

1-9 residential dwellings (including conversion); 100m<sup>2</sup> - 999m<sup>2</sup> of commercial floor space; change of use of buildings or land between 100m<sup>2</sup>-999m<sup>2</sup>, mixed use developments with a combined floor space of less than 0.5ha, telecommunications equipment and masts not being confirmation of permitted development; advertisement applications; agricultural developments - £250

10-19 residential dwellings (including conversion); 1000m<sup>2</sup> - 1999m<sup>2</sup> of commercial floor space; change of use of buildings or land between 1000m<sup>2</sup> - 1999m<sup>2</sup>; development of a site of 0.5ha - 0.99ha; mixed use developments with a combined floor space of 1000m<sup>2</sup> - 1999m<sup>2</sup> - £500

a) the winning and working of minerals or the use of land for mineral-working deposits;  
 b) waste development;  
 c) the provision of dwelling houses where—  
 i. the number of dwelling houses to be provided is 20 or more; or  
 ii. the development is to be carried out on a site having an area of 1 hectares or more and it is not known whether the development falls within subparagraph (c)(i);  
 d) the provision of a building or buildings where the floor space to be created by the development is 2,000 square metres or more; or  
 e) development carried out on a site having an area of 2 hectare or more - £1000

DNS - £1,500

<b>Q21</b>	<b>Do you have any other comments to make regarding the statutory pre-application service?</b>	Yes	Yes (subject to further comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:  
 There should be standard charges for additional meetings / responses which should be half of the fee of the original response.

**Q22** We have asked a number of specific questions. If you have any related queries or comments which we have not addressed, please use this space to report them.

Comments:  
 The overall validation appeal process is far too lengthy. There should be a significantly quicker turnaround than currently envisaged. The LPA are requested to validate within 5 days, yet PINS get up to 3 dates to acknowledge the appeal and then 21 days to determine it.

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Whilst the legislation aims to expedite the process, it is possible it is going to have the opposite effect in terms of time taken from application submission to determination.

The threshold for large major application for pre-application fees differs from that recommended in consultation document on Planning Committees, Delegation and Joint Planning Committees for the scheme of delegation.

I do not want my name/or address published with my response (please tick)

**How to Respond**

**Please submit your comments in any of the following ways:**

<b>Email</b>
Please complete the consultation form and send it to : <a href="mailto:planconsultations-i@wales.gsi.gov.uk">planconsultations-i@wales.gsi.gov.uk</a> [Please include ‘ <b>Secondary Legislation for DM</b> ’ in the subject line]
<b>Post</b>
Please complete the consultation form and send it to: <b>Secondary legislation for development management consultation</b> <b>Development Management Branch</b> <b>Planning Division</b> <b>Welsh Government</b> <b>Cathays Park</b> <b>Cardiff</b> <b>CF10 3 NQ</b>
<b>Additional information</b>
If you have any queries on this consultation, please Email: <a href="mailto:planconsultations-i@wales.gsi.gov.uk">planconsultations-i@wales.gsi.gov.uk</a>  Telephone: Kristian Morgan on 02920 823360

## Report of the Head of Economic Regeneration and Planning

Planning Committee - 11 August 2015

### WELSH GOVERNMENT – DEVELOPMENTS OF NATIONAL SIGNIFICANCE CONSULTATION

#### 1.0 Background

- 1.1 As Members will be aware, the Welsh Government (WG) set out in the 'Positive Planning' consultation document that they want a planning system that enables appropriate development.
- 1.2 On average, 23,000 planning applications per year are submitted in Wales. The Positive Planning consultation paper acknowledged that the planning system does not always determine those applications in a smart way, often adopting a 'one size fits all' approach, irrespective of the potential benefits and impacts that a development may bring. In response, Welsh Government have introduced measures which will ensure that planning applications are determined in a proportionate way, dependent on their likely benefits and impacts.
- 1.3 Their evidence also highlights concerns about Local Planning Authority (LPA) ability to make timely decisions on some of the most challenging applications, including those that raise complex technical issues and are of a contentious nature. Some of these applications already fall to the Welsh Ministers to decide, either as a result of being called in, or on appeal following refusal by the LPA.
- 1.4 Therefore, the Bill proposes a new category of development called **Developments of National Significance** ("DNS"). These are developments which are few in number but of greatest significance to Wales because of their potential benefits and impacts. They will invariably be infrastructure projects (such as significant railways, airports, reservoirs and waste water treatment plants) and onshore energy generation projects between 25MW and 50MW. The relevant thresholds are included in Annex A of this report.
- 1.5 In this respect WG research has established that there were 107 infrastructure applications of this nature submitted to LPAs across Wales between April 2005 to October 2013.
- 1.6 The Planning (Wales) Bill has already established that applications for specific projects identified by the National Development Framework for Wales would be made directly to the Welsh Ministers under the DNS process. Such proposals are of national significance by virtue of their designation in the national tier of planning policy and by their strategic nature. There are, however, likely to be projects which are not identified within the NDF which have strategic or national importance. It is essential, therefore, that a set of thresholds and criteria identify those projects is identified for them to be captured as DNS.

## **2.0 Summary of consultation document:**

### **2.1 The Bill makes provision, amongst others:**

- for the Welsh Ministers to specify what proposed development constitutes DNS, either through individual designation within the National Development Framework (“NDF”) for Wales or by meeting particular criteria and thresholds prescribed in regulations, and for DNS applications to be made directly to the Welsh Ministers rather than the LPA as is the current situation (These thresholds are intended to remain under constant review and are included in Annex A);
- requiring any person who proposes to make an application for DNS to notify the Welsh Ministers and the LPA of their intention to do so;
- for the Welsh Ministers to place an obligation on developers to undertake pre-application consultation with the community and statutory consultees in accordance with prescribed steps, prior to the submission of an application for DNS;
- enabling developers to submit, for the consideration of the Welsh Ministers, a number of consents which are connected to the principal application for DNS from a prescribed list (included in Annex B);
- for the Welsh Ministers to prescribe the procedure associated with the submission, consideration and determination of an application for DNS;
- requiring that LPAs submit a Local Impact Report to the Welsh Ministers for consideration and for the Welsh Ministers to detail the matters that may be contained within it;
- for the Welsh Ministers to confer functions upon appointed persons to exercise functions in relation to DNS applications. WG propose that PINS will be those appointed persons.
- setting the timescale at 36 weeks in which decisions on DNS applications must be reached; and
- for the Welsh Ministers to make provision in relation to fees for DNS applications.

2.2 The WG state that the purpose of the legislation is to provide more certainty and rigour in the decision-making process for planning applications determined under this particular category. Comments are sought on the specifics of the above.

### **3.0 Impact on the Local Planning Authority (LPA):**

3.1 In terms of the impact this will have on the Local Planning Authority, this will result in a marginal reduction in applications being considered by the Local Planning Authority (and a resultant reduction in fee income), although it is acknowledged that there are not a significant number of these types of application submitted to the LPA on an annual basis due to their size/ nature/ scale. Applicants will also be able to submit some secondary consents directly to Welsh Ministers along with DNS applications (listed in Annex 2).



- 3.2 LPAs will be involved at pre-application stage and will provide local guidance and advice on planning history, constraints, planning policies, likely mitigation/ conditions and who in the local community should be consulted. The Welsh Government proposes the introduction of a standard fee payable to LPAs for providing this service (this is currently proposed as £1,000). LPAs will also be expected to start negotiating on potential S106 agreements at this stage. Developers will also have to consult with the local community via site notices and press notices and make proposals available for comment to the local community.
- 3.3 Once an application is submitted to the Welsh Ministers, LPAs will have input into neighbour consultation, notification of Community Councils, the placement of notices in the local press and will be expected to put up site notices.
- 3.4 LPAs will also have to submit Local Impact Reports (LIR) setting out local knowledge/ evidence of the likely impacts of a development. The LIR is intended to be a technical and factual document which contains information relating to the development and its impact on the area it is situated in. It is open to Council or individual Councillors to express their views separately as representations in response to third party consultation, and will be treated as such. LPAs can also voluntarily submit an LPA on an application in a neighbouring county.
- 3.5 The LIR must be provided within 5 weeks. It is intended that the LPA receives a fee for meeting the statutory requirement to provide a LIR (this will not apply in the case of voluntary LIRs). The Welsh Government expect this fee to cover other requirements associated with an application for DNS such as the costs associated with our role in publicising the application and administering the planning register.
- 3.6 In circumstances where a LPA does not comply with the notice to provide a LIR within the deadline given, or the LIR does not meet all the minimum requirements, it is proposed that LPAs do not receive their portion of the application fee (but will still be required to submit a LIR).
- 3.7 The Planning Inspectorate (who will operate the day-to-day running of the service) will determine the procedure for the examination (written reps, appeal or inquiry). Once the examination of an application has been completed, PINS will compile a report for the consideration of the Welsh Ministers, who will determine the application.
- 3.8 The Welsh Government considers that LPAs are best placed to monitor approved schemes due to their presence in the local community. Should the Welsh Ministers give consent to a development qualifying as DNS, the LPA will handle applications for;
- The removal or variation of conditions (which are not related to the extension of time limit or renewal of a permission);
  - Minor material amendments;
  - Non-material amendments; and
  - The discharge of conditions.
- 3.9 The Welsh Government proposes that LPAs retain responsibility for the enforcement of schemes for Development of National Significance. Hence, upon approval of a DNS application, developers will be required give notice of the commencement of development to the LPA. There is a logistical advantage to retaining the enforcement function within the LPA as they have the necessary skills and local knowledge to ascertain whether any breaches have occurred.

#### 4.0 Recommendation

4.1 It is recommended that the content of the consultation response set out in Appendix C be approved.

**Contact Officer:** *Andrew Ferguson*

**Extension No:** *3947*

**Date of  
Production:** *23<sup>rd</sup> July 2015*

**Document  
Name:** *DNS and Secondary  
Legislation Summary  
Report*

## Annex A: Proposed list of DNS thresholds.

Type of Development	Proposed Threshold
<p>The carrying out of operations for the purpose of creating underground gas storage facilities for the storage of gas underground in cavities or in porous strata;</p> <p>The development is starting to use underground gas storage facilities by a gas transporter, for the storage of gas underground other than in natural porous strata; or</p> <p>The development is starting to use underground gas storage facilities by a developer which is not a gas transporter for the storage of gas underground in natural porous strata.</p>	<p>The facility has a working capacity of at least 43 million standard cubic metres or a maximum flow rate of at least 4.5 million standard cubic metres per day.</p>
<p>The alteration of underground gas storage facilities for the storage of gas underground in cavities or in porous strata.</p>	<p>The effect of the alteration is expected to increase the working capacity by at least 43 million standard cubic metres or to increase the maximum flow rate by at least 4.5 million standard cubic metres per day.</p>
<p>Liquefied natural gas ("LNG") facilities</p>	<p><b>New LNG facilities:</b></p> <p>The storage capacity is expected to be at least 43 million standard cubic metres or have a maximum flow rate of at least 4.5 million standard cubic metres per day; or</p> <p><b>The alteration of existing LNG facilities:</b></p> <p>The existing storage capacity is expected to increase by at least 43 million standard cubic metres or by a maximum flow rate of at least 4.5 million standard cubic metres more per day.</p>
<p>Gas reception facilities</p>	<p><b>New gas reception facilities:</b></p> <p>The maximum flow rate of the facility is expected to exceed 4.5 million standard cubic metres per day; or</p> <p><b>The alteration of existing gas reception facilities:</b></p> <p>The maximum flow rate of the existing facility is expected to increase by at least 4.5 million standard cubic metres per day.</p>

<p>Airport related development and construction</p>	<p><b>New airports:</b></p> <p>The development of a new airport with a capacity of at least 1 million passengers per annum or at least 5,000 air transport movements of freight per annum.</p> <p><b>The alteration of existing airports:</b></p> <p>The development of an existing airport to increase the capacity by at least 1 million passengers per annum or at least 5,000 air transport movements of freight per annum.</p>
<p>Railways</p>	<p>The construction of a railway which, when constructed, will include a stretch of track that is a continuous length of more than 2km, or the alteration of a railway which will include laying a stretch of track that is a continuous length of more than 2 km and which, in both cases, is not on land that was either operational land of a railway undertaker immediately before the works began or is on land that was acquired at an earlier date for the purpose of the works.</p> <p>Construction and alteration of a railway does not fall within this category if it takes place on the operational land of a railway undertaker unless that land was acquired for the purpose of those works.</p>
<p>Rail freight interchanges</p>	<p>Following the alteration of an existing, or construction of a new, rail freight interchange, the interchange is capable of handling at least 2 goods trains per day.</p>
<p>Dams and reservoirs.</p>	<p><b>New dams and reservoirs:</b></p> <p>The volume of water to be held back by the dam or stored in the reservoir is expected to exceed 10 million cubic metres of water.</p> <p><b>The alteration of existing dams and reservoirs:</b></p> <p>The additional volume of water to be held back by the dam or stored in the reservoir as a result of the alteration is expected to exceed 10 million cubic metres.</p>

Transfer of water resources	<p>The volume of water to be transferred as a result of the development is expected to exceed 100 million cubic metres per year between:</p> <ul style="list-style-type: none"> <li>• River basins in Wales;</li> <li>• Water undertakers' areas in Wales; or</li> <li>• A river basin in Wales and a water undertaker's area in Wales.</li> </ul> <p>The development does not relate to the transfer of drinking water.</p>
Waste water treatment plant.	<p><b>New waste water treatment plants:</b></p> <p>The plant is expected to have a capacity exceeding a population equivalent of 500,000.</p> <p><b>The alteration of existing waste water treatment plants:</b></p> <p>The effect of the alteration is expected to increase the capacity of the plant by more than a population equivalent of 500,000.</p>
Hazardous waste facilities	<p><b>New hazardous waste facilities:</b></p> <p>Land fills or deep storage facilities which have a capacity of more than 100,000 tonnes per annum. In any other case, facilities able to handle more than 30,000 tonnes per annum.</p> <p><b>The alteration of existing hazardous waste facilities:</b></p> <p>The effect of the alteration to a land fill or deep storage facility is expected to increase the capacity by more than 100,000 tonnes. In any other case, the capacity of the facility is expected to increase by 30,000 tonnes per annum.</p>
<p>Pipelines not constructed by a gas transporter; or</p> <p>Overground pipelines constructed by a gas transporter.</p>	<p>The construction of a new pipeline (including the extension or diversion of an existing pipeline) over 2km and less than 16.093km (10 miles) in length wholly or partly in Wales.</p>
Onshore energy generating stations.	<p>The generating station has the capacity to generate energy at a rate of between 25MW and 50MW.</p>

## Annex B: List of secondary consents

Legislation	Consent	Comments
Acquisition of Land Act 1981 – Section 19, and Section 28 and Schedule 3.	Section 19: Exchange of land certificate– open space land or common land.  Section 28 and Schedule 3: deals with the acquisition of rights by compulsory purchase and certification.	Where a Compulsory Purchase Order involves common land, allotments or open space or rights over such land, certificates are required under s.19 (land) or s.28 (rights) otherwise the Order has to be subject of special Assembly procedures. This consent is relevant as it is our intention to prescribe powers for the compulsory purchase of land.
Ancient Monuments and Archaeological Areas Act 1979 - Section 2.	Control of works affecting scheduled monuments, grant of scheduled monuments consent.	This consent is relevant in view of the nature and location of ancient monuments and their wide geographical spread.
Commons Act 2006 - Section 38	Works on common land.	This consent is relevant as DNS proposals in rural areas may impact on common land.
Commons Act 2006 - Sections 16 and 17	Exchange of Common Land.	This consent is relevant as DNS proposals in rural areas may impact on common land.
Highways Act 1980 - Section 178	Restriction on placing rails, beams etc. over highway (consent).	This includes pipes, wires and cables and is commonly used for linear projects.
Planning (Hazardous Substances) Act 1990 - Sections 4, 13 and 17	Section 4 - application for hazardous substance consent;  Section 13 - applications for consent without condition attached to previous consent;  Section 17 - application to continue consent on change of control of land.	Section 3 of this Act defines the hazardous substances authority in special cases. The Welsh Ministers should be the hazardous substances authority for DNS applications, and these consents are therefore relevant.
Planning (Listed Buildings and Conservations Areas) Act 1990 - Section 8	Authorisation of work, listed building consent.	An on-site listed building could arise in any DNS application, hence it is relevant.
Planning (Listed Buildings and Conservation Areas) Act 1990 - Section 74	Control of demolition in conservation areas.	Some application sites may be located in wider landscape-based conservation areas.

Town and Country Planning Act 1990 - Sections 57 and 58	Requirement for planning permission and grant of planning permission.	Associated development for which additional planning permission is required may form part of a scheme for DNS.
Town and Country Planning Act 1990 - Section 226	Compulsory Purchase Order acquisition of land for development.	Some land forming part of the proposal may not be under the ownership of the applicant. Powers are required to enable that land to be acquired on behalf of the developer to facilitate the implementation of the DNS scheme.
Town and Country Planning Act 1990 - Section 247	Stopping up or diversion of highway.	May be required as part of a DNS project.
Town and Country Planning Act 1990 - Section 248	Highways crossing or entering route of proposed new highway.	May be required as part of a DNS project.
Town and Country Planning Act 1990 - Section 251	Extinguishment of rights of way over land held for planning purposes.	May be required as part of a DNS project.
Town and Country Planning Act 1990 - Section 254	Acquisition of land in connection with highways.	May be required as part of a DNS project.
Town and Country Planning Act 1990 - Section 257	Order - footpaths, bridleways or restricted byways affected by development.	May be required as part of a DNS project in a rural area.

Consultation reference: WG25023

## ~~XXXXXX~~ Consultation Response Form

### Developments of National Significance

We are seeking your views on detailed proposals to establish a new system for the Welsh Ministers to process 'Developments of National Significance' ("DNS"). This is a new category of planning applications.

***Please submit your comments by 12/08/2015.***

If you have any queries on this consultation, please email:  
[planconsultations-g@wales.gsi.gov.uk](mailto:planconsultations-g@wales.gsi.gov.uk) or telephone Lewis Thomas on 029 2082 3201.

#### Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.



Consultation reference: WG25023

Developments of National Significance		
Date of consultation period: 20/05/2015 – 12/08/2015		
<b>Name</b>		
<b>Organisation</b>	City and County of Swansea	
<b>Address</b>		
<b>E-mail address</b>		
<b>Type</b> <i>(please select one from the following)</i>	Businesses/ Consultants	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency/Other Public Sector	<input type="checkbox"/>
	Professional Bodies/Interest Groups	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self help groups, co-operatives, social enterprises, religious, and not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above) or individual	<input type="checkbox"/>

Q1	Do you agree with the proposed thresholds and categories of development set out in the above table? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p> <p>I would query why “unconventional oil and gas development” has not been included as a category given that the recent notification direction whereby applications recommended for approval have to be notified to Welsh Ministers. The supporting document states that the rationale is to speed up the decision making process for applications that often get made at WG level and this would appear to be an obvious category for inclusion in some form.</p> <p>In addition, some of the thresholds (such as passenger capacity for airports or population equivalent for waste water treatment) would appear difficult to quantify objectively prior to submission and could change at any time thereafter and exceed the original threshold.</p>				

Consultation reference: WG25023

Q2	Do you agree with this proposed approach for determining secondary consents? If not, why not?	Yes	Yes (subject to comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments: Seems logical and there are benefits to the approach.				

Q3	Do you agree that the Inspector may determine procedure for secondary consents? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: The Inspector would appear best placed to consider what other applications should form part of the proposal, however the view of the Local Planning Authority should be sought before a decision is made to ensure local views/ issues pertinent to the decision may be raised/ considered.				

Q4	Do you agree with the proposed list of secondary consents? If not, why not?	Yes	Yes (subject to comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q5	Do you agree with the minimum requirements for the notification of a DNS? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Consultation reference: WG25023

		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments:                  The minimum requirements need to include an indication of the likely impacts, whether this is within the EIA Statement or not to enable careful consideration.</p>				

<b>Q6</b>	Is 12 months from the date of acceptance of the notification to the submission of the application for DNS a sufficient period in which the notification of a DNS remains valid? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comments:                  It's not entirely clear what the purpose of this requirement is and 12 months appears to be an arbitrary time limit. Delays could arise as a result of information raised as part of the consultation period where further survey work is required that can only be carried out at a certain time of year. It would seem more reasonable to provide 24 months to allow sufficient time for consultation, further consultation of plans are revised and allow for the scheme to be amended to facilitate a submission.</p>				

<b>Q7</b>	Do you agree with the publicity and consultation requirements that developers must undertake prior to the submission of an application for DNS? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments:                  The list in general would appear suitably comprehensive. However, the requirement to publish notices in a local newspaper is questionable (the same for general applications) given the decline in newspaper sales. May be preferable/ easier to put a notice on the Local Planning Authority's website or via their social media platforms.</p>				

<b>Q8</b>	Do you agree with our proposals for the advertisement of an application for DNS? If not, why not?	Yes	Yes (subject to comment)	No
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Consultation reference: WG25023

		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

<b>Q9</b>	Do you agree with our proposals regarding statements of common ground? If not, why not?	Yes	Yes (subject to comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

<b>Q10</b>	Do you consider that 5 weeks is an appropriate period within which statutory consultees and third parties must submit their full representations in response to an application for DNS? If not, please specify an alternative timeframe?	Yes	Yes (subject to comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

<b>Q11</b>	Do you agree with our proposals for the amendment of schemes for DNS? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: Applicants should be given the opportunity to amend proposals and whilst it is at the discretion of the Inspector, the Local Planning Authority should be given the opportunity to comment on whether amendments should be accepted as well.				

Consultation reference: WG25023

Q12	Do you agree that 10 working days following the closure of the representation period is an appropriate time in which the Planning Inspectorate must determine the appropriate procedure to examine an application for DNS? If not, please specify an alternative timeframe.	Yes	Yes (subject to comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q13	Do you agree that further representations required as part of the examination of an application for DNS should be subject to a word limit of 3,000 words per topic? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: Essentially, any further representations should be long enough to adequately cover the topic and respond to queries raised. Therefore, for this to work in practice, the Inspector will have to be very focussed with their question, otherwise the request for additional comments will be of limited use. Further information should aid the decision, however long the submission is.				

Q14	Do you agree that the applicant is only required to submit paper copies of applications for DNS with the Planning Inspectorate and LPA(s) within which the DNS is located? If not, why not?	Yes	Yes (subject to comment)	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Consultation reference: WG25023

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Q15	Do you agree with the minimum requirements for Local Impact Reports? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>Comments:</p> <p>The LIR should also include recognised site constraints as well as Local Planning Authorities may have information that is pertinent to the decision making process that is not publically available.</p> <p>With regards to evidence that the application has been advertised in accordance with the legislation, given that LPAs are only expected to put up Site Notices, it is assumed that a photograph(s) of site notices in situ would suffice.</p>				

Q16	Would you consider 5 weeks an appropriate timescale within which to provide a local impact report? If not, please suggest appropriate timescales.	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Comments:</p> <p>5 weeks would be insufficient time for a Local Planning Authority to respond as we would be required to undertake internal consultation and consider all aspects of an application before responding. When considering the possible local importance/ impacts of a development of national significance, it is highly likely that Members would wish to have the opportunity to comment on the response on behalf of the LPA. With Planning Committees every 4-5weeks, a longer period would be required in order to report the application and responses to committee prior to the LPA issuing its Local Impact Report. 8 weeks would be more acceptable. In addition, it seems perverse that PINS have 4-6 weeks just to validate an application (and it can be extended where necessary), whereas statutory consultees could have less time to review the necessary information and respond. The system builds time in for PINS and the Welsh Ministers throughout but isn't equitable to LPAs.</p>				

Q17	Do you agree that the DNS fee structure should consist of fixed and daily or hourly rate fees that recover the Welsh	Yes	Yes (subject to comment)	No

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	Ministers' (and their appointed representative, the Planning Inspectorate) costs in carrying out the work? If not, why not?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

<b>Q18</b>	Do you agree that the relevant LPA should receive a fixed fee for producing a Local Impact Report? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comments: There should be a minimum fee for a LIR, but the overall fee should be based on the complexity of the application having consideration of the likely issues that will arise and the specialist input required. PINS will be charging by time due, so LPAs should also be allowed further fees based on the submission.				

<b>Q19</b>	Do you agree that the LPA should receive a reduced payment, or no payment, if they do not submit the Local Impact Report within the timescale and minimum requirements? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Comments: The WG's insistence on financial penalties for what it considers to be poor performance is extremely short-sighted and will result in poor outcomes for planning in Wales one way or another. Local Authorities are increasingly under more pressure to determine applications that are becoming increasingly complex with reduced times/ resources due to the current economic climate. Yet it is considered that removing fees further will somehow improve performance. This proposal could have the opposite effect and a reduction in the quality of information reported back to the WG. The whole aim is to improve, aid and inform the decision making process and this may, on occasion, take longer than the recommended timeframe to respond (which is already proposed to be of short duration). LPAs should not be penalised for this.  When considering fees, the document suggests that refunds will not be provided for an invalid DNS application as work will already have been carried out by PINS. But the same rationale does not apply with regards to this proposal as LPAs will still have undertaken work. The rationale that no fee is payable if no LIR is submitted at all is logical. However, if it is submitted late the fee should be payable as works will have been undertaken.				

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The document states that the WM's will have 36 weeks to determine an application. On the basis of the above penalties, it can only be assumed that the fee would be refunded if the decision goes beyond this period?

Q20	Do you agree that the applicant should not receive a full refund if their application is invalid? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comments:  
 It would be inconsistent with current planning legislation and fees guidance. Local Planning Authorities currently have to undertake what can sometimes be a significant amount of work just to get an application valid. However sometimes, an applicant cannot submit the necessary information and the application is subsequently returned along with the full fee (and there is also a cost associated with returning the fee). This issue has not been addressed by the WG for LPAs dealing with invalid applications, but is recommended for these applications. The proposed legislation would result in further divergence between the general system that LPAs have to adhere to and the new approach which only benefits the Welsh Ministers. If this is introduced, should validation costs not be incumbent on the applicant for all planning applications?

Q21	Do you have any further comments to make in relation to our proposals for DNS?	Yes	No
		<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comments:  
 With regards to pre-application enquiries, it is not entirely clear that the applicant has to apply to both PINS and the LPA (although it is intimated in the S106 section)? It should be clarified that pre-app with the LPA is mandatory for all DNS applications.

Will LPAs have to appear at Inquiries? And if so, will they receive a fee for preparation of information and attendance? There's no reference of cost recovery for LPAs. Without this payment the LPA would have to draw on existing resources, which may have an unintended and negative impact on other planning work carried out the LPA.

Time limits involved - WG get 36 weeks to determine an application - what is the recourse if this deadline is missed? No right of appeal so statutory time limit is



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essentially meaningless. Or would the fee be refunded if it exceeds this timeframe given what has been suggested for LPAs?

In conclusion and as a final point, I would query the overall timescales involved given that there would be 4-6 weeks just to validate an application. Whilst it is appreciated that there can be a significant amount of work involved, 6 weeks is extremely generous in an "expedited system". Similarly, the Welsh Ministers will have all of the information before them, all consultation responses and the Inspectors report. A decision should therefore be forthcoming significantly before 12 weeks. LPAs are criticised for slow decisions on applications where information and opinions need to be sought which takes time. Ministers will have all of this information which should result in a quick turnaround.

I do not want my name/or address published with my response (please tick)

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## **How to Respond**

**Please submit your comments in any of the following ways:**

<b>Email</b>
Please complete the consultation form and send it to : <a href="mailto:planconsultations-g@wales.gsi.gov.uk">planconsultations-g@wales.gsi.gov.uk</a> Please include 'Developments of National Significance - WG 25023' in the subject line.
<b>Post</b>
Please complete the consultation form and send it to: <b>Developments of National Significance Consultation Decisions Branch Planning Directorate Welsh Assembly Government Cathays Park Cardiff CF10 3NQ</b>
<b>Additional information</b>
If you have any queries on this consultation, please: email: <a href="mailto:planconsultations-g@wales.gsi.gov.uk">planconsultations-g@wales.gsi.gov.uk</a> ; or telephone: Lewis Thomas on 029 2082 3201

## Report of the Head of Economic Regeneration and Planning

Planning Committee – 11 August 2015

### LOCAL DEVELOPMENT PLAN PETITIONS AND PROPOSED HOUSING ALLOCATIONS

<b>Purpose:</b>	To finalise recommended sites for inclusion in the Deposit Plan after considering representations received.
<b>Policy Framework:</b>	None. This is a non-statutory process.
<b>Reason for Decision:</b>	To guide the preparation of the Deposit Plan.
<b>Consultation:</b>	Legal, Finance, Access to Services, petitioners, site promoters and all elected Members.

**Recommendation(s):** It is recommended: -

i) That the findings of Planning Committee in relation to the proposed allocations set out in Appendix 1, as amended by recommendations (ii) to (iv) below, be reported to Council with a recommendation that they be included in the Deposit Local Development Plan, subject to the required housing allocation figure being achieved .

ii) That Candidate Site G0007 not be recommended for inclusion in the Deposit Plan and that it instead be shown as undesignated (white land) within the settlement boundary.

iii) That Candidate Site KB015, as amended in Appendix 3, be recommended for inclusion in the Deposit Plan.

iv) That the proposed additional/alternative sites set out in Appendix 4 be recommended for inclusion in the Deposit Plan.

v) If not all sites detailed in Appendices 1, 3 and 4 are recommended for inclusion and the required housing allocation figure is consequently not achieved, a further list of additional/alternative sites will be reported to next Planning Committee for consideration.

vi) If the required housing allocation figure is achieved and subsequently agreed by Council a revised LDP Delivery Agreement must be prepared and agreed with the Welsh Government.

**Report Author:** Paul Meller

**Finance Officer:** Aimee Dyer

**Legal Officer:** Christopher Allingham

**Access to Services Officer:** Sherill Hopkins

## **1.0 Background**

- 1.1 At Council on 31<sup>st</sup> March 2015 it was agreed that the opportunity to present valid petitions to proposed Local Development Plan (LDP) allocations be afforded to all petitioners and that site promoters be afforded the right to reply. The task of hearing petitions was directed to Planning Committee to make a recommendation in a report to Council for final decision.
- 1.2 As part of this process to ensure the soundness of the Deposit LDP it was acknowledged that Planning Committee would also need to consider which non-petition allocations should be included in the LDP and that this should form part of the recommendation to Council.
- 1.3 Members were subsequently provided with the full assessments of the proposed LDP allocations within their respective wards and invited to submit representations and/or attend Planning Committee to make their views known.

## **2.0 Hearing of Petitions**

- 2.1 A series of Special Planning Committee Meetings have accordingly been held to hear the views of petitioners, site promoters and local ward members. In total 14 petitioners and 11 site promoters have been heard and local ward members have made representations either in writing or at Committee in relation to 34 of the proposed sites.
- 2.2 In response to representations received Planning Committee has visited 32 sites. Local ward members have been met on site and petitioners and site promoters have also been in attendance.
- 2.3 Details of all formal representations have been added to the Candidate Site Assessment forms and, together with the photographs and supplementary documents referred to, published on the Council's website: <http://www.swansea.gov.uk/LDPPA>. A schedule of the Planning Committee's recommendations on the sites proposed for inclusion in the LDP after considering all representations received is attached as Appendix 1. The indicative development capacities are recorded against each site. The representations received from petitioners and site promoters are set out in full in Appendix 2.

## **3.0 Assessment of Allocations by Planning Committee**

- 3.1 Through the hearings process 79 sites have been recommended for inclusion in the Deposit LDP and 8 sites have been rejected. When added to existing commitments (i.e. sites granted planning permission or built out since the 2010 LDP base date), the total contribution to the required (17,100 units) housing land supply amounts to 16376 units (i.e. a shortfall of 724 units) as set out in Table 1 below.

