

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, 10 November 2015

Time: 2.00 pm

AGENDA

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1 Apologies for Absence.	
2 Disclosure of Personal Interest.	1 - 2
3 Minutes. To approve and sign as a correct record the Minutes of the previous meeting.	3 - 9
4 Items for Deferral / Withdrawal.	
5 Determination of Planning Applications under the Town and Country Planning Act 1990.	10 - 218
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7 Planning Annual Performance Report.	234 - 270

Date of Next Meeting.

Tuesday, 8 December 2015 – 2 p.m.



Patrick Arran
Head of Legal, Democratic Services & Procurement
Tuesday, 3 November 2015

Contact: Democratic Services - 01792 636923

PLANNING COMMITTEE (12)

Labour Councillors: 8

David W Cole	Paulette B Smith
Ann M Cook (Vice-Chair)	Des W W Thomas
Erika T Kirchner	Mark Thomas
Paul Lloyd (Chair)	T Mike White

Liberal Democrat Councillors: 2

Mary H Jones	Cheryl L Philpott
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Independent Councillors: 1

Ioan M Richard	
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Conservative Councillor: 1

Anthony C S Colburn	
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Note: Quorum for this Committee is 6 Councillors

- 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 PLANNING COMMITTEE

HELD AT COMMITTEE ROOM 3A, GUILDHALL, SWANSEA ON
TUESDAY, 13 OCTOBER 2015 AT 2.00 PM

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

C L Philpott

Councillor(s)

I M Richard

D W W Thomas

T M White

Also Present: Councillors S E Crouch & D Phillips

Apologies: Councillors P B Smith & M Thomas

59 **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTEREST.**

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

Councillor E T Kirchner – Minute No. 62 – Planning Applications

2015/1498(Item1), 2013/1405(Item 3) & 2013/1403(Item 4) – Personal as Ward Member.

60 **MINUTES.**

RESOLVED that the Minutes of the Planning Committee meeting held on 8 September 2015 be approved as a correct record.

61 **ITEMS FOR DEFERRAL / WITHDRAWAL.**

None.

62 **APPLICATION NO.2731(S) - APPLICATION TO REGISTER LAND KNOWN AS
CASTLE ACRE GREEN, NORTON, SWANSEA AS A TOWN OR VILLAGE
GREEN.**

The Head of Legal, Democratic Services & Procurement presented a report which outlined the findings and recommendations of the Inspector.

The background history to the application, the legal tests undertaken, the consultation undertaken and representations of both support and opposition received, the inquiry held, the legal advice received and the conclusion of the Inspector were all outlined and detailed to the Committee.

Dr Robert Leek addressed Committee and spoke to in support of the application.

RESOLVED that

1) the application for the above registration be granted.

2) the land of the application site be added to the Register of Town or Village Greens under Section 15 of the Commons Act 2006.

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

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

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

RESOLVED that:

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

#(Item 1) Application No.2015/1498 - The Boat Yard, adjacent to Fishmarket Quay, Trawler Road, Maritime Quarter, Swansea.

Jon Woolliscroft & Frank Bowen(objectors) and Robin Williams(agent) addressed the Committee.

A visual presentation was provided.

Councillors S E Couch and D Phillips(Castle Ward Members) addressed the Committee and spoke against the application.

The Committee were informed of the following updates to the report:

Remove Condition 21 to be replaced with the following new condition:

The development shall not commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of Technical Advice Note:2 Planning and Affordable Housing or any future guidance that replaces it. The scheme shall include:

- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units/bed spaces;
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved);
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: In order to ensure that adequate provision is made for affordable housing within the proposed development.

Informative 2 be amended to refer to Condition 21.

Add the following additional condition:

Prior to the commencement of development, elevational drawings of the western elevation of the building shall be submitted to and approved in writing by the Local Planning Authority. The approved development shall be carried out in accordance with the agreed elevational drawings.

Reason: To control the appearance of the western elevation of the building, in the interests of the visual amenities of the area.

Application refused contrary to Officer Recommendation for the following reasons:

1) The introduction of this intensive form of residential development in close proximity to existing business uses would be detrimental to the residential amenity that future residents of the proposed residential apartments could reasonably expect to enjoy, by virtue of the noise, smells and air pollution generated by the existing business operations. The proposal is therefore contrary to Policies EV2, EV40, HC2 and CC1 of the City and County of Swansea Unitary Development Plan (2008).

2) The introduction of this intensive form of residential development within close proximity to existing business activities, namely the marina boatyard (including the boat hoist operation) and commercial fish market would likely result in nuisance complaints from future occupiers of the proposed residential apartments, which in turn could unduly impact on the operations of those existing businesses, which are of strategic importance to the City and County of Swansea and its adopted vision to make Swansea a vibrant, attractive and distinctive 21st century Waterfront City which capitalises on its waterfront location. The proposal is therefore contrary to Policies EV2, EV40, HC2 and CC1 of the City and County of Swansea Unitary Development Plan (2008).

#(Item 2) Application No. 2014/1906 - 31 Hebron Road and land opposite 59-63 Hebron Road, Clydach, Swansea.

Jayne Lewis(objector) addressed the Committee.

Further letter from Canal & River Trust reported requesting additional conditions.

The Committee were informed of the following updates to the report:

Add informative 6:

"The applicant/developer is advised to contact Desmond Harris on 01827 252038 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".

Add at end of condition 4 '*...and shall be retained at the approved height for the duration of the use hereby approved.*

Application refused contrary to Officer Recommendation for the following reasons:

1) The application provides insufficient amenity space within the curtilage of the site for future residents of the proposed care home to the detriment of the residential amenity they can reasonably be expected to enjoy. The development is therefore contrary to policy EV1 of the City and County of Swansea Unitary Development Plan (2008).

2) The provision of inadequate car parking may lead to users of the premises parking on the highway in close proximity to the proposed care home to the detriment of the safety of highway users. The development is therefore contrary to the criteria set out in Policies AS6 and HC15 of the City and County of Swansea Unitary Development Plan 2008.

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

#(Item 5) Application No. 2008/0912 - Former Walters Yard, Pontlliw, Swansea.

Russel Price(solicitor on behalf of the one of the objectors) and Keri Thomas(agent) addressed the Committee.
A visual presentation was provided.

The Committee were informed of the following update to the report:
Late correspondence received from local resident.

Committee was advised that a request had been made from education for a contribution to Pontlliw School due to capacity issues. They were further advised that planning officers did not consider such a contribution to be reasonable in this instance due to the limited financial contribution that would be available and the limited opportunity to increase capacity within the school. However, any decision on whether an education contribution should be made was a matter for committee.

#(Item 6) Application No. 2015/0217 - 81 Gower Road, Sketty, Swansea.

David Williams(agent) addressed the Committee.

The Committee were informed of the following update to the report:
Add the following condition:

13: Each unit of the residential development hereby permitted shall be occupied only by:

- i) persons of age 55 years or over;
- ii) persons living as part of a single household with such a person or persons;

iii) persons who were living as part of a single household with such a person or persons who have since died.

Reason: The proposed parking provision falls below the standard required for unrestricted residential accommodation.

#(Item 7) Application No.2013/1522 - Swansea Gors TEC site Heol y Gors Cockett Swansea.

Paul Vining(agent) addressed the Committee.

The Committee were informed of the following update to the report:

Final sentence of Condition 6 should read as follows:

“..The approved scheme shall be completed prior to the occupation of the 20th dwelling unless otherwise agreed in writing by the Local Planning Authority.”

Amend the requirements of bullet point 1 of the S106 as follows:

1. a management plan for the future maintenance and management of the public open space which shall be secured for use by the general public in perpetuity,

(Item 8) Application No.2014/1189 - Land at Upper Bank, Pentrechwyth, Swansea.

(Item 9) Application No.2015/1222 - Penyfro, Penuel, Llanmorlais, Swansea.

James Morgan(objector) and Jason Evans(agent) addressed the Committee.

A visual presentation was provided.

(Note: Committee Adjourned for a 5 minute comfort break at 5.05pm.)

(3) the undermentioned planning applications **BE DEFERRED** for the reasons indicated below:

#(Item 3) Application No.2013/1405 – Former Castle Cinema, Worcester Place, Swansea

Late Letter of observation reported.

Request from applicant for deferral of the application reported.

Prior to deferral:-

Richard Jones(agent) addressed the Committee, as did Councillor D Phillips(Castle Ward Member) who supported a deferral.

Reasons for Deferral

To allow the submission of revised plans and an archaeological evaluation assessment.

#(Item 4) Application No.2013/1403 – Former Castle Cinema, Worcester Place, Swansea

Request from applicant for deferral of the application reported.

Reasons for Deferral

To allow the submission of revised plans and an archaeological evaluation assessment.

64 **2011/0758 - LAND TO THE WEST OF PARC Y BONT OFF TRINITY PLACE, PONTARDDULAIS, SWANSEA.**

The Head of Economic Regeneration and Planning submitted a report following the deferment of the matter at the previous meeting in September.