**Table 1: Commitments and Proposed Housing Allocations (2010-2025)**

<b>Policy Zone</b>	<b>Commitments</b>	<b>Recommended Allocations</b>	<b>Total</b>
Central	822	1670	2492
East	1808	1485	3293
North	354	2940	3294
Greater North West	1383	4280	5663
West	502	860	1362
Gower AONB/Fringe	87	185	272
<b>Total</b>	<b>4956</b>	<b>11420</b>	<b>16376</b>

#### **4.0 Outstanding Matters**

- 4.1 GO007 - Land at Parc Melin Mynach:** Following a site visit, and despite a reduction in site area and capacity from 250 to 150 units, there remain outstanding concerns in relation to economic viability and environmental constraints. There is a history of land reclamation works at the site and it is likely that further detailed assessments would be required to ascertain the extent of its potentially high ecological value. A full ecological assessment could take up to a year to complete and would significantly delay the site selection process. These matters clearly raise questions over the viability and deliverability of the site. On this basis the site should no longer be considered for inclusion in the plan. Instead it should be identified as 'white land', i.e. undesignated land, within the existing settlement boundary where any future development proposals would be considered on their individual merits.
- 4.2 KB015 - Land South of Loughor Road:** The assessment report considered by Members, and the plan shown at Planning Committee on 8<sup>th</sup> June 2015, included an additional area of land beyond that which was proposed for release. The number of units indicated (60) was however correct. The correct assessment which reflects the draft LDP Proposals Map published Dec 14/Jan15 is attached as Appendix 3 for Members to re-consider. The additional area of land, which lies beyond the current settlement boundary, was a potential alternative site to be considered in the event of a shortfall in housing numbers. However following the submission of a planning application for 84 units (details shown in the assessment report), it is no longer considered to be an appropriate alternative site, as this would amount to predetermination of the principle of release of the land for development.

#### **5.0 The Way Forward**

- 5.1** A list of 8 additional/alternative sites to address the shortfall in housing numbers has been drawn up for the Planning Committee to consider. These proposed allocations could potentially provide land for a further 925 residential units. Some of these sites were viewed when undertaking site visits in anticipation of this eventuality. A summary of the proposed allocations is set

out in Table 2 below and site assessments are attached as Appendix 4, details of which have been sent to local ward members.

**Table 2: Proposed Additional /Alternative LDP Allocations**

<b>Candidate Site Ref</b>	<b>Location</b>	<b>No. of dwellings</b>	<b>Commentary</b>
<b>East</b>			
LS021	Heol Ddu Farm , Llansamlet	10	Dormant UDP allocation (HC1(6)) within settlement which has recently been marketed
<b>North</b>			
MB005	Land at Clasemont Road, Morryston	75	Option to extend site and increase recommended allocation from 600 to 675 units.
PD001	Land at Cadle, Fforestfach	50	LDP settlement boundary amendment agreed with potential for mixed commercial/residential use but no specific contribution identified. Developer now attributing potential yield of 50 units
PD024	Land north of Milford Way	40	Dormant UDP allocation within settlement (HC1(35)) – now proposed to be brought forward as part of Council house building programme. Links Blaenymaes through to Strategic Site PD039
PD039	Cefngyfelach Strategic Site	600	Increased yield from recommended allocation following re-assessment by site promoters. Based on 3 developers building 50 units each per annum this increases potential capacity from 750 to 1350 units
<b>Greater North West</b>			
UL001	Land south of former Cae Duke Colliery Site	40+	Extension to existing UDP allocation (HC1(104)) which is currently being built out
UL008	Land off Borough Road	40	Opportunity provided for infill development if existing UDP settlement boundary is retained and not drawn in as proposed in LDP

<b>Candidate Site Ref</b>	<b>Location</b>	<b>No. of dwellings</b>	<b>Commentary</b>
<b>Gower Fringe</b>			
NE011	<i>Land at Summerland Lane, Caswell</i>	70	<i>New greenfield site promoted in association with upgrade of Summerland Lane. Well-contained by existing land form.</i>
<b>TOTAL</b>		925	

5.2 None of the 8 proposed additional/alternative allocations are subject of petition. Two of the sites are proposed increased capacities to recommended allocations and two are longstanding Unitary Development Plan (UDP) allocations where development proposals are now being advanced. All but two of the sites sit within the existing UDP settlement boundaries where there is no objection in principle to development and these sites could thus be brought forward as 'windfalls' in any event. One of the sites (PD001) lies within an area where the settlement boundary is proposed to be extended as part of the LDP. It was publicised as a proposed allocation as part of the Draft Proposals Map consultation, but no residential figure was attributed at the time.

5.3. There is one new site which is also outside existing and proposed settlement limits - NE011, which was visited by Planning Committee on 29 June 2015. This site has not been consulted upon previously as it has only recently been proposed by the landowners. This does not preclude consideration as sites may be put forward for inclusion in the LDP up to Deposit stage, which is the first time the Council is formally required to identify land proposed for release for development. In any event, all representations made prior to Deposit stage (including those made through the petitions hearing process) are not carried forward and will not be considered by the Planning Inspectorate through the LDP Examination process.

5.4 Members views are invited on the proposed additional/alternative sites, which if considered acceptable would collectively make up the shortfall in the required housing numbers to be included in the Deposit LDP.

## **6.0 Equality and Engagement Implications**

6.1 The process followed by Planning Committee has taken account of relevant equality considerations and provided a forum to enable petitioners to exercise their speaking rights ensuring that concerns have been heard and responded to appropriately.

## **7.0 Financial Implications**

7.1 Whilst there are no immediate financial implications arising from preparation of the LDP, its adoption could result in additional expenditure at a future time. At this time there is no budget or additional funding set aside for this expenditure so if this is seen as a priority then it will have to be located from within current resources.

## **8.0 Legal Implications**

- 8.1 There are no legal implications arising from this report. The Council is statutorily obliged to prepare an LDP. Meeting future housing needs would ensure the soundness of this element of the LDP, and therefore would not hinder its progress to Deposit LDP stage.

**Background Papers:** None

### **Appendices:**

- Appendix 1: Schedule of recommendations on sites proposed for inclusion in the LDP  
Appendix 2: Representations received from petitioners and site promoters  
Appendix 3: Revised assessment KB015 – Land South of Loughor Road  
Appendix 4: Full assessments for proposed additional/alternative sites



## APPENDIX 1: DETAILS OF HEARINGS PROCESS AND RECOMMENDATIONS ON PROPOSED ALLOCATIONS

### Central SHPZ

#### Castle

Candidate Site (CS) Ref	Location	Site Capacity	Hearings process and Recommendation
CA012	Sailbridge Site, East Burrows Rd	50	<p><b>Reported:</b> 1 June 2015 - deferred for site visit  <b>Site visit:</b> 29 June 2015  <b>Reported:</b> 30 June 2015                      Recommended for inclusion within the Deposit Plan subject to displaced car parking needs being addressed in the future development brief</p>
CA013	Site 9, Trawler Road <b>PETITION SITE</b>	30	<p><b>Reported:</b> 1 June 2015                      Mr Woolliscroft (petitioner) and Cllr Crouch spoke against the site being included. Mr North (CCS Corporate Property) addressed Committee as site promoter Recommended for inclusion within the Deposit Plan subject to greenspace being included in the development.                      Reconsidered at the meeting on 8 June 2015 and deferred for site visit.  <b>Site visit:</b> 29 June 2015 attended by petitioners  <b>Reported:</b> 30 June 2015                      Recommended for inclusion within the Deposit Plan and that the site be subject of a development brief including retention of as much of the site as open space and limiting unit numbers to 30</p>
CA014	Vetch Field, Glamorgan St	40	<p><b>Reported:</b> 1 June 2015                      Cllr Crouch spoke against the site being included                      Recommended for inclusion within the Deposit Plan                      Reconsidered at the meeting on 8 June 2015 and deferred for site visit.  <b>Site visit:</b> 29 June 2015  <b>Reported:</b> 30 June 2015                      Recommended for inclusion within the Deposit Plan</p>

CS Ref	Location	Site Capacity	Hearings process and Recommendation
CA022	Central Area and Waterfront (non-specific sites)	1000+	<b>Reported:</b> 1 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>1120</b>	

### Landore

CS Ref	Location	Site Capacity	Hearings process and Recommendation
LA001	Land at 66-70 Morfa Road	50	<b>Reported:</b> 1 June 2015 Recommended for inclusion within the Deposit Plan
LA002	Land at former Unigate Dairy, Morfa Rd	60	<b>Reported:</b> 1 June 2015 Recommended for inclusion within the Deposit Plan
LA005	Former Hafod Morfa Copperworks	40	<b>Reported:</b> 1 June 2015 Recommended for inclusion within the Deposit Plan
LA007	Pipehouse Wharf Council Depot	50	<b>Reported:</b> 1 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>200</b>	

### Uplands

CS Ref	Location	Site Capacity	Hearings process and Recommendation
UP004	Llwyn Y Bryn Campus	200	<b>Reported:</b> 1 June 2015 Cllr Bayliss reiterated his comments contained within the report. A submission by Cllr May was reported Recommended for inclusion within the Deposit Plan

CS Ref	Location	Site Capacity	Hearings process and Recommendation
UP005	Townhill Campus	150	<p><b>Reported:</b> 1 June 2015  Cllr Bayliss and Cllr Davies raised concerns in respect of the site. A submission by Cllr May was reported  Deferred for site visit  <b>Site visit:</b> 23 June 2015  <b>Reported:</b> 30 June 2015  Recommended for inclusion within the Deposit Plan, subject to the development brief seeking to access the site from Townhill Road and secure the non-listed retention of the original main building.</p>
<b>Total</b>		<b>350</b>	

<b>Central Total</b>		<b>1670</b>	
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## East SHPZ

### Bonymaen

CS Ref	Location	Site Capacity	Hearings process and Recommendation
BM002	Land between Bog Rd and Cefn Hengoed Rd, Llansamlet	70	<p><b>Reported:</b> 1 June 2015 Cllr Evans raised concerns on behalf of local ward members in relation to all sites in the ward Deferred for site visit <b>Site visit:</b> 23 June 2015 <b>Reported:</b> 30 June 2015 Recommended for inclusion within the Deposit Plan</p>
BM007	Land at Upper Bank, Nantong Way	180	<p><b>Reported:</b> 1 June 2015 Cllr Evans raised concerns on behalf of local ward members in relation to all sites in the ward Recommended for inclusion within the Deposit Plan</p>
BM012	Land north of Cefn Hengoed School	0	<p><b>Reported:</b> 1 June 2015 Cllr Evans raised concerns on behalf of local ward members in relation to all sites in the ward Deferred for site visit <b>Site visit:</b> 23 June 2015 <b>Reported:</b> 30 June 2015 – Capacity reduced from 100 to 80 units. Deferred for further information <b>Reported:</b> 14 July 2015 Not recommended for inclusion, but settlement boundary to be redrawn along Cefn Hengoed Rd to include site as white land</p>

CS Ref	Location	Site Capacity	Hearings process and Recommendation
BM013	Land at Jersey Rd, opp no's 16 – 38	20	<b>Reported:</b> 1 June 2015 Cllr Evans raised concerns on behalf of local ward members in relation to all sites in the ward Recommended for inclusion within the Deposit Plan
BM017	Land at rear of 17-93 Carmel Rd, Winch Wen	65	<b>Reported:</b> 1 June 2015 Cllr Evans raised concerns on behalf of local ward members in relation to all sites in the ward Recommended for inclusion within the Deposit Plan
BM025	Land at Ty Draw Road and Llanerch Rd	55	<b>Reported:</b> 1 June 2015 Cllr Evans raised concerns on behalf of local ward members in relation to all sites in the ward. Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>390</b>	

### Clydach

CS Ref	Location	Site Capacity	Hearings process and Recommendation
CL007	Land at Graigola Road	25	<b>Reported:</b> 8 June 2015 Recommended for inclusion within the Deposit Plan
CL008	Land at Tanycoed Road	20	<b>Reported:</b> 8 June 2015 - deferred for site visit <b>Site visit:</b> 23 June 2015 <b>Reported:</b> 30 June 2015 Recommended for inclusion within the Deposit Plan subject to omission of easternmost field and reduction of site capacity from 70 to 20 units
CL011	Land at Ramsey Road	60	<b>Reported:</b> 8 June 2015 Recommended for inclusion within the Deposit Plan

CS Ref	Location	Site Capacity	Hearings process and Recommendation
CL015	Former Teachers Centre, Gellionnen Rd	10	<b>Reported:</b> 8 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>115</b>	

## Llansamlet

CS Ref	Location	Site Capacity	Hearings process and Recommendation
LS008	Talcoppa Farm, Llansamlet	150	<b>Reported:</b> 1 June 2015 Recommended for inclusion within the Deposit Plan
LS009	Land adj. Heol Las, Birchgrove	50	<b>Reported:</b> 1 June 2015 Recommended for inclusion within the Deposit Plan
LS015	Land at Midland Place, Llansamlet	30	<b>Reported:</b> 1 June 2015 Recommended for inclusion within the Deposit Plan
LS022	Gwernllwynchwyth House, Llansamlet	50	<b>Reported:</b> 1 June 2015 Recommended for inclusion within the Deposit Plan
LS023	Fredrick Place, Llansamlet <b>PETITION SITE</b>	20	<b>Reported:</b> 1 June 2015 Mr Thornton (petitioner) spoke against the site being included. Mr Bacon (CCS Corporate Property) addressed Committee as site promoter Deferred for site visit <b>Site visit:</b> 23 June 2015 attended by Cllr U Clay and Cllr Matthews <b>Reported:</b> 30 June 2015 Recommended for inclusion within the Deposit Plan
LS031	Former Four Seasons Club, Trallwn	30	<b>Reported:</b> 1 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>330</b>	

## St Thomas

CS Ref	Location	Site Capacity	Hearings process and Recommendation
ST006	Fabian Way Corridor	525+	<b>Reported:</b> 1 June 2015 Recommended for inclusion within the Deposit Plan
ST010	Former St Thomas Station, Pentreguinea Rd	110	<b>Reported:</b> 1 June 2015 Recommended for inclusion within the Deposit Plan
ST012	Land at David Williams Terrace	15	<b>Reported:</b> 1 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>650</b>	

<b>East Total</b>		<b>1485</b>	
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## North SHPZ

### Cockett

CS Ref	Location	Site Capacity	Hearings process and Recommendation
CO003	Former Walkers Factory, Pontarddulais Rd, Cadle	100	<b>Reported:</b> 4 June 2015 Recommended for inclusion within the Deposit Plan
CO004	Land adj. 114 Brithwen Road, Waunarlywydd	15	<b>Reported:</b> 4 June 2015 Recommended for inclusion within the Deposit Plan
CO010	Land north, south west and west of Titanium Road; north of Ystrad Road; north and south of Carmarthen Road and south of Swansea Road and west of Hospital Road	800+	<b>Reported:</b> 4 June 2015 A statement by Cllr W Evans was reported Recommended for inclusion within the Deposit Plan
CO013	Land adj Cockett Pond, Cockett <b>PETITION SITE</b>	50	<b>Reported:</b> 4 June 2015 Mrs Crossley (petitioner) spoke against the site being included. Mr Bacon (CCS Corporate Property) addressed Committee as site promoter Deferred for site visit <b>Site visit:</b> 23 June 2015 attended by petitioner <b>Reported:</b> 30 June 2015 Recommended for inclusion within the Deposit Plan
CO018	Land off Penrhos Place, Gendros	60	<b>Reported:</b> 4 June 2015 Recommended for inclusion within the Deposit Plan
CO027	BT Depot, Gors Avenue, Townhill	30	<b>Reported:</b> 4 June 2015 Recommended for inclusion within the Deposit Plan



CS Ref	Location	Site Capacity	Hearings process and Recommendation
CO037	Land at Cockett House, Cockett	30	<b>Reported:</b> 4 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>1085</b>	

### Cwmbwrla

CS Ref	Location	Site Capacity	Hearings process and Recommendation
CW004	Manselton Primary School, Manor Road	30	<b>Reported:</b> 8 June 2015 Recommended for inclusion within the Deposit Plan
CW005	Cwmbwrla Primary School, Stepney St	20	<b>Reported:</b> 8 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>50</b>	

## Morrison

CS Ref	Location	Site Capacity	Hearings process and Recommendation
MR011	Land at Rhyd Y Pandy Rd Pantlasau	0	<p><b>Reported:</b> 4 June 2015 - deferred for site visit Cllr Sullivan spoke against the site being included <b>Site visit:</b> 23 June 2015 attended by Cllr Sullivan and Cllr Jardine <b>Reported:</b> 30 June 2015 Not recommended (10 units) for inclusion within the Deposit Plan. Proposed settlement boundary to redrawn along Mynydd Gelliwastad Rd</p>
MR015	Land at rear of Glyncollen Primary School, Morrison	35	<p><b>Reported:</b> 4 June 2015 - deferred for site visit <b>Site visit:</b> 23 June 2015 <b>Reported:</b> 30 June 2015 - deferred for further information <b>Reported:</b> 14 July 2015 Recommended for inclusion within the Deposit Plan</p>
MR017	Land at Brayley Road, Morrison	15	<p><b>Reported:</b> 4 June 2015 Recommended for inclusion within the Deposit Plan</p>
MR019	Land at Enfield and Cwmrhydyceirw Quarry, Morrison	300	<p><b>Reported:</b> 4 June 2015 - deferred for site visit <b>Site visit:</b> 23 June 2015 attended by petitioners (except on site), site promoter and Cllr Evans <b>Reported:</b> 30 June 2015 Recommended for inclusion within the Deposit Plan</p>
<b>Total</b>		<b>350</b>	

## Mynyddbach

CS Ref	Location	Site Capacity	Hearings process and Recommendation
MB005	Land off Clasemont Road, Morriston	600	<b>Reported:</b> 4 June 2015 - deferred for site visit Cllr Sullivan spoke against the site being included <b>Site visits:</b> 23 June 2015 and 14 July 2015 <b>Reported:</b> 14 July 2015. Capacity reduced from 750 to 600 units Recommended for inclusion within the Deposit Plan
MB009	Land at Mynydd Garnllwyd Rd, Morriston	95	<b>Reported:</b> 4 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>695</b>	

## Penderry

CS Ref	Location	Site Capacity	Hearings process and Recommendation
PD002	Land between Eppynt Rd and Bettws Rd, Penlan	10	<b>Reported:</b> 4 June 2015 Recommended for inclusion within the Deposit Plan
PD039	Land north of Mynydd Newydd Road	750+	<b>Reported:</b> 4 June 2015 Cllr Sullivan spoke against the site being included Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>760</b>	

<b>North Total</b>		<b>2940</b>	
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## Greater North West SHPZ

### Gorseinon

CS Ref	Location	Site Capacity	Hearings process and Recommendation
GO001	Land east of Pontarddulais Road	90	<p><b>Reported:</b> 8 June 2015 Cllr D Lewis raised concerns in relation to this site Deferred for site visit <b>Site visit:</b> 23 June 2015 <b>Reported:</b> 6 July 2015 Recommended for inclusion within the Deposit Plan</p>
GO007	Parc Melin Mynach	0	<p><b>Reported:</b> 8 June 2015 Cllr D Lewis raised concerns in relation to this site Deferred for site visit <b>Site visit:</b> 23 June 2015 <b>Reported:</b> 6 July 2015 – reduced in capacity from 250 to 150 units and site area redrawn. Deferred for further information <b>Reported:</b> 14 July 2015 – deferred for further information <b>Reported:</b> 11 August 2015 Allocation recommended by officers for removal given uncertainty of delivery due to clawback. Site proposed to be retained as white land within settlement.</p>
GO008	Land at Parc Melin Mynach & Heol Eifion	25	<p><b>Reported:</b> 8 June 2015 Cllr D Lewis raised concerns in relation to this site Deferred for site visit <b>Site visit:</b> 23 June 2015 <b>Reported:</b> 6 July 2015 Recommended for inclusion within the Deposit Plan</p>
<b>Total</b>		<b>115</b>	

## Gowerton

CS Ref	Location	Site Capacity	Hearings process and Recommendation
GT005	Former Cefn Gorwydd Colliery, Gorwydd Rd, Gowerton <b>PETITION SITE</b>	90	<b>Reported:</b> 4 June 2015 Mr Higgon (petitioner) and Cllr Jones spoke against the site being included. Philippa Cole (site promoter) spoke in favour of the site Deferred for site visit <b>Site visit:</b> 29 June 2015 attended by petitioners and Cllr Jones <b>Reported:</b> 30 June 2015 Recommended for inclusion within the Deposit Plan
GT006	Land to the east of Fairwood Terrace, Gowerton	35	<b>Reported:</b> 4 June 2015 Cllr Jones spoke against the site being included Deferred for site visit <b>Site visit:</b> 29 June 2015 attended by local residents and site promoter <b>Reported:</b> 30 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>125</b>	

## Kingsbridge

CS Ref	Location	Site Capacity	Hearings process and Recommendation
KB012	Land at Garden Village	750	<b>Reported:</b> 8 June 2015 A statement by Cllr W Evans was reported Recommended for inclusion within the Deposit Plan
KB014	Land at West Street, Gorseinon	20	<b>Reported:</b> 8 June 2015 Recommended for inclusion within the Deposit Plan

CS Ref	Location	Site Capacity	Hearings process and Recommendation
KB015	Land to south of Highfield, Loughor Road	60	<b>Reported:</b> 8 June 2015 Recommended for inclusion within the Deposit Plan <b>Site Visit:</b> 23 June 2015 for information
<b>Total</b>		<b>830</b>	

### Llangyfelach

CS Ref	Location	Site Capacity	Hearings process and Recommendation
LF001	Walters Yard, off Swansea Road, Pontlliw	65	<b>Reported:</b> 4 June 2015 Cllr Sullivan spoke against the site being included Deferred for site visit <b>Site visit:</b> 23 June 2015 attended by Cllr Sullivan and site promoter <b>Reported:</b> 6 July 2015 Recommended for inclusion within the Deposit Plan
LF002	Land at Carmel Rd and Bryntirion Rd, Pontlliw	100	<b>Reported:</b> 4 June 2015 Cllr Sullivan spoke against the site being included Recommended for inclusion within the Deposit Plan
LF009	Land adj Former Felindre Tinplate Works	850+	<b>Reported:</b> 4 June 2015 Cllr Sullivan spoke against the site being included Recommended for inclusion within the Deposit Plan
LF011	The Poplars, Pontlliw	15	<b>Reported:</b> 4 June 2015 Cllr Sullivan spoke against the site being included Deferred for site visit <b>Site visit:</b> 23 June 2015 attended by Cllr Sullivan <b>Reported:</b> 6 July 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>1030</b>	

## Lower Loughor

CS Ref	Location	Site Capacity	Hearings process and Recommendation
LL003	Beili Glas, Glebe Road	60	<b>Reported:</b> 8 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>60</b>	

## Penllergaer

CS Ref	Location	Site Capacity	Hearings process and Recommendation
PG002	Land at Parc Mawr Farm <b>PETITION SITE</b>	750	<b>Reported:</b> 4 June 2015 Mr Harris (petitioner, on behalf of Penllergaer Community Council) and Cllr Fitzgerald spoke against the site being included. Robin Williams (site promoter) spoke in favour of the site Deferred for site visit <b>Site visit:</b> 14 July 2015 attended by petitioners, site promoter and Cllr Fitzgerald <b>Reported:</b> 14 July 2015 Recommended for inclusion within the Deposit Plan
PG004	Land at Penllergaer Civic Offices	80	<b>Reported:</b> 4 June 2015 Cllr Fitzgerald spoke against the site being included Deferred for site visit <b>Site visit:</b> 14 July 2015 <b>Reported:</b> 14 July 2015 Recommended for inclusion within the Deposit Plan
PG006	Land north of Llewellyn Road	50	<b>Reported:</b> 4 June 2015 Cllr Fitzgerald spoke against the site being included. Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>880</b>	

## Penyrheol

CS Ref	Location	Site Capacity	Hearings process and Recommendation
PY012	Land at Tyrisha Farm, Grovesend	45	<b>Reported:</b> 8 June 2015 - deferred for site visit <b>Site visit:</b> 23 June 2015 attended by site promoter and Community Councillor <b>Reported:</b> 6 July 2015 Recommended for inclusion within the Deposit Plan
PY013	Land at Brynafon Rd, Gower View Rd, Clos Cwrt Y Carne	225	<b>Reported:</b> 8 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>270</b>	

## Pontarddulais

CS Ref	Location	Site Capacity	Hearings process and Recommendation
PT002	Land north of Pontarddulais <b>PETITION SITE</b>	720	<b>Reported:</b> 8 June 2015. Dr Susan Barnes (petitioner) and Suzy Davies (AM) spoke against the site being included. Pete Sulley and Chris Jenkins (site promoters) spoke in favour of the site. Cllr Downing and Cllr Harris raised concerns in respect of traffic infrastructure in the locality. Deferred for site visit <b>Site visit:</b> 23 June 2015 attended by petitioners, site promoters, Cllr Downing and Cllr Harris <b>Reported:</b> 6 July 2015 Recommended for inclusion within the Deposit Plan
PT017	Land at Bolgoed Road <b>PETITION SITE</b>	50	<b>Reported:</b> 8 June 2015 Dr Susan Barnes (petitioner) spoke against the site being included. Recommended for inclusion within the Deposit Plan



CS Ref	Location	Site Capacity	Hearings process and Recommendation
PT023	Land east of Carreg Teilo	30	<b>Reported:</b> 8 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>800</b>	

### Upper Loughor

CS Ref	Location	Site Capacity	Hearings process and Recommendation
UL002	Land at Heol Pentre Bach <b>PETITION SITE</b>	40	<b>Reported:</b> 8 June 2015 Francis Sinfield (petitioner) spoke against the site being included. Robin Williams (site promoter) spoke in favour of the site Recommended for inclusion within the Deposit Plan
UL015	Land south of Glebe Road	130	<b>Reported:</b> 8 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>170</b>	

<b>Great North West Total</b>		<b>4280</b>	
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## West SHPZ

### Dunvant

CS Ref	Location	Site Capacity	Hearings process and Recommendation
DU003	Land r/o 104 Killan Rd	15	<b>Reported:</b> 11 June 2015 Cllr Raynor raised concerns in relation to the site. Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>15</b>	

### Killay South

CS Ref	Location	Site Capacity	Hearings process and Recommendation
KS001	Land off Rowan Close <b>PETITION SITE</b>	0	<b>Reported:</b> 8 June 2015 Mrs C Thomas (petitioner) and Cllr J Jones spoke against the site (10 units) being included. Deferred for a site visit <b>Site Visit:</b> 29 June 2015 attended by petitioner and Cllr Jones <b>Reported:</b> 30 June 2015 Not recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>0</b>	

## Killay North

CS Ref	Location	Site Capacity	Hearings process and Recommendation
KN004	Hendrefoilan Student Village	300	<b>Reported:</b> 8 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>300</b>	

## Sketty

CS Ref	Location	Site Capacity	Hearings process and Recommendation
SK011	Land to north of Llwyn Mawr Road, Tycoch	25	<b>Reported:</b> 11 June 2015 Recommended for inclusion within the Deposit Plan
SK017	Cefn Coed Hospital, Cockett <b>PETITION SITE</b>	500	<b>Reported:</b> 11 June 2015 Petitioners did not take up invite to address committee Cllr Philpott on behalf of Sketty ward members and Paul Vining ( site promoter) spoke in relation to this site Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>525</b>	

## West Cross

CS Ref	Location	Site Capacity	Hearings process and Recommendation
WC004	Clyne Common off Chestnut Avenue <b>PETITION SITE</b>	0	<b>Reported:</b> 11 June 2015 Betty Ballman (petitioner) spoke against inclusion of the site. Geraint John (site promoter) and Cllr Child spoke in favour of the site (50 units) Deferred for site visit <b>Site visit:</b> 29 June 2015 <b>Reported:</b> 30 June 2015 Not recommended for inclusion within the Deposit Plan
WC009	Former Eastmoor Nursery, Chestnut Avenue	20	<b>Reported:</b> 11 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>20</b>	
<b>West Total</b>		<b>860</b>	

## Gower SHPZ

### Gower

CS Ref	Location	Site Capacity	Hearings process and Recommendation
GW002	Land adj Boarlands Estate, Port Eynon <b>PETITION SITE</b>	10	<b>Reported:</b> 11 June 2015 Mr Herbert (petitioner) and Mr Attwell (petitioner) spoke against the site being included. Mr King (site promoter) spoke in favour of the site Recommended for inclusion within the Deposit Plan
GW010	Land at Tyle House Farm, Burry Green	0	<b>Reported:</b> 11 June 2015 - deferred for site visit (10 units) <b>Site visit:</b> 29 June 2015 - community councillor attended <b>Reported:</b> 30 June 2015 Not recommended for inclusion within the Deposit Plan
GW023	Land at Monksland Road, Scurlage	25	<b>Reported:</b> 11 June 2015 - deferred for site visit <b>Site visit:</b> 29 June 2015 <b>Reported:</b> 30 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>35</b>	

## Oystermouth\*

CS Ref	Location	Site Capacity	Hearings process and Recommendation
OY003	Land at Thistleboon Caravan Park <b>PETITION SITE</b>	Boundary change	<b>Reported:</b> 11 June 2015 Mr Smith (petitioner) spoke against inclusion of the site within the settlement boundary Deferred for site visit <b>Site visit:</b> 29 June 2015 attended by petitioners and community councillor <b>Reported:</b> 30 June 2015 Recommended that the boundary change is not included within the Deposit Plan and that the existing settlement boundary remains unchanged
OY016	Land at Higher Lane, Thistleboon <b>PETITION SITE</b>	30	<b>Reported:</b> 11 June 2015 Mrs Burgess (petitioner) spoke against the inclusion of the site. Mr Geraint John (site promoter) spoke in favour of the site Deferred for site visit <b>Site visit:</b> 29 June 2015 attended by petitioners and community councillor <b>Reported:</b> 30 June 2015 Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>30</b>	

\* Sites located within or partly within Gower AONB

## Pennard

CS Ref	Location	Site Capacity	Hearings process and Recommendation
PN001	Land adjoining Pennard Drive, Pennard	60	<b>Reported:</b> 11 June 2015 Cllr James submitted written representations and spoke against the site being included Recommended for inclusion within the Deposit Plan <b>Site Visit:</b> 29 June 2015 for information. Petitioners attended
<b>Total</b>		<b>60</b>	

<b>Gower AONB Total</b>		<b>125</b>	
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## Gower Fringe SHPZ

### Fairwood

CS Ref	Location	Site Capacity	Hearings process and Recommendation
FA008	Fairwood Hospital, Gower Road, Upper Killay <b>PETITION SITE</b>	25	<b>Reported:</b> 11 June 2015 Petitioners did not take up invite to address committee Recommended for inclusion within the Deposit Plan
FA010	Land to the East of Gowerton Rd, Three Crosses <b>PETITION SITE</b>	15	<b>Reported:</b> 11 June 2015 Petitioners did not take up invite to address committee Recommended for inclusion within the Deposit Plan

CS Ref	Location	Site Capacity	Hearings process and Recommendation
FA011 & FA014	Land adjoining Tirmynydd Rd, Three Crosses <b>PETITION SITE</b>	20	<b>Reported:</b> 11 June 2015 Petitioners did not take up invite to address committee Recommended for inclusion within the Deposit Plan
FA019	Northern end of Gowerton Road, Three Crosses <b>PETITION SITE</b>	Boundary change	<b>Reported:</b> 11 June 2015 Petitioners did not take up invite to address committee Recommended for inclusion within the Deposit Plan
<b>Total</b>		<b>60</b>	

### Bishopston

CS Ref	Location	Site Capacity	Hearings process and Recommendation
BI002	Land to the rear of 51B Bishopston Rd	0	<b>Reported:</b> 8 June 2015 Cllr Marsh spoke against the inclusion of the site (30 units) Deferred for a site visit <b>Site Visit:</b> 29 June 2015 local residents, site promoter and Cllr Marsh attended <b>Reported:</b> 30 June 2015 Not recommended for inclusion in the Deposit Plan
<b>Total</b>		<b>0</b>	

<b>Gower Fringe Total</b>		<b>60</b>	
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<b>Total</b>		<b>11420</b>	
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*Note: This summary intentionally does not record any observations expressed by individual members of Planning Committee*

## APPENDIX 2: REPRESENTATIONS RECEIVED FROM PETITIONERS AND SITE PROMOTERS

### Central SHPZ

### Castle

### CA013 Site 9 Trawler Rd, Maritime Quarter

#### CA013: Mr Woolliscroft (petitioner)

I would like to explain why Site 9 is so important to the residents and why its continued inclusion as a development site does not comply with your own planning guidelines. The Candidate Site Assessment Report is factually incorrect and misleading on many points. I have provided an amended copy that actually follows the Draft LDP policies.