He indicated that the objections from NRW had now been withdrawn and the applicant had submitted a revised site layout and design statement.

Carl Lewis(agent) addressed the Committee.

RESOLVED that the application **BE APPROVED** subject to:

1. the completion of a Section 106 Planning Obligation in respect of an education contribution (£50,000) with the agreed phased payments (trigger points) consisting of £25,000 to be paid on completion of 50% of the dwellings (i.e. 17 units) with the remaining £25,000 to be paid on completion of the development,
2. the Section 106 Planning Obligation being completed within 6 months of the date of the Committee resolution to approve planning permission,
3. the education contribution being index linked from the date of the Committee resolution to approve planning permission.
4. to the conditions outlined in the report, subject to the amendment to below:

Amend condition 12 as follows: "No development approved by this permission shall be occupied.." should read "No development approved by this permission shall be commenced..."

65 **DRAFT FABIAN WAY INNOVATION CORRIDOR MASTERPLAN FRAMEWORK.**

The Head of Economic Regeneration & Planning presented a report which sought approval to undertake a period of public consultation on the draft Masterplan Framework Document.

The document had been discussed and endorsed at a joint meeting of City & County of Swansea and Neath Port Talbot Cabinet Members and Senior Officers at a meeting last week.

A detailed visual presentation relating to the major areas, drivers, opportunities, constraints, concepts, options for future developments, land uses, public transport expansion, highway/pedestrian linkages and improvement was provided to Committee.

RESOLVED that permission is granted to undertake public consultation on the draft Masterplan Framework.

66 **WELSH GOVERNMENT CONSULTATION - SECONDARY LEGISLATION: STATUTORY CONSUlteES/DESIGN AND ACCESS STATEMENTS/HOUSES IN MULTIPLE OCCUPATION.**

The Head of Economic Regeneration & Planning presented a report which sought approval for a response to a Welsh Government consultation document.

The draft response was outlined at appendix a to the report.

RESOLVED that the content of the consultation report as outlined at appendix A be approved and submitted to Welsh Government.

67 **APPLICATION TO REGISTER LAND KNOWN AS THE RECREATION GROUND, OYSTERMOUTH ROAD, SWANSEA AS A TOWN OR VILLAGE GREEN. (FOR INFORMATION)**

The Head of Legal, Democratic Services & Procurement reported for information on the current position relating to the above application .

A public inquiry will be held on the matter in March 2016.

The meeting ended at 5.57 pm

CHAIR

Agenda Item 5

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: 10TH NOVEMBER 2015

<p>Bay Area Development, Conservation & Design Manager Ryan Thomas - 635731</p>	<p>Area 1 Team Leader: Ian Davies - 635714</p>	<p>Area 2 Team Leader: Chris Healey - 637424</p>
<p>Castle Landore Mayals Oystermouth St Thomas Sketty Uplands West Cross</p>	<p>Bonymaen Clydach Cockett Cwmbwrla Gorseinon Llangyfelach Llansamlet Mawr Morryston Mynyddbach Penderry Penllergaer Penyrheol Pontarddulais Townhill</p>	<p>Bishopston Dunvant Fairwood Gower Gowerton Killay North Killay South Kingsbridge Lower Loughor Newton Penclawdd Pennard Upper Loughor</p>

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.



CONTENTS

ITEM	APP. NO.	SITE LOCATION	OFFICER REC.
1	2015/1760	<p>Old St Nicholas Church Gloucester Place Maritime Quarter Swansea SA1 1TY</p> <p>Demolition of modern extension, internal alterations, new entrance in north elevation, new extension on east elevation and associated works. (application for Listed Building Consent)</p>	APPROVE
2	2015/1705	<p>Old St Nicholas Church Gloucester Place Maritime Quarter Swansea SA1 1TY</p> <p>Demolition of modern extension, internal alterations, new entrance in north elevation, new extension on east elevation and associated works.</p>	APPROVE
3	2015/1903	<p>Furze Bank 34 Hanover Street Uplands Swansea SA1 6BA</p> <p>Side roof extension, first floor side extension, and external alterations to facilitate change of use from offices (Class B1) to 4 no. 2 bedroom and 5 no. 1 bedroom self-contained apartments (Class C3) with associated parking</p>	APPROVE
4	2015/1846	<p>Land east of Gorwydd Road, Gowerton, Swansea</p> <p>Woodland management of trees covered by TPO No. 419</p>	APPROVE
5	2014/1192	<p>Hendrefoilan Student Village Hendrefoilan Drive Killay Swansea SA2 7PG</p> <p>Demolition of the existing student accommodation and other University buildings and comprehensive residential re-development of the site for up to 300 dwellings, with access road infrastructure, public open space, woodland planting and associated works (outline with all matters reserved)</p>	APPROVE

ITEM	APP. NO.	SITE LOCATION	OFFICER REC.
6	2015/1584	Land south of Fabian Way and East of River Tawe Swansea Application under Section 73 to vary the Outline Permission for the SA1 Waterfront Development to facilitate the implementation of the revised masterplan proposals for the 'Swansea Waterfront Innovation Quarter' - principally varying Conditions 1 (review of phasing programme), 2 (land use masterplan), 3 (review of urban design framework), 5 (development capacity), 7 (scale, nature, distribution and design of Class A3 and commercial leisure uses), and other conditions to the Section 73 application 2008/0996 (granted 11 October. 2010) which previously varied the original outline planning permission 2002/1000 (granted 19 August 2003)	APPROVE
7	2015/1138	Land to the south of Loughor Road, Gorseinon, Swansea Residential development of up to 85 dwellings, together with a local equipped area of play, vehicular access and associated infrastructure and all other ancillary development (including demolition of existing redundant agricultural buildings) (outline)	REFUSE
8	2015/1529	Llettyr Morfil Farm U/S-Y878 Felindre Swansea SA5 7LU Construction of a 4.9 MW solar park (approx. 8.8 hectares) including photovoltaic panels, four inverter stations, centre station, new access tracks, security fencing, security cameras and associated equipment and infrastructure works	APPROVE
9	2015/1611	The Range, Trallwn Road, Llansamlet, Swansea, SA7 9WL Demolition of part of building to the south and north. Construction of new extension to north, new facades to south and east elevations, new roof, landscaping, car parking and associated works	APPROVE
10	2013/0617	Land south of Glebe Road, Loughor, Swansea Residential development comprising 92 dwellings with associated access, drainage and public open space (outline)	APPROVE