I can't cover this in 5 minutes but full details have been provided in the MQRA report.

The residents feel very strongly about how their area develops. We would like to see a sustainable vibrant, healthy, mixed community with an emphasis on families and work. This is only possible in a sustainable environment, a point clearly stated in your draft LDP and confirmed by Planning Policy Wales guidance, the Strategic Framework Review and the Open Space Assessment.

Site 9 has been used as an amenity area for many years. The homes in the Maritime Quarter do not have gardens and Site 9 is the only local area available for small children to run around or play with a ball in safety. In the summer it is the only area where dogs are allowed run off lead. The raised area is often used for picnics, by disabled people who can't access the beach or for people to just sit and enjoy the view.

At the recent Village Green Public Inquiry it was accepted that Site 9 was used as an amenity area and when the Public Rights of Way and Commons Sub-committee confirmed the inspector's decision, they expressed the Committee's concern regarding the lack of alternative open space for recreation in the area. A point omitted from the Candidate Site Assessment Report but it does recognise that Site 9 is a green space and an amenity area.

It is not a brown field site. Planning Policy Wales figure 4.3, defines previously developed land and it also defines what land is excluded from this definition.

The relevant exclusions are:

1. Land where the remains of any structure have blended into the landscape
2. Previously developed land put to amenity use.

Clearly, Site 9 meets this criteria and therefore is not a brownfield site.

In the report I show that any future development on Site 9 would be small, with less than 30 flats. For the sake of less than 30 flats, any development will have negative

impact on the health and well-being of a few hundred residents, according to the Open Space Assessment and TAN 16.

Your **draft Local Development Plan** fully supports our arguments. Some Quotes:

- *“Development that unacceptably compromises the extent and quality of green infrastructure provision will not be supported.”*
- *“Create environments that encourage and support good health, well-being”*
- *“Development must contribute towards the creation of sustainable, active and vibrant places that benefit from a mix of appropriate uses and access to open space”*
- *“The starting point for any development should be to look beyond the site and establish how the proposal fits into the existing community and surrounding context. It is essential that all new development is positively integrated into the wider community in respect of design, layout and land use...”*

The last point is all we are really asking for

Planning Policy Wales guidance Section 9, Housing refers to:

- *“attractive landscapes around dwellings, with usable open space,”*
- *“the creation of places to live that are safe and attractive.”*
- *“Insensitive infilling or the cumulative effects of development should not be allowed to damage an area’s character or amenity”*

Section 4, Planning for Sustainability has many more references that support retaining Site 9

- *“Putting people, and their quality of life now and in the future, at the centre of decision making;”*
- *“Good design is essential to ensure that areas, particularly those where higher density development takes place, offer high environmental quality, including open and green spaces.”*
- *“Planning policies, decisions and proposals should: Promote access to ..... open and green space, maximising opportunities for community development and social welfare”*

**Technical Advice Note 16 and the Open Space Assessment; which I will just touch on.**

The provision of Fields in Trust in Castle Ward is 0.1 hectares/1000 population compared to a TAN-16 recommended standard of 2.4. Less than 5% (— 0.1 and 2.4) The worst provision in the County and I couldn’t find worse in the UK after searching for an hour. TAN 16 states when referring to open space **“Only where it can be clearly shown that there is no deficiency, should the possibility of their use for alternative development be considered.”** There is a serious deficiency in all aspects Fields in Trust amenity areas which can only be addressed by confirming Site 9 as an amenity space

**CA013 Mr North (Site Promoter)**

This site was acquired for regeneration purposes many years ago as part of the

Marina regeneration project which at the time of acquisition was a largely derelict industrial area associated with the former docklands. The site has always been considered to be a development site and SPG exists in the form of development briefs dating from 1989 onwards which is currently being updated with a view to marketing the site together with the Sailbridge site later this year. The site was considered by the developer of the former Spontex site for inclusion within their scheme but was ultimately not pursued. The site was used in connection with the Swansea Point development, as the former Spontex Site became known, as a sales office with parking facilities. At this time the adjoining land was landscaped by way of grassing to improve the appearance of the area whilst sales of the adjacent residential apartments was ongoing. The site of the sales office was also grassed upon vacation of the sales suite from the site. It could be argued therefore that the site became an informal green area by accident rather than design as it has always been considered to be a development site and is currently aligned with the City Centre Framework proposals to link the city to the sea. The site was the subject of a village green application in recent years however the inspector found in favour of the Council's challenge rather than the applicants. The site is currently largely used as unauthorised car parking by visitors and/or workers in the locality.

## **Llansamlet**

### **LS023, Fredrick Place**

#### **LS023 Mr Thornton (petitioner)**

My family has been resident in Llansamlet for over 48 years and has seen many changes. Originally it was the main road to Skewen and then it was blocked off when the motorway was built. In the 70's the farm land behind Eileen Road was developed and a school and many houses were built. As the families expanded so did the need for housing. Hale construction built a large number of bungalows and soon Frederick Place started to get busy.

Around 2000 the Council approved the building of low cost housing near to Crymlyn Quarry, which added more congestion at the bottom of Frederick Place. The Welsh School was also demolished and more low cost homes were built. I believe that Frederick Place is now at full capacity, the schools are full and the Medical Centre has over 10,000 patients.

During rush hour the junction between Bethel Road, Frederick Place and Peniel Green Road is very busy and it can take up to an hour to ease. The Medical Centre has recently been updated and had lost many parking spaces, which then forces patients to park on Frederick Place when using the Doctors. Also members of the local bowling club, park at the bottom of Frederick Place on both sides of the road, which causes problems for buses turning into Frederick Place at the junction of Bethel Road.

I was recently advised by a local builder that many years ago, a contractor was denied planning permission to build on the land, due to the Mine Workings. The

recently built Medical Centre extension was also delayed because of the same problem. The Peniel Green railway tunnel runs underneath, which carried freight and passengers on a regular basis, it also has air shafts on each side of the tunnel.

At a possible site entrance for the development, is the main bus stop for Frederick Place. It is the only bus stop in Llansamlet, where the bus waits for its passengers. It waits for 3 minutes on weekdays and then 6 minutes on the weekend. It is not possible for the bus to wait at any other bus stops in the area, as they are near to shops or homes.

The fields behind our properties are not flood free. If it rains the water rises in our back gardens. We have experienced over many years, 5-6 inches of rainwater, almost up to our back door on one occasion. The culvert is always full of water, as most of the rainwater from the bungalow runs in to it. The culvert behind our garden is lower than the one that diverts water from the middle of the field, so ours has to fill up considerably before it is able to drain away. The pipework which wakes the flow of water under the houses further down the hill is too small and backfills, so the water cannot drain away easily after a heavy rainfall. This has been an issue since the 70's and on a couple of occasions the Council have had to use pumps to clear the water. We have photographic and video evidence of this should you wish to see it (refer to file for photographs).

We know from your report that you are aware that the site contains Purple Moor Grass and Rush pasture, which is becoming scarce in this country. We have a wealth of wildlife and have seen heron's, foxes, newts, birds of prey and bats.

We feel that this development along with Talycoppa Farm will stretch Llansamlet and Frederick Place to breaking point. Please note that we wish for a representative of the residents of Frederick Place be present at any future development planning meetings.

Thank you for taking the time to listen to our concerns.

#### **LS023 Mr Bacon (Site Promoter)**

The City and County of Swansea is under considerable financial pressure and is constantly reviewing all its land and property holdings. Consequently large holdings of land that are not held for operational purposes have been put forward as part of the candidate site process.

The land in question comprises approximately 2.3 hectares and the potential for development was established in the previous Unitary Development Plan.

It is within an existing residential area with potential for development. The land is not public open space and is presently let for grazing horses. There is considerable difficulty with regards to fly-tipping due to the fact the Council cannot proactively manage the site and has no resources to do so.

There may be an opportunity to development some recreational greenspace in the

development and there is also an opportunity to improve drainage in the area as a result of a development.

Highway access would be directly from Frederick Place with retained access for a pedestrian footpath.

It is accepted that the site has restrictions and there would have to be a buffer to the railway tunnel.

## **North SHPZ**

### **Cockett**

#### **CO013: Land Adj Cockett Pond**

##### **CO013 Mrs Crossley (petitioner)**

My name is Val Crossley, a resident of Church Gardens and I am here today to speak on behalf of many Cockett residents objecting to the proposed development plan on land known as Cockett Pond.

In 2011 a blue notice was attached to a lamppost in Church Gardens informing residents of the proposed construction of 77 houses on this land, which access to and from the new estate via Church Gardens. It is assumed that officers from the Planning Department had previously visited both the site and Church Gardens. They will have observed that access to Church Gardens is limited and only sufficient for the existing estate. The idea of access to an additional 77 houses via Church Gardens is not feasible due to the lay of the land. I would suggest that committee members visit the site and see for themselves where access could be feasible for the new estate.

We have received no further information since 2011 when the petition was drawn up. An access route to a new estate of 77 houses via Church Gardens would be a problem of monumental proportion. The volume of traffic and disruption caused by vehicles to and from the new site would have an impact on the lives of the residents.

The land in question has been a haven for flora and fauna for many years. Wildlife, nesting birds, insects and wildflowers are in abundance on this land. We are constantly being reminded through the media of the importance of protecting wildlife habitat. We should be proud and celebrate the natural history we have in our area. It is our responsibility to protect it and accommodate it. At the last count there are over 34 varieties of wildflowers growing on the site.

Farmers are setting aside pockets of their land in order to encourage wildlife to return. Farmers are prepared to make the sacrifice of losing land for the sake of our wildlife surely the same should be done in our towns and cities. We should encourage wildlife and nurture it, not destroy it.

This land known as Cockett Pond should remain as it is a wildlife haven and not a housing estate,

I hope, Mr Chairman, that you will agree to a site visit to see for yourself access and egress for the proposed development and that you will consider the issues and objections raised.

Thank you for giving us this opportunity to voice our concerns.

#### **CO013 Mr Bacon (Site Promoter)**

The City and County of Swansea is under considerable financial pressure and is constantly reviewing all its land and property holdings. Any land which is not required for operational purposes has to be considered for disposal.

The land is not currently proactively managed by the Council and there are no proposals to increase or improve any management due to lack of available funding.

It is not currently open space, but it is within a fenced area used for unofficial horse grazing.

The land at Cockett Pond extends to approximately 2.87 hectares, it is understood that a development of approximately 50 units would be recommended with access improvements being necessary at the road junction subject to Highway's comments. As a result of this development there could be scope to improve public rights of way, or access, the provision of a buffer to the current industrial estate and potentially additional recreational facilities. This detail would be established at the time of the submission of any future planning application.

## **Greater North West SHPZ**

### **Gowerton**

#### **GT005 Former Gorwydd Colliery, Gorwydd Rd**

##### **GT005 Mr Higgon (petitioner)**

I am here today to raise our objections to the development of the above site in conjunction with Councillor Sue Jones and show how the development will have an adverse effect on the infrastructure and the wellbeing of the community of Gowerton. Gowerton is subject to intense development pressure due to its Gower fringe location. If the character of this village and the wider area is to be maintained and protected, residential development such as this needs to be resisted. The site forms part of Gowerton Mart Woodlands, the trees have a Tree Protection Order and is a SINC (site of importance for nature conservation) and is currently identified as part of

the Llan Valley Green Wedge, as identified in the Unitary Development Plan 'UDP'. Unfortunately all existing policies and previous decisions are subject to review in 2016 including the Green Wedge and it appears that there will no longer be a constraint for the development of this land. The previous Lliw Valley Authority identified these areas for conservation and enhancement for the sake of its natural heritage and resources. The removal of this status should be resisted. This site has previously been rejected on 2 occasions by the Lliw Valley Authority and the Swansea City Council for development.

Planning Policy Wales is particularly clear to offer protection for woodland.

- 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 trees, groups of trees and areas of woodland where they have natural heritage value or contribute to the character or amenity of a particular locality. Ancient and semi natural woodlands are irreplaceable habitats of high biodiversity value which should be protected from development that would result in significant damage.(Para 5.2.8)

### **Loss of Woodland**

When considering the loss of woodland to development in Gowerton we must consider the other Gowerton Candidate Site and the Waunarwydd \ Fforestfach Strategic Development Area:

- GT0005 Former Cefn Gorwydd Colliery, Gorwydd Road.
- GT0006 Land east of Fairwood Terrace, Gowerton.
- Land 'North of Gowerton Railway Station, Park and Ride and Residential Development'.

### **The loss of woodland from each site would be as follows :-**

GT0005 Former Cefn Gorwydd Colliery, Gorwydd Road.	Loss 2.66 Hectares.
GT0006 Land East of Fairwood Terrace, Gowerton,	Loss 1.14 Hectares.
North of Gowerton Railway Station, Park and Ride,	Loss 2.50 Hectares
<b>Total Loss of Woodland</b>	<b>6.30 Hectares</b>

Additional loss of woodland due to roads / cycle paths for access to these sites has not been considered. All the three sites are interlinked and comprise of semi-natural broadleaved woodland comprising of sessile oak, silver birch, ash, hawthorn, holly, hazel and goat willow. The woodland protects the environment and wildlife interests in the area and its loss would greatly affect the bio diversity of this area of Gowerton.

### **Practical Assessment including photographs (pics)**

Pic 10 highlights the proposed development: The proposed site is littered with historic shallow mine workings and whilst biodiversity has reclaimed much of this area the site clearly has significant historic industrial constraints with respect the re-development of the site. Planning Policy Wales and Welsh Government Guidance requires Local Planning Authorities to only allocate sites which are realistically capable of being developed and delivered within the plan period. It is unclear at this point if any geotechnical ground investigations have been carried out on site, however one would assume the cost of remediating the land to ensure the site is capable of being developed would be significant which raises the question whether



the site would be commercially viable to develop and whether it is feasible at all? Welsh Government Guidance clearly states that Local Planning Authorities should not allocate sites such as this for development which have no realistic prospect of being built out.

Access to the Gorwydd Colliery Site is next to 121 Gorwydd Road. Within 10 metres of the site entrance we encounter a mature ash tree (pic 1) and this is followed by mature oak and birch trees (pic 2, 3, 4, 5.). An approximate total of 50 mature trees would have to be removed to accommodate the road access alone to the site. This figure does not account for saplings. The larger area of land for roads and the housing development (pic 6, 7, 9.) would necessitate further substantial loss of trees including mature oaks to a figure in the hundreds. The stream (pics 8) has not been mentioned in the report and runs into Gors Fach Brook. The development plan highlights two very small strips of land for mitigation; 'areas of land with potential for possible tree planting' in reality the vast majority of trees will be lost and not replaced. The woodland has a wonderful array of wildlife and although is not an ancient woodland it supports an 'assemblage of ancient woodland indicators species and diverse scrub'. Wet woodland is a habitat of principle importance for the conservation of biological diversity in Wales. Species recoded on the site include Bullfinch, Goldcrest, Spotted Woodpecker, Jays, Marsh Tit, Nuthatch and Bats. The identified area for development includes plants and trees that are essential early pollinators. The loss of this area will greatly affect the bio-diversity of this green field site.

### **Surface Water and the flood plain**

The site also has major surface water problems which would have to be addressed through attenuation or some sort of other system which is again very costly as the site acts as a giant soakaway for the village of Gowerton. If we consider that an oak tree consumes 50 gallons of water / day, the loss of a substantial area of woodland and the construction of the housing development would result in a large increase in surface water. The increase in surface water would have a detrimental effect on the flood plain boundary. There is mounting evidence that the global climate is changing as a result of human activity. Flooding is expected to increase significantly over time. Heavy winter precipitation of rainfall is likely to become more frequent. Relative sea levels will continue to rise around most of the UK's shoreline expecting extreme sea levels to be experienced more frequently. This places the respective residential area at risk to flooding in the foreseeable future. The north east section of GT0005 Former Gorwydd Colliery is identified as a flood plain and will be subjected to the same projected expansion.

### **Gowerton Water Treatment**

Surface water would drain into the Gowerton Water Treatment catchment area which is currently at capacity. A 'Site Specific Comment from 'Welsh Water' identifies that due to the public sewerage system in this area and the likely demands from the proposed allocation it is unlikely the public sewers will be adequate to accommodate this site, notwithstanding the other candidate site and the site North of Gowerton Station Park and Ride. The result would not only add an unsustainable amount of foul water into the already congested sewerage network but would also seriously

result in additional water run-off into the Burry Inlet. The Burry

Inlet and Loughor Estuary is an internationally protected site of the highest quality. It is part of a network of important European sites designated under the European Union Habitats and Birds Directives. The Burry Inlet is also designated Special Protection Area (SPA) and the Carmarthen Bay and Estuaries is a Special Area of Conservation (SAC).

### **The effect of the loss of woodland would result in an increase in noise pollution**

The loss of 40% of the woodland including some of the large mature oak tree will increase noise pollution for the existing residents of Gowerton. Currently the woodland acts as a sound barrier from the noise generated by the railway line, now a two track system and industry from the IMCO / Timet site, Waunarlyydd (heard clearly in the night). The role of the woodland was a serious consideration in the planning application of IMCO.

### **The effect of the loss of woodland would result in an increase in air pollution.**

Increase in population would result in an increase in road traffic, congestion and air pollution. Trees help improve air quality, filtering out pollutants that can cause and exacerbate conditions such as asthma. Trees can also help to keep towns and cities cool, reducing ground level ozone, which also exacerbates respiratory conditions. Consequently the loss of the woodland could have an adverse effect on the health of the residents of Gowerton and increase demand on the GP Services. Demand on the GP services would also increase with additional residential developments.

### **Light pollution**

Light pollution from street/houses substantially affects the behaviour of bats, moths and birds resulting in the decline of these species.

### **Effect on Gowerton Medical Practice**

The development of the both candidate sites would result in an increased pressure on services provided at the Medical Practice.

Current patient population of 12,800 patients. Since 2005 to there has been a 7 % increase in patient population. The population comprise of :

- Up to 65 years of age - 77 %
- Over 65 years of age - 23%
- Under 5 years of age - 5%

There is a high concentration of nursing home patients from four Nursing Homes presenting with complex needs and daily contact. Currently the Practice is in the process of integrating the patient population of the GP practice of Dr Werner in Penclawdd with an additional patient population of **1,800 patients**.

### **Total patient population of the Gowerton Practice is 14,600**

Practice Area extends to Llanrhidian / Crofty - Loughor / Gorseinon - Fforestfach Waunarlyydd & Killay / Duvant

Practice comprised of 8 doctors – 3 Full Time, 5 part time with the Full Time

Equivalent of 6.5 doctors,  
Waiting times for routine appointments 2 – 3 weeks depending on the time of year

### **Constraints on the Medical Practice**

- Acute shortage of rooms to provide health care services i.e. Health Visitors / Midwives / Counselling / MH assessments and Child and Asthma Clinics
- Parking 56 parking spaces with 13 designated parking spaces for surgery staff, overspill of parking already in the Elba Housing estate.

**Swansea County Council have adopted a policy on Green Infrastructure and conservation.** As part of their Local Development Preferred Strategy Document:

#### Policy 5: Green Infrastructure

Green infrastructure will be provided through the protection and enhancement of existing green spaces and the green corridors that connect them.

#### **Key Objectives:**

- Maintain and enhance green infrastructure networks
- Conserve and enhance the County's natural heritage
- Create environments that encourage and support good health and well-being

The residents of Gowerton are becoming more and more frustrated by the increase in congestion and delays on the roads with the subsequent increase in pollution with the further demands on the schools and the medical practice. They also feel exacerbated by what they describe as the disregard by the authority to their genuine concerns. "We are not being listened to".

#### **Bermondsey, Spa Park , Plaque to commemorate the Counsellors in 1922**

The inscription entitled 'Tree of Heaven can be found in the park.

This tree is dedicated to the Bermondsey Counsellors who lined the streets with 'Trees of Heaven' to ease the effect of poverty on health and the quality of life and to the working class communities who withstood much hardship with great fortitude.

**We need to take that same lead and reject this development and save our woodland.**

#### **GT005 Philippa Cole (Site Promoter)**

The former Cefn Gorwydd Colliery is located between Gorwydd Road and the railway line in Gowerton. Residential development borders the site on three boundaries.

The site comprises 6.5 Ha and directly abuts the adopted Gowerton settlement boundary. The site is highly sustainable in transportation terms. Bus stops are located 200m from the site on Gorwydd Road and Gowerton Station is 700m to the north of the site.

The site is privately owned and contains no public rights of way. This is evidenced in

correspondence from my client's solicitors Eversheds and provided to the Council.

The proposal is to develop 2.3 Ha of the total site for housing (approximately 35% of the site) creating between 90 and 100 new homes whilst retaining the balance circa 4.3 Ha (65% of the site area) (comprising woodland) as a nature conservation area in part and part publically accessible forest walkways"

In this respect the Pre Deposit Draft LDP Proposals Map (looked at in isolation) is misleading as it appears to suggest that the entire site will be developed for housing which has never been the intention.

The site has been the subject of extensive ecological surveys over the past year and the proposals to develop part of the site have had regard to the findings of those surveys.

The creation of the nature conservation area and its future management for conservation purposes would be funded by the residential development of part of the site. A scheme of appropriate management will be agreed with the council having regard to professional advice of ecologists and arborists and would be legally binding.

The creation of this facility would be at no cost to the public purse and would be made accessible to the wider community through the creation of appropriately designed footways.

The site will also be made safe. At present there are uncapped mine shafts on site as well as the former colliery chimney which is structurally unsound. As part of the overall development the mine shafts will be filled and capped and the chimney made safe and retained as a reminder of the sites industrial past.

4.3 Ha of the site are covered in colliery waste. It is not proposed to remove any colliery waste other than where it is necessary to allow access to the site and where necessary to link its western and eastern parts.

Part of the site is subject of woodland TPO. The majority of built development will be on land that is not subject to this categorisation. However, it will be necessary to develop in parts of the site which do carry this designation. The site has been the subject of tree surveys and the proposals will retain the good quality oak, ash and birch. The 2.3 Ha of land that are proposed to be developed are substantially level and whether inside or outside of the woodland TPO contain trees of substantially poor quality with some basal decay, liability to structural failure , partially collapsed and heavily colonised by ivy.

The green backdrop to Gowerton that the woodland on the elevated part of the site provides will be unaffected.

All other technical issues including access, drainage, pollution, schools and other local services would be addressed as part of a planning application process. Welsh Water has confirmed that drainage and sewage capacity is available. The professional advisors to the site owners have indicated that these issues are capable

of resolution and nothing has been raised through the assessment of the Candidate Site Submission by professional officers of the council which dispute this.

In summary, this highly sustainable site close to amenities and local transport facilities can deliver 90 -100 new homes in the short term. A balanced approach to development is proposed. Approximately 35% of the site area is proposed for much needed residential development whilst the remainder will be retained, improved and managed as a nature conservation area providing an accessible community resource at no cost to the public purse.

## Penllergaer

### PG002: Land at Parc Mawr Farm, Penllergaer

#### PG002 Mr Harris (petitioner)

In the time allocated we will limit our Reply to the more pertinent issues affecting the site and the inaccurate reporting to date by Officers .On all other matters we will rely on the representations already made by the Community Council .

The highway problem that currently exists in Penllergaer is clear for all to see, and objections to the development on this ground is well and quite rightly documented. Special Planning Committee Meeting dated the 4<sup>th</sup> June 2015.

The Preferred Strategy said of this site that “*This proposal is predicated on the delivery of a new road*” and “*has the potential to alleviate congestion in the area ...*“. This statement is based upon comments made in the Council’s own “Topic Paper” on transport dated August 2013.

The Topic Paper was drafted long before the so called “strategic sites” in and around Penllergaer had been identified .The impact of these sites on the transport network therefore has not properly considered.

Nevertheless, the Topic Paper identified that the M4 junction was at capacity levels, and in order to support development at Felindre major improvements were required to the motorway junction together with four other major roadwork schemes to the surrounding areas. The Topic Paper also recognised that there was limited opportunity to carry out further on the motorway junction.

One of these schemes is the new road serving this site.

What everybody is forgetting is that the development of Parc Mawr Farm is now 4 times larger than the original Candidate site upon which the Council based their report. As a consequence, the housing development despite the road will put greater strains on the highway network. The road proposed will not alleviate the problem in this area, the housing it serves **will add to it**.

The Preferred Strategy requires that prior to the Deposit and any site allocation there has to be, amongst other items, an assessment carried out for the requirement for physical infrastructure to serve that site. Such an assessment has yet to be concluded, and therefore absent from any of the recommendations made by officers to date.

The Council has completely failed to address the highway problem, and in so doing they are unable to satisfy the criteria of their own Sustainable Growth Strategy, in particular I would remind you that *“The role of the planning system in creating sustainable communities, and the general presumption in favour of sustainable development, are embedded principles within national planning policy. The LDP therefore places a strong emphasis upon the importance of ensuring that this growth is supported by appropriate and improved physical and community infrastructure”*.

Until the Council are able to demonstrate that this, this site should not be considered or debated for inclusion in the LDP.

Turning now to the matter of objections raised on the question of overcrowding and overdevelopment. Your Officers feel this is a matter that is dealt with at planning application stage, but they really are missing the point.

There are 1200 households in the Ward of Penllergaer, of which 300 are situated at Parc Penllergaer and therefore remote from the village. The village therefore has 900 houses, and the proposed development will add a further 1000 or so to this number. If this was to happen it would completely destroy the character and identity of the village.

This proposal ignores PPW guidelines 9.3.1, 9.3.2, 9.3.3 and 9.3.4 in that (a) it is not well integrated and connected to the existing pattern of settlements, (b) it is a significant incremental expansion of housing that cannot be support by public transport, (c) intensive infilling should not be allowed to damage an area’s character and amenity and (d) the planning authority should ensure that the area’s character and amenity is not damaged.

If I could now jump to the matter of the Green Wedge. We fully accept that Green Wedges do not have the same permanence as a Green Belt, but the need to protect the open land around Penllergaer has not changed and therefore its retention needs to be protected. If this is the case, PPW dictates what is acceptable, and the proposed form of this development does not meet that criteria.

The residential proposal obliterates this previously identified protection, but when the link road is then taken into consideration, question must be raised as to whether all of the Green Wedge is now lost.

Can I remind Members of Policy 5 of the Preferred Strategy in relation to Green Infrastructure which says *“Green infrastructures will be provided through the protection and enhancement of existing green spaces.....Development that unacceptably compromises the extent and quality of green provision will not be supported.”*

Finally, Offices are saying that *“Increased numbers cannot be attributed to the proposed strategic allocation near the former Felindre works site”*, arguing this is dictated by building outputs. This is annoyingly wrong. Officers have confused building outputs with achievable sales, as well as relying upon inaccurate data. Of course developers can complete more than two houses a week, the question is how many can they sell?

A Planning Inspector engaged recently in a dispute at Llandarcy decided an acceptable sales figure for this site, which is no different to that at Felindre, to be 175 units a year. This is during a distressed economic period. Accepting this precedent and that the LDP is anticipating growth, this figure will increase and in so doing could fully satisfy the relocation of housing from Penllergaer to Felindre.

### **PG002 Robin Williams (Site Promoter)**

I represent Bellway Homes who wish to see a high quality form of residential development which will also deliver significant benefits to the local community and improve the transportation network in the area.

In the LDP Strategic Options document, published in October 2012, the general area of Penllergaer was shown diagrammatically as a potential Mixed Use Major Development Area. It was stated that opportunities existed to:

- Consolidate the existing pattern of development
- Improve the settlement's sustainability credentials,
- Provide a focus for the community, and
- Provide traffic and transportation benefits

With these aims in mind, in January 2013, Asbri Planning Ltd, on behalf of Bellway Homes, set up a team of consultants to appraise the Parc Mawr site in terms of Transport, Landscape, Ecology and Drainage and to develop options for a future 'Masterplan'. The whole corridor of land, largely in the ownership of Penllergaer Estates, was examined, with particular regard paid to potentially sensitive areas in landscape and ecological terms.

The development of a large scale option emerged as the preferred choice for several reasons, notably:

- It would achieve a more comprehensive form of development, allowing not only for a new school but for additional community and commercial uses which would form a hub which would also link with existing facilities in the area
- A link road – connecting the A4240 Gorseinon Road with the A483 – would be provided which has the potential to remove through traffic along the A4240 and A48 through Penllergaer, the potential link will also relieve congestion at Junction 47 of the M4.
- The development would avoid encroachment into the more exposed landscape areas to the south. It would also allow ecological mitigation on land to the south which would remain undeveloped.
- It would provide a site which would allow Bellway Homes to develop in the

Plan Period up to 2025 for a range and choice of housing opportunities at building rates experienced on their current Parc Penderri site to the north of Gorseinon Road. It would therefore form a major contribution to meeting the 5 year housing land supply shortfall which currently exists in Swansea.

Ongoing discussions with Council officers led to the preparation of a document, 'A Vision for Penllergaer' which was formally submitted at the draft LDP Preferred Strategy stage with the aim of supporting the proposed strategic site allocation while demonstrating to Council officers and elected members that an acceptable form of development could be achieved. Such informed proposals also allowed for positive comparison of the merits and advantages of the site with other alternatives.

Penllergaer lies in the Greater North West Swansea Housing Zone which is the largest of the Strategic Housing Policy Zones and has accommodated a significant proportion of the City's growth in recent years. The LDP Preferred Strategy recognises this and identifies the need for around 5,800 new homes in this zone which will be delivered through a combination of large scale strategic releases and smaller allocations.

The scale of housing required the identification of Mixed Use Major Development Areas, one of which corresponded with the Parc Mawr site. The Preferred Strategy, which was ratified by Full Council in August 2014, emphasises that only development on this scale can deliver the required community and infrastructure benefits and that if such sites do not emerge then a considerably greater number of smaller sites will need to release on greenfield land at edge of settlement locations throughout the County.

The subsequent identification of the site with specific boundaries shown on the draft Deposit Plan Proposals Maps was therefore welcomed by my clients, on whose behalf supporting representations were made.

It is understandable that growth of the scale proposed has generated concerns in the local community as shown by the letters of objection and a petition which were submitted in response to the consultation exercise held earlier this year.

The points made by officers in response, which are included in the site schedule, appended to the Committee Report, adequately address these concerns. However, Bellway Homes continue to acknowledge that further work is needed. With this in mind detailed studies have already been commissioned which will contribute to the LDP evidence base and which will further justify the site's selection. It is also anticipated that these will allow further clarification of matters raised, particularly by the Key Stakeholders.

I therefore urge the Committee and the Council as a whole to continue to give the site positive consideration through the LDP process and I look forward to its formal allocation in the forthcoming Deposit Plan.



## Pontarddulais

### PT002: Land north of Pontarddulais

#### PT002 Dr Susan Barnes (petitioner)

Pontarddulais is a semi-rural community which has borne the burden of significant development over the last decade. According to the ONS, the population of Pontarddulais has grown by 23% since the 2001 census and this has largely been as a result of new housing development. Pontarddulais schools (and indeed their neighbouring ones) are virtually full and Pontarddulais primary is now one of the largest primary schools in Swansea. At Ysgol Gyfun Bryniago class sizes are well above the national average and given the proximity of the schools, traffic congestion during school start and end times is notorious. The GP surgery is already struggling to cope with the demands of the population growth since 2001- as anyone who has had to participate in the 8am battle for a same day appointment will testify - recruitment of suitably qualified staff, as well as the limitation of physical facilities being an issue. At rush hours the one way system in the centre of Pontarddulais is gridlocked – and the two main exit points onto the motorway at Penllergaer and Hendy are backed up causing traffic queuing and long delays. The existing sewerage system is overloaded and does not meet existing demand.

Taken all the above into consideration, one might think that proposals to build somewhere between 700 and 1000 houses in Pontarddulais might not make much sense – particularly as over 70% are planned to be on greenfield sites. But apparently in the world of Local Development Plans and the boardrooms of profit motivated developers, it makes perfect sense. And thus we find ourselves midst a public consultation about a proposal to increase the size of Pontarddulais by approximately a third – a proposal which if approved will massively impact not just on the size of the community and its already creaking infrastructure, but also the very character of a tight knit and close community.

Consultation with the community thus far has been desultory. Time will tell if it has followed the minimum legal requirement – but even if it is proved to be legally compliant, as residents and council tax payers we expect more. The LDP process and the expertise and knowledge required to engage with the process is heavily biased towards professionals and developers. A public consultation which hides behind jargon, provides scant information in an accessible format and which requires ordinary citizens to go above and beyond what can be reasonably expected of them is no consultation at all. As a resident of Glanffrwd Rd – some 15 feet from the north end of the 500 unit housing estate on greenfield sites that Persimmon would like to impose on us – I can confirm that there has been scant communication with residents.

A small number of residents had heard about the early LDP consultations a number of years ago and registered for email updates. The majority of residents, including those who have moved in over the last year or two, only found out about the proposals as a result of a chance encounter with a member of the Town council – only to be informed that the public consultation held, incidentally, over the “good time to bury bad news” December period was closed. Eventually someone managed to

track down a photocopied and dog eared leaflet produced by Persimmon entitled “North Pontarddulais Vision” – which can only be described as a spin doctor’s valiant attempt to sell the advantages of turning Pontarddulais into a concrete jungle. It artfully told us that 30% of the development would be on brownfield site – somehow neglecting to mention that this meant that 70% of the development proposed would be on our green fields.

As someone who was naturally rather alarmed and surprised that such massive development proposal– including a 500 unit housing estate in the middle of Pontarddulais –could have reached the end of a consultation without having even heard about it, I undertook to try and find out more about it on the Council website. Not having had much luck, I then tried to find out whom to ring at the Council, but hit a brick wall. But I did find an email address to an anonymous shared email inbox. Undeterred I proceeded to write an email airing my concerns and asking a number of detailed questions about the process. My email, perhaps not surprisingly, went unacknowledged, though some seven weeks later I found myself the recipient of a round robin email thanking “those who had responded to the consultation” – which was clearly not me as the process had passed me by - and providing some bland “planning speak” information about the next stages. Which all goes to leave myself, my neighbours and fellow Pontarddulais residents bewildered and asking how, in the era of multi-media communication, where there are serious concerns about getting people to engage with the democratic process, can proposals which have the potential to massively impact our community slip under radar almost unnoticed via a complex and opaque technical planning process?. It appears that open, accessible and even handed debate is not a priority – meaning that the scales are massively tipped in favour of planning professionals and developers.

The scale of the proposed development in Pontarddulais represents a significant threat to a semi-rural, predominantly Welsh speaking community which has absorbed its fair share of housing developments over the last decade. The greed of developers who will, if unopposed, gobble up swathes of greenfield sites and maximise their return on investment by erecting as many houses as they can get away with, shouldn’t be a surprise. However we expect better from our elected representatives – and the officers who serve them. This council professes to support communities and one of the mainstays of the council’s own plans to cope with its

£80 million spending shortfall, is to look to communities to take up the slack. You call it Sustainable Communities. Foisting in excess of 700 homes on us, massively expanding our resident base by a third, building over nearly all the green spaces within the Pontarddulais boundary and burdening our infrastructure beyond breaking point is not about sustaining communities, it is about destroying them. The residents of Pontarddulais deserve and expect better. Please do not let us down and vote to reject this proposal.

#### **PT002 Pete Sulley and Chris Jenkins (Site Promoters)**

You will hopefully have received the technical summaries that Persimmon Homes has prepared recently to help Officers and Members to continue to support the allocation of North Pontarddulais in the LDP.

Members will be aware that the Preferred Strategy identifies the need to deliver 17,000 new homes and 14,000 new jobs over the Plan period therefore I will not repeat those requirements here in detail.

Members will also be aware of paragraph 6.32 of the Preferred Strategy which states that:

***“In Pontarddulais there is an opportunity to capitalise on Brownfield opportunities on sites to the north west of the town centre, which in tandem with adjoining Greenfield areas, could provide new education provision and improved access around the town and to the north.”***

### **Pontarddulais**

As Members will know, Pontarddulais benefits from a number of services and facilities including two primary schools, a comprehensive school, a railway station, regular bus services, employment opportunities and a diverse range of shops and high street facilities. Pontarddulais is therefore a sustainable location for the proposed allocation, in accordance with national planning policy.

### **Technical Studies**

Persimmon’s consultant team has undertaken a number of technical studies to demonstrate in more detail that all technical matters can be addressed adequately, and these are contained in your summary pack. The reports conclude that there are no known technical constraints that would prevent the allocation of the site in the LDP, subject to appropriate mitigation being implemented at the appropriate time.

### **Concept Masterplan**

The technical documents have informed a Concept Masterplan, which is in the Planning Summary in your summary pack. This is an illustrative plan at present and can be revised after today’s discussion if necessary.

The development will comprise a mix of starter and family homes, as well as affordable housing. There is also a significant amount of Public Open Space.

The site will have pedestrian and cycle linkages throughout, linking the site with the local schools, railway station, bus stops and town centre.

### **The Proposed Link Road**

A major benefit of the proposed development is the new link road from Lye Industrial Estate through the site to Water Street, which will redirect HGV traffic away from Glynhir Road. This is in line with the Council’s Economic Development Team’s “Hyder Transport and Development Study for Pontarddulais” which recommends the aforementioned link road, and which identifies the benefits the link road will bring, including improving access to existing employment areas, junction improvements and improving the physical environment in the town, particularly for pedestrians and

cyclists. Development of the allocation site will therefore secure this much needed new infrastructure to the benefit of the whole of Pontarddulais.

### **Welsh Language**

Pontarddulais Ward has the second highest percentage of Welsh speakers in the whole of Swansea (31%) therefore it is a very important element to consider.

The allocation will comprise a mix of starter and family homes, similar in size to many of the existing homes in Pontarddulais. This will give local residents a wider choice of homes in the area, thereby reducing the prospects of existing local residents having to leave Pontarddulais to find suitable accommodation. Affordable Housing for local people will also be provided to further help existing residents to remain in the town.

In addition, the development itself will help sustain local shops, services and community groups, thereby fostering the Welsh language in Pontarddulais by supporting local amenities.

### **Education**

Persimmon Homes is also in discussion with the Council's Education Department regarding education provision emanating from the proposed development, which could entail land for a new school north of Pontarddulais Comprehensive School. The homes will also generate children who will attend local schools, further supporting the schools and adding to the number of young Welsh speakers in the town.

### **Conclusion**

Persimmon Homes West Wales therefore respectfully requests Members to continue to support the proposed allocation of Land north of Pontarddulais in the Swansea LDP.

Stuart Phillips, Head of Land at Persimmon Homes West Wales, will now provide Members with some further detail about Persimmon and its work to date.

### **Persimmon Homes**

Persimmon Homes has actively engaged with Council Officers and key stakeholders since the inception of the LDP process to ensure that a deliverable and viable scheme can be developed at Pontarddulais that provides the required growth, whilst also providing any key improvements and benefits to the town as just detailed by Pete.

In terms of our local commitment and track record of delivering houses, Persimmon Homes West Wales has completed, or is currently on site on, nearly 500 homes across the City and County of Swansea over the last three years. This development has also seen delivery of new infrastructure associated with our developments and the provision of much needed family and affordable homes across the region.

Persimmon Homes West Wales is a significant local employer – both directly and indirectly via sub-contractors and the housing construction supply chain. We have signalled a major commitment to delivery of growth in Swansea via our newly established West Wales Regional Head Office in Penllergaer and are committed to working with local communities given our presence in the area.

Going forward, we will continue to engage with Members, the public and key stakeholders to ensure that the development proposals for Pontarddulais are delivered in a positive and beneficial manner to bring about investment and infrastructure improvements locally that have been identified as part of the LDP proposals to date.

### **PT017: Land at Bolgoed Rd, Pontarddulais**

#### **PT017 Dr Susan Barnes (petitioner)**

Comments made in relation to PT002 also apply to this site

### **Upper Loughor**

#### **UL002: Land at Heol Pentre Bach**

##### **UL002 Francis Sinfield (petitioner)**

As residents we were assured of no further building development on a designated green belt and a triple SI site protected under EU law due to its proximity to the Loughor Estuary. Planning consent has been refused in the past.

The new development of Parc Llys Gwynfaen and its continued spread along Gower View Road is causing a danger due to the increase of traffic on Brynafon Road. It's junction with Frampton Road is a potential death trap along with the junction at Heol Pentre Bach with its access to Queens Gate. Traffic calming measures on Frampton Road are a great irritant to the community also causing multiple diesel toxins which are now responsible for more than 50,000 deaths in this country.

Junctions on Borough Rd pose the same problems. Vehicles are parked on pavements as the roads are too narrow posing a danger to pedestrians.

The Fire Brigade was unable to attend to a fire at Clos -y-Morfa due to the narrowness of the road as a car was parked on one side, there are no pavements here.

Areas from Loughor Bridge, Loughor, Gorseinon up to Penllergaer are developing into a huge car park due to traffic hold ups. The road along the Hospital is chaotic.

Traffic lights at Loughor and at the lower end of Gorseinon cause the side roads to

become "rat runs" We are a community which could easily become a commuter town.

The whole infrastructure is inadequate.

Overcrowded roads, schools, Health Centres, Dental Practices and Hospital. Doctors are leaving due to stress

One surgery now has one part time doctor and locums when previously employed four full time staff. Does not bode well for patient care

We are in danger of losing our identity language and culture.

Further building will exacerbate the problem with sewerage systems. Present pumping systems are not coping. An increase in surface water will cause further problems.

The land concerned falls down onto Gwynfe Rd which is already a flood plain. Impassable at times due the back up of tidal water and rain. The ditch opposite the Care Bungalow fills with orange gunge, polluted by iron ore from flooded mines.

This area is an essential habitat to migratory birds, varied wild life and indigenous plants. Otters and seals have returned to the Estuary. The Osprey on its migratory flight northwards catches fish and flies to the trees in this field to eat its catch. Bats, Newts, Owls, Foxes and Badgers inhabit the area. It is illegal to destroy Badger setts.

Building permission in the past has been refused. A triple SI site cannot suddenly lose its status.

Life in all aspects is a precious gift. Quality of life should be a priority before profit.

These green areas are our lungs and must be preserved. Once gone they cannot be returned.

#### **UL002 Robin Williams (Site Promoter)**

I represent Elan Homes who wish to see a high quality form of residential development on the site, which will contribute to Local Development Plan objectives for meeting housing need in a satisfactory and sustainable manner.

In December 2010 Asbri Planning Limited submitted a candidate site request that the site be included as an LDP housing land allocation. The submission emphasised that the site is

- well related to the existing pattern of development,
- has no major constraints,
- can be accessed of the existing road network
- and is located within walking distance of a range of facilities, including primary and secondary schools.

The submission demonstrate that the site meets established site selection criteria incorporated both in Planning Policy Wales and in the Candidate Site Assessment Methodology published by the City and County of Swansea.

The Local Development Plan Preferred Strategy acknowledges that the scale of housing required in the City and County of Swansea is not capable of being accommodated on previously developed land without the need for the identification of settlement extensions including green field land.

In order to achieve a sufficient range and choice of housing land opportunities, there is a need to consider selective sites which represent viable urban extensions, which do not involve a significant intrusion into the countryside in landscape terms, and which are close to existing facilities.

Sites also need to be shown to be deliverable and can contribute to a 5 year housing land supply required by national planning policy. Currently there is a major shortfall of readily developable land in Swansea, with only 3.3 years identified.

Gorseinon is part of the Greater North West Swansea Housing Zone which is the largest of the Strategic Housing Policy Zones and has accommodated a large proportion of the City's growth in recent years. The LDP Strategy recognises this and identifies the need for around 5,800 new homes in this zone which will be delivered through a combination of large scale strategic releases and small/medium allocations at settlement edges which constitute appropriate rounding off.

The site at Heol Pentre Bach falls into this latter category. My clients have sought, and are seeking to contribute further to the LDP evidence base by commissioning study information including ecological surveys and a drainage strategy. These further demonstrate the suitability of the site. In summary:

- The site slopes gently down to Heol Pentre Bach. The western boundary of the site is formed by a mature, tree lined hedge. The site is well contained by this feature and by existing residential development at Clos Y Nant to the south and Clos Y Morfa to the north west. Consequently development will have a minimal impact on the wider open landscape to the west.
- There are no overriding ecological issues and where appropriate, existing trees and hedgerows will be maintained and additional planting of native species implemented.
- The site is well related to the to the employment, retail, education and leisure facilities in Gorseinon with good pedestrian and cycle links, including existing rights of way which in turn link with public transport routes. Vehicle access can be easily achieved off Heol Pentre Bach.
- The site can be adequately served in terms of both surface and foul drainage. Attenuated surface water can be discharged into the adjacent stream. It is intended that foul water flows be directed to the nearby Llannant Farm sewage treatment works which has recently been upgraded. Unlike sites which discharge to the Gowerton STW there is no need to identify donor sites.

All in all the development of the site would represent a logical and sympathetic extension to the existing housing development at this location.

I therefore urge the Committee and the Council as a whole to continue to give the site positive consideration through the LDP process.

## West SHPZ

## Killay South

### KS001: Land off Rowan Close

#### KS001 Mrs C Thomas (petitioner)

Here is our petition which summarises the relevant concerns about the new, reduced KS001 site:

This scrubby, tilted, boggy, poor quality grazing land looks as if it has no real worth and should easily be included in the LDP as ideal for residential development.

However this green space also has other ways of being described: ancient, unimproved pasture; buffer zone; Country Park; ancient woodland; Candidate Site of Importance for Nature Conservation; and Green Wedge; and it is adjacent to and overlooked by part of the Gower Area of Outstanding Natural Beauty.

#### **Drawback of terrain.**

The plot is tilted from east to west and north to south. Rowan Close has issues due to its lesser slope: some driveways to garages are deemed unusably steep. Slope and solid clay substrate give drainage problems; such bogginess at the end of Rowan Close meant that garden and lawn became the habitat aridity of shingle. New houses would also have squelchy soils encouraging impermeable surfaces (paths, patios, parking) ...which will increase the problem. A further constructional constraint is raised by Welsh Water, warning: The site is crossed by a public sewer for which protection measures, either in the form of an easement and/ or diversion may be required.

#### **Drawback of access.**

How will construction vehicles gain access? To the north, Rowan Close is a narrow, curved road with many street-parked cars. Eastward, access via adjacent fields would destroy three ancient tree-hedgerows and two more pastures: impossible.

#### **Ancient woodland.**

These woodland-delineated pastures are seen on a map drawn 2 centuries ago. The Woodland Trust explains: habitats with trees over 200 years old are very special - full of wildlife that is found nowhere else and of immense heritage and cultural value. Planning Policy Wales is clear: 'Ancient and semi-natural woodlands are irreplaceable habitats of high biodiversity value which should be protected from development.' Furthermore, Swansea Council has this area in a Woodland Grant Scheme. The agreed management plan includes: safeguarding native fauna and



flora and protecting the landscape value and the maintenance of existing [native woodlands], as well as clearly stating that 'All native veterans will be protected and preserved'. Avoiding at least a 50' distance from each veteran tree is necessary in order to avoid damage. That diminishes the development area significantly.

#### **Wildlife buffer zone.**

A Living Wales says stop focusing on small sites: species protection needs to look at the wider habitat. Clyne Valley is home to breeding populations of many, many protected species, including toads, slowworms, snakes, and lizards as well as butterflies, moths and other invertebrates. There are at least 12 NERC (Natural Environment & Rural Communities Act 2006) Section 42 bird species that use these fields and trees for breeding or food sources and 9 bird species which are in decline. Badgers use the pasture. Besides many internationally protected species of bats, there are also breeding polecats (also NERC Section 42) foraging in this area. It is the duty of the government NOT to interfere with the reproduction of these creatures.

#### **Need to protect River Clyne environs.**

There are breeding otters in adjacent Clyne River, ranging year-round for foraging. Not only a Welsh NERC Section 42 mammal, the otter has protection through Schedule 5 of the Wildlife & Countryside Act. Otters do not appear to breed CONSISTENTLY anywhere else in the Swansea area. The local otter population also use the Valley as a corridor for access, allowing movement towards North Gower. We MUST NOT affect their breeding by destroying their foraging areas. Sewage still continues to enter Clyne River. Unpleasant, hazardous and polluting. Further residential development will add to the issue. Natural Resources Wales warns for this site: Advise a Pollution Strategy is required. South west corner of site subject Part Zone C2. Clyne River vulnerable. Consider WFD (Water Framework Directive)

#### **Historic interest.**

There is a pillbox within the site. This should be protected as part of our heritage.

#### **Clyne Valley Country Park.**

This Green Wedge site has no 'defensible boundary' which would act as a physical barrier to prevent further undesirable encroachment. The LDP Issues Paper on Landscape urged: 'Trees, woodlands and hedgerows are important as wildlife habitats .... There needs to be a review of trees to be protected within the County to formally protect those that are vulnerable to development pressure'. Furthermore, this candidate site was part of Site 144/HC22, which was turned down by Planning in 2005. 'This site forms part of the well-established Clyne Valley Green Wedge, and development would be contrary to the primary aims of the policy, and would create intense pressure for further releases. It contains many mature trees and hedgerows. There are severe limitations also for vehicular access - single access onto Gower Road at junction with visibility problems.'

**SK017 Paul Vining (Site Promoter)**

Thank you for allowing me to address Committee.

**THE LHB's PLANS**

As you will know, the ABMU is responsible for providing health care services in Swansea and neighbouring boroughs.

Cefn Coed Hospital is part of the NHS estate in Swansea and over the last few years ABMU has made a big investment in new mental health care facilities at Cefn Coed. This is in line with the Council's own adopted UDP policies, under which the Cefn Coed Hospital site is already allocated for redevelopment for health care and housing. The UDP allocation is for 200 units. The LDP proposal is for a total of 575 units, of which the Council recently granted planning permission for 73 units on what is termed Development Area A (application no. 2014/0969).

Some patients at Cefn Coed Hospital are still accommodated in the original hospital buildings and will be until new purpose-built facilities are provided elsewhere in the Health Board's area. That will then release the remainder of the Cefn Coed Hospital site for housing later in this decade, well within the LDP plan period of 2025.

ABMU has begun planning for that and, in consultation with your planning and highway officers, has produced a draft master plan showing how the overall site will be developed. An outline planning application is expected to follow next year, after the LDP has been on deposit and after bat surveys at the hospital have been carried out.

Subject to the Council granting planning permission for that application, ABMU will dispose of a large part of the site and proceeds from the sale will be reinvested in health care services and facilities in the Health Board's area.

**PUBLIC CONSULTATION**

In anticipation of a planning application next year, ABMU has agreed to the Ward Member's suggestion that a public consultation event be held in September this year. This will comprise an exhibition of the draft proposals for the Cefn Coed Hospital site, which will give local residents and others an opportunity to discuss them with ABMU representatives and to comment on them before they are finalised and submitted for planning permission.

**MEETING THE REQUIREMENT FOR NEW HOMES**

There is a substantial requirement for new homes in Swansea over the plan period and the Cefn Coed Hospital site can make an important contribution to meeting that need for housing, including affordable housing. (As part of the recent planning permission granted for Development Area A, ABMU agreed to provide 30% affordable housing as well as making a substantial financial contribution to education

and also to local highway improvements.)

### **THE MERITS OF ALLOCATING THE SITE FOR HOUSING**

The site has substantial merits as a site for housing:

1. The site comprises previously developed or “brownfield” land, which lies within the existing built-up area. The development of such land is preferred by national planning policy. It will not involve development in the open countryside.
2. The site is free of flood risk, being located in Zone A.
3. The site is free of any significant environmental constraints. Detailed studies of the site’s ecology, archaeology, heritage, trees, drainage and ground conditions have been carried out already. Further, more detailed studies are being carried out over the Summer. And ABMU has contributed to the Council’s own LDP transport study.
4. The site is already allocated for residential development in the adopted development plan. Allocating the site in the LDP would be a continuation of the Council’s long-standing existing policy as contained in the adopted UDP.
5. The site is included in the Council’s Joint Housing Land Availability Study, and is therefore expected to contribute to meeting housing needs in Swansea in the period from 2015.
6. Development on the site can be accessed and drained satisfactorily, and laid out in an acceptable manner, having regard to topography, site features and neighbouring development and without detriment to local amenity.
7. Although the hospital buildings are not listed, ABMU proposes to retain the water tower – which is a landmark – and to convert some of the existing hospital buildings to residential use.
8. Development of the site will enable it to provide a useful contribution to Swansea’s housing stock in the LDP plan period and in an area that is proven to be attractive to house builders and purchasers.
9. The site is sustainably located and development of the site will be sustainable. The site has performed well in the Council’s own candidate site assessment, including the assessment against LDP objectives and the SEA/SA objectives.

### **CONCLUSION**

In conclusion, Mr Chairman, Ladies and Gentlemen, I would respectfully ask you to confirm the allocation of the Cefn Coed Hospital site for 575 units. It will be of enormous benefit to ABMU’s plans for improving health care in Swansea as well as providing Swansea with much-needed housing land to cater for the city’s housing and affordable housing needs.

## West Cross

### WC004: Chestnut Avenue

#### WC004 Betty Ballman (petitioner)

Firstly may I ask all Committee members to read in full Representation 43326 (refer to JDi. It is a professional appraisal of land at Clyne Common, off Chestnut Avenue, West Cross (candidate site WC004). It was carried out by CDN Planning (Wales) for Mumbles Community Council.

I quote one line from the conclusion of that report, paragraph 10.2. This report finds that there are several reasons why this site is not a suitable or sustainable housing allocation.

The report draws attention to possible flood risk. Please note that there have been reported events of flooding at the bus stop on the Common side of Chestnut Avenue near the junction with Mulberry Avenue. Highways could not stop the water coming off the Common and so installed a raised platform for bus passengers to stand on. Highways may have a record of this work.

Candidate site WC004 lies at the foot of sloping marsh land. This land has rising springs and is slow to drain. If in order to build on this land is must be drained, the composition of the land will change and all flora and fauna dependant on wet land will die. In other words a small but sad ecological disaster.

The public have a right to walk registered common land and the West Cross petitioners ask the Committee to note that this section of Clyne Common, off Chestnut Avenue is the only adult recreational amenity available to residents at this location of Upper West Cross.

It has been brought to my attention that there is a need for affordable housing so that young people can get a foot on the housing ladder. To assess the extent of this need I checked the 574 candidate sites for a similar need and found only one other site MA001 which calls for affordable housing. Combined with site WC004 it works out that only 0.35% of candidate sites have claimed this particular need. Does this percentage justify building on sensitive registered common land?

May I, with respect, add that the UK Government scheme to provide financial help for young people to get a foot on the housing ladder sits comfortably alongside the England Right to Buy scheme. However many Council tenants in Wales have had their hopes of owning their home quashed by the Welsh Government decision to close the Right to Buy scheme. Is it fair to run a scheme for the young that is based solely on age because it is what they want but not necessarily what they need?

I believe there has been a good record with West Cross privatised Council flats and houses being passed on to younger people either to buy or to rent.

Perhaps there could be a way of encouraging this trend.

I close with one simple statement:

Clyne Common is an Area of Outstanding Natural Beauty and should be registered, accordingly.

Thank you for giving me the opportunity to speak.

#### **ADDENDUM**

In response to the statement that my house was built on former farmland I made the following comments –

1. I had not taken my full five minutes.
2. Farming is a business activity. Farm land has been bartered, bought and sold since farming first began. It has no connection with taking common land.

#### **WC004 Geraint John (Site Promoters)**

Good morning Members, my name is Geraint John, planning consultant on behalf of the site promoter – Edenstone Homes.

As Members will be aware, the Council seeks to allocate land off Chestnut Avenue as a 'Gower Fringe (Affordable / Older Persons) Housing Site'. It is evidenced within the Council's Strategic Housing Market Assessment, which supports and underpins the emerging LDP, that there is a pressing need for such accommodation.

The LDP Preferred Strategy identifies that the only opportunities for housing in this part of the City are through small scale rounding off 'Rural / Urban Fringe Extension' sites (such as this).

Importantly the allocation of this site would 'free up' under-occupied homes in the settlement, and provide much needed 'churn' to the housing market in this part of the City.

The proposed allocation, which has of course been rigorously assessed by Council Officers through the Candidate Site process, is located immediately adjacent to the settlement, with a number of key local facilities and services being accessible by walking, cycling and public transport.

The site is subject to Common Land designation, and therefore in order to release the land for development, replacement common land will be necessary. Such replacement land, of equal (if not better) quality and quantum can and is being proposed and secured. The wider benefits derived from the allocation of the site in order to provide much needed affordable housing are considered to outweigh the small loss of common land – not least given the compensation measures provided.

The site is not within the AONB, nor is it subject to a Greenbelt designation. The site does fall within the Clyne Common Site of Importance for Nature Conservation. In addition, any scheme will be appropriately configured and designed to ensure the Swansea Bay vista achievable across the site is maintained and not interrupted. It is important to note that the site area defined occupies a low lying position, and therefore visibility of the site within the open landscape will be limited.

The southern boundary of the site is formed by Chestnut Avenue onto which a new junction will be formed in order to provide access to the site. An initial highway assessment has been undertaken by appropriately qualified professionals which indicates that there are no highway capacity issues in the surrounding road network. The extensive frontage on Chestnut Avenue and Mulberry Avenue provides significant opportunity for new accesses to any future development. Although further highway assessment work can and will be provided in due course highway considerations are not considered to represent a fundamental constraint to the development of the site, not least given the highly sustainable and accessible location of the site. This is a position confirmed by the response of the Highway Department – subject to retention of existing rights of way and provision of new pedestrian facilities.

The site is not subject to any fundamental environmental designations or constraints, albeit it is acknowledged that the land has, akin to any Greenfield site, ecological sensitivity. Accordingly, an ecological management plan will be needed and will be put in place in order to assess and demonstrate how the loss of priority habitats would be compensated for. Again, this is not considered to represent a fundamental constraint to the deliverability of the site.

Services, utilities and drainage serving the site are available and have adequate capacity, thereby ensuring the deliverability of the site. The site is outside of any flood zone, and appropriate drainage work and measures can and will be incorporated in order to ensure no adverse impacts.

In light of the above, the proposed allocation of the site presents a suitable, viable and deliverable development opportunity that can provide for, and is wholly in line with, the policy provisions and aspirations of the Plan. Accordingly, the site will make a significant contribution to achieving the housing aspirations for much needed affordable and older persons housing in the Gower fringe area, and it is respectfully requested that the site's continued allocation in the Plan is endorsed as such.

## **Gower SHPZ**

### **Gower**

#### **GW002: Land Adj Boarlands, Port Eynon**

##### **GW002 Mr Herbert (petitioner)**

Good morning, I speak on behalf of a petition by hundreds which was submitted in

2011 with reference to the LDP review, specifically for site GW 002 – Port Eynon.

I am going to speak briefly about this important matter but I have also provided a background document with illustrations from which these comments are drawn.

In order that we can focus on the most critical issues I would like to first deal with the predictably **negative** reasons for rejecting this application:

Spoiling the landscape

Impacting tourism

Impacting residents

Impact on local services including water and sewerage, roads and services

Begin the coalescence of Port Eynon with Overton

Open up the floodgates of further applications based on this precedence

Resulting in the great urbanisation of the unique Gower coastline... once lost, **never** recoverable

Focusing now on **positive** issues to continue safeguarding this national asset, I would make the following observations.

1 Ensure that Gower plays its part of delivering a return on investment for the unique Coastal Path of Wales

2 Recognise the investment in and safeguarding already provided for the highly valuable coastal landscape of Gower and ardently continue with this

We are a small country that needs to maximise our competitive advantage, our coastline is a differentiator for Wales; it's part of what makes Wales one of the top five countries in the world to visit<sup>1</sup>. Developing any part of the Gower coastline would detract from that unique natural heritage<sup>2</sup>.

3 People from the greater Swansea continue to enjoy a local unspoilt amenity and visitors from further afield keep coming back to a familiar landscape that attracted them in the first place

A decision to reject the application will send a positive message that our local representatives care about the same things that the vast majority of their electorate do and that our environment means something more than quick gains for land owners and developers.

4 We do our bit to support the Welsh government's agenda to protect and promote the national parks and areas of outstanding natural beauty of Wales<sup>2</sup> and not undermine this valuable economic engine.

Make a positive investment decision for the next generation of residents in the greater Swansea and Gower area as well as the significant number of visitors to the region by keeping Gower special for the benefit of the many, and not the few. Tourism is estimated to be worth some 6 billion to Wales and Swansea desperately needs its part of this income<sup>3</sup>. Petition for GW002 A Presentation by RH

To be fair, the council has itself described this wonderful asset on its own website<sup>4</sup>:

“Gower-a land apart... A precious landscape whose distinctive character and natural beauty is so outstanding that it is protected for future generations ... “

*Gower was the first AONB in the UK -nothing can change that historical first place but the asset needs cherishing so it still deserves this highly prized honour*

And... sought to protect it thus far:

Three separate planning applications for this site were refused for good reason and those reasons remain as valid today as they have done in the past<sup>5</sup>

Even appeals to the Planning Inspector were rejected on substantive grounds in line with the above comments<sup>5</sup>

The decision to approve this application would be, in effect, an act of coastal vandalism (strong words, but true) - a permanent blight on our unique landscape - something that the people of Swansea would find hard to let go of and forget those that approved it... It would be **permanent**

We therefore sincerely urge the Planning Committee to reject this LDP application

#### **GW002 Mr Attwell (petitioner)**

1. I am the lead petitioner for one of the two petitions submitted. That petition objected in principle to any development at GW002.
2. I believe it is a perfectly acceptable objective on the part of the City Council to promote a new scheme for social affordable housing in Port Eynon. This was previously done some 40 years ago with the development of orchard Close, behind St Cattwgs Church. These houses which are in short terraced blocks of 3 and 4 homes currently sell between £150K and £160K. Of the original 11 houses some 5 are now second/holiday homes or holiday lets.
3. On the map of Port Eynon showing the caravan site to the south east of the candidate site some wooden chalets have recently completed, selling with a price tag “from £135K”.
4. Given that there are significant infrastructure costs e.g. main sewer relocation etc. the likelihood is that the price per unit on this GW002 site will be a minimum of “225K, perhaps more if sold on the open market without constraints. Does this really equate with affordable housing, which in a Swansea context would be between £85K and £100K?
5. A recent real life example is a young couple where the young man was brought up in Overton. Despite wanting to stay in the area to remain close to family and friends, the houses prices here made it impossible and he and his wife have bought a terraced house in Manselton for around £86K. Wages for young people working on Gower are no higher (and in many cases lower as work is primarily tourism or agricultural based and is often only seasonal) than those



working in the city.