PLANNING COMMITTEE – 10TH NOVEMBER 2015

ITEM 1

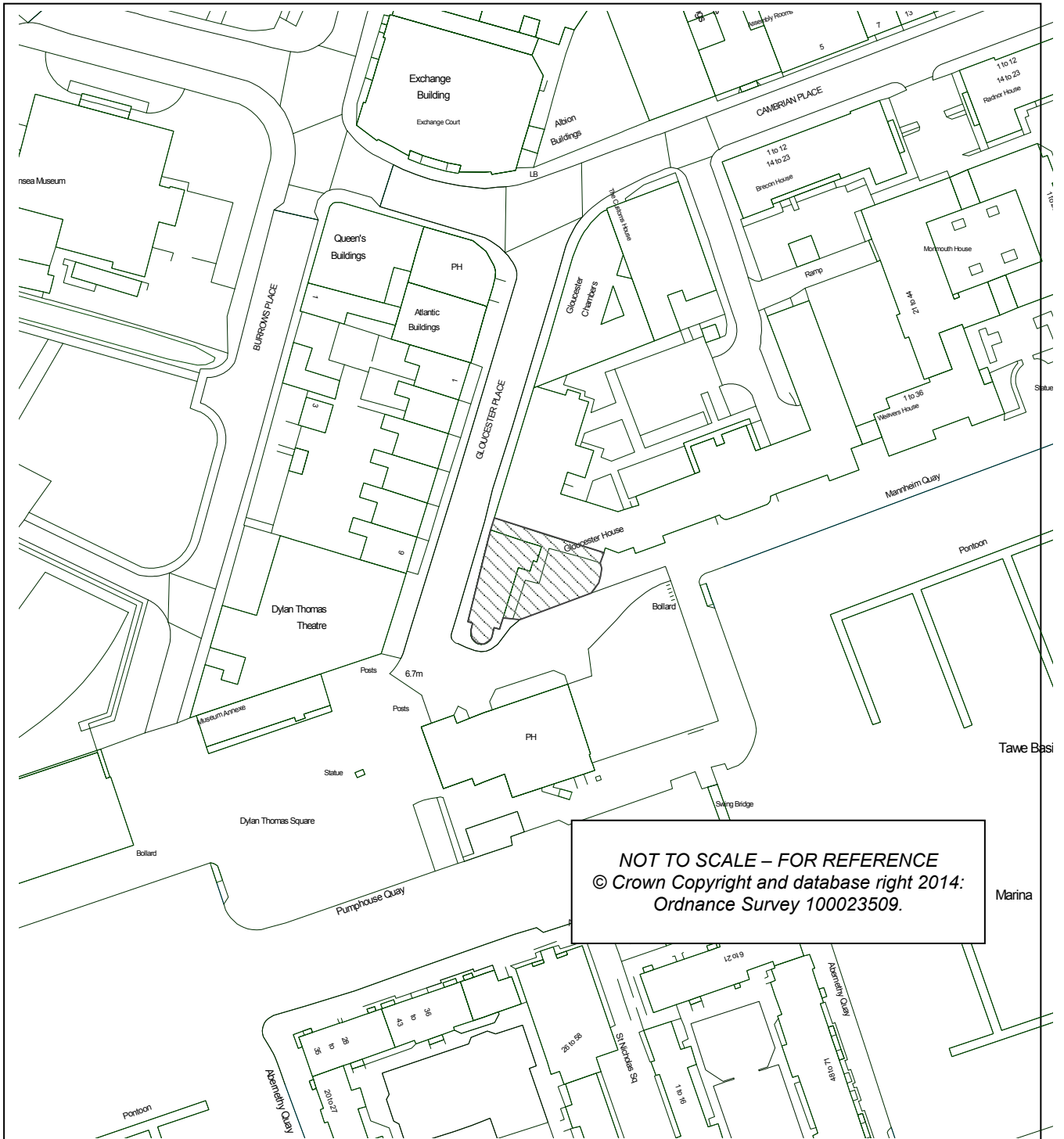
APPLICATION NO. 2015/1760

WARD: Castle

Location: Old St Nicholas Church Gloucester Place Maritime Quarter Swansea SA1 1TY

Proposal: Demolition of modern extension, internal alterations, new entrance in north elevation, new extension on east elevation and associated works. (application for Listed Building Consent)

Applicant: Ms Amanda Roderick



BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV7	Extensions or alterations to a Listed Building will only be approved where they safeguard the character and historic form of the building. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

None

RESPONSE TO CONSULTATION

The application was advertised on site and in the local press as development for Listed Building Consent. ONE LETTER OF OBJECTION has been received from the Council's Housing and Public Protection Department as the landlord of Gloucester House sharing the concerns of their residents with regard to the loss of light to some properties.

Listed Building Officer Response: Impact on the Listed Building

The proposed alterations at the grade II listed Mission Gallery former St Nicholas church has been subject to a series of per-application discussions.

The building has seen numerous uses, from a Seamen's Mission, to warehouse, to arts venue. This layering of history is apparent today with the building displaying changes that relate to the successive uses.

The building is constructed of un coursed rock faced pennant stone with bath stone dressings under a slate roof. The church tower was removed in the 1920s and a large opening onto Gloucester Place constructed around the same time with brick reveals when the building became a warehouse. The conversion to arts use was largely internal works with a small modern extension on the east elevation. Internally the most significant area is the main gallery which is a full height space retaining much of the character of the former church with the original vaulted pitch pine ceiling and curved aspen.

The building is also located in the Maritime Quarter conservation area and occupies a prominent location adjacent to the pump house and 1-6 Gloucester Place which are also grade II listed buildings.

The current proposal is to consolidate the arts use; the Mission Gallery is a well-established cultural institution but the 1980/90s alterations and small extension are lacking in quality plus not suited to the current use.

ITEM 1 (CONT'D)

APPLICATION NO.

2015/1760

The proposals entail:

- Demolition of 1980s extension
- Relocation of entrance to north elevation with new opening
- New western extension including stair access to upper floor
- Internal re-ordering and lift to address access issues and declutter spaces
- Modern spire on base of former tower

There is no objection to the demolition of the 1980/90s alterations. These are of limited quality but should still be recorded before work starts.

The relocation of the entrance to the northern elevation is a significant alteration that involved loss of historic fabric and completely changes the internal layout. However it is supported to improve the internal spaces, by creating a strong central axis and the detailing proposed with bath stone reveals will respect the character of the building. It will be important to ensure that the detailing of the new door reveals makes it clear that this is a modern opening and this can be controlled by condition. This new entrance is hidden by the bulk of Gloucester House, but is made legible through a subtle projection sign above the entrance alley. The former warehouse entrance is retained for large exhibits and is enlivened by removable internal display units. This retains the story of the evolution of the building.

The proposed western extension is larger in terms of footprint and height than the existing and it projects into the grassed space alongside. The form of the extension makes reference to the curved apse of the church and is clad in zinc metal sheeting to be a modern intervention. The general scale comes in below the existing bath stone gutter brackets which are unaffected. The two storey element with stairs giving access to first floor level punches through the existing slated roof but leaves the existing coping with integrated chimney unaffected. This extension is a bold modern design, but it is sympathetic to the listed building and is considered acceptable. A condition will be needed to require large scale details of the cladding and the interface with the historic fabric.

The internal works comprise refinement of the 1980/90s interventions and some loss of historic fabric. The stairs are moved from the main space to the new extension which simplifies the internal layout. A new lift is proposed and this is shown on the east side of the former tower masonry. The pre-application discussions demonstrated that a number of locations for the lift were explored and whilst all locations will involve the loss of some historic fabric, the proposed location is the least harmful and the need for the lift to provide access for all is accepted. The main gallery space is unchanged and the vaulted pitch pine ceiling unaffected, however the elevation note that the slate roof is to be removed, insulation fitted and the roof re-slated. This needs to be covered by a condition. The drawings also note that the current crudely detailed dormer is to be retained and re-clad with lead, plus the unauthorised velux on the western slope of the main roof is also to be retained. This is a standard roof light that sits above the slates and should be replaced by a flush conservation roof light and this can be ensured through condition. The modern timber windows dating from the 1980s are also proposed to be replaced by new slender metal frames with slim lite double glazed units. These will have inward opening lights to the top semi-circular section.

ITEM 1 (CONT'D)

APPLICATION NO.

2015/1760

The masonry tower was removed in the 1920s when the church was turned into a warehouse. More recently the three storey Gloucester House apartments were constructed retaining the single storey stone faced warehouse shell. Therefore the former church has lost prominence in the area and the proposed modern metal spire is a welcome means of celebrating the building. The proposed metal spire will be visually light weight and fixed to the remains of the former tower structure at roof level. It complements the building with a reference to the former religious use whilst also being a modern public art feature. It will not result in the loss of any historic fabric and the details of the fixings can be agreed by condition.

In summary, approval is recommended subject to the conditions listed below (the LBC needs to be referred to Cadw).

Conditions:

- Recording of all elements (even 1980/90s) before work starts
- Large scale detail of new northern opening
- Large scale details of interfaces with historic fabric
- Large scale details of metal cladding to extension (joints, corners, reveals etc.)
- Details of how roof insulation is proposed to be installed
- Details of how spire will be fixed (including structural engineers report)
- Details of how the retained roof light will be made flush with the slates

The Victorian Society

Thank you for consulting the Victorian Society on this application. The case has been discussed by the Society's Southern Buildings Committee at its recent meeting, and I write now to convey our views. The Society broadly welcomes much of what is proposed. With some relatively minor modifications, this is an application we would feel able to support.

The principle of constructing a spire on the base of the building's former tower is one we accept. While the proposed design would by no means recreate the form of the original tower, it would nonetheless restore certain monumentality to the structure and endow it with a renewed sense of its former authority and scale.

We also accept the extension proposed to the building's east elevation, which would provide important new spaces for the Mission Gallery.

The one aspect of the scheme which we feel is not yet well resolved involves the alterations proposed to the building's west elevation. At some point in the past a large opening, occupying an entire bay, was formed up to eaves height. It is a crude intervention that detracts greatly from the rhythm and character of the church's dignified elevations. The application proposes glazing in this space, which would compound its detrimental impact by rendering it even more apparent. Particularly in light of the extent of works proposed to the other parts of the building, a more appropriate architectural response is required to what is otherwise the best preserved of the historic elevations. This need not necessarily involve reinstating the building's original appearance; the emphasis here is on the need for a contextual architectural resolution.

I would be grateful if you could inform me should the application be amended in line with our advice. Otherwise, I would appreciate being informed of your decision in due course.

ITEM 1 (CONT'D)

APPLICATION NO.

2015/1760

Ancient Monuments Society

The Seamen's Mission of 1868 is a modest building, like many of that building type. It is known to be the work of Benjamin Bucknall but its chief claim to fame is as a marker to the history of the city's Maritime Quarter. Its present use, about to celebrate 50 years on the site, is among the more adventurous artistic centres in urban Wales, ranking with the Tabernacle at Machynlleth – a radical counterpart to the Vivian

The new extension is bold and quirky - and that is no bad thing.

We do not wish to register a formal objection but we do wonder why the newcomer is so exaggeratedly restless - the 3 apses to the new northern wing, the sham spire, the way that the new bulk seems to collide with the simple forms of the present North elevation runs counter to the simplicity of the present building. Does the new wing really have to show off so much and be so un-neighbourly?

On a boring practical point how is the "spire" to be braced against high winds?

We do ask whether the new wing is not trying too hard but we do not oppose it as such.