6. To guarantee the scheme as affordable housing would require planning constraints similar to those applied some 25 years ago in Llangennith where the sale and resale of the houses was ring fenced to locally employed people who live in the houses as their principal residence. Operation is via a Housing Association.
7. Price creep will almost certainly occur if the GW002 scheme goes ahead, and this would mean the houses becoming second homes or holiday lets. Port Eynon and Horton have an abundance of such properties already. No more are needed.
8. I submit that the scheme is UNSUSTAINABLE as affordable housing and should be turned down now.

### **GW002 Mr King (Site Promoter)**

#### **Introduction**

This statement has been prepared in response to the note on Hearing of Petitions issued by the LPA dated 14<sup>th</sup> May. The site in question lies adjacent to Boarlands Estate in Port Eynon and is proposed for affordable housing by Coastal Housing Group. It has been identified for development in the LDP preferred Strategy (see attached diagram) following the earlier estimate of affordable housing need identified in the Strategic Options Report which stated in para 7.11 that a shortfall of affordable housing across the county is a significant issue. In this respect the Swansea Bay Housing Market Study 2013 identified the need for 7100 additional affordable houses to be built in the LDP period, i.e. 44% of the total housing requirement. Gower was identified as a rural area with special housing need.

This statement is in two parts – the first dealing with the planning merits of the site; and the second part dealing with affordable housing need and policy. The City & County of Swansea have identified the need for 250 affordable homes in Gower and an additional 350 units in the Gower fringe.

#### **The Site**

The advantages of the 3 acre site were clearly set out in the original submission as a candidate site, viz:

- (a) It is conveniently located on the edge of Port Eynon village, bounded by development on three sides, representing a natural rounding off of the village, as clearly shown on the map in the Gower Design Guide;
- (b) It is in a highly sustainable location, close to public transport and all facilities, with a direct footpath to the village;
- (c) Furthermore the site lends itself to the provision of affordable housing for this part of Gower.

## Issues

Two issues needed assessing: the question of access, and impact on the landscape of the AONB. Dealing with access, a consultation with the Highway Engineer confirmed that traffic uses the lane safely by pausing in passing bays as necessary, a situation prevalent in many parts of Gower. As such there was no objection. Concerning landscape impact, a photograph of the site taken from the bay demonstrates that while the site is visible, it is not overly obtrusive, being framed by the housing at the rear, Boarlands to the right, and camping and tents in the foreground in the summer.

In planning terms the site is favourably located in Port Eynon. To concentrate all development in Scurlage as the original strategy proposed would be wrong – the key village approach is an outmoded model of planning, which should, rather, encourage modest growth throughout the villages in the interests of encouraging a web of sustainable rural life. Physically the site has been inspected and it is regarded as suitable for housing development.

The proposal will incorporate a mix of bungalows that will be situated on the lower part of the site, thus lessening the visual impact, with traditional housing occupying the remainder of the site. It is anticipated that a balanced mix of two, three and four bedroom houses will be provided to meet local needs. The tenure of the accommodation will be subject to ongoing negotiation with the Local Authority.

## Oystermouth

### OY003: Land at Thistleboon Caravan Park

#### OY003 Mr Smith (petitioner)

Our position is that we object to proposals in the LDP that greatly reduce the likelihood of the site continuing to be used as a caravan park in the future.

As our formal objection stated, the LDP proposal could have ensured that the current leisure / tourism use would be protected but the proposal initially to consider the site as a Candidate site for Housing and subsequently to include the site wholly within the settlement boundary suggests that the council is sending a message that the major obstacles to future residential development are removed to secure the potential for sale to the highest bidder.

We recognise that the planning officer's report says that there is a "need to provide greater clarity of the status of the land" but the recommendation that the site is brought into the settlement as "white land" without any designation ignores the current use of site. It is neither a green field nor a brown field site, it is a successful & sustainable development which makes a positive contribution to the local community is reaping the rewards financially for the investment made by the Council.

The site has been used as a caravan park for over 50 years and a strong community of caravaners has developed which since the redevelopment of the site in 2003 has generated income of rent alone of £1.5m which is an increase of 3 times the combined income of the Plunch Lane and the current site then known as Thistleboon.

Economic viability is a significant criteria in the LDP and the income from the caravan park is guaranteed year on year come rain or shine with a significant waiting list for plots on the site which has been completely filled since the redevelopment 13 years ago. The current change to undesignated “white land” could jeopardise this income by introducing doubt about the security of the tenancy of the caravan users.

Local businesses have directly benefited as the tenants have between them made an ongoing investment of well in excess of £1m to date for caravans purchased from local suppliers.

In answer to a question from Councillor Colburn in a minuted Council meeting in December 2014, the Cabinet Member for Enterprise, Development & Regeneration stated that “whilst the (site) OY003 is not specifically allocated, it could nevertheless become a windfall site in future should the Council wish to dispose of the land”.

It seems clear that rather than straightening out an anomaly in planning law to protect the current use, the opportunity has been taken to leave the door wide open for offers from residential property developers whose aim will be to maximise profit and not the protection of existing character of the site. We are not sure that the local residents are fully aware of this.

The LDP Stage 2 Planning Assessment in many instances reports the benefits of the proposed change to the settlement boundary on the basis of change to residential use – it even cites the benefit of 100% affordable housing because part of the site it is in an Area of Outstanding Natural Beauty.

No detriment to the environment is identified in the LDP Stage 2 Planning Assessment but any residential development would see a large amount of the open grass area and hedgerows replaced by housing which would aim to cram as many houses as possible onto the site imposing itself onto the Conservation Area & Nature reserve in a way the current site simply doesn't.

In summary we ask that in order to maintain the benefits of the ongoing site as a Caravan Park bringing revenue into the Council and affording a buffer between the urban development and the adjacent conservation areas, that the Council directs their officers to prepare proposals to amend the LDP to designate site OY003 as to be for the purpose of a static caravan site to properly protect the benefits to all of the current use.

## OY016: Land at Higher Lane

### OY016 Mrs Burgess (petitioner)

Good morning Chairman and members of the Panel. My name is Jill Burgess, I reside in Langland and I am here today in the capacity of Lead Petitioner, representing 4 thousand + petitioners who are against the proposed development of Candidate Site referenced OY016, Land at Higher Lane Langland for the proposed provision of 30 units for affordable/older persons housing. The land being in the ownership of the Somerset Trust, and is wholly within the Gower AONB.

As time today is limited, I would wish to proceed not by reciting our specific objections submitted on our 4,042 Candidate Site Comment Forms, but to comment upon a few of the City and County of Swansea's written Responses to Representations (objections) Against Development, contained within the Council's Site Assessment Reports.

I will proceed firstly with the CCS comment in response to our objection on developing this area of the AONB, they state **"There has been degradation of this part of the AONB due to close proximity of the urban form through prominence of domestic paraphernalia/outbuildings within existing adjoining rear curtilages such as Beaufort Avenue which has a far greater visual impact on the AONB and coastline than this site."**

Dear Chairman, this built environment, let us not forget, was created by the same landowner working within a planning and design framework who then sought to obtain planning approval for residential development, on the land that we are now objecting to, resulting in an appeal being held in 2007.

The Planning Inspector concluded that **"To include these (candidate) sites within the Gower and Gower fringe housing policy zones which are particularly sensitive to development pressure, would be contrary to the Plans approach of not relying on sites within these areas to help meet the general estimated new housing requirement of the Plan area as a whole."** The Planning Inspector therefore concluded that these sites are not suitable for development.

So, a fair and reasonable question still remains to be asked as to why the CCS continues in its endeavours to pursue the planned erosion and in their words, degradation of this vital green buffer zone lying within the Gower Area of Outstanding Natural Beauty, the first designated and nationally protected AONB within the British Isles which was formed in 1956 by a group of local passionate people who fought against, as we are here today, the degradation and erosion of cliff land green open space.

It is also relevant here in quoting recently what Carl Sargeant, Welsh Minister for Natural Resources had to say in response to the possibility of AONB's status being re designated in an effort to afford more rigid protection, he states **"These areas are highly valued. They are integral to Wales national identity and are recognised Internationally as part of a global family of protected areas. I am proud that a**

***quarter of Wales is recognised in this way. They are assets that we should celebrate and protect.”***

And in respect of our concern that a precedent would be established should approval be forthcoming for this site, the CCS states, **“The release of land at this location would be as an exception and not set precedent”**, and I would combine this with another stating **“The landowners are aware that only exception housing will be permitted. The site remains outside the settlement boundary to ensure this is the case and be able to resist future pressure for revised schemes for high end market housing following grant of any planning permission for affordable/older persons housing.”**

Firstly it is a fact that there is land within the immediate area which at the start of the LDP process was outside the settlement boundary. This land is now in the process of being brought within boundary lines and thus will be designated as residential development land. Therefore it gives no comfort whatsoever in Council statements suggesting that they are able to control land by settlement boundary definitions, when clearly this is not the case.

Secondly, considering the site is in the ownership of the Somerset Trust who, adopting a commercial view, and not adopting philanthropic ideals, would only in our view, pursue a non-profitable planning permission, if it formed part of a much larger comprehensive development, or viewed it as a leverage for further development opportunity beggars the question as to why the CCS when it has other immediate comparable options within its ownership, capable of accommodating the Plans Strategic Housing Policy needs, wishes to place a real and unnecessary risk on compromising the continued existence, of this unique and extremely important cliff land area.

I would like to complete this particular issue by stating that in some parts of the country where LDP processes have been completed, Developers have, through legal loopholes borne out of an amended National Planning Policy where the presumption is in favour of development, have to-date obtained residential planning approval for a current total of 25 thousand dwellings within the green belt, and outside of the Plans designated housing zones.

Again this affords little comfort in relying upon policy which has been proven, can be challenged, so please CCS, do not provide a foothold for unintended but very serious consequences that will bring about ongoing risk to our AONB.

We are not alone in our efforts objecting against this proposal, not, I must emphasise, against the housing market need, but for the provision to be met on such an important site.

I would like to quote from Mumbles Community Council comprehensive commissioned report on the proposal, undertaken by Carlisle, Davies and North Planning Consultants which incorporates a number of our concerns, and states, ***“From the above appraisal of the site, it is evident that there are significant flaws in the proposed allocation of this site. Most obviously, it will result in around 30 dwellings being built on land within the defined AONB. Even if the site was outside of the AONB, it clearly is part of a significant landscape area***

***that serves an important purpose in dividing the urban edge of Swansea from the sensitive coastal area between Limeslade Bay and Langland Bay. This encroachment of urban form towards the coastline across valued open land would also likely have an effect upon users' enjoyment of the open access land and of the rights of way that are within and near to the candidate site. There will be associated visual effects upon local residents as well as members of the public rights of way.***

***Parts of the site also appear to be at risk of flood from surface water run-off, a fact that would be amplified by the introduction of built development to a currently greenfield site; the increased risk of pollution along the run off to the sea is also a noteworthy issue. Moreover, there are potentially ground conditions that could have a considerable effect on any development of this site, and indeed in turn could be accentuated by development taking place. They further state that "We understand that the entire undeveloped area of Thistleboon is subject to subsidence. There are Roman mines in the area that lead underground from cliffs into the land beneath the site. There are also sink holes and collapsed caves including surface water flood risk. Indeed we are advised that much of the local area is characterised by fissures, active sinks and collapsed cave chambers.***

***Another significant issue affecting this site they state is the access problem and related transport and highway issues. Development of around 30 units would continue to add to traffic problems within Mumbles, particularly because there is no route to the site that avoids complex junctions, pinch points, steep hills or Mumbles Road. Although an hourly bus service does pass the site it is inevitable that there will be an increase in the use of private car as a consequence of development, especially due to the relative inaccessibility of community facilities and shops from the site by foot or by bicycle.***

***The highway network in the immediate vicinity of the site is also extremely substandard. Substantial works would be required to improve this, which even if they could be achieved, would likely be at the expense of residential amenity and ecological/landscape features.***

***Their final and concluding narrative states, "It is concluded that on the basis of the current available evidence this allocation would render the LDP unsound and as such we object to the proposed allocation.***

On that note Chairman we submit our oral presentation which we respectfully request you will take into consideration for review. Thank you.

#### **OY016 Mr Geraint John (Site Promoter)**

Good morning Members, my name is Geraint John, planning consultant on behalf of the site promoter – Edenstone Homes.

As Members will be aware, the Council seeks to allocate land at Higher Lane as a 'Gower Fringe (Affordable / Older Persons) Housing Site'. It is evidenced within the

Council's Strategic Housing Market Assessment, which supports and underpins the emerging LDP, that there is a pressing need for such accommodation.

The LDP Preferred Strategy identifies that the only opportunities for housing in this part of the City are through small scale rounding off 'Rural / Urban Fringe Extension' sites (such as this). Importantly the allocation of this site would 'free up' under-occupied homes in the settlement, and provide much needed 'churn' to the housing market in this part of the City.

The proposed allocation, which has of course been rigorously assessed by Council Officers through the Candidate Site process, is located immediately adjacent to the settlement, with a number of key local facilities and services being accessible by walking, cycling and public transport.

In terms of site designations, the site is not designated as a SSSI, or part of a green belt, and furthermore, as outlined within the Council's assessment of the site, occupies a low lying position which is not visible from the coastal path or sea.

The site is bound by residential development to the northern, eastern and western boundaries, and therefore occupies a suitable and acceptable 'pocket' of land within an existing development pattern, which is well screened by existing vegetation. This has been confirmed by the Officers' Candidate Site Assessment. The assessment records that the prominence of existing residential development, has "a far greater visual impact on the AONB and coastline than this site".

Furthermore, landscape and visual assessment undertaken by appropriately qualified professionals, concludes that the site has "a limited visual envelope...wider views are limited, and the site is viewed within an existing baseline of residential development".

In terms of highways and access, the existing highway alignment would be retained with minor improvements (to continue to act as a traffic calming measure), and that adequate capacity exists in the surrounding network to cater for the development. An Extended Phase 1 Habitat Survey has been undertaken by appropriately qualified professionals, which has concluded that the land is of low intrinsic ecological value, and consequently represents a suitable area to accommodate development.

It is noted that a public right of way crosses the site - leading south down to the cliff tops and connecting with the Wales Coastal Path. A slightly amended route will be provided within any proposed layout to ensure that this public right of way is not discontinued, and continues to integrate with the existing network. There are no constraints in regards to other infrastructure, services, and utilities, meaning there are no limitations to the deliverability of the site. The site is outside of any flood zone, and, appropriate drainage measures can and will be incorporated within any development of the site.

It is noted within the commentary associated with the Candidate Site Assessment process that Officers' do not consider the "loss of agricultural land would impact on viability of a wider agricultural holding." Indeed, Officers consider that the "New development would add to vitality/viability of the existing settlement, particularly if it

enabled families to move into currently under occupied homes vacated by older persons”.

In light of the above, the proposed allocation of the site presents a suitable, viable and deliverable development opportunity that can provide for, and is wholly in line with, the policy provisions and aspirations of the Plan. Accordingly, the site will make a significant contribution to achieving the housing aspirations for much needed affordable and older persons housing in the Gower fringe area, and it is respectfully requested that the site’s continued allocation in the Plan is endorsed as such.



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**Appendix 3: Revised Site Assessment**

**KB0015: Land South of Loughor Road**

# Candidate Site Assessment Report

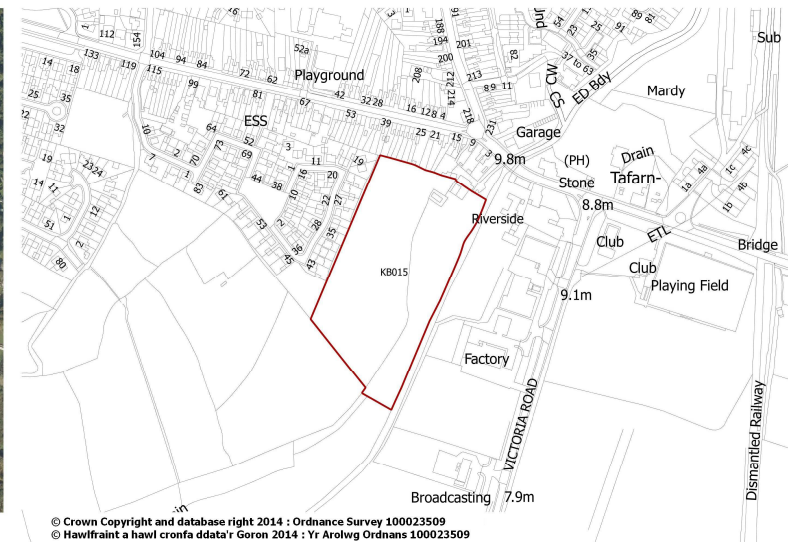


<b>Reference</b>	<b>KB015</b>
<b>Name</b>	<b>Land to South of Highfield, Loughor Road</b>
<b>Description</b>	A single field situated to the south of Loughor Road, Kingsbridge, outside the existing UDP settlement boundary and bordering the UDP housing allocation HC1 (103) currently under construction. Its northern boundary abuts the rear gardens of the houses that face onto Loughor Road. Its eastern boundary follows the river Lliw and beyond this is the business and commercial development that faces on to Victoria Road. The southern boundary consists of a mature hedgerow. The site does not extend any further south into open countryside than the adjoining development and represents a settlement rounding off opportunity.
<b>Size</b>	3.081ha
<b>Existing Land use</b>	Agriculture
<b>Proposed Land Use</b>	Residential
<b>Location Plans</b>	OS Plan and Aerial (not to scale)

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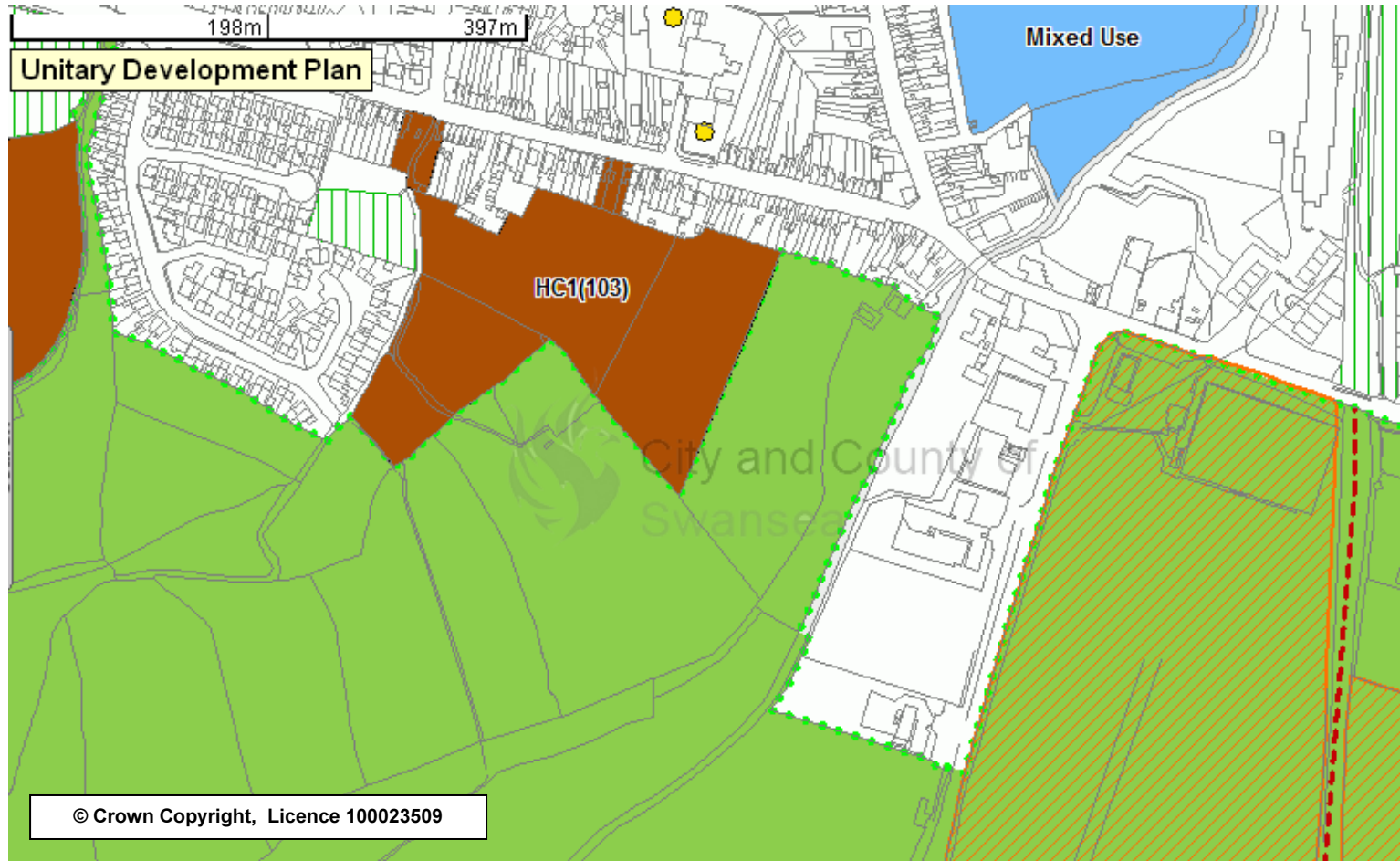
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## Background and History

## Current UDP Policy

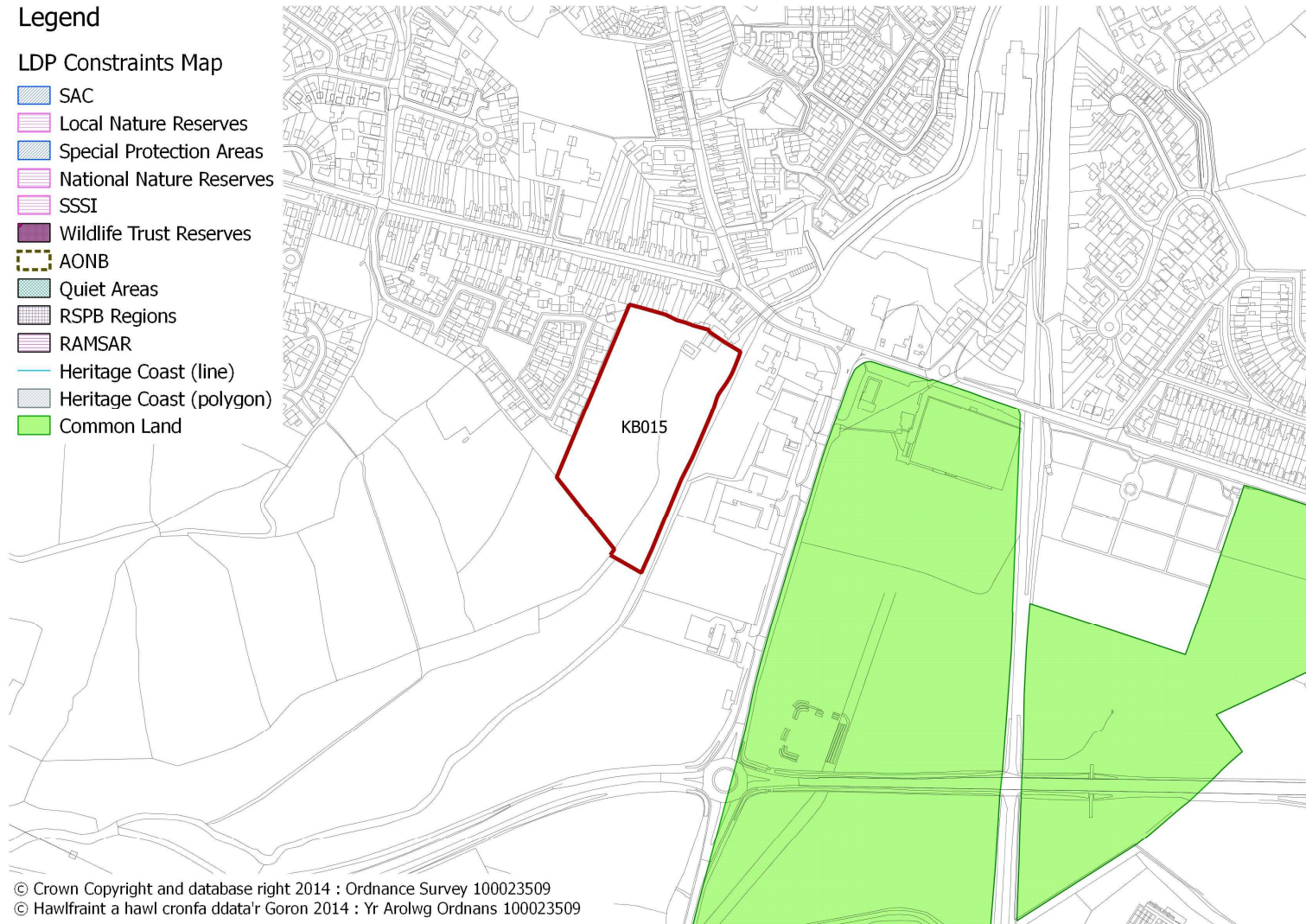


## Constraints

### Legend

#### LDP Constraints Map

-  SAC
-  Local Nature Reserves
-  Special Protection Areas
-  National Nature Reserves
-  SSSI
-  Wildlife Trust Reserves
-  AONB
-  Quiet Areas
-  RSPB Regions
-  RAMSAR
-  Heritage Coast (line)
-  Heritage Coast (polygon)
-  Common Land



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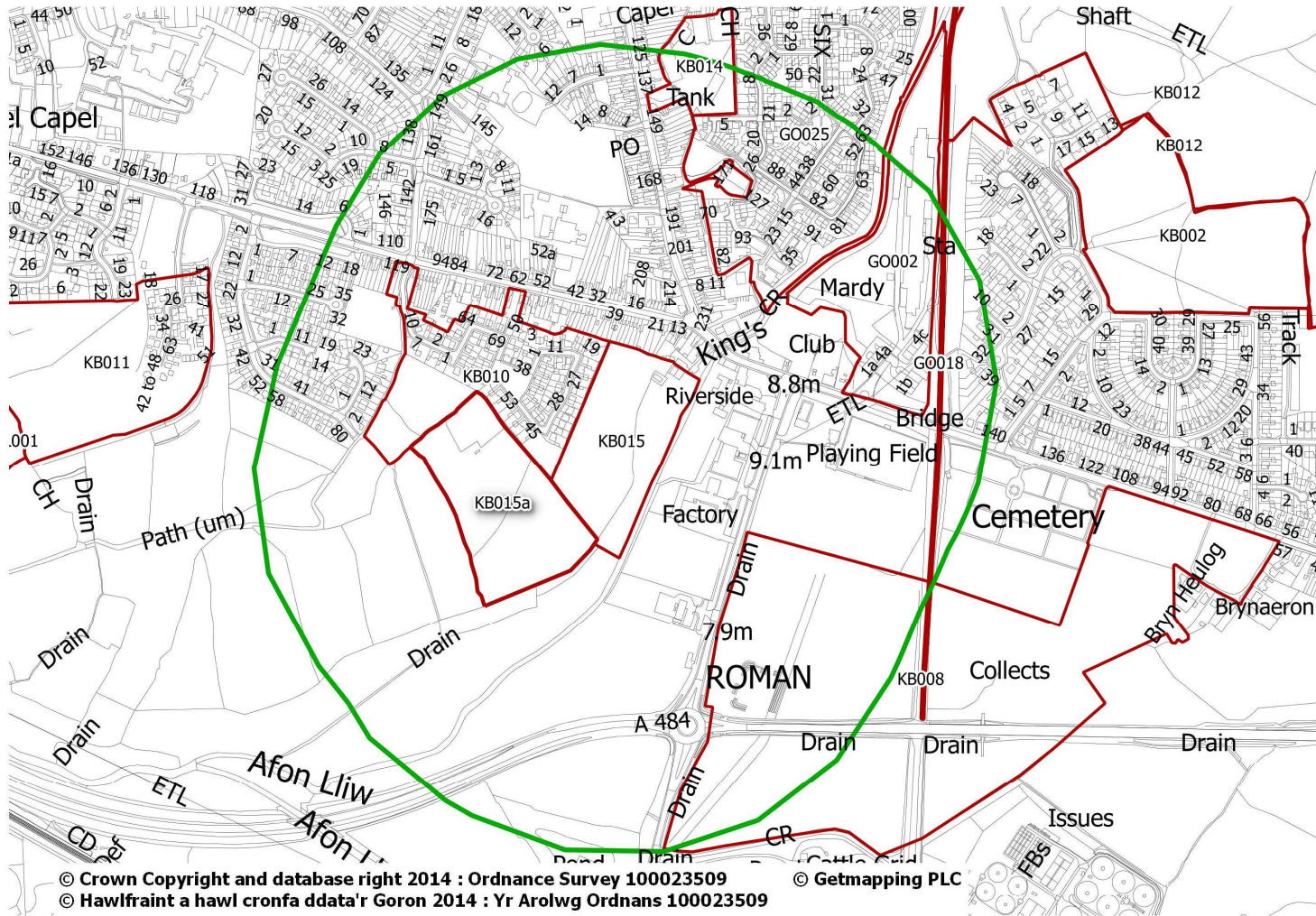
## Planning History

### Planning Applications:

App No.	App Type Desc	Site Address	Proposal	Decision Type Code	Date Decision	Legal Agreement	Appeal Lodged	Appeal Decision	Appeal Decision Date
2012/0044	Full	Land off Loughor Road Loughor Swansea	Residential development comprising 86 dwellings, access off Loughor Road and associated works	PERM S106	17/05/2013	N	N		
2014/0773	Full	Land south of Beauchamp Walk (off Loughor Road) Gorseinon Swansea	Construction of 25 residential dwellings and associated works including underground pumping station and surface water attenuation pond	Current application					

Candidate Site Context

Candidate Site submissions within buffer



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### **Candidate Site Public Consultation: Summary of Representations**

This was not submitted as an original Candidate Site but was put forward for consideration as a potential development site at a later stage.

### **LDP Preferred Strategy Consultation: Summary of Representations**

1 letter of general comment received:

- General concern expressed regarding potential cumulative impact of new housing developments at Kingsbridge / Upper Loughor.

### **LDP Draft Proposals Map Consultation: Summary of Representations**

8 letters of objection were received which are summarised below:

- Concerns regarding potential traffic impact on existing congestion on Loughor Rd and Victoria Rd.
- Drainage in the area is extremely poor. The site is constantly waterlogged with 4 to 5 inches of standing water covering most of the area.
- Concerned about impact on local schools
- Concerned about impact on local community facilities
- Concerned regarding impact on local environment.
- Otters spotted along the River Lliw, concerns regarding impact on them.
- Loss of Agricultural land
- Concerns about additional impact on sewerage network infrastructure

1 letter of support was received from site promoters which was accompanied by a landscape master plan, landscape and visual assessment, ecology report and tree survey.

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## Response to Representations

- All allocations are being assessed for their cumulative impact through a Strategic Transport Assessment. This assessment will be an important element in demonstrating the soundness of the LDP, particularly in respect of quantifying the impact of its strategic proposals upon the transport network and demonstrating the sustainability of identified sites. Highways /access improvements would be a condition of any development being brought forward in accordance with schemes agreed with the Highways Authority.
- Sustainable urban drainage scheme (SUDS) will need to be incorporated into development schemes as necessary. All new development needs to demonstrate that greenfield run –off will be achieved. No increase in surface water run-off would be permitted
- The LDP is being prepared in close liaison with the Local Education Authority (LEA) who are fully aware of the potential additional pupil numbers likely to be generated and have made provision accordingly within the 21<sup>st</sup> century schools programme. Existing schools will be expanded where possible and new schools built as appropriate to accommodate the projected increase in pupil numbers.
- The local health authority has not identified any capacity issues at local medical practices. If new facilities are required they could be delivered in conjunction with development being brought forward. New development also has a positive impact by increasing local populations, adding to the vitality/viability of settlements and helping to sustain and improve local services, facilities and businesses. Services at capacity will expand to meet demand. If improvement of facilities is required contributions can be sought from site developers.
- 100% priority habitat sites have been filtered out of the site selection process. For all other sites an extended phase1 habitat survey would need to be undertaken to determine the habitat classifications, species lists and for the presence of protected species. Important features highlighted may require further survey at planning application stage, but do not preclude allocation at this stage. For example, most hedgerows will be protected under the Hedgerow Regulations (1997). A hedgerow assessment would need to be undertaken to determine the hedgerow quality and the findings would be taken into account when considering a site's development capacity. When wider issues need to be taken into account any impact on European protected sites will be fully assessed as part of the Habitat Regulations Assessment (HRA). Woodland areas and key features, hedgerows, bridleways, etc should be retained as part of any development proposal and form natural defensible boundaries.
- The Best and Most Versatile (BMV) Agricultural Land (Grade 3a and above) is one of many considerations taken into account when assessing sites within the County in line with national guidance set out in Planning Policy Wales. Through the Spatial Options Appraisal and site deliverability assessment the priority has been to deliver development needs on lower grade land and such sites have been identified wherever possible. This site is classed as Grade 4 and is therefore not categorised as being BMV.



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- Impacts on water/sewerage infrastructure must be addressed through improvements incorporated into any development. DCWW have invested in a new hydraulic model for the Gowerton catchment which has identified solutions throughout the catchment which would have to be delivered prior to development occurring. In combination with this there is an ongoing programme of surface water removal (from the foul sewerage system) throughout the County to increase capacity and help alleviate flooding. DCWW are statutorily required to include all necessary improvements to support new development in their statutory improvement plan and hydraulic modelling assessment will be required at application stage required to establish the potential impact on the water supply network and necessary improvements.

**Stage 1 Summary**

Site Ref KB015	Criteria			1 <sup>st</sup> Filter Check	
	No Major Constraints	Deliverability	Minimum Size	Pass	Fail
Further Information					
Stage 1 pass. Progress to detailed stage 2 assessment.					

## Key Stakeholder Consultations

Internal Stakeholder	Comments
CCS Transportation	<p><u>Means of Access:</u> This site could only be developed if access was provided from the adjacent residential development or over land fronting Victoria Road. Currently there is no connection to a suitable access.</p> <p><u>Local Highway Conditions:</u> There are some peak time congestion issues in the vicinity.</p> <p><u>Accessibility:</u> There is a 10-15 min frequency bus service within 300m west of the site and an hourly service past the site.</p> <p><u>Wider Issues / Combined effect:</u> Any significant traffic generation will add to arterial route congestion in the vicinity.</p> <p><u>Restrictions:</u> This is dependent on the outcome of a formal transport assessment.</p> <p><u>Transport Proposals:</u> Local road safety schemes are identified in the area.</p> <p><u>Further Information:</u> A formal transport assessment will be required.</p>
CCS Housing	There is a requirement for affordable housing across all areas of Swansea and it will be important to maximise affordable housing delivery wherever possible. The SHMA identifies that over 4,700 homes are needed within this Strategic Housing Policy Zone over the LDP period.
CCS Biodiversity	Would need an Extended Phase 1 Habitat Survey. Not a SINC, but there may be some possible ecological constraints. Ecology and Tree Report has been supplied by the site promoter.
CCS Environmental Health	<p><u>Initial Comments:</u> Potential Contaminated Land concerns as this site is on or within 250m of a site identified as being previously contaminated. Further consultation from Pollution Control required depending on proposed site use.</p>

	<p><u>Further comments obtained:</u> Environmental Health have stated that a planning condition would be required along the following lines: 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.</p> <p>Environmental Health have stated that they would request by condition a Construction Pollution Management Plan for the site with particular attention being drawn to hours of noisy works and dust management on and off site. Due to recent developments in this area triggering a number of noise complainants we would look to serve a Control of Pollution Act 1974 Section 60 Notice on the developer to restrict hours of noisier operations on site.</p>
CCS Education	<p><u>Pontybrenin Primary:</u> There is some surplus capacity at this school, however all the developments would exceed its capacity and the strategic development site would require a New school. The current school could not take the numbers generated from this development. Note: Welsh Medium is very popular choice in this area</p> <p><u>Penyrheol Comprehensive:</u> Has recently been rebuilt; however, the cumulative impact of all developments in the catchment area of Penyrheol Comp would need further careful consideration in order to determine increased secondary provision, including a rebuild of the Annex that was not part of the original rebuild.</p>
<b>External Stakeholder</b>	<b>Comments</b>
Natural Resources Wales	<p>Consider MOU. Gowerton STW. Capacity issues and potential to impact on Carmarthen Bay SAC. Further consultation with DCWW strongly recommended. Compensatory surface water removal may be required.</p> <p>Mature trees form much of the site boundary, which should be retained. Valuable for connectivity. The east of the site is adjacent to the Afon Lliw. Otter should be considered in relation to the eastern boundary of the site. Bat should be considered in relation to the mature hedgerows at the side. Main River Lliw &amp; associated floodplain to east of site. Minimum of 7m development free buffer required to protect floodplain and allow for access for maintenance.</p>

Dwr Cymru	<p><u>Water Supply:</u>  <u>Initial Comments for Candidate Sites in the Ward:</u> In order to provide a water supply to some of these Candidate Sites in the Ward, extensive off-site mains (in excess of 1km) will be required.</p> <p><u>Site Specific Comments on the Draft Proposals Map:</u> A water supply can be made available to service the proposed development site.</p> <p><u>Waste:</u>  <u>Initial Comments for Candidate Sites in the Ward:</u> Proposed developments in this ward ultimately drain to our Gowerton Waste Water Treatment Works. Based on the cumulative growth information provided for the residential, employment and the residential element of mixed sites, our assessment equates to a population in excess of circa 35,000 people. If all this growth is to be promoted in its entirety, then we will need to plan for future investment plans at the appropriate time.</p> <p><u>Site Specific Comments on the Draft Proposals Map:</u> There are incidents of flooding on a CSO on the network within this site. There is no improvement scheme in our current AMP programme. Potential developers can either wait for a DCWW AMP scheme to resolve this issue or alternatively can progress the site through the sewerage requisition provisions of the Water Industry Act 1991 or Section 106 of the Town &amp; Country Planning Act 1990.</p> <p>Gowerton Waste Water Treatment Works - Limited capacity.</p>
Western Power	Across the County there is currently spare transformation capacity at each of the substations, which may be able to accommodate future load growth.
Coal Authority	No coal mining legacy features identified by the Coal Authority.
Cllr. W. Evans	<p>L.D.P. PROPOSED ALLOCATIONS KINGSBRIDGE WARD KB012, KB 014, KB 015, CO 010.  I will not be attending the Planning Committee Meeting on Monday 8th June, 2015 and submit my written representation as follows:</p> <p>(i) The capacity of the Strategic road infrastructure is a significant and key issue and I await the outcome of the commissioned LDP cumulative Traffic Impact assessment report, before reaching my final conclusions. It is quite obvious that even at this current stage, the existing strategic highway network in the Fforestfach, Penllergaer, Gorseinon, Kingsbridge and</p>

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	<p>Gowerton areas is in need of upgrading. During peak times, there is daily Traffic gridlock at each of these locations and it is the biggest source of complaints from members of the local communities.</p> <p>(ii) With the proposed L.D.P. increase of 1600+ new build houses in the Kingsbridge Ward ( Excluding 230 currently being built) plus proposed 1000 houses in the adjoining Penllergaer Ward, the extra volume of traffic movements will exacerbate the current situation and become intolerable.</p>
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## Stage 2: Planning Assessment

Context and Character			
Issue	Criteria	Commentary	Notes
Classification	Brownfield	Greenfield	
	<b>Greenfield</b>		
	Brownfield / Greenfield Mix		
Relationship to existing settlement pattern and built form	In settlement	Edge of settlement	
	<b>Edge of settlement</b>		
	Out of settlement		
	Other		
Surrounding land use(s)	<b>Agricultural</b>	Agricultural Residential Commercial	
	<b>Residential</b>		
	Employment		
	Leisure		
	<b>Mixed Commercial</b>		
	Other		
Utilities infrastructure	Water	Connectable from adjacent development ( known as Kingsbridge Fields)	
	Sewerage		
	Electrical		
	Gas		
	Telecommunications		
LANDMAP	Geological	<b>Geological</b> – Lowland hills and valleys/ Lowland scarp and dip-slope dominated terrain/Lowland escarpment (Level 3) <b>Habitat</b> – Costal & Marine Habitats/ Mosaic/Mosaic (Level 3) <b>Visual &amp; Sensory</b> – Development/Built Land/ Urban (Level 3)	
	Habitat		
	Visual and Sensory		
	Historical		
	Cultural		

		<b>Historical</b> – Rural environment/Agricultural /Irregular Fieldsapes (Level 3) <b>Cultural</b> - Influences/Material expressions/ Rural/Other Rural (specify) (Level 4)	
Dominant Landscape functions	Yes	Represents an urban infill opportunity	
	No		
Key landscape features	Complex	Field and hedgerow	
	Moderate	TPOs along boundary of the site.	
	Simple		
Impact on areas designated for landscape value	AONB	None	
	SLA		
	Heritage Coast		
Impact on historic designations	Ancient Monument	Glamorgan & Gwent Archaeological Trust have requested a 'watching brief' on the proposed development adjacent to this site due to close proximity to Roman Road.	
	Archaeologically Sensitive Area		
	<b>Archaeological Site</b>		
	Historic Park and Garden and Setting		
	Historic Landscape		
	Conservation Area		
	Listed Building		
Impact on views and vistas	-	Views in and out of the site to neighbouring residential properties. Landscape and visual assessment supplied by the site promoter.	
Topography	Level	Sloping	
	Undulating		
	<b>Sloping</b>		
	Mixed		



Natural surveillance	<b>Yes</b>	Yes	
	No		
Proximity to public open space	<b>&lt; 400m</b>	<400m	
	< 800m		
	> 800m		
Proximity to leisure facilities or recreation space	<b>&lt; 400m</b>	Garden Village FC <400m Pontybrenin Primary <400m Gorseinon Library >800m Gorseinon Institute >800m Penyrheol Leisure Centre >800m	
	< 800m		
	> 800m		
Presence of overhead cables	<b>Yes</b>	Yes	
	No		
Opportunities to provide continuity and enclosure	<b>Yes</b>	Would form a logical extension of the settlement boundary.	
	No		
Opportunities to contribute to an active street frontage	Yes	No – backland site	
	<b>No</b>		
Located in an aggregates safeguarding area	Yes/ <b>No</b>	No	
Located in a Primary or Secondary shallow coal resource area	Yes/ <b>No</b>	No	
<b>Regeneration and Community</b>			
<b>Issue</b>	<b>Criteria</b>	<b>Commentary</b>	<b>Notes</b>
Opportunities for new job creation	Significant	Few	
	Some		
	<b>Few</b>		

Opportunities to contribute to vitality and viability of the area	Significant	Some	
	<b>Some</b>		
	Few		
Proximity to primary school(s)	< 400m	YGG Pontybrenin - 220m Pontybrenin Primary - 400m	
	< 800m		
	> 800m		
Proximity to secondary school(s)	< 400m	Penyrheol Comprehensive – 1.5km Ysgol Gyfun Gwyr – 1.7km	
	< 800m		
	> 800m		
Proximity to convenience store selling daily living essentials	< 400m	Convenience Goods Shop on West Street	
	< 800m		
	> 800m		
Proximity to Local Centre/District Centre	< 400m	Local Centre - Sterry Road, Gowerton 1.5km District Centre - Gorseinon 990m	
	< 800m		
	> 800m		
Linguistic Impact	> 20% Welsh Speaking Ward	WLSA2  17% of people are Welsh Speaking (2011 Census)	
	<b>16-19% Welsh Speaking Ward</b>		
	0-15% Welsh Speaking Ward		
<b>Environment and Climate Change Mitigation</b>			
<b>Issue</b>	<b>Criteria</b>	<b>Commentary</b>	<b>Notes</b>
Impact on open space or recreational space	-	Site is not classed as ANGS or FIT so would not represent a loss. Potential to bring some benefits by opening up greenspace to the public on parts of the site.	
Impact on Greenspace	-	See above	

Impact on Biodiversity	-	Would need an Extended Phase 1 Habitat Survey. TPOs along boundary of the site. Not a SINC, but there may be some possible ecological constraints. Woodland areas and key features, hedgerows, bridleways, etc should be retained as part of any development proposal and form natural defensible boundaries. Mature trees form much of the site boundary, which should be retained. Otter should be considered in relation to the eastern boundary of the site. Bat should be considered in relation to the mature hedgerows at the side. Main River Lliw & associated floodplain to east of site. Minimum of 7m development free buffer required to protect floodplain and allow for access for maintenance.	Ecology Study provided by the site promoter.
Flood-risk and drainage	-	The site borders a C2 flood risk zone associated with the River Lliw to the east. The County wide SFCA Stage 2 Report identifies risk from surface water flooding. Riverside buffer required by NRW.	
Impact on agricultural land	No loss of agricultural land <b>Grade 3 and below</b>	ALC Map = Grade 4.  <u>Provisional ALC Information – Welsh Government (February 2015)</u>	
	Grade 1/2	Provisional Grade: <b>Grade 4</b> Other Information: FCD >225, Climate Grade 2. Soil type unsurveyed. Neighbouring soil type Brick 2. Probable BMV: <b>Low Probability BMV</b>	
Proximity to existing potential nuisance and/or sources of pollution	Odour	No issues identified	
	Noise		
	Light		
	Air		
	Waste		

Potential impact of future use on existing neighbouring development	Odour	Environmental Health have stated that they would request by condition a Construction Pollution Management Plan for the site with particular attention being drawn to hours of noisy works and dust management on and off site. Due to recent developments in this area triggering a number of noise complainants we would look to serve a Control of Pollution Act 1974 Section 60 Notice on the developer to restrict hours of noisier operations on site.	
	<b>Noise</b>		
	Light		
	<b>Air</b>		
	Waste		
Land contamination	-	<p>Potential Contaminated Land concerns would require a planning condition along the following lines:</p> <p>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.</p>	
Land stability	-	No issues identified	
<b>Transport and Accessibility</b>			
<b>Issue</b>	<b>Criteria</b>	<b>Commentary</b>	<b>Notes</b>
Vehicular access to public highway	Yes	This site could only be developed if access was provided from the adjacent residential development or over land fronting Victoria Road. Currently there is no connection to a suitable access	
	<b>Yes, but improvement required</b>		
	No		
Ransom Strip	Yes	No	
	<b>No</b>		

Accessibility to high frequency public transport access point, i.e. train station or bus stop	< 400m	There is a 10-15 min frequency bus service within 300m west of the site and an hourly service past the site.  <b>Bus Stops:-</b> 450m - Kingsbridge, Glanrhyd Terrace (SE-bound), 500m - Kingsbridge, Glanrhyd Terrace (NW-bound), 110m - Gorseinon, Marlborough Road (S-bound, Unmarked), 120m - Gorseinon, Marlborough Road (N-bound, Unmarked)	
	< 800m		
	> 800m		
Traffic conditions on nearby highway network	Regularly congested	All sites in this Ward will add to existing traffic congestion along the route from Gorseinon up to Penllergaer and M4 J47. Some traffic is also likely to add to congestion at Victoria Road in Gowerton where the Llanelli Link crosses the route. Significant improvements may be required with contributions to major improvements by each of the sites within the Ward.	
	<b>Congested at times</b>		
	No significant congestion		
Potential to access community facilities and services via active transport	High	Medium	
	<b>Medium</b>		
	Low		
<b>Deliverability</b>			
<b>Issue</b>	<b>Criteria</b>	<b>Commentary</b>	<b>Notes</b>
Supply and Demand	<b>Need Identified</b>	There is an identified need to deliver over 4700 new homes within this Zone over the Plan period.	
	No identified need		
Availability	Immediately available	Some indication of availability. Site submitter has indicated that they have an option on the site.	
	<b>Some indication of availability</b>		
	No indication of availability		

Constraints	Physical	<p><b>Highways Access:</b> highways access options will need to be explored and assessed (e.g. gaining access direct from Victoria Rd)</p> <p><b>Highway Conditions:</b> There are some peak time congestion issues in the vicinity.</p> <p><b>Ecology/Landscape:</b> TPOs along boundary of the site. Not a SINC, but there may be some possible ecological constraints. Woodland areas and key features, hedgerows, bridleways, etc should be retained as part of any development proposal and form natural defensible boundaries. Mature trees form much of the site boundary, which should be retained. Otter should be considered in relation to the eastern boundary of the site. Bat should be considered in relation to the mature hedgerows at the side.</p> <p>Would need an Extended Phase 1 Habitat Survey. (provided)</p> <p>Landscape and visual assessment required. (provided)</p>	
	Environmental		
	Legal		

		<p><b>Drainage:</b> Site would feed to the Gowerton Waste Water Treatment Works. Proof is needed that the proposed development can be achieved without resulting in any additional hydraulic burden upon the existing combined sewer system in the area. In this respect it will need to be demonstrated that surface water can be disposed of via a sustainable drainage system (SUDS). Any foul water entering the mains system will need to be directly offset by a surface water removal strategy within the catchment, the details of which will need to be provided.</p> <p>There are incidents of flooding on a CSO on the network within this site. There is no improvement scheme in DCWW's current AMP programme.</p> <p>C2 flood risk zone associated with the River Lliw to the east runs along the site boundary and would need to be incorporated into the scheme's design. Main River Lliw &amp; associated floodplain to east of site - minimum of 7m development free buffer required to protect floodplain and allow for access for maintenance. The SFCA Stage 2 Report identifies risk from surface water flooding in this area.</p> <p><b>Environmental Health:</b> Potential Contaminated Land concerns would require a planning condition. A Construction Pollution Management Plan would be required for the site particularly regarding hours of noisy works and dust management on and off site. A Control of Pollution Act 1974 Section 60 Notice would be required to restrict hours of noisier operations on site.</p> <p>Overhead cables present.</p>	
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		<p><b>Education:</b> the cumulative impact of all developments in the catchment area of Penyrheol Comprehensive would need further careful consideration.</p> <p><b>Historical/Cultural Impacts:</b> Glamorgan &amp; Gwent Archaeological Trust have requested a 'watching brief' on proposed development adjacent to this site due to close proximity to Roman Road.</p> <p>WLSA2. The cumulative impact of candidate sites within and adjacent to the ward on the Welsh Language will be assessed.</p>	
Viability	-	Affordable Housing viability assessment required	



Stage 2 Summary		
Key Issues	<p>The proposed site forms a logical extension of the adjacent housing development south of Loughor Road and represents rounding off.</p> <p>Highway access onto the site needs to be determined. Currently there is no connection to a suitable access.</p> <p>Site is not classed as ANGS or FIT so would not represent a loss and it offers potential to bring some benefits by opening up greenspace to the public on parts of the site in an area currently deficient. Most community facilities are within walking distance of the site.</p> <p>Trees and hedges should be incorporated into the site design. Other issues identified under constraints need to be incorporated into site design including 7m river buffer and adjacent C2 flood risk and on-site surface water flood risk.</p> <p>Ecology: Would need an extended phase 1 survey - some possible ecological constraints.</p> <p>Contribution to expanded capacity of local schools</p> <p>Env health matters to control/investigate further, along with other issues identified in constraints above</p> <p>WLSA2. The cumulative impact of candidate sites within and adjacent to the ward on the Welsh Language will be assessed.</p>	
Are there opportunities for development to occur on adjoining land?	Yes	<b>No</b>
If yes, provide details		

Is there an alternative land use considered more suitable for the site?	Yes	No	N/A
If Yes, specify land use considered appropriate	NA		
Should site progress to Preferred Strategy Appraisal?	Yes	Yes, part of site	No

### Stage 3A: Assessment Against LDP Objectives

Score =

+2	Will fully meet LDP objective
+1	Will have positive impact on LDP objective
0	Neutral effect on LDP objective
-1	Will have a negative impact on LDP objective
-2	Will not meet LDP objective

		Objective	Score
Social	1	Ensure that communities have a mix of uses and facilities to create sustainable, inclusive neighbourhoods that help to bring about wider social benefits and allow community life to flourish	+1
	2	Encourage development of town and district centres as focal areas for regeneration	n/a
	3	Improve access to healthcare, lifelong learning, leisure, recreation, and other community facilities	n/a
	4	Create environments that support and promote walking, cycling and public transport as integral elements of a sustainable transport system	+1
	5	Facilitate the provision of appropriate utility and transport infrastructure to support communities and businesses	n/a
	6	Encourage appropriate development of low carbon and renewable energy resources and energy infrastructure	?
	7	Support the safeguarding and sustainable use of natural resources where appropriate	-2
	8	Facilitate the sustainable management of waste	n/a
Economic	9	Direct new housing to economically viable and deliverable sites at sustainable locations	+2
	10	Support development that positions Swansea as an economically competitive place and an economic driver for the City Region	0
	11	Facilitate growth and diversification of the local economy and an increase in high value, skilled employment	n/a
	12	Reinforce and improve the City Centre as a vibrant regional destination for shopping, culture, leisure, learning and business	n/a
	13	Ensure Swansea represents a strong commercial investment opportunity for developers and other partners to deliver the Council's priority regeneration schemes	n/a
	14	Ensure that communities have a sufficient range and choice of good quality housing to meet a variety of needs and support economic growth	+2

	15	Promote and enhance a diverse and sustainable rural economy	-1
	16	Improve, expand and diversify appropriate sustainable tourism facilities and infrastructure	n/a
Environmental	17	Promote a sustainable development strategy that prioritises the re-use of appropriate previously developed land, avoids significant adverse environmental impacts and respects environmental assets	-1
	18	Preserve and enhance the County's high quality cultural and historic environments	-1
	19	Conserve and enhance the County's natural heritage	-2
	20	Maintain and enhance green infrastructure networks	-1
	21	Support measures to minimise the causes and consequences of climate change	?
	22	Promote good design that is locally distinct, sustainable, innovative and sensitive to location	?
	23	Support the development of safe, accessible and vibrant places and spaces	+1
	24	Create environments that encourage and support good health, well-being and equality	+1

### Stage 3B: Assessment Against SEA/SA Objectives

Key:	++	Will contribute to sustainability	+/-	Range of positive and negative effects
	+	Will result in some positive effects	0	Neutral effects
	-	Will have some negative/non-sustainable effects	?	Uncertain effects
	--	Will have a negative/non-sustainable effect	X	Not applicable to policy

1.	Promotion of sustainable development	+/-
2.	Maintain and enhance biodiversity resource and protected habitats and species.	-
3.	Increase community safety and sense of security	?
4.	Enable people to meet their housing needs and provide good quality housing	++
5.	Provide high quality, accessible lifelong learning opportunities which meet future needs	0
6.	Encourage an inclusive society and promote equality	+
7.	Support the development of Swansea as a competitive place and contribute to Swansea's role as a regional economic driver	+
8.	Promote and enhance the rural economy	-
9.	Support the development of the environmental goods and services sector.	?
10.	Create social and physical environments that encourage and support health and well-being.	+
11.	Protect soil resources	-
12.	Improve the quality of inland coastal water (surf zone) and rivers	--
13.	Promote the efficient use of water resources	?
14.	Ensure development respects constraints such as floodplains and unstable land	++
15.	Promote an integrated transport system and encourage sustainable travel and development patterns that do not cause significant harm to air quality	+
16.	Support adaptation and mitigation measures due to climate change	?
17.	Improvement in prudent and efficient use of energy	+
18.	Development of appropriate types of renewable energy resources	?
19.	Promote the sustainable management of waste in an integrated manner, aiming towards zero waste by 2050	?
20.	Efficient use of minerals that safeguard existing resources and promote the use of secondary aggregates over primary resources where appropriate.	++

21.	Protect and enhance the quality of the cultural and historic environment	-
22.	Maintain and enhance the quality and distinctiveness of the landscape, townscape and seascape.	-
<p><b>Comments</b></p> <p>#2 Likely negative effects on assets of local importance. Extended Phase 1 Habitat Survey required. Score could be improved once survey results known.</p> <p>#8 Likely negative effects on rural economy due to loss of low grade agricultural land (Grade 4)</p> <p>#12: Greenfield site which drains to Gowerton STW - Capacity issues and potential to impact on Carmarthen Bay SAC – links to HRA. Surface water flooding identified. Adjacent to the Main River Lliw &amp; associated floodplain - minimum of 7m development free buffer required to protect floodplain and allow for access for maintenance. Potential land contamination. Need to ensure no contamination enters watercourse during development and Greenfield run-off rates are achieved. Rescore when further information submitted;</p> <p>#16 Score ? as site borders C2 floodplain and NRW advise a 7m river buffer and adjacent C2 flood risk and on-site surface water flood risk. Rescore when further information re: site layout is submitted.</p> <p>#20 Not within aggregates or coal resource safeguarding area</p> <p>#21 Within WLSA 2 – requirement for cumulative impact of candidate sites within and adjacent to the ward on the Welsh Language to be assessed. Likely negative impact on archaeological asset. Glamorgan &amp; Gwent Archaeological Trust have requested a ‘watching brief’ on the proposed development adjacent to this site due to close proximity to Roman Road.</p> <p>#22 Development into open countryside. Likely negative impact on views in and out of site.</p>		

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**APPENDIX 4: PROPOSED ADDITIONAL AND ALTERNATIVE SITES**

# Candidate Site Assessment Report

<b>Reference</b>	LS021
<b>Name</b>	Heol Ddu Farm, Birchgrove
<b>Description</b>	A UDP housing allocation positioned on the gateway to Birchgrove from the M4. The site is adjoined by residential properties along the B4291 to the east and the A4230 (Peniel Green Road) to the south. The site also fronts onto the B4291 which offers a direct route to the M4. It is an irregular shaped plot which has a history of time-expired planning permissions for residential development. It has recently been cleared and is currently being marketed for development by the site owner.
<b>Size</b>	0.8Ha
<b>Existing Land use</b>	UDP Allocation
<b>Proposed Land Use</b>	Residential
<b>Location Plans</b>	OS Plan and Aerial (not to scale)

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### **Candidate Site Public Consultation: Summary of Representations**

The Candidate Site application was advertised on site in the form of site notices.

4 letters of objection were received which are summarised below:

Local plan incorrect, encroaches private property

- Lack of local services
- Inadequate drainage/flood risk
- Road infrastructure would not accommodate increased traffic
- Local schools at capacity
- Inadequate sewerage system
- Adverse impact on wildlife/loss of habitat

1 letter of comment was received which is summarised below:

- Concern regarding level of noise and privacy
- Adverse impact on quality of life

### **LDP Preferred Strategy Consultation: Summary of Representations**

No comments were received specifically regarding this site

### **LDP Draft Proposals Map Consultation: Summary of Representations**

No comments were received specifically regarding this site

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## Response to Representations

- The site boundary has been corrected
- The local health authority has not identified any capacity issues at local medical practices. If new facilities are required they could be delivered in conjunction with development being brought forward. New development also has a positive impact by increasing local populations, adding to the vitality/viability of settlements and helping to sustain and improve local services, facilities and businesses. Services at capacity will expand to meet demand. If improvement of facilities is required contributions can be sought from site developers
- Sustainable urban drainage scheme (SUDS) will need to be incorporated into development schemes as necessary. All new development needs to demonstrate that greenfield run –off will be achieved. No increase in surface water run-off would be permitted
- Vulnerable development such as residential may not be allocated in flood risk zones. All flood risk areas have been identified and excluded from consideration for development purposes. Incidents of localised surface water flooding have also been identified and any sites allocated at or near such areas will be required to incorporate appropriate remedial measures. Sustainable urban drainage scheme (SUDS) will be incorporated into development scheme as necessary. New development must demonstrate greenfield run off - no increase in surface water run-off will be permitted
- Impacts on water/sewerage infrastructure must be addressed through improvements incorporated into any development. There is an ongoing programme of surface water removal (from the foul sewerage system) throughout the County to increase capacity and help alleviate flooding. DCWW are statutorily required to include all necessary improvements to support new development in their statutory improvement plan and hydraulic modelling assessment will be required at application stage required to establish the potential impact on the water supply network and necessary improvements
- Highways /access improvements would be a condition of any development being brought forward in accordance with schemes agreed with the Highways Authority. Schemes could include road widening, footway provision, junction improvements, speed restrictions, etc and will depend on the specific requirements for each site
- The LDP is being prepared in close liaison with the Local Education Authority (LEA) who are fully aware of the potential additional pupil numbers likely to be generated and have made provision accordingly within the 21<sup>st</sup> century schools programme. Existing schools will be expanded where possible and new schools built as appropriate to accommodate the projected increase in pupil numbers. In West Swansea an ageing population profile and limited opportunities for new build housing/ under occupation of housing by increasingly elderly population will likely see a reduction in demand for school places from within existing catchments

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- 100% priority habitat sites have been filtered out of the site selection process. For all other sites an extended phase1 habitat survey would need to be undertaken to determine the habitat classifications, species lists and for the presence of protected species. Important features highlighted may require further survey at planning application stage, but do not preclude allocation at this stage. For example, most hedgerows will be protected under the Hedgerow Regulations (1997). A hedgerow assessment would need to be undertaken to determine the hedgerow quality and the findings would be taken into account when considering a site's development capacity. When wider issues need to be taken into account Any impact on European protected sites will be fully assessed as part of the Habitat Regulations Assessment (HRA)
  - The impact of development on adjacent properties would be a matter to be addressed through the detailed site layout at the application stage. Any development would need to respect the density, scale and character of adjoining development and have to have regard to the Places to Live Residential Design Guide SPG which sets out separation distances to ensure there is no detriment to privacy, amenity or any material increase in noise or other sources of pollution. The planning application process would not permit development that would result in harmful levels of pollution

**Key Stakeholder Consultations**

Internal Stakeholder	Comments
CCS Transportation	<p><u>Means of Access</u>: Access will need to be gained from the link road connecting Birchgrove Road with J44 of the M4</p> <p><u>Local Highway Conditions</u>: Traffic volume issues and some queuing along the site frontage during peak periods</p> <p><u>Accessibility</u>: There is a 20 min frequency service past the site</p> <p><u>Wider Issues / Combined effect</u>: There would be a need to consider affect on local congestion issues at peak times</p> <p><u>Restrictions</u>: Issues of congestion in peak times will need to be considered. It may be necessary for safety reasons to restrict access as left-in / left-out only at the site. This would require road realignment along the site frontage</p> <p><u>Transport Proposals</u>: None identified</p> <p><u>Further Information</u>: None required at present</p>
CCS Housing	<p>There is a requirement for affordable housing across all areas of Swansea and it will be important to maximise affordable housing delivery wherever possible. The SHMA identifies that around 4,200 homes are needed within this strategic housing policy zone over the LDP period</p>
CCS Biodiversity	<p>The area is covered by scrub, which may fall into the SINC category of Diverse scrub and mature trees. Scrub and mature trees have the potential for associated protected flora and fauna. An extended phase1 habitat survey would need to be undertaken to determine the habitats, species and the presence of any protected species. Important features highlighted may require further survey</p>
CCS Environmental Health	<p>Part over site 271 ex HEOL DDU PIT; unforseen contamination condition</p>
CCS Education	<p>Primary = Birchgrove. There is some surplus capacity and scope to extend the school due to the large site</p> <p>Secondary = Birchgrove. There is surplus capacity at the school to take increased pupils; however, the school is currently under review as part of the Secondary Stakeholder Forum</p>

External Stakeholder	Comments
Natural Resources Wales	No comments
Dwr Cymru	<p><u>Water Supply:</u> The local water supply network for this ward is sufficient to meet the projected growth promoted. However, for the large sites in particular, some modest off-site mains will be required to service the sites</p> <p><u>Waste:</u> Proposed developments in this ward ultimately drain to our Swansea Bay Waste Water Treatment Works. Based on the cumulative growth information provided for the residential, employment and the residential element of mixed sites, our assessment equates to a population in excess of circa 40,000 people. If all this growth is to be promoted in its entirety, then we will need to plan for future investment plans at the appropriate time</p>
Western Power	There is currently spare transformation capacity at each of the substations, which may be able to accommodate future load growth
Coal Authority	Tertiary Shallow Coal Resource Area: Mostly a Development Low Risk Area Minimal Coal Referral Area

### Stage 3A: Assessment Against LDP Objectives

Objective	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Score	-1	n/a	0	1	0	?	1	n/a	-1	0	n/a	n/a	n/a	-1	0	n/a	-1	?	-1	0	n/a	?	?	?