APPRAISAL

This application is reported to Committee for decision in conjunction with planning application, 2015/1705 refers for which a petition of objection has been received with 35 signatures.

Description

This application seeks Listed Building Consent. The proposal comprises the following works:

- Demolition of 1980s extension
- Relocation of entrance to north elevation with new opening
- New western extension including stair access to upper floor
- Internal re-ordering and lift to address access issues and declutter spaces
- Modern spire on base of former tower

This application is being considered in conjunction with a full planning application, 2015/1705 refers.

Policy Issues

The main issue for consideration is whether the proposal has full regard to preserving the listed building, its setting or any feature of special architectural or historic interest, in the context of national planning policy guidance and prevailing development plan policies. There are in this instance considered to be no additional overriding issues for consideration having regard to the provisions of the Human Rights Act.

In this respect, Paragraph 70 of Welsh Office Circular 61/96 'Planning and the Historic Environment: Historic Buildings and Conservation Areas' states that applications for listed building consent should be assessed against the importance of the building in terms of its architectural and historic interest, the particular features of the building which justifies its inclusion in the list, the building's setting and contribution to the local scene and the extent to which the proposal would bring benefits for the community.

EV7 states that any proposed extension or alteration to a listed building should have full regard to the character of the existing building, architectural or historic features which are important to the character of the building, and the historic form and structural integrity of the building. Furthermore, it adds that regard will also be had to the desirability of preserving the setting of any listed building.

Site Context

The building has seen numerous uses, from a Seamen's Mission, to warehouse, to arts venue. This layering of history is apparent today with the building displaying changes that relate to the successive uses.

The building is constructed of un coursed rock faced pennant stone with bath stone dressings under a slate roof. The church tower was removed in the 1920s and a large opening onto Gloucester Place constructed around the same time with brick reveals when the building became a warehouse. The conversion to arts use was largely internal works with a small modern extension on the east elevation. Internally the most significant area is the main gallery which is a full height space retaining much of the character of the former church with the original vaulted pitch pine ceiling and curved aspen.

The building is also located in the Maritime Quarter conservation area and occupies a prominent location adjacent to the pump house and 1-6 Gloucester Place which are also grade II Listed Buildings.

The current proposal is to consolidate the arts use; the Mission Gallery is a well-established cultural institution but the 1980/90s alterations and small extension are lacking in quality plus not suited to the current use.

The proposed alterations at the Grade II Listed Mission Gallery (former St Nicholas Church) have been subject to a series of per-application discussions. Subject to appropriate conditions to control the finer details of the proposed alterations, it is considered that the proposal is an acceptable form of development which would not unduly impact upon the integrity of this Grade II Listed Building or setting.

Responses to Consultations

The response from the Council's Housing Department has been noted. Matters relating to the overshadowing / loss of light to residents at Gloucester House have been addressed in the associated full planning application, 2015/1705 refers. The comments raised by the Victorian Society and Ancient Monument Society relating to the proposal have been noted and fully considered as part of this Listed Building Application. It is considered, however, specifically in response to the Victorian Society that the large opening on the west elevation represents part of the evolution of the building from a church to a warehouse and is therefore a valid part of the historic character of the building.

PLANNING COMMITTEE – 10TH NOVEMBER 2015

ITEM 1 (CONT'D)

APPLICATION NO.

2015/1760

The proposed glazing of this element would allow views into the building which would be enlivened by the gallery display cases.

Conclusion

In conclusion and having regard to all material considerations, it is considered that the development is an acceptable form of development which would not unduly impact upon the integrity of this Grade II Listed Building or setting. The proposal therefore complies with the requirements of Policy EV7 of the Unitary Development Plan 2008 and the scheme is recommended for approval subject to referral to Cadw as the building is scheduled as a Grade II structure.

RECOMMENDATION

APPROVE, subject to the following conditions and referral to CADW;

- 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, site plan, ground floor plan, first floor plan, roof plan, elevation west, elevation south, elevation east, elevation north, section A-A, section B-B, section C-C, section D, received 17th August 2015.
Reason: To define the extent of the permission granted.
- 3 Samples of all external finishes shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced. The scheme shall be implemented in accordance with the approved details.
Reason: In the interests of visual amenity.
- 4 Notwithstanding the details shown in the approved plans, no development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority, unless agreed otherwise in writing. All works undertaken shall be in accordance with the approved details before the commencement of works on site:
 - Recording of all elements (even 1980/90s) before work starts
 - Large scale details (scale of 1:5) of new northern opening
 - Large scale details (scale of 1:5) of interfaces with historic fabric
 - Large scale details (scale of 1:5) of metal cladding to extension (joints, corners, reveals etc.)
 - Details of how roof insulation is proposed to be installed
 - Details of how spire will be fixed (including structural engineers report)
 - Details of how the retained roof light will be made flush with the slatesReason: In the interests of visual amenity

PLANNING COMMITTEE – 10TH NOVEMBER 2015

ITEM 1 (CONT'D)

APPLICATION NO.

2015/1760

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: EV1 and EV7
 - 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
 - 3 Bats may be present. All British bat species are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2010. This legislation implements the EC Habitats & Species Directive in the UK making it an offence to capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It is also an offence to recklessly / intentionally to disturb such an animal.
If evidence of bats is encountered during site clearance e.g. live or dead animals or droppings, work should cease immediately and the advice of the Natural Resources Wales sought before continuing with any work (01792 634960).
 - 4 Birds may be present in this building and grounds please note it is an offence under the Wildlife & Countryside Act 1981 (as amended) to intentionally (intentionally or recklessly for Schedule 1 birds) to:
 - Kill, injure or take any wild bird
 - Take, damage or destroy the nest of any wild bird while that nest in use or being built
 - Take or destroy an egg of any wild birdCare should be taken when working on buildings particularly during the bird nesting season March-August.
-

PLANNING COMMITTEE – 10TH NOVEMBER 2015

ITEM 2

APPLICATION NO.

2015/1705

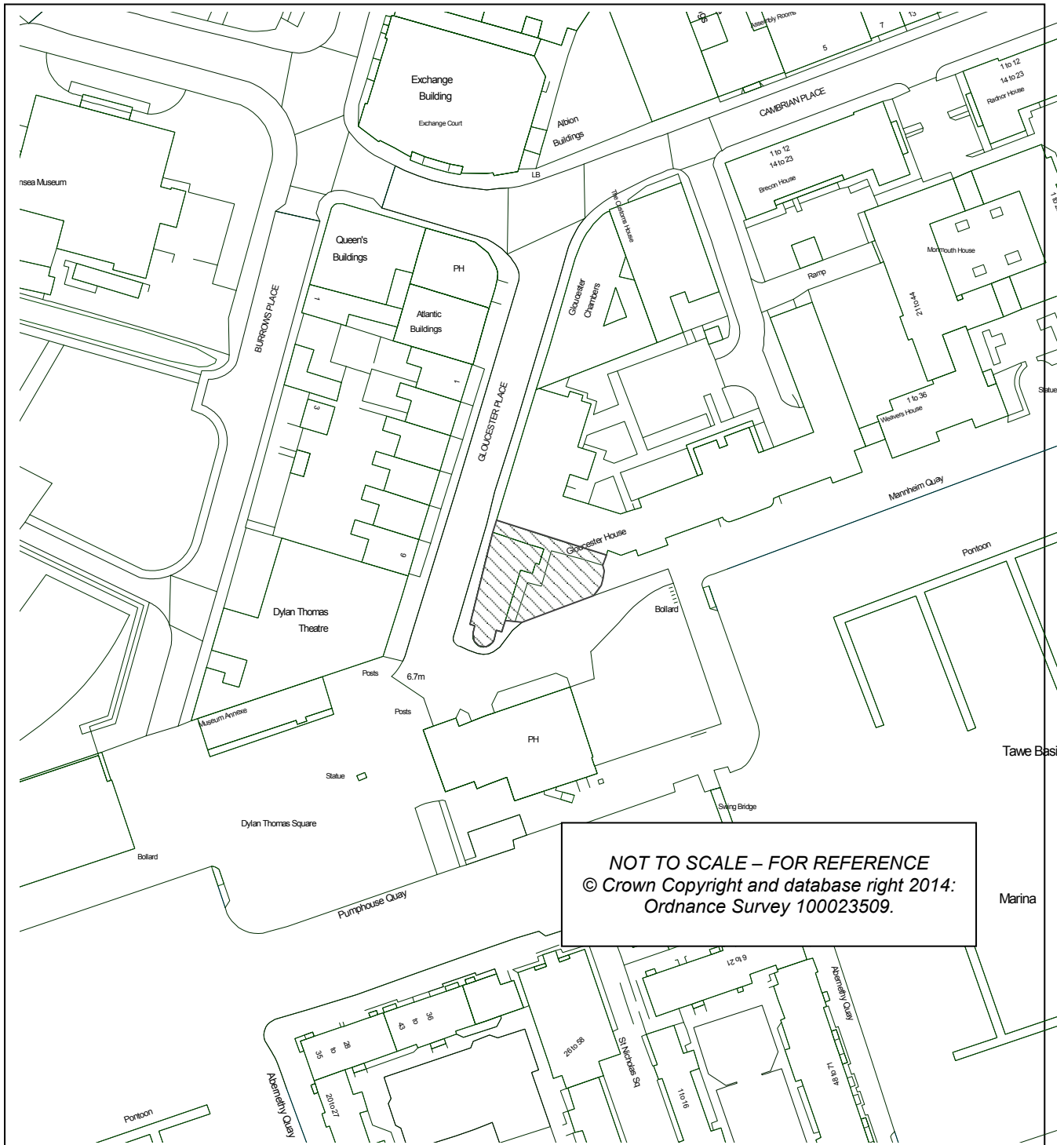
WARD:

Castle

Location: Old St Nicholas Church Gloucester Place Maritime Quarter Swansea SA1 1TY

Proposal: Demolition of modern extension, internal alterations, new entrance in north elevation, new extension on east elevation and associated works.