### Stage 3B: Assessment Against SEA/SA Objectives

Objective	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Score	+/-	-	?	-	0	+/-	+	0	?	+/-	-	+	?	-	+	x	+/-	?	?	++	?	?

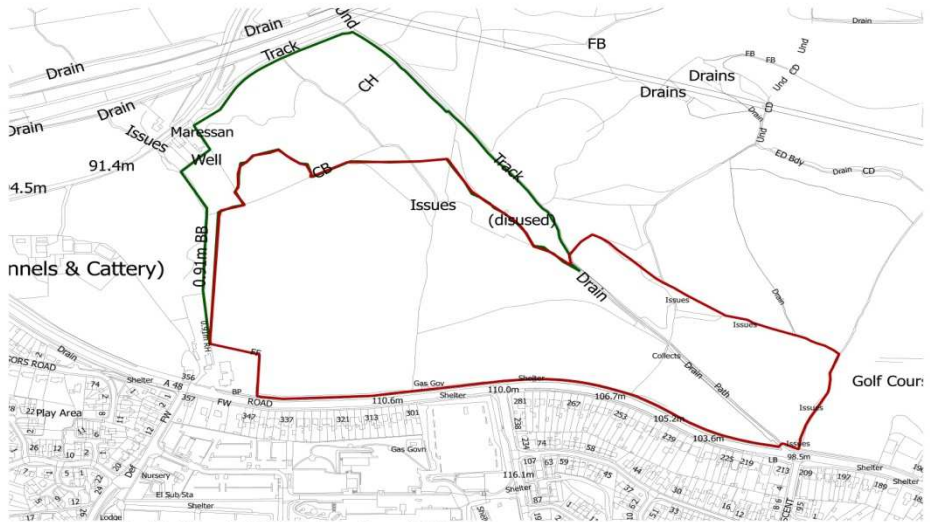
# Candidate Site Assessment Report

<b>Reference</b>	<b>MB005 (partly in Llangyfelach Ward)</b>
<b>Name</b>	<b>Land off Clasemont Road, Morrision</b>
<b>Description</b>	Extensive wedge –shaped area of land comprising a number of field parcels sloping down between Clasemont Road and the M4 west of Morrison Golf Club. Approximately 15ha is being proposed for development as part of strategic site release for up to 600 primarily terrace style dwellings, plus new build primary school and some mixed commercial uses fronting Clasemont Rd and a nature reserve/wetland area to the north abutting the motorway (delineated in green on the plans below). An expansion of the eastern edge of the site to encompass a part of Morrision Golf Course is proposed which would provide an additional 75 units, thereby increasing the capacity to 675 units. This area of land is on a short lease to the Golf Club who are aware of the proposal and able to remodel the course accordingly. The expanded area would provide an additional point of access onto Clasemont Road
<b>Size</b>	21.5 (candidate site) + 4.5 (proposed additional area) = 25 Ha Total
<b>Existing Land use</b>	Agricultural
<b>Proposed Land Use</b>	Residential and Local Wildlife Area
<b>Location Plans</b>	OS Plan and Aerial (not to scale)

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## **Candidate Site Public Consultation: Summary of Representations**

The Candidate Site application was advertised on site in the form of site notices.

12 letters of objection were received which are summarised below:

- Increased traffic on already congested roads
- Main access route to crematorium, Morriston hospital and DVLA
- Loss of green space
- Already overcapacity of residential properties
- Loss of agricultural land
- Old mine workings including capped mine shafts on site
- Adverse visual impact
- Highway safety
- Lack of local services e.g. schools, medical practices and utilities etc.
- Adverse impact on wildlife/habitat
- Increase pollution
- Possible flood risk
- Inappropriate size and scale
- Three streams on site and land is essentially wet
- Loss of open space
- Possible increase in crime
- Would seriously affect quality of life
- Provides a significant 'green lung' in the area

## **LDP Preferred Strategy Consultation: Summary of Representations**

No comments were received specifically regarding this site.

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## LDP Draft Proposals Map Consultation: Summary of Representations

32 letters of objection were received which are summarised below:

- increased traffic onto the busy, heavily congested Clasemont Road – causing safety issues and further delays to those already associated with DVLA and Morriston Hospital
- Increased traffic will increase pollution
- Inadequate highways surrounding the site
- The land forms a green wedge between communities.
- Local services already oversubscribed
- Infrastructure unable to cope with population increase
- Local schools are overflowing
- Provision for secondary school children unclear
- Impact on/loss of greenspace and wildlife
- Suggested wildlife conservation area is patronising
- Local flooding issues

## Response to Representations

- Upon commencement of preparation of a new development plan all existing policies and previous decisions (e.g. current UDP designations) are subject of review and moreover the UDP policies will have no status upon expiry of that plan from Nov 2016. Consultation on an initial review of green wedge, open countryside and settlement boundaries has recently been undertaken and will inform the LDP Deposit Plan
- Green wedges unlike Green Belts are only temporary in nature and around 40% the new housing to be allocated in the LDP will have to be on land currently designated as green wedge, as there is insufficient land available within existing settlement boundaries to meet all future demand.
- Acknowledge traffic congestion is an issue along the frontage and leading to J46 at peak times and also at Morriston cross. A full Transport Assessment is required to determine affect on local congestion issues. With regard to highway safety, access will need to be carefully located and will likely require a right turn lane. Individual plot access directly from Clasemont Road frontage should be avoided. No major constraints identified.



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- Its development would not constitute a loss in Fields in Trust provision. Opportunity to make parts of the land accessible open space as part of the development. Site is not classed as Accessible Natural Greenspace and its loss would not result in a deficiency of provision.
  - The SHMA identifies that around 2100 homes are needed within this strategic housing policy zone over the LDP period. There is a requirement for affordable housing across all areas of Swansea and it will be important to maximise affordable housing delivery wherever possible.
  - The site is grade 4 agricultural land. There is no indication that the sites loss would undermine the viability of the farm holding.
  - As part of any development proposal being brought forward, a ground conditions survey would need to be undertaken on this site in order to ensure all evidence of ground instability/former mining activity is identified.
  - Any development would need to comply with adopted residential design guidance SPG. <http://www.swansea.gov.uk/spg> which seeks to encourage and support the creation of more sustainable communities and addresses issues such as size, scale, density and visual and environmental impact.
  - The LDP is being prepared in close liaison with the Local Education Authority (LEA) who are fully aware of the potential additional pupil numbers likely to be generated and have made provision accordingly within the 21<sup>st</sup> century schools programme. Existing schools will be expanded where possible and new schools built as appropriate to accommodate the projected increase in pupil numbers.
  - The site is located more than 1 km from local services. Development of this scale would necessitate the provision of local services, facilities and infrastructure in order to develop new sustainable communities.
  - No major constraints identified. This site contains Species-rich Purple Moor-grass and Lowland Mixed Deciduous Woodland, which are habitats of principal importance for the conservation of biological diversity in Wales under the natural environment and rural communities act (2006). Proposed development seeks to mitigate ecological impact, retaining some of area as a nature reserve. Public open space, paths and cycleways will also be included within the development.
  - No indication of significant pollution (including noise) issues. The planning application process would not permit development that would result in harmful levels of pollution.
  - Some surface water flooding identified, but not a major constraint. All new development needs to demonstrate greenfield run-off. No increase in surface water run-off would be permitted. Mitigation measures required in the drainage design to minimise impacts on the hydrology of the wetland areas. Attenuation ponds connected to the wetlands are recommended by the supporting Hydrogeological Study.
  - Any new development would be built to design out crime in accordance with the Council's Planning for Community Safety SPG <http://www.swansea.gov.uk/spg>

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- Development may improve quality of life for residents by providing a range and choice of houses to enable people to stay within the community, improve community facilities/services, contribute to new open space provision and establish a new sustainable community in the area.
  - The proposed nature reserve would provide a facility which does not currently exist and would provide additional and improved opportunities to access the area. Local residents have no rights to use the land as recreational space at present apart from the right of way along the northern boundary of the site

## Key Stakeholder Consultations

Internal Stakeholder	Comments
CCS Transportation	<p><u>Means of Access:</u> The site can be accessed from Clasemont Road.</p> <p><u>Local Highway Conditions:</u> Traffic congestion is an issue along the frontage and leading to J46 at peak times. Traffic congestion is also an issue at Morriston cross.</p> <p><u>Accessibility:</u> There is a 10 min and 60 min frequency service past the site.</p> <p><u>Wider Issues / Combined effect:</u> Possible traffic issues at J46 and at Morriston cross.</p> <p><u>Restrictions:</u> Access will need to be carefully located and will likely require a right turn lane. Individual plot access directly from Clasemont Road frontage should be avoided. A full Transport Assessment will be required to determine affect on local congestion issues.</p> <p><u>Transport Proposals:</u> None identified.</p>
CCS Housing	<p>The SHMA identifies that around 2100 homes are needed within this strategic housing policy zone over the LDP period</p> <p>There is a requirement for affordable housing across all areas of Swansea and it will be important to maximise affordable housing delivery wherever possible.</p>
CCS Biodiversity	<p>This site contains Species-rich Purple Moor-grass and Lowland Mixed Deciduous Woodland, which are habitats of principal importance for the conservation of biological diversity in Wales under the natural environment and rural communities act (2006).</p>
CCS Environmental Health	No comments
CCS Education	<p><u>Llangyfelach Primary:</u> There is Limited surplus capacity and no scope to extend. This site would generate a new school</p> <p><u>Morriston Comprehensive:</u> New build has been completed. There is some capacity to take increase in pupil numbers, however all the developments proposed for Morriston catchment will take this school over capacity. Therefore investment required</p>

External Stakeholder	Comments
Natural Resources Wales	<p>No sewer. Outside sewer catchment area. Nearest STW is Gowerton -MOU issues. <i>(NB: see DCWW comments – site actually drains to Swansea Bay STW)</i></p> <p>Possible BAP Habitat. Hedgerows and boundaries tend to be made up of mature trees. Some rush dominated areas and one small block of woodland. Provides good connectivity. Nearby records for badger. The Phase 1 map classifies the site are a mixture of improved &amp; semi-improved grasslands. Likely to be utilised by bats for foraging and flight lines. The Phase 1 map classifies the site are a mixture of improved &amp; semi-improved grasslands.</p> <p>Land drainage -watercourses on site.</p> <p>Possible contamination from former uses (shaft, etc.).</p>
Dwr Cymru	<p><u>Water Supply:</u>  <u>Initial Comments for Candidate Sites in the Ward:</u> The local water supply network for this ward is sufficient to meet the projected growth promoted. However, for the large sites in particular, some modest off-site mains will be required to service the sites.</p> <p><u>Site Specific Comments on the Draft Proposals Map:</u> The proposed development site is in an area where there are water supply problems for which there are no improvements planned within our current AMP Programme. In order to establish what would be required to serve the site with an adequate water supply, an assessment on the water supply network will be required. The site is crossed by a water main for which protection measures, either in the form of an easement and / or diversion may be required.</p> <p><u>Waste:</u>  <u>Initial Comments for Candidate Sites in the Ward:</u> Proposed developments in this ward ultimately drain to our Swansea Bay Waste Water Treatment Works. Based on the cumulative growth information provided for the residential, employment and the residential element of mixed sites, our assessment equates to a population in excess of circa 40,000 people. If all this growth is to be promoted in its entirety, then we will need to plan for future investment plans at the appropriate time.</p>
	<p><u>Site Specific Comments on the Draft Proposals Map:</u> Due to the size of the public sewerage</p>

	<p>system in this area and the likely demands from the proposed allocation it is unlikely the public sewers will be adequate to accommodate the site. A hydraulic modelling assessment will be required to understand the point of connection and/ or any potential improvements required.</p> <p>Swansea Bay Waste Water Treatment Works capacity – ok.</p>
Western Power	No comments received
Coal Authority	<p>Mining legacy - PRUG – Unrecorded probable historic underground workings at shallow depth And approximately 2 mine entries in centre of east</p> <p>Partly in Coal Referral Area – affects wetland and nature reserve area</p>
Llangyfelach Community Council	<p>The site is part of the green wedge which includes Morrison Golf Course and is situated on the north side of Clasemont Road which forms a green wedge between Llangyfelach, Morrison and the commons to the North of the site. Clasemont Road is the principal access road and with the volume of traffic from and to the DVLA and Morrison Hospital is extremely busy. Additional vehicles from this proposal would exasperate this problem. Any development of this size would have an adverse effect on the provision of educational facilities, which are stretched to the limits in this area.</p>
Councillor Gareth Sullivan	<p>Again, this site straddles the Llangyfelach Ward boundary, in that encroaches on to properties on Pantlassau Road. The area of land outlined, is a vast green area and the area butting Nant Y Gors cottage properties is common land. As such, it is the responsibility of Local Common Land owners, administered on their behalf by a local Agent.</p> <p>The indication that 750 properties could be built on this area of land beggars belief. The present traffic management infrastructure would never sustain such a development. The development on such a large scale will result in the loss of a buffer between communities.</p>

**Stage 3A: Assessment Against LDP Objectives**

<b>Objective</b>	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
<b>Score</b>	1	n/a	?	1	n/a	?	-2	n/a	2	1	n/a	n/a	1	2	-1	n/a	-2	0	-1	-1	n/a	?	1	1

**Stage 3B: Assessment Against SEA/SA Objectives**

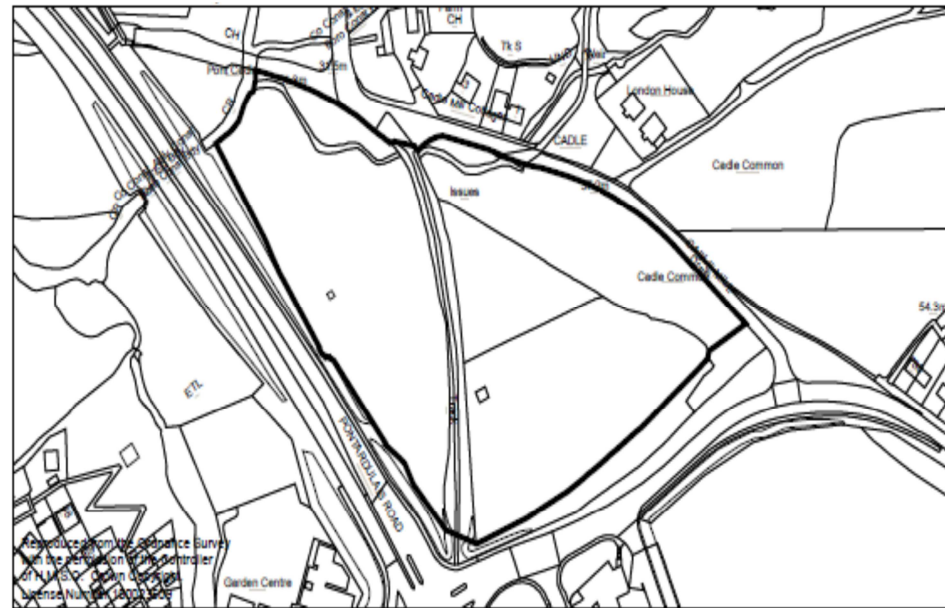
<b>Objective</b>	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
<b>Score</b>	+/-	+/-	?	+/-	0	+	++	-	?	+/-	-	-	?	+	+	x	+/-	?	?	--	++	+/-

# Candidate Site Assessment Report



<b>Reference</b>	<b>PD001</b>
<b>Name</b>	<b>Land at Cadle, Pentregethin Road, Fforestfach</b>
<b>Description</b>	Roughly triangular shaped area of land bounded by Pontarddulais Rd dual carriageway to the SW, Pentregethin Rd to the SE and Cadle Mill to the north. Lies to the NW of Pontarddulais Rd Retail Park. Comprises 4 field parcels the largest runs parallel to Pontarddulais Rd and is crossed west to east through its centre by HV electricity lines, including a pylon within the site. To the east separated by a public footpath are 3 small field parcels each bounded by mature hedgerows/woodland. The land is currently used for pasture and slopes down to the NW.
<b>Size</b>	3.3 Ha
<b>Existing Land use</b>	Pasture Land
<b>Proposed Land Use</b>	Residential/mixed use commercial (amended from original CS proposal for Employment – amendment advertised as part of Draft Proposals Map Dec 2014 for around 50 units)
<b>Location Plans</b>	OS Plan and Aerial (not to scale)

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## Candidate Site Public Consultation: Summary of Representations

The Candidate Site application was advertised on site in the form of site notices.

- 4 letters of objection were received which are summarised below:  
Increased pollution
- Increased traffic and congestion
- Flood risk
- Increased noise
- Adverse impact on wildlife/habitat
- Adverse impact on health and wellbeing
- Common land

## LDP Preferred Strategy Consultation: Summary of Representations

- No comments were received specifically regarding this site.

## LDP Draft Proposals Map Consultation: Summary of Representations

- No comments were received specifically regarding this site.

## Response to Representations

- The NE portion of the site is part of Cadle Common. It would provide a setting for the entrance to the site, but it could be brought forward for development if appropriate compensatory common land could be identified nearby
- Lowland Mixed Deciduous Woodland is a habitat of principal importance for the conservation of biological diversity and would need to be retained as far as possible as part of any development scheme
- There is a flood risk constraint within the extreme NW corner of the site which would need to be mitigated. Greenfield run off would need to be achieved and any existing surface water run off mitigated
- A high traffic generating use would require road/junction improvements to be undertaken to help alleviate existing congestion in the vicinity



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- Noise/pollution would depend on the nature of the end use but unlikely to arise from proposed uses and would not be an issue for housing. Any new development would be required to be designed to mitigate any noise/pollution disturbance arising and/or generated from traffic on adjoining dual carriageway
  - Footpath crossing the site would need to be retained as part of any development proposal – this is the only public access to the land so would not impact on opportunities for recreation for health and well-being purposes

## Key Stakeholder Consultations

Internal Stakeholder	Comments
CCS Transportation	<p><b>Means of Access:</b> The site could be accessed from Cadle Mill (subject to improvements) and Pentregethin Road subject to siting.</p> <p><b>Local Highway Conditions:</b> Highly congested during peak periods. Some road improvements necessary depending on access option. There is a highway running through the site which will need to be accommodated.</p> <p><b>Accessibility:</b> There is a 10 min frequency service past the site.</p> <p><b>Wider Issues / Combined effect:</b> Considerable congestion at the Pontardulais Road traffic signal junction. Improvements may be necessary.</p> <p><b>Restrictions:</b> A high traffic generating use could not be accommodated due to limited capacity at the adjacent junction.</p>
CCS Housing	There is a requirement for affordable housing across all areas of Swansea and it will be important to maximise affordable housing delivery wherever possible. The SHMA identifies that around 2100 homes are needed within this strategic housing policy zone over the LDP period.
CCS Biodiversity	The site contains Lowland Mixed Deciduous Woodland supporting an assemblage of ancient woodland indicator species. Lowland Mixed Deciduous Woodland is a habitat of principal importance for the conservation of biological diversity in Wales under the natural environment and rural communities act (2006)
CCS Environmental Health	No issues
CCS Education	<p><b>Cadle Primary;</b> Aspiration has always been to bring the Early Years block, which is stand alone to the main school, into the main school building as a new extension. The site is capable of an extension, and any development sites in this area would require such an extension to the school.</p> <p><b>Dylan Thomas Secondary</b> All of the secondary schools in the West of Swansea are currently under review as part of the ongoing Secondary Stakeholder Forum. Whilst there is scope to extend the school, careful consideration needs to be given to the impact of not being able to extend the next nearest secondary i.e. Olchfa. There are major concerns over access to the site, particularly as many pupils are transported by bus (costs could increase if some of these sites are brought forward and there is no infrastructure to support any increased vehicles to the site).</p>

External Stakeholder	Comments
Natural Resources Wales	<p>Part of the north-eastern section of the site appears to be registered as common land. Site within Zone C2. Gowerton STW &amp; MOU. Within Gowerton STW catchment area- MOU issues</p> <p>Aerials photographs show the site is divided into several fields by wide mature hedgerows, which provide good connectivity. A watercourse passes through the north of the site. This should remain open and not be culverted. The Phase 1 map classifies sections of the site as semi-improved / marshy grassland.</p> <p>Moderate WFD- River Llan.</p> <p>River Llan to north of site and north of site lies in Zone C2.</p>
Dwr Cymru	<p><u>Water Supply:</u> Initial Comments for Candidate Sites in the Ward: The local water supply network for this ward is suffice to meet the projected growth promoted. However, for the large sites in particular, some modest off-site mains will be required to service the sites.</p> <p>Subsequent Site Specific Comments on the Draft Proposals Map: The proposed development site is in an area where there are water supply problems for which there are no improvements planned within our current AMP Programme. In order to establish what would be required to serve the site with an adequate water supply, an assessment on the water supply network will be required. The site is crossed by a water main for which protection measures, either in the form of an easement and / or diversion may be required.</p> <p><u>Waste:</u> Initial Comments for Candidate Sites in the Ward: Proposed developments in this ward ultimately drain to our Swansea Bay Waste Water Treatment Works. Based on the cumulative growth information provided for the residential, employment and the residential element of mixed sites, our assessment equates to a population in excess of circa 40,000 people. If all this growth is to be promoted in its entirety, then we will need to plan for future investment plans at the appropriate time.</p> <p><i>Amended Welsh Water Comments (31.03.14) - Proposed developments in this ward ultimately drain to our Gowerton Waste Water Treatment Works. Based on the cumulative growth</i></p>

	<p><i>information provided for the residential, employment and the residential element of mixed sites, our assessment equates to a population in excess of circa 35,000 people. If all this growth is to be promoted in its entirety, then we will need to plan for future investment plans at the appropriate time.</i></p> <p>Subsequent Site Specific Comments on the Draft Proposals Map: No problems envisaged with the public sewerage system for domestic foul flows from this proposed development site. The site is crossed by numerous public sewers for which protection measures, either in the form of an easement and/ or diversion may be required</p> <p>Gowerton Waste Water Treatment Works - Limited capacity</p>
Western Power	There is currently spare transformation capacity at each of the substations, which may be able to accommodate future load growth.
Coal Authority	No coal mining legacy features identified by the Coal Authority.

**Stage 3A: Assessment Against LDP Objectives**

Objective	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Score	1	n/a	n/a	1	n/a	?	-2	n/a	1	0	n/a	n/a	n/a	1	-1	n/a	-2	?	-1	-1	-1	?	?	1

**Stage 3B: Assessment Against SEA/SA Objectives**

Objective	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Score	+/-	-	?	+	0	+	+	-	?	+/-	-	--	?	-	+/-	?	+	?	?	--	+/-	?

# Candidate Site Assessment Report



<b>Reference</b>	PD024
<b>Name</b>	Land at Milford Way
<b>Description</b>	Irregular shaped area of land, allocated for housing in UDP (HC1 (35) refers) for 100units. Slopes gradually down from north to south and divided east to west across the centre of the site by Milford Way which is currently closed off to vehicular traffic. Relatively featureless site currently used for horse grazing. Revised proposal for <u>northern part of the site only</u> to provide connection/link through to adjoining Strategic Site PD039
<b>Size</b>	1.585 Ha
<b>Existing Land use</b>	Undeveloped Housing allocation – Vacant Land
<b>Proposed Land Use</b>	Residential to north of Milford Way and open space to south
<b>Location Plans</b>	OS Plan and Aerial (not to scale)

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## Candidate Site Public Consultation: Summary of Representations

The Candidate Site application was advertised on site in the form of site notices.

3 letters of objection were received which are summarised below:

- Devaluation of property
- Increased litter/fly-tipping
- Increased anti-social behaviour and vandalism
- Increased traffic
- Loss of recreational space

## LDP Preferred Strategy Consultation: Summary of Representations

- No comments were received specifically regarding this site.

## LDP Draft Proposals Map Consultation: Summary of Representations

- No comments were received relating to Penderry Ward

## Response to Representations

- Site is a longstanding allocated development site. It is not a formal recreational area. Any development proposal would include designated recreational areas/space
- There is no Highway Authority objection to development of this site
- Development of the site would reduce current fly-tipping/ litter problems on the site
- Devaluation of property is subjective and not a material planning consideration. Linkage with the predominantly market housing strategic site to the NE is actually likely to see a rise in property values in closest proximity
- New development will conform to community safety guidelines and should lead to a drop in anti-social behaviour and vandalism

## Key Stakeholder Consultations

Internal Stakeholder	Comments
CCS Transportation	<p><b><u>Means of Access:</u></b> The site can be accessed from Milford Way.</p> <p><b><u>Local Highway Conditions:</u></b> The section of Milford Way currently serving the site is presently restricted to prohibit access through linking to Woodford Road roundabout.</p> <p><b><u>Accessibility:</u></b> There is a 10 min frequency service 70m from the site.</p> <p><b><u>Wider Issues / Combined effect:</u></b> None identified in this vicinity.</p> <p><b><u>Restrictions:</u></b> Dependant on development detail and traffic generation. The necessity for opening up the link through Milford Way leading to Mynydd Newydd will need to be considered.</p>
CCS Housing	<p>There is a requirement for affordable housing across all areas of Swansea and it will be important to maximise affordable housing delivery wherever possible. The SHMA identifies that around 2100 homes are needed within this strategic housing policy zone over the LDP period.</p>
CCS Biodiversity	<p>The site contains species-rich Purple Moor grass and Rush pasture and scrub. Purple Moor grass and Rush pasture is a habitat of principle importance for the conservation of biological diversity in Wales under the NERC Act (2006)</p>
CCS Environmental Health	<p>No issues</p>
CCS Education	<p><b>Portmead Primary</b> is currently listed as a priority project under Band A of the SOP for amalgamation with Blaenymaes. Any new sites in this area may require consideration of a new site for the new primary school. There is no capacity in Welsh medium primary.</p> <p><b>Bishop Gore</b> catchment. All of the secondary schools in the West of Swansea are currently under review as part of the ongoing Secondary Stakeholder Forum. Whilst there is scope to extend the school, careful consideration needs to be given to the impact of not being able to extend the next nearest secondary i.e. Olchfa (see points under Olchfa). There are major concerns over access to the site, particularly as many pupils are transported by bus (costs could increase if some of these sites are brought forward and there is no infrastructure to support any increased vehicles to the site).</p>

External Stakeholder	Comments
Natural Resources Wales	No comments
Dwr Cymru	<p><b><u>Initial Comments for Candidate Sites in the Ward</u></b></p> <p><u>Water Supply</u>: The local water supply network for this ward is suffice to meet the projected growth promoted. However, for the large sites in particular, some modest off-site mains will be required to service the sites.</p> <p><u>Waste</u>: Proposed developments in this ward ultimately drain to our Gowerton Waste Water Treatment Works. Based on the cumulative growth information provided for the residential, employment and the residential element of mixed sites, our assessment equates to a population in excess of circa 35,000 people. If all this growth is to be promoted in its entirety, then we will need to plan for future investment plans at the appropriate time.</p>
Western Power	There is currently spare transformation capacity at each of the substations, which may be able to accommodate future load growth.
Coal Authority	No comments



**Stage 3A: Assessment Against LDP Objectives**

Objective	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Score	-1	n/a	n/a	1	n/a	?	-2	n/a	-2	0	n/a	n/a	n/a	1	-1	n/a	-1	0	-1	-1	n/a	?	-1	-1

**Stage 3B: Assessment Against SEA/SA Objectives**

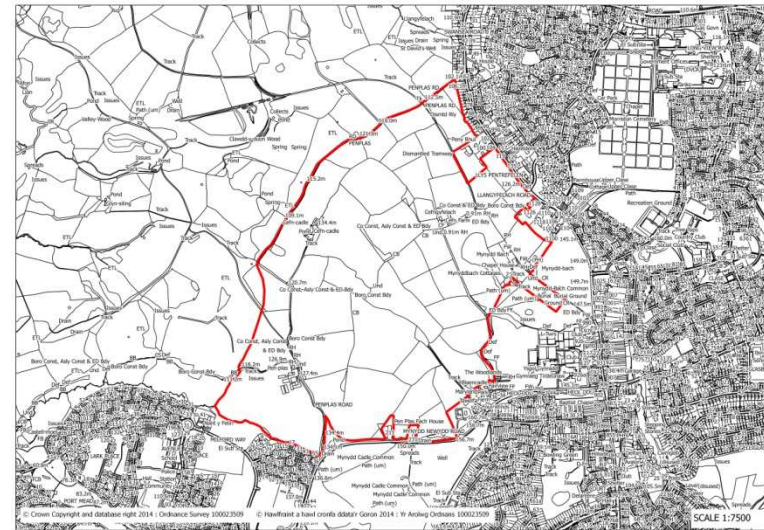
Objective	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Score	+/-	-	?	-	0	-	?	-	?	+	-	-	?	++	+	x	+	?	?	--	0	?

# Candidate Site Assessment Report



<b>Reference</b>	PD039
<b>Name</b>	<b>Land North of Mynydd Newydd Road, Penderry</b>
<b>Description</b>	Large (Strategic scale) site located to the north of Mynydd Newydd Road and west of Swansea Road/Llangyfelach Rd capable of accommodating 750 – 1350 dwellings, plus recreational and community facilities including a new school. Encompasses surrounding candidate sites, including <b>MB004</b> which is the likely main access point off Llangyfelach Road as well as Mynydd Bach Common ( <b>PD019</b> ) and abuts land north of Milford Way ( <b>PD024</b> ). The northern boundary of the site extends up to Penplas Road, beyond which is the location of the proposed Royal Fern Golf Course (LF015). The site is primarily low grade agricultural land containing two farms and one haulage company yard on short term leases. The land gently slopes down from south to north, falling away to the northern and western boundaries. The site straddles three wards including Llangyfelach and Mynyddbach, but the majority of the site lies within Penderry
<b>Size</b>	116.7Ha
<b>Existing Land use</b>	Agricultural land
<b>Proposed Land Use</b>	Residential – Strategic Site
<b>Location Plans</b>	OS Plan and Aerial (not to scale)

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### **Candidate Site Public Consultation: Summary of Representations**

Not consulted upon – site identified at later stage

### **LDP Preferred Strategy Consultation: Summary of Representations**

No specific comments received relating to this site

### **LDP Draft Proposals Map Consultation: Summary of Representations**

1 letter of objection received to the size and location of the development on the following grounds:

- Potential to adversely affect the traffic in the area
- Puts pressure on Penllergaer Forest
- Destroys a large greenfield site
- Harm to the village character of Llangyfelach.
- A brownfield site located nearby, in-between Milford Way and Mynydd Newydd Road has not been considered for development
- The whole natural environment, character and semi-rural composition of the area will be destroyed.
- People who have bought homes in the area have paid large sums of money for their properties due to its location and views
- Potential to decrease property prices.