Applicant: Ms Amanda Roderick



PLANNING COMMITTEE – 10TH NOVEMBER 2015

ITEM 2 (CONT'D)

APPLICATION NO.

2015/1705

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy EV7	Extensions or alterations to a Listed Building will only be approved where they safeguard the character and historic form of the building. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2007/1583	Installation of three jumbrellas Decision: Refuse Decision Date: 12/09/2007
2007/1605	Installation of three jumbrellas (application for listed building consent) Decision: Refuse Decision Date: 07/09/2007
90/0852/11	RETAIL STORAGE OR COMMERCIAL Decision: *HGPC - GRANT PERMISSION CONDITIONAL Decision Date: 01/08/1990
2015/1760	Demolition of modern extension, internal alterations, new entrance in north elevation, new extension on east elevation and associated works. (application for Listed Building Consent) Decision: Officer Consideration Decision Date: 27/10/2015

ITEM 2 (CONT'D)

APPLICATION NO.

2015/1705

RESPONSE TO CONSULTATION

The application was advertised on site. FIVE LETTERS OF OBJECTION were received from the tenants of Gloucester House raising concerns relating to loss of light/overshadowing, loss of privacy/overlooking, increased noise and disturbance and loss of view. In addition, a PETITION OF OBJECTION was received with 35 signatures on the grounds that the proposal would infringe on light, space and privacy and loss of green space. SIX LETTERS OF SUPPORT were also received.

Council's Ecologist: Bats and birds may be present and as such informatives for their protection is recommended.

Victorian Society: Thank you for consulting the Victorian Society on this application. The case has been discussed by the Society's Southern Buildings Committee at its recent meeting, and I write now to convey our views. The Society broadly welcomes much of what is proposed. With some relatively minor modifications, this is an application we would feel able to support.

The principle of constructing a spire on the base of the building's former tower is one we accept. While the proposed design would by no means recreate the form of the original tower, it would nonetheless restore certain monumentality to the structure and endow it with a renewed sense of its former authority and scale.

We also accept the extension proposed to the building's east elevation, which would provide important new spaces for the Mission Gallery.

The one aspect of the scheme which we feel is not yet well resolved involves the alterations proposed to the building's west elevation. At some point in the past a large opening, occupying an entire bay, was formed up to eaves height. It is a crude intervention that detracts greatly from the rhythm and character of the church's dignified elevations. The application proposes glazing in this space, which would compound its detrimental impact by rendering it even more apparent. Particularly in light of the extent of works proposed to the other parts of the building, a more appropriate architectural response is required to what is otherwise the best preserved of the historic elevations. This need not necessarily involve reinstating the building's original appearance; the emphasis here is on the need for a contextual architectural resolution.

I would be grateful if you could inform me should the application be amended in line with our advice. Otherwise, I would appreciate being informed of your decision in due course.

Ancient Monument Society: The Seamen's Mission of 1868 is a modest building, like many of that building type. It is known to be the work of Benjamin Bucknall but its chief claim to fame is as a marker to the history of the city's Maritime Quarter. Its present use, about to celebrate 50 years on the site, is among the more adventurous artistic centres in urban Wales, ranking with the Tabernacle at Machynlleth – a radical counterpart to the Vivian.

The new extension is bold and quirky - and that is no bad thing.

PLANNING COMMITTEE – 10TH NOVEMBER 2015

ITEM 2 (CONT'D)

APPLICATION NO.

2015/1705

We do not wish to register a formal objection but we do wonder why the newcomer is so exaggeratedly restless - the 3 apses to the new northern wing, the sham spire, the way that the new bulk seems to collide with the simple forms of the present North elevation runs counter to the simplicity of the present building. Does the new wing really have to show off so much and be so un-neighbourly?

On a boring practical point how is the "spire" to be braced against high winds?

We do ask whether the new wing is not trying too hard but we do not oppose it as such.

Applicant's Supporting Statement: The objections in the petition and the other objections from Gloucester House residents do not present an accurate account of the proposals contained in the planning application.

Visitors to the gallery will not be able to see into Gloucester House. The windows in the extension have been designed with grills that provide light in the galleries but do not provide views of the rooms in Gloucester House. Visitors to the gallery will not have access to the garden. We have improved the security in the garden by providing new gates that will enable the residents of Gloucester House to control their access through the garden. The designs for the garden were made in consultation with Gloucester House residents, and the City and County of Swansea (CCS) Housing department.

The independent light study that was requested by CCS Housing Department and Gloucester House residents shows that the proposed extension and tower satisfies the BRE requirements for daylight and sunlight, and complies with policy EV1 of the City and County of Swansea Unitary Development Plan. There is one window that is slightly below the BRE standard, but as the proposal explains, this is one window of a flat with two windows, and is only just below the norm, and will diminish the daylight by a very small amount.

Head of Transportation and Engineering: Please advise that the fire opening onto Gloucester Place needs to be realigned to open inwards so as not to obstruct the adopted highway (footway).

APPRAISAL

This application is reported to Committee as a petition of objection has been received with over 30 signatures and the application has been "called in" by Cllr Erika Kirchner.

Description

Full planning permission is sought for alterations of Grade II listed Mission Gallery (Old St. Nicholas Church, Gloucester Place, Maritime Quarter, Swansea) comprising the following works:

- Demolition of 1980s extension
- Relocation of entrance to north elevation with new opening
- New western extension including stair access to upper floor
- Modern spire on base of former tower

The application site is located in the Maritime Quarter Conservation Area and occupies a prominent location adjacent to the pump house and 1-6 Gloucester Place which are also grade II listed buildings. A Listed Building application has also been submitted in conjunction with this application, 2015/1760 refers.

Policy Issues

The main issues for consideration relate to the impact of the proposed development on the character and appearance of the area which includes Maritime Quarter Conservation Area and preserving the grade II Listed Building and adjacent building at Gloucester Place, the impact upon the residential amenities of existing local residents in particular occupiers of adjacent residential apartments at Gloucester House, and highway safety having regard to prevailing Unitary Development Plan policies EV7 (Extensions/Alterations to Listed Buildings), EV9 (Development within a Conservation Area), EV2 (Siting and Location), EV3 (Access) and AS6 (Parking). There are in this instance no additional overriding issues for consideration under the provisions of the Human Rights Act.

Visual Amenity

With regard to visual amenity, the relocation of the entrance to the northern elevation is considered acceptable and with the detailing proposed comprising bath stone reveals would respect the character of the building.

The proposed rear extension would measure a maximum of 16.25 metres by 5.5 metres and would be larger in terms of footprint and height than the existing extension. The proposed extension would be single storey in height except for the stairwell on the north east curved edge which would give access to the existing first floor educational space within the gallery. The proposed extension, clad in zinc metal sheeting would be a modern intervention. Whilst this element of the proposal is a bold modern design, it is considered to be sympathetic to the character of the listed building and therefore acceptable in visual terms.

The proposed metal spire would be visually lightweight and fixed to the remains of the former tower structure at roof level. It is considered to complement the building with a reference to the former religious use whilst also being a modern public art feature.

In view of the above, it is considered that the proposed alterations would enhance and preserve the character and appearance of Maritime Conservation Area and the existing listed building and would not harm the setting of the adjacent listed buildings at Gloucester Place.

Residential Amenity

With regard to residential amenity, as noted in the preceding paragraph the proposed extension would replace a smaller extension on the western elevation. The extension would be sited 1 metre closer to the side wall of residential apartments within Gloucester House which contains windows, and would project 2.4 metres beyond the back wall of the existing extension. The height would generally be below the eaves level of the existing building apart from the stairwell which would have a maximum height of 13 metres. Whilst it is acknowledged that the outlook from one ground floor window of the adjacent flats at Gloucester House may be impacted by the proposed extension.

ITEM 2 (CONT'D)

APPLICATION NO.

2015/1705

Nevertheless, any impact on this window would be minimised by the curved form of the extension which falls away from the windowed elevation of Gloucester House, and the orientation of the extension in relation to the building. On balance therefore it is not considered that the proposed extension would significantly harm the amenities of occupiers of the adjacent flats in terms of overshadowing / loss of light at Gloucester House to an unacceptable degree sufficient to warrant refusal of the planning application.

The proposed windows of the proposed books/exhibition room on the rear elevation would directly overlook the existing open space to the rear of the gallery. As such, it is not considered that the proposal would harm the residential amenities of occupiers of adjacent Gloucester House in terms of overlooking/loss of privacy.

With regard to the relocation of the main entrance to the north elevation from Gloucester House, it is not considered that the proposed new siting which includes an entry ramp and steps would result in increased noise and disturbance, as a result of increased pedestrian movements, to occupiers of surrounding properties. The existing steel entrance gates would also be retained.

Access and Highway Safety

The Head of Transportation and Engineering has raised no highway objection subject to the fire opening onto Gloucester Place being realigned to open inwards so as not to obstruct the adopted highway (footway).

Responses to Consultations

Concerns raised by residents of Gloucester House in relating to loss of light/overshadowing, loss of privacy/overlooking and increased noise and disturbance have been addressed in the preceding paragraphs.

It is considered that concerns regarding of loss of view are not material planning considerations.

Concern has been expressed with regard to the loss of green space which is in the Council's ownership. In response, it is advised that this area is not afforded any additional protection as urban greenspace (over and above being designated within a Conservation Area) and the majority of this space is being retained. Furthermore, it is considered that the proposed development would enhance the character and appearance of the area.

Finally comments made by the Victorian Society and the Ancient Monument Society are noted and fully considered a part of the associated Listed Building application

Conclusion

In conclusion, it is considered that the proposed development is acceptable in terms of preserving and enhancing the character and appearance of the Maritime Quarter Conservation Area, safeguarding the character of the Grade II listed Mission Gallery and the setting of adjacent listed Gloucester House, its impact on the residential amenity and highway safety in accordance with policies EV7, EV9, EV2, EV3 and AS6 of the Swansea Unitary Development Plan. Approval is therefore recommended.

PLANNING COMMITTEE – 10TH NOVEMBER 2015

ITEM 2 (CONT'D)

APPLICATION NO.

2015/1705

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, site plan, ground floor plan, first floor plan, roof plan, elevation west, elevation south, elevation east, elevation north, section A-A, section B-B, section C-C, section D, received 17th August 2015.
Reason: To define the extent of the permission granted.
- 3 Samples of all external finishes shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced. The scheme shall be implemented in accordance with the approved details.
Reason: In the interests of visual amenity.
- 4 Notwithstanding the details shown in the approved plans, no development shall take place until details of the following have been submitted to and approved in writing by the Local Planning Authority, unless agreed otherwise in writing. All works undertaken shall be in accordance with the approved details before the commencement of works on site:
 - Recording of all elements (even 1980/90s) before work starts
 - Large scale details (scale of 1:5) of new northern opening
 - Large scale details (scale of 1:5) of interfaces with historic fabric
 - Large scale details (scale of 1:5) of metal cladding to extension (joints, corners, reveals etc.)
 - Details of how roof insulation is proposed to be installed
 - Details of how spire will be fixed (including structural engineers report)
 - Details of how the retained roof light will be made flush with the slatesReason: In the interests of visual amenity
- 5 Notwithstanding the plans submitted, the fire door opening onto Gloucester Place shall be realigned to open inwards in accordance with details which shall be submitted to and approved by the Local Planning Authority in writing prior to the commencement of development.
Reason: In the interests of highway safety.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: EV1, EV2, EV3 and EV7.

PLANNING COMMITTEE – 10TH NOVEMBER 2015

ITEM 2 (CONT'D)

APPLICATION NO.

2015/1705

- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 3 Birds may be present in this building and grounds please note it is an offence under the Wildlife & Countryside Act 1981 (as amended) to intentionally (intentionally or recklessly for Schedule 1 birds) to:
- Kill, injure or take any wild bird
 - Take, damage or destroy the nest of any wild bird while that nest in use or being built
 - Take or destroy an egg of any wild bird
- Care should be taken when working on buildings particularly during the bird nesting season March-August.
- 4 Bats may be present. All British bat species are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2010. This legislation implements the EC Habitats & Species Directive in the UK making it an offence to capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It is also an offence to recklessly / intentionally to disturb such an animal.
- If evidence of bats is encountered during site clearance e.g. live or dead animals or droppings, work should cease immediately and the advice of the Natural Resources Wales sought before continuing with any work (01792 634960).
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PLANNING COMMITTEE – 10TH NOVEMBER 2015

ITEM 3

APPLICATION NO.

2015/1903

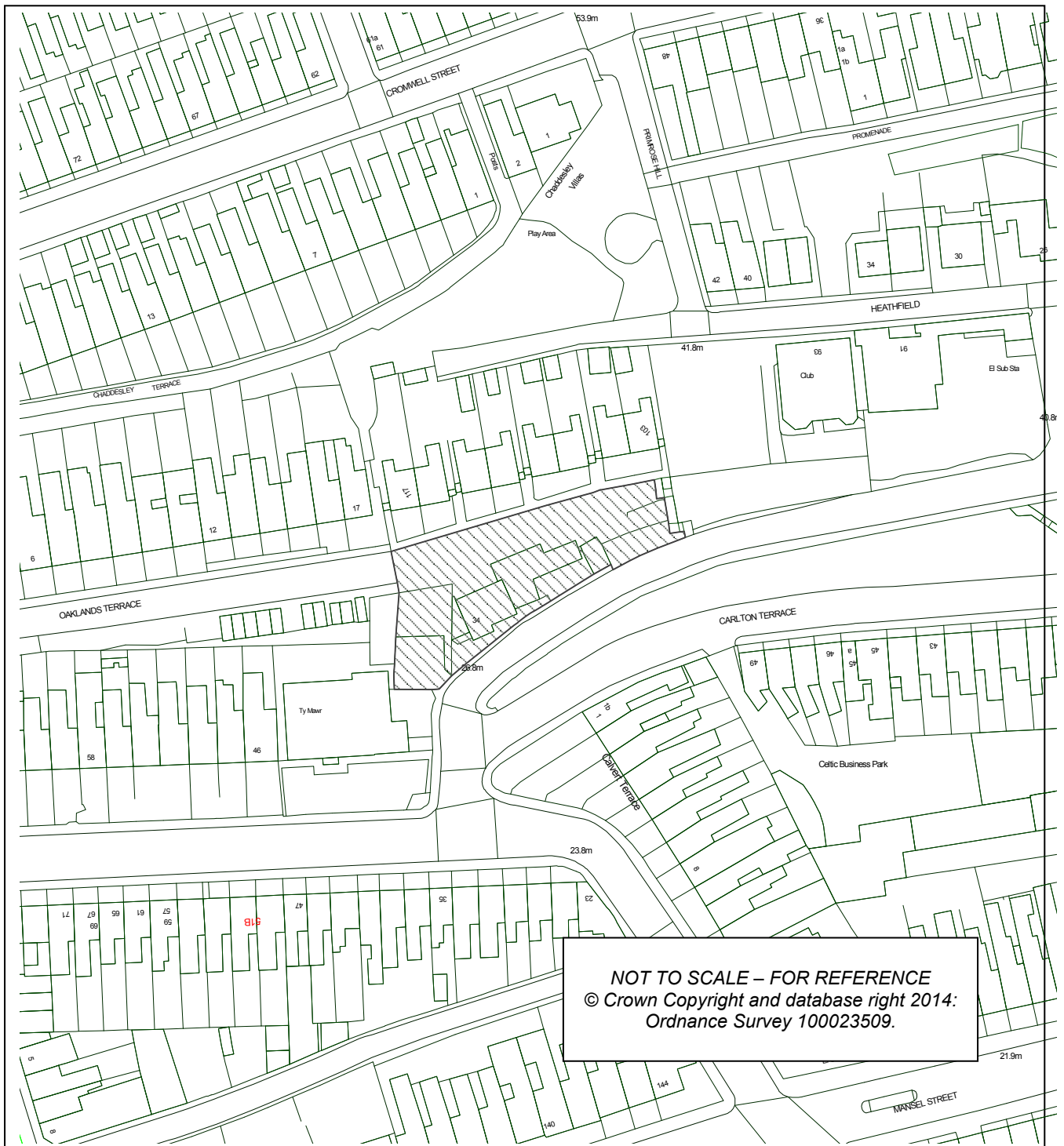
WARD:

Castle

Location: Furze Bank 34 Hanover Street Uplands Swansea SA1 6BA

Proposal: Side roof extension, first floor side extension, and external alterations to facilitate change of use from offices (Class B1) to 4 no. 2 bedroom and 5 no. 1 bedroom self contained apartments (Class C3) with associated parking

Applicant: Carbis Properties Ltd



PLANNING COMMITTEE – 10TH NOVEMBER 2015

ITEM 3 (CONT'D)

APPLICATION NO.