2 letters of support received from planning consultants which are summarised below:

- The Strategic Site is located on the edge of Llangyfelach, and is therefore a sustainable location to accommodate additional growth and to provide new homes.
- There is a clear need for additional allocations within Swansea to meet identified need for both market and affordable housing
- We support the Draft LDP Proposals Maps which make provision for the allocation of the site put forward at Land west of Llangyfelach Road for a 'Residential Led Strategic Site'

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## Response to Representations

- The population of Swansea is growing year on year; there is a shortage of housing land, and lack of affordable housing in all areas. The Council is statutorily required to meet housing needs over the plan period and the evidence base, including the strategic housing market assessment, population projections, etc identify that provision should be made for 17,000 additional homes. Not all of this development can be accommodated on brownfield sites and greenfield releases of land are an inevitable consequence. The brownfield site near Milford Way has been an allocated development site for over twenty years. There is no interest by the development industry in bringing the site forward as it is considered unviable. Consequently whilst there is no objection to development at this location it cannot be treated as contributing to the housing land supply for the purposes of the LDP
- Upon commencement of preparation of a new development plan all existing policies and previous decisions (e.g. current UDP designations) are subject of review and moreover the UDP policies will have no status upon expiry of that plan from Nov 2016. Consultation on an initial review of green wedge, open countryside and settlement boundaries has recently been undertaken and will inform the LDP Deposit Plan
- The impact of development on adjacent properties would be a matter to be addressed through the detailed site layout at the application stage. Any development would need to respect the density, scale and character of adjoining development and have to have regard to the Places to Live Residential Design Guide SPG which sets out separation distances to ensure there is no detriment to privacy, amenity or any material increase in noise or other sources of pollution. The planning application process would not permit development that would result in harmful levels of pollution. Potential noise/disturbance during construction is not a material planning consideration and is subject of separate legislative control
- Highways /access improvements would be a condition of any development being brought forward in accordance with schemes agreed with the Highways Authority. Schemes could include road widening, footway provision, junction improvements, speed restrictions, etc and will depend on the specific requirements for each site. The council have commissioned a Strategic Highway Network Assessment which will inform the detailed masterplanning process
- The local health authority has not identified any capacity issues at local medical practices. If new facilities are required they could be delivered in conjunction with development being brought forward. New development also has a positive impact by increasing local populations, adding to the vitality/viability of settlements and helping to sustain and improve local services, facilities and businesses. Services at capacity will expand to meet demand. If improvement of facilities is required contributions can be sought from site developers

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- Creating new places which foster the health and wellbeing of both existing and future residents as well as residents of existing adjoining communities is a key objective for the LDP. In the case of strategic sites (which constitute around 60% of new allocations), this is achieved through a process of detailed masterplanning which seeks to ensure appropriate levels of provision of community services and facilities; this includes education, healthcare, open space/green infrastructure networks, etc. It also includes addressing all health and well-being constraints identified on a site, such as pollution, unstable/ contaminated land and surface water flooding. The close location of this site to Penllergaer Woods is intentional to provide future residents with recreational health and well-being benefits
  - The Council will continue to work with the key development partners to produce a detailed masterplan for the strategic site which will consider the issues raised through the consultation process.
  - Loss of view and devaluation of property prices are not material planning considerations. Adjoining residents have no right of view over the land and any price paid for property on this basis has been inflated above market value.

## Key Stakeholder Consultations

Internal Stakeholder	Comments
CCS Transportation	<p><b>Relating to MB004 ( first phase)</b></p> <p><u>Means of Access:</u> The site can be accessed from Llangyfelach Road.</p> <p><u>Local Highway Conditions:</u> Traffic speed is an issue along this section of Llangyfelach Road.</p> <p><u>Accessibility:</u> There is a 30 min frequency service past the site.</p> <p><u>Wider Issues / Combined effect:</u> Possible traffic issues at J46 and traffic signals in Treboeth depending on quantum of development.</p> <p><u>Restrictions:</u> Access will need to be carefully located and will likely require a right turn lane. Individual plot access directly from Llangyfelach Road frontage should be avoided.</p> <p><b>Updated Comments – Re Possible Increase In Quantum Of Units Over Plan Period To 1350 Units</b></p> <p>With reference to a possible increase in the number of dwellings to be accommodated, there is a need for a formal Transport Assessment to be submitted in support of the site. Early indications are that a link road may be possible connecting two points of access and this could be of benefit in reducing congestion at the nearby Caersalem traffic lights. The traffic impact will need to be assessed and the Transport Assessment together with the Swansea Strategic Transport Model will likely guide the extent of development that can be accommodated. Junction improvements are likely required to address local congestion issues and ensure adequate capacity for any additional demand.</p>
CCS Housing	<p>Part in North and part in Gtr NW SHPZ</p> <p><b>North:</b> The SHMA identifies that around 2100 homes are needed within this strategic housing policy zone over the LDP period.</p> <p><b>Greater North West</b> The SHMA identifies that around 4,600 homes are needed within this strategic housing policy zone over the LDP period.</p>

CCS Biodiversity	<p>Would need an extended phase 1 survey including a bat survey if buildings were to be demolished. Contains parts of the Mynydd Bach and Portmead SINCS possible significant ecological constraint on parts of the site</p> <p>Much of the area appears to be improved grassland which may have a relatively low ecological value there are though a series of hedges and small patches of woodland which will have value. The key areas are the Mynydd Bach and Port Mead SINCS parts of which fall within the red line, I think considering the size of the area the common should be excluded from the site. A full ecological survey would be required and there would need to be some significant mitigation / compensation</p>
CCS Environmental Health	No Comments
CCS Education	<p><u>Gwyrosydd Primary</u>: Limited surplus capacity and no scope to extend due to the constraints and topography of the site.</p> <p>Llangyfelach Primary is a relatively small school on a restricted site with limited scope for expansion.</p> <p><u>Portmead Primary</u>: There is some capacity at this school; however this development would exceed the school capacity. This development would require a New Primary and Secondary School</p> <p><u>Bishop Gore Comprehensive</u>: All developments proposed in the catchment for Bishop Gore would far exceed its capacity. There is a proposed school catchment review.</p>
<b>External Stakeholder</b>	<b>Comments</b>
Natural Resources Wales	<p>Foul to Gowerton STW- MOU issues.</p> <p>Aerial photographs of the site show that it is crossed by a network of hedgerows, providing connectivity across the site. Any development should seek to maintain or provide such opportunities. This larger Strategic Site contains several existing PRow's. The Phase 1 maps classify the majority of the site as improved grassland, with a small number of semi-improved parcels. Penplas Grasslands SSSI is located just to the north of the site.</p> <p>Moderate WFD. Also site close to historic landfill site at Penplas Fawr Farm. There are watercourses on site.</p> <p>Aquifer present. All foul to mains system.</p>

Dwr Cymru	<p><u>Site Specific Comments on the Draft Proposals Map:</u></p> <p>A water supply can be made available to service the proposed development site. However, an assessment may be required, in particular for the larger densities, to understand the extent of off-site mains required. The site is crossed by several water mains for which protection measures, either in the form of an easement and / or diversion may be required.</p> <p>Due to the size of the public sewerage system in this area and the likely demands from the proposed allocation it is unlikely the public sewers will be adequate to accommodate the site. A hydraulic modelling assessment will be required to understand the point of connection and/ or any potential improvements required. The site is crossed by a public sewer for which protection measures, either in the form of an easement and/ or diversion may be required.</p> <p>Gowerton Waste Water Treatment Works - Limited capacity</p>
Western Power	There is currently spare transformation capacity at each of the substations, which may be able to accommodate future load growth.
Coal Authority	Mining legacy - Shallow – Recorded shallow coal workings and approximately 9 mine entries on east, south and west
Llangyfelach Community Council	<p>The Council are of the opinion that of the 3 sites in or partially in the Llangyfelach Ward none of them can be supported due to the lack of current infrastructure, especially in the case of the inadequate highway provisions</p> <p>The Council request that if all of the aforementioned large sites, are pursued, then in addition to the improvement of the infrastructure referred to above, then each site has adequate provision for shopping, new education facilities e.g. schools, recreation &amp; sports facilities, libraries, etc. etc. together with the provision of green areas with the sites.</p>



**Stage 3A: Assessment Against LDP Objectives**

Objective	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Score	2	n/a	1	1	2	?	-2	n/a	2	2	n/a	n/a	n/a	2	0	n/a	-2	0	-2	-2	n/a	?	2	2

**Stage 3B: Assessment Against SEA/SA Objectives**

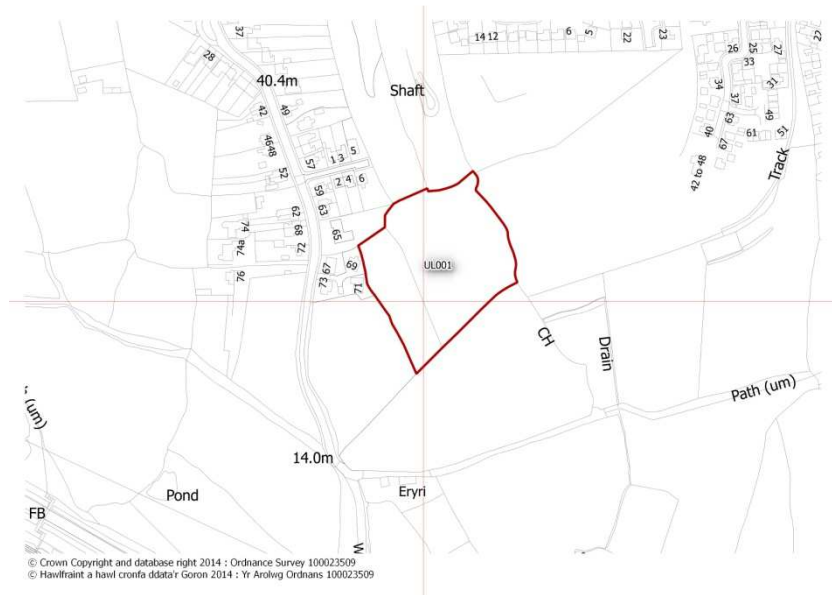
Objective	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Score	+/-	--	?	++	?	++	++	-	?	?	--	--	?	-	+/-	x	+/-	?	?	--	0	?

# Candidate Site Assessment Report



<b>Reference</b>	<b>UL001</b>
<b>Name</b>	<b>Fields east of Waun Road, Loughor and south west of former Cae Duke Colliery</b>
<b>Description</b>	Land to the south of the existing settlement of Loughor, located to the rear of frontage development on the eastern side of Waun Road. The site comprises two fields in agricultural use. It is abutting the south west side of UDP allocation HC1 (104) on which over 100 residential units are currently being built. The central location of playing fields within the adjoining development scheme has landlocked the NW corner of the site which is allocated for development in the UDP. The release of these two fields would facilitate access to the landlocked area whilst ensuring that sufficient distance is maintained to Waun Rd (from which there would be no access). The development would not extend significantly further south than the adjoining development to the east and west.
<b>Size</b>	1.51 Ha
<b>Existing Land use</b>	Agriculture
<b>Proposed Land Use</b>	Residential
<b>Location Plans</b>	OS Plan and Aerial (not to scale)

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## Candidate Site Public Consultation: Summary of Representations

The Candidate Site application was advertised on site in the form of site notices (and included adjoining field to the east fronting Waun Rd which is now proposed to be excluded)

49 letters of objection were received which are summarised as follows:

- No economic or sustainable gains/ Lack of sufficient employment in area
- Unsuitable road infrastructure
- Loss of agricultural land
- Increased noise
- Schools at capacity
- Loss of green wedge
- Adverse impact on wildlife/habitat
- Area subject to flooding
- Alternative brownfield sites available
- Highway safety
- Devaluation of property
- Water treatment is insufficient to cope with additional demand
- Adverse impact on character and amenity
- Common land
- Area of historic importance
- Inadequate public transport
- Encroachment into open countryside
- Adverse impact on utilities
- Coalescence of communities
- Lack of housing demand
- Contrary to current policies

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## LDP Draft Proposals Map Consultation: Summary of Representations

1 letter of support which is summarised as follows:

- Delivery of site is a certainty, Barratt Homes has a long term option to develop site and site can be accessed and serviced from our adjacent site.
- Site able to contribute to council's land supply from a very early stage if allocated. As we are developing adjacent site, this would be a natural progression for pattern of development.
- Would ensure continuity between phases, in addition to continued delivery of affordable housing and other community benefits. We are satisfied all technical matters can be addressed to enable a quick and early delivery.

## Response to Representations

- Upon commencement of preparation of a new development plan all existing policies and previous decisions (e.g. current UDP designations) are subject of review and moreover the UDP policies will have no status upon expiry of that plan from Nov 2016. Consultation on an initial review of green wedge, open countryside and settlement boundaries has recently been undertaken and will inform the LDP Deposit Plan
- There is a requirement for affordable housing across all areas of Swansea and it will be important to maximise affordable housing delivery wherever possible. The SHMA identifies that around 4,600 homes are needed within this strategic housing policy zone over the LDP period.
- All relevant utility providers have been consulted and no significant utility constraints have been identified
- ALC Map = Grade 4. Not part of the best and most versatile Through the Spatial Options Appraisal and site deliverability assessment the priority has been to deliver development needs on lower grade land and such sites have been identified wherever possible.
- Not common land
- The LDP is being prepared in close liaison with the Local Education Authority (LEA) who are fully aware of the potential additional pupil numbers likely to be generated and have made provision accordingly within the 21st century schools programme. Existing schools will be expanded where possible and new schools built as appropriate to accommodate the projected increase in pupil numbers
- Highways /access improvements would be a condition of any development being brought forward in accordance with schemes agreed with the Highways Authority. Schemes could include road widening, footway provision, junction improvements, speed restrictions, etc and will depend on the specific requirements for each site
- .The LDP seeks to safeguard against coalescence and development must respond to the character of existing settlements. Considerable areas of accessible open space are proposed as part of new development and green barriers are to be incorporated into scheme layouts to mark and ensure separation between existing and planned expanded communities.

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- Vulnerable development such as residential may not be allocated in flood risk zones. All flood risk areas have been identified and excluded from consideration for development purposes. Incidents of localised surface water flooding have also been identified and any sites allocated at or near such areas will be required to incorporate appropriate remedial measures. Sustainable urban drainage scheme (SUDS) will be incorporated into development scheme as necessary. New development must demonstrate greenfield run off - no increase in surface water run-off will be permitted
  - Devaluation of property is not a material planning consideration There are no rights of open access or views over the countryside adjoining existing settlements
  - 100% priority habitat sites have been filtered out of the site selection process. For all other sites an extended phase1 habitat survey would need to be undertaken to determine the habitat classifications, species lists and for the presence of protected species. Important features highlighted may require further survey at planning application stage, but do not preclude allocation at this stage. For example, most hedgerows will be protected under the Hedgerow Regulations (1997). A hedgerow assessment would need to be undertaken to determine the hedgerow quality and the findings would be taken into account when considering a site's development capacity. When wider issues need to be taken into account Any impact on European protected sites will be fully assessed as part of the Habitat Regulations Assessment (HRA) Woodland areas and key features, hedgerows, bridleways, etc should be retained as part of any development proposal and form natural defensible boundaries
  - The impact of development on adjacent properties would be a matter to be addressed through the detailed site layout at the application stage. Any development would need to respect the density, scale and character of adjoining development and have to have regard to the Places to Live Residential Design Guide SPG which sets out separation distances to ensure there is no detriment to privacy, amenity or any material increase in noise or other sources of pollution. The planning application process would not permit development that would result in harmful levels of pollution. Potential noise/disturbance during construction is not a material planning consideration and is subject of separate legislative control
  - The LDP is based on sustainability principles which seek to maximise the use of vacant and underdeveloped land within existing settlements provided satisfactory standards of open space/recreational space are retained within those communities before encroachment of development into rural areas around the urban fringe is considered.
  - Whilst adequacy of public transport is primarily a matter for the private sector and is influenced by market demand, the LDP seeks to sustain and encourage improvement of existing services by locating new development at sustainable locations close to existing communities
  - A high level of protection is afforded to the preservation and safeguarding of historic features and their settings. This does not preclude development proposals from being brought forward, however significant prior assessment and evaluation must be carried out and appropriate mitigation measures undertaken if development is considered appropriate.

**Stage 3A: Assessment Against LDP Objectives**

Objective	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Score	1	n/a	n/a	-1	n/a	?	-2	n/a	1	1	0	n/a	n/a	2	-1	n/a	-1	-1	-1	-1	n/a	?	-1	-1

**Stage 3B: Assessment Against SEA/SA Objectives**

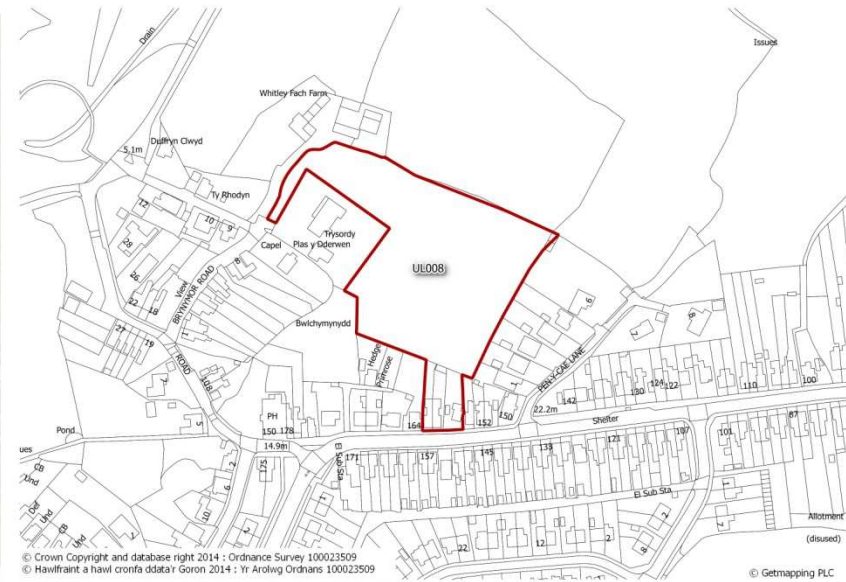
Objective	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Score	+/-	--	?	+	0	+	+	-	?	-	-	--	?	?	-	?	-	?	?	--	-	?

# Candidate Site Assessment Report



<b>Reference</b>	<b>UL008</b>
<b>Name</b>	<b>Land off Borough Road, Loughor</b>
<b>Description</b>	This site forms a field parcel within the existing defined settlement boundary in the currently adopted Unitary Development Plan. The site has been amended from that originally put forward as part of a much larger Candidate Site for residential development comprising all of Whitley Fach Farm located to the north (now referenced UL008a). The site is currently landlocked and on the draft LDP proposals map the settlement boundary was proposed to be brought in to follow the rear of the properties fronting Borough Rd. However the site promoters have put forward an option involving purchase of frontage properties to facilitate access. On this basis the settlement boundary could be retained in its currently agreed location as outlined below.
<b>Size</b>	1.266Ha
<b>Existing Land use</b>	Agriculture
<b>Proposed Land Use</b>	Residential approx. 40 units
<b>Location Plans</b>	OS Plan and Aerial (not to scale)

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## Candidate Site Public Consultation: Summary of Representations

The wider UL008a Candidate Site application was advertised on site in the form of site notices. (Note: amended site UL008 forms a much smaller area of land which is already within the settlement boundary of the UDP)

The following comments relate to the larger site UL008a. There has been no specific consultation solely on this smaller parcel of land.

109 letters of objection were received which are summarised as follows:

- Adverse visual impact
- Devaluation of property
- Increased noise and light pollution
- Increased traffic on dangerous roads
- Lack of local services e.g. schools, shops etc.
- Adverse impact on wildlife/habitat.
- Drainage issues/flood risk
- Adverse impact on Burry Inlet
- Loss of recreational space
- Inappropriate site access
- Immediately adjacent SSSI
- Common land
- Loss of agricultural land
- Area of historic importance
- Lack of employment in the area
- Adverse impact on utilities
- Coalescence of communities
- Sewerage treatment operating over capacity
- Overlooking/loss of privacy
- Urbanisation



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## **LDP Preferred Strategy Consultation: Summary of Representations**

- No comments made specifically regarding this site.

## **LDP Draft Proposals Map Consultation: Summary of Representations**

1 letter of objection was received which are summarised below:

- We attach an extract from UDP Proposals Map showing settlement boundary at Upper Loughor in adopted UDP. Map identifies an area which was included within UDP settlement boundary but which has been excluded from Draft LDP Proposals Map. Settlement boundary should revert to that identified in UDP, which represents a well defined limit for settlement edge and a more logical limit for development. A larger site area has been submitted as a candidate site for development [UI008] but site has not currently been allocated. It is considered that site is suitable for and should be allocated for residential development. Maps submitted.

### **Response to Representations**

- The impact of development on adjacent properties would be a matter to be addressed through the detailed site layout at the application stage. Any development would need to respect the density, scale and character of adjoining development and have to have regard to the Places to Live Residential Design Guide SPG which sets out separation distances to ensure there is no detriment to privacy, amenity or any material increase in noise or other sources of pollution. The planning application process would not permit development that would result in harmful levels of pollution. Potential noise/disturbance during construction is not a material planning consideration and is subject of separate legislative control
- Devaluation of property is not a material planning consideration There are no rights of open access or views over the countryside adjoining existing settlements
- Highways /access improvements would be a condition of any development being brought forward on a site in accordance with schemes agreed with the Highways Authority.
- 100% priority habitat sites have been filtered out of the site selection process. For all other sites an extended phase1 habitat survey would need to be undertaken to determine the habitat classifications, species lists and for the presence of protected species. Important features highlighted may require further survey at planning application stage, but do not preclude allocation at this stage. For example, most hedgerows will be protected under the Hedgerow Regulations (1997). A hedgerow assessment would need to be undertaken to determine the hedgerow quality and the findings would be taken into account when considering a site's development capacity. When wider issues need to be taken into account. Any impact on European protected sites will be fully assessed as part of the Habitat Regulations Assessment (HRA).

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- Woodland areas and key features, hedgerows, bridleways, etc should be retained as part of any development proposal and form natural defensible boundaries
  - The Best and Most Versatile (BMV) Agricultural Land (Grade 3a and above) is one of many considerations taken into account when assessing sites within the County in line with national guidance set out in Planning Policy Wales. Through the Spatial Options Appraisal and site deliverability assessment the priority has been to deliver development needs on lower grade land and such sites have been identified wherever possible. However where there has been an overriding need for development to fulfil the LDP Strategy as there is no other suitable location in which housing /employment allocations can be situated this has resulted in some allocations, or parts thereof being situated on BMV land
  - The local health authority has not identified any capacity issues at local medical practices. If new facilities are required they could be delivered in conjunction with development being brought forward. New development also has a positive impact by increasing local populations, adding to the vitality/viability of settlements and helping to sustain and improve local services, facilities and businesses. Services at capacity will expand to meet demand. If improvement of facilities is required contributions can be sought from site developers
  - Sustainable urban drainage scheme (SUDS) will need to be incorporated into development schemes as necessary. All new development needs to demonstrate that greenfield run –off will be achieved. No increase in surface water run-off would be permitted
  - Vulnerable development such as residential may not be allocated in flood risk zones. All flood risk areas have been identified and excluded from consideration for development purposes. Incidents of localised surface water flooding have also been identified and any sites allocated at or near such areas will be required to incorporate appropriate remedial measures. Sustainable urban drainage scheme (SUDS) will be incorporated into development scheme as necessary. New development must demonstrate greenfield run off - no increase in surface water run-off will be permitted
  - Site is not common land
  - Impacts on water/sewerage infrastructure must be addressed through improvements incorporated into any development. DCWW have invested in a new hydraulic model for the Gowerton catchment which has identified solutions throughout the catchment which would have to be delivered prior to development occurring. In combination with this there is an ongoing programme of surface water removal (from the foul sewerage system) throughout the County to increase capacity and help alleviate flooding. DCWW are statutorily required to include all necessary improvements to support new development in their statutory improvement plan and hydraulic modelling assessment will be required at application stage required to establish the potential impact on the water supply network and necessary improvements
  - The further representations from the site promoter to consider the land within the UDP settlement boundary have been assessed in this report.

## Key Stakeholder Consultations

Internal Stakeholder	Comments
CCS Transportation	<p><b>Means of Access:</b> Access would have to be from Borough Road. The single point of access indicated, would likely be sufficient for this reduced site. A formal submission of a transport statement with any proposal will be necessary.</p> <p><b>Local Highway Conditions:</b> A new access would need to meet full highway standards to ensure safety on Borough Road near a bend and other junctions.</p> <p><b>Accessibility:</b> There is a 30 min frequency service past the site.</p> <p><b>Wider Issues / Combined effect:</b> All sites in this Ward will add to existing traffic congestion along the route from Gorseinon up to Penllergaer and M4 J47. Some traffic is also likely to add to congestion at Victoria Road in Gowerton where the Llanelli Link crosses the route. Significant improvements may be required with contributions to major improvements by each of the sites within the Ward.</p> <p><b>Restrictions:</b> Significant development cannot be supported without highway improvements.</p>
CCS Housing	<p>There is a requirement for affordable housing across all areas of Swansea and it will be important to maximise affordable housing delivery wherever possible.</p> <p>There is a requirement for affordable housing across all areas of Swansea and it will be important to maximise affordable housing delivery wherever possible. The SHMA identifies that around 4,600 homes are needed within this strategic housing policy zone over the LDP period.</p>
CCS Biodiversity	<p>This site contains scrub, mature trees, semi-natural grassland and may contain; Purple Moor-grass and important hedgerows.</p> <p>Priority species recorded on the site: The Cinnabar and White letter Hairstreak, these are species of principal importance for the conservation of biological diversity in Wales under the Natural Environment and Rural Communities Act (2006).</p> <p>An extended Phase1 Habitat Survey would need to be undertaken to determine the habitat classifications, species lists and for the presence of protected species. Important features highlighted may require further survey.</p>
CCS Environmental Health	<p>South west area directly adjacent to site 193 BROADOAK COLLIERY: Unforseen contamination condition.</p>

CCS Education	<p>Tre Uchaf Primary - In principle, the local primary schools could accommodate some additional growth (between Casllwchwr and Tre Uchaf) but not enough to accommodate all pupils if all candidate sites were developed. The cumulative impact of all developments in the catchment area of Penyrheol Comp would need further careful consideration in order to determine if a new primary school in a more central position should be considered. The nearby Welsh medium primary is already over capacity.</p> <p>Penyrheol Comprehensive has recently been rebuilt; however, the cumulative impact of all developments in the catchment area of Penyrheol Comp would need further careful consideration in order to determine increased secondary provision, including a rebuild of the Annex that was not part of the original rebuild.</p>
<b>External Stakeholder</b>	<b>Comments</b>
Natural Resources Wales	No comments
Dwr Cymru	<p><b>Water Supply:</b>  <u>Original Ward based comments:</u> The local water supply network for this ward is suffice to meet the projected growth promoted. However, for the large sites in particular, some modest off-site mains will be required to service the sites.  <u>Subsequent site specific comments:</u> A water supply can be made available to service the proposed development site.</p> <p><b>Waste:</b>  <u>Original Ward based comments:</u> Proposed developments in this ward ultimately drain to our Gowerton Waste Water Treatment Works. Based on the cumulative growth information provided for the residential, employment and the residential element of mixed sites, our assessment equates to a population in excess of circa 35,000 people. If all this growth is to be promoted in its entirety, then we will need to plan for future investment plans at the appropriate time.</p> <p><u>Subsequent site specific comments:</u> No problems envisaged with the public sewerage system for domestic foul flows from this proposed development site.  <u>Gowerton WWTWs – limited capacity</u></p>
Western Power	There is currently spare transformation capacity at each of the substations, which may be able to accommodate future load growth.
Coal Authority	No comments

**Stage 3A: Assessment Against LDP Objectives**

Objective	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Score	1	n/a	n/a	-1	n/a	?	-2	n/a	-1	1	0	n/a	n/a	1	0	n/a	-2	-1	-2	-1	n/a	?	0	0

**Stage 3B: Assessment Against SEA/SA Objectives**

Objective	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Score	+/-	--	?	+	0	+	+	0	?	+/-	-	--	?	+	-	x	-	?	?	--	-	-

# Candidate Site Assessment Report



<b>Reference</b>	<b>NE011</b>
<b>Name</b>	<b>Land off Summerland Lane, Newton</b>
<b>Description</b>	Two rectangular fields bordered with mature hedgerows and situated on the western edge of Newton off Summerland Lane. To the north west and north east the site is contained by a dense belt of deciduous woodland. The south eastern boundary runs adjacent to Summerland Lane a single track road lined with residential development on its southern side. Abutting the site's South Western boundary are two recently constructed dwellings that are accessed by a track off Summerland Lane. Older chalet type properties also adjoin the south western boundary accessed off the same track.
<b>Size</b>	2.5Ha
<b>Existing Land use</b>	Agricultural
<b>Proposed Land Use</b>	Residential
<b>Location Plans</b>	OS Plan and Aerial (not to scale)

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## Candidate Site Public Consultation: Summary of Representations

This is a new site, which if recommended for inclusion would be consulted on as part of the Deposit Plan.

### Key Stakeholder Consultations

Internal Stakeholder	Comments
CCS Transportation	<p><u>Means of Access:</u> The site fronts onto and can access from Summerland Lane</p> <p><u>Local Highway Conditions:</u> Roads leading to the site are inadequate to serve the development unless improved.</p> <p><u>Accessibility:</u> There is a 30 min frequency service within 100m of the site.</p> <p><u>Wider Issues / Combined effect:</u> Development of the site will require off site roadworks to be undertaken in the area.</p> <p><u>Restrictions:</u> The site cannot be developed to its full potential without local road improvements being undertaken.</p> <p><u>Transport Proposals:</u> There is a road improvement scheme for Summerland Lane subject to available land and finance.</p> <p><u>Further Information:</u> Details of road improvements in the area will be necessary before development can be considered acceptable. Any planning application will also need a transport assessment/statement to be submitted.</p>
CCS Housing	<p>There is a requirement for affordable housing across all areas of Swansea and it will be important to maximise affordable housing delivery wherever possible. The SHMA identifies that around 1,600 homes are needed within this strategic housing policy zone over the LDP period</p>

CCS Biodiversity	These may be pre-enclosure act fields. It is likely that the hedges on the site will fall under the protection offered by the Hedgerow Regs, they may also have significant ecological value. Uncertainty about the ecological value of the fields and these need surveying. The site doesn't fall within any SINC but there may be ecological constraints on the site. An extended phase 1 survey is needed
CCS Environmental Health	No comments
CCS Education	<u>Newton Primary</u> - over capacity and has a number of timber demountable classrooms that require replacing, rendering some of the current accommodation as unsuitable, although this does feature as a scheme within Band A priority of the SOP. <u>Bishopston Comprehensive</u> - currently over capacity and some of this capacity is housed within timber demountable classrooms. Highway Access to the site is of major concern and would require careful consideration of a new access in order for any expansion on the school site to be approved (recent STF planning approval had this as a condition of approval). However if Crwys Primary were redesignated to Gowerton Comprehensive then this could ease the pressure on places at Bishopston Comprehensive, as Gowerton has sufficient projected surplus capacity
<b>External Stakeholder</b>	<b>Comments</b>
Natural Resources Wales	No comments
Dwr Cymru	<u>Water Supply</u> : The local water supply network for this ward is suffice to meet the projected growth promoted. However, for the large sites in particular, some modest off-site mains will be required to service the sites. <u>Waste</u> : Proposed developments in this ward ultimately drain to our Swansea Bay Waste Water Treatment Works. Based on the cumulative growth information provided for the residential, employment and the residential element of mixed sites, our assessment equates to a population in excess of circa 40,000 people. If all this growth is to be promoted in its entirety, then we will need to plan for future investment plans at the appropriate time. No site specific comments
Western Power	There is currently spare transformation capacity at each of the substations, which may be able to accommodate future load growth.
Coal Authority	No comments

### Stage 3A: Assessment Against LDP Objectives



<b>Objective</b>	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
<b>Score</b>	1	n/a	n/a	1	0	?	-2	n/a	1	1	n/a	n/a	n/a	1	-2	n/a	-1	-1	-1	-1	n/a	?	1	1

**Stage 3B: Assessment Against SEA/SA Objectives**

<b>Objective</b>	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
<b>Score</b>	+/-	-	?	+	0	+	+	--	?	++	--	?	++	+	+	x	+/-	?	?	--	-	+/-