2015/1903

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy HC6	Proposals for the conversion of larger dwellings and vacant or under-utilised commercial and industrial buildings to flats or similar will be permitted subject to a set of defined criteria including the effect upon residential amenity; overintensive use of the dwelling or building, effect upon the external appearance of the property and the locality; effect on local car parking and highway safety; and adequate refuse storage arrangements. (City & County of Swansea Unitary Development Plan 2008)
Policy AS6	Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2014/0076	Side roof extension, first floor side extension, and external alterations to facilitate change of use from offices (Class B1) to 4 no. 2 bedroom and 5 no. 1 bedroom self contained apartments (Class C3) with associated parking Decision: Refuse Decision Date: 03/07/2014

RESPONSE TO CONSULTATION

TWNETY NINE properties were consulted and the proposal was advertised on site. 14 LETTERS OF OBJECTION have been received which are summarised as followed:

- 1) Bats are in the area
- 2) Cramped over intensive development
- 3) Overlooking
- 4) Highway safety concerns

PLANNING COMMITTEE – 10TH NOVEMBER 2015

ITEM 3 (CONT'D)

APPLICATION NO.

2015/1903

- 5) Land stability concerns
- 6) Out of keeping in design terms
- 7) Bland and cheap appearance
- 8) Inadequate separation distance
- 9) The extension is not subservient

Additionally, a petition containing 74 signatures has been received which expresses concern as to the impact on local residents and highway safety.

ONE LETTER OF SUPPORT has been received which does not expand as to the scheme's merits.

One of the ward Councillors has requested that this application be presented to Committee for consideration.

Head of Transportation and Engineering –There was a previous application at the site which was reported to committee with a recommendation of approval (2014/0076 refers). The application was subsequently overturned by the Committee members and the application was refused on both planning and Highways grounds. The applicant appealed and whilst the appeal was dismissed he did not agree with the highways reason for refusal and on that basis he considered that there was no detrimental impact on highway safety or parking. The Inspectors' comments are a material consideration, and notwithstanding that the original recommendation was for approval then the comments on this current application will also be broadly supportive subject to conditions.

The existing office had five spaces associated with it and the remainder of staff/customer parking took place in and around the surrounding streets which are already highly populated with cars.

The proposed Parking takes place in three locations using an existing parking area, demolishing of a garage and demolishing of a side boundary wall. The dropped kerbs providing access to the parking areas are already in place except for the spaces which run parallel to Heathfield which will require a new dropped crossover. This can be secured by condition.

Currently the plans show 11 spaces which equates to one per flat plus two for visitors. Given the sustainable location this is considered to be an appropriate level of provision.

There is no cycle parking indicated on the plans but with introduction of cycle storage within the site would encourage non car modes of transport.

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

1. Before the development hereby permitted begins, arrangements shall be agreed in writing with the local planning authority and be put in place to ensure that no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in Hanover Street, Heathfield or Carlton Terrace at any time.

2. The implementation of cycle parking in accordance with details to be submitted to the LPA for approval.

PLANNING COMMITTEE – 10TH NOVEMBER 2015

ITEM 3 (CONT'D)

APPLICATION NO.

2015/1903

3. The parking areas being laid out in accordance with the approved plans prior to beneficial occupation of any of the units, and those parking areas to be maintained for parking purposes only by the residents of the development in perpetuity.

4. No highway objection subject to the construction of a vehicular crossing to Highway Authority Specification.

5. 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.

It is noted that the Highways Officer has requested a vehicular crossing condition. The required vehicular crossover falls outside the application site and therefore consent would be required from the Highways Department for the construction of it. It is therefore not considered necessary to control this matter by means of a planning condition.. The same applies to the condition relating to the submission of a Construction Traffic Management Plan, as this matter can also be dealt with under highway legislation.

APPRAISAL

Full planning permission is sought for the redevelopment of 34 Hanover Street which includes a side roof extension, first floor side extension and external alterations to facilitate the change of use from offices (Class B1) to 4 two bedroom and 5 one bedroom self-contained apartments (Class C3) with associated parking.

A previous planning application (ref: 2014/0076) was refused by the then Area 1 Planning Committee and subsequently dismissed at appeal (12th January 2015). The appeal inspector concluded that the potential for overlooking and loss of privacy between the rear windows of the proposed development was a concern in that *“there would be short unobstructed lines of sight between the proposed rear facing second floor bedroom window to flat 9 and bedroom windows to Nos. 109, 111, 113 Heathfield.....and between the rear facing second floor rooflight to the kitchen/lounge/dining to flat 8 and bedroom windows to Nos. 107, 109 and 111 Heathfield [which] would result in a significant and unacceptable loss of privacy to the respective occupiers.”* Of further concern was the potential for loss of privacy to the rear flats from the communal pathway running at the bottom of the gardens on Heathfield.

The second point of concern raised by the Inspector was that of the lack of a structural survey relating to the land stability resulting from the proposed development. Whilst no intrusive works have been performed to establish the impact of the proposal, a chartered engineer has provided a visual inspection report which, whilst not addressing the exact issue at hand, provides some insight into the existing retaining structures. Should the Committee be mindful to approve this current application, an appropriate structural report and any remedial requirements can be conditioned to be submitted to and approved by the Local Planning Authority prior to works commencing.

Issues relating to form, detailed design, massing, materials, parking provision and highway safety were not deemed unacceptable by the Inspector.

Site description

The application site is located on the junction of Heathfield and Hanover Street and is in a prominent location. It is raised above the pavement. Currently the building provides office accommodation for a company that is seeking to relocate.

Whilst the original Victorian building has lost much of its original detailing, it does still act as a focal building, but its modern two storey existing flat roofed extension is incongruous.

The site is located on a hillside and cuts into the land. The area to the north of the site was once a series of quarries. To the south lies the highway, residential properties and a few commercial properties. The western edge is bounded by Oaklands Terrace and a more recent 4 storey development of flats Hanover Street (Ty Mawr).

The principle of this development has already been established as being acceptable by the appeal Inspector and therefore it remains to consider whether the differences between the current application and that previously refused satisfactorily address previous refusal reasons, having particular regard to Policies EV1, EV2, EV3, HC6 and AS6 of the City and County of Swansea Unitary Development Plan 2008. There are not considered to be any overriding issues resulting from the Human Rights Act.

Planning Considerations

Whilst the principle of residential at this location has already been accepted, for the purposes of completeness the policy implications are discussed below:

The site is located within a predominantly residential area. There are no site specific policies which seek to restrict development in this location. Therefore the principle of residential development at this site is considered acceptable subject to satisfactory visual, residential and highway safety impacts.

In terms of visual amenity the current scheme is practically identical to that previously submitted in terms of the detailed design and general appearance of the proposed works, with the footprint of the building remaining largely unaltered. Again, two extensions are proposed – one above the existing single storey extension to the west and one above the existing two storey extension to the east and north. The previous application was fully assessed and its visual impact on the host building and wider street scene was not raised as a refusal reason by the Inspector, thus being deemed acceptable. From the front, the building would appear identical to that previously submitted, with the only difference to the whole scheme relating to fenestration alterations on the rear elevation.

Again, for the purposes of completeness, a description of the proposed works and the impacts on the host building and wider street scene is included below.

The extension to the west (element A) is to be raised by a storey to provide an additional floor. The roof is to match the existing building in terms of scale and eaves height and will appear set down from the ridge. As the existing extension is set back from the main front wall of the building and the proposed extension is to be sited above it, then this element of the proposal would appear subordinate to the main building. Furthermore the proposed fenestration will match that of the extension on the east (B1 and B2).

The main building is to remain largely unaltered to the front. However, element B1 is to have its existing flat roof replaced with a pitched roof of comparable proportions to the main building, following the same eaves height and pitch angle. A front dormer/gable is also proposed of similar proportions to the existing building and reflecting the character of other Victorian properties in the vicinity.

The remaining extension (element B2) is a more rectangular and linear section which wraps around the rear of the site. It is formed slightly differently to the rest of the building and is visually distinct from the main building in that the eaves height is higher (needed to achieve the required head room) and through the use of metal cladding with standing seams, wrapping over the roof from sill level of first floor windows.

This element of the proposal presents the most challenging design solutions due to the land level changes. The 'ground floor' level of B2 is a void and through the use of the cladding to sill level, it creates a sense of this element of the building being perceived as two storeys rather than three, standing on a plinth. Due to the complex roof structure, there would be a section of flat roof to the rear of the main ridge, necessitated by the provision of matching pitch gradients to the rear. This element of the scheme cannot be viewed from the highway to the front or from surrounding approaches and would only be visible from a handful of private properties to the rear. However, due to the land level difference and the relative small scale of the flat roof and the overriding improvements to the building (the loss of extensive existing flat roofs), this element of the proposal is not considered unacceptable. All the fenestration alterations on B2 will be uniform in proportions, materials and position.

The use of the cladding is intended to create a sense of subservience to the main building as it breaks up the dominance of the render finish found on the rest of the building and adds architectural interest and texture. The proposed pitched roof extension with pitched dormers to the existing flat roof element is welcomed. This remains subservient to the main building and has a complementary form, plus improves the aspect looking down Heathfield. The drawings show standing seam metal cladding to the first floor element and the roof, which is welcomed to create a contemporary finish to a traditional form.

In terms of landscaping, this primarily consists of hard surfacing which is to be achieved by the demolition of the existing outbuildings. Retaining walls are to either remain as existing or consist of the construction of new retaining structures. The existing stone front boundary wall is to remain with the replacement of the top railings with powder coated metal railings. It is also proposed to utilise planting where possible behind the retaining wall and railings which would serve to soften the appearance of the front of the site.

As the proposal is broadly similar to the previous application in design and appearance, and in light of the Inspector's decision, there would be no reason to raise concern on design grounds, in terms of scale, massing, detailed design, materials and general form at this stage. It is considered, therefore the proposal is visually acceptable, having no detrimental visual impact over and above that previously deemed acceptable and would result in no significant or adverse visual impact upon the character and appearance of the existing building or wider surrounding area. The proposal is therefore in accordance with the criteria laid out in Policies EV1 and EV2 of the City and County of Swansea Unitary Development Plan 2008.

With regard to residential amenity and the suitability of the building to provide adequate levels of accommodation for future occupiers, again the Inspector did not raise concern on over-intensity of the site or the building's suitability to provide adequate new living accommodation and therefore it is considered that in addition to the extensions, the current proposal, which offers the same level of accommodation as previously proposed, would achieve satisfactory levels of accommodation for future occupiers. There is also ample space for refuse storage and cycle storage within the site.

Furthermore, it is considered that replacing an existing and unrestricted office use with a residential use at this location would serve to improve the prospects of reducing the levels of noise and general disturbance emanating from the site and will not result in excessive levels of noise and general disturbance. This matter was previously considered acceptable under the previous application.

The rear of the building is to be served by an external access walkway. This was also included under the previous application and the appeal Inspector considered that 'any noise resulting from comings and goings along these walkways would be no more than currently experienced between existing dwellings on Heathfield'. Furthermore it would result in no worse impact upon the properties on Heathfield than the existing communal pathway running along the back of those properties. As such, the proposed access walkways are considered appropriate in this instance.

In terms of the impact of element A on the occupiers of the properties to the west, the building to the west is a three storey block of flats with habitable room windows on the eastern elevation. However, the increase in height of the application property at this location by one storey would be mitigated by the separation distance of approx. 13m, the presence of significant and mature vegetation on the common boundary and the demolition of the existing large garage on the land to the west of the building. The windows on the western elevation of element A are serving bathrooms and therefore would be obscure glazed. This element of the proposal is identical to that previously considered and was not a point of concern previously. Therefore it is considered that element A would not have any adverse impact upon the occupiers of the flatted development to the west in terms of overbearance, overshadowing, or overlooking.

In terms of being overbearing, the application site is located on significantly lower land than the properties to the rear with the properties along Heathfield having views out across the top of the application building's roof. The submitted site sections indicate that the existing ridge and consequently the proposed extensions' ridges are sited at or below the land associated with the gardens of the properties on Heathfield and residents to the rear would therefore have views over the roof plane of B1 and B2 and further afield. As such, there are no overbearing or overshadowing issues in this instance. This was also the case under the previous application at this site.

Turning now to overlooking, the changes between the previously refused scheme and that currently proposed have been made to attempt to overcome the previously identified overlooking impacts, both to Heathfield and the future occupiers of the proposed development. To that end, the applicant has amended the scheme to remove, replace, or relocate windows that were deemed to cause the privacy issue.

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ITEM 3 (CONT'D)

APPLICATION NO.

2015/1903

At second floor level, the central flat has had its rear window replaced with a triangular, inwardly recessed angled window, providing oblique views outwards whilst providing natural light and outlook for the future occupiers. The same design solution is also proposed on the left hand flat at second floor level, replacing the previously proposed 'velux' type window.

At first floor level, the central flat's rear bedroom window has been relocated to the side return and the kitchen/dining window has been removed, with the side window being widened to provide greater natural light.

The appeal Inspector mentions the inadequacy of landscaping to the rear to protect privacy levels. Whilst it is still considered inadequate, the removal, relocation and redesign of the windows on the rear elevation are considered satisfactory in terms of mitigating against adverse levels of overlooking to an extent which would not require additional planting.

It is considered that the proposed amendments satisfactorily address the overlooking issues of the previously refused application and do not introduce additional issues, as the new windows proposed overlook the application site. Therefore the proposed is considered to fully comply with the criteria set out in Policies EV1, HC2 and HC6 of the City and County of Swansea Unitary Development Plan 2008.

With regard to the points raised in the letters of objection, points 2, 3, 4, 5, 6, 7, 8 and 9 have been addressed in the above appraisal. With regard to bats, the Council's Ecologist has raised no objection, subject to a standard informative relating to protected species.

With regard to the security lighting (Inspector comments), no details have been submitted and therefore it is not possible to make a detailed assessment on its potential intrusive impact. However a condition is recommended ensuring appropriate lighting is installed.

In conclusion and having regard to all material planning considerations including the Human Rights Act, the proposal is considered to represent an acceptable form of development, having particular regard to Policies EV1, EV2, EV3, AS6 and HC6 of the City and County of Swansea Unitary Development Plan 2008. Accordingly, 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.

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ITEM 3 (CONT'D)

APPLICATION NO.

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- 2 The development shall be carried out in accordance with the following approved plans and documents: Site Location Plan (3337/PA/001); Ground, first and second floor plans as proposed (3337/PA/011 Rev D); Proposed elevations (3337/PA/012 Rev C) received 16th September 2015. Proposed Site Plan (3337/PA/010 Rev A) received 12th October 2015.

Reason: To define the extent of the permission granted.

- 3 Before construction works relating to the development hereby approved commence, arrangements shall be agreed in writing with the Local Planning Authority and be put in place, to ensure that no resident of the proposed development shall obtain a resident's parking permit within any controlled parking zone which may be in force.

Reason: In the interest of highway safety.

- 4 The development hereby approved shall not be occupied until cycle parking has been provided within the curtilage of the site in accordance with details submitted to and approved in writing by the Local Planning Authority. The cycle parking shall be retained as approved at all times.

Reason: In the interest of sustainability.

- 5 Prior to beneficial occupation of any of the units, the parking areas shall be laid out in accordance with the approved plans and retained as such at all times for use by the residents of the development only.

Reason: In the interest of highway safety.

- 6 Notwithstanding the submitted details, the proposed new parking area hereby approved shall be:

(i) porous or permeable; or

(ii) constructed to direct run-off water from the hard surface to a porous or permeable area or surface within the curtilage of the property.

The parking area shall be permanently maintained so that it continues to comply with the requirements of paragraphs (i) or (ii).

Reason: In the interest of highway safety.

- 7 Before development works commence, a structural survey shall be carried out by a suitably qualified engineer, which investigates the potential impact of the proposed development on the stability of the site. The findings of this survey, together with any necessary mitigation measures/construction works required to deal with any instability issues arising from the proposed development, shall be submitted to the Local Planning Authority for its written approval before works commence. Any approved mitigation measures/construction works shall be incorporated into the proposed development.

Reason: In the interest of ensuring appropriate protection is given to the occupiers of surrounding properties and the future occupiers of the proposed development.

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ITEM 3 (CONT'D)

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- 8 No external lighting shall be erected on the building except in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority. The lighting shall be retained as approved at all times, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of general amenity.
- 9 No surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.
- 10 Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.
Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.
- 11 Foul water and surface water discharges shall be drained separately from the site.
Reason: To protect the integrity of the Public Sewerage System.

INFORMATIVES

- 1 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 2 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: Policies EV1, EV2, EV3, AS6 and HC6 of the City and County of Swansea Unitary Development Plan 2008.
- 3 Bats may be present. All British bat species are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2010. This legislation implements the EC Habitats & Species Directive in the UK making it an offence to capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It is also an offence to recklessly / intentionally to disturb such an animal.
If evidence of bats is encountered during site clearance e.g. live or dead animals or droppings, work should cease immediately and the advice of the Natural Resources Wales sought before continuing with any work (01792 634960).

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ITEM 3 (CONT'D)

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2015/1903

- 4 Birds may be present in this building and grounds please note it is an offence under the Wildlife & Countryside Act 1981 (as amended) to intentionally (intentionally or recklessly for Schedule 1 birds) to:
- Kill, injure or take any wild bird
 - Take, damage or destroy the nest of any wild bird while that nest in use or being built
 - Take or destroy an egg of any wild bird
- Care should be taken when working on buildings particularly during the bird nesting season March-August.
- 5 The applicant is advised that a Construction Traffic Management Plan should be submitted to the Local Authority's Highway Section before works commence on site.
- 6 The Developer must contact the Highway Management Group , The City and County of Swansea , Penllergaer Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Team Leader , e-mails to mark.jones@swansea.gov.uk , tel. no. 01792 636091
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ITEM 4

APPLICATION NO.

2015/1846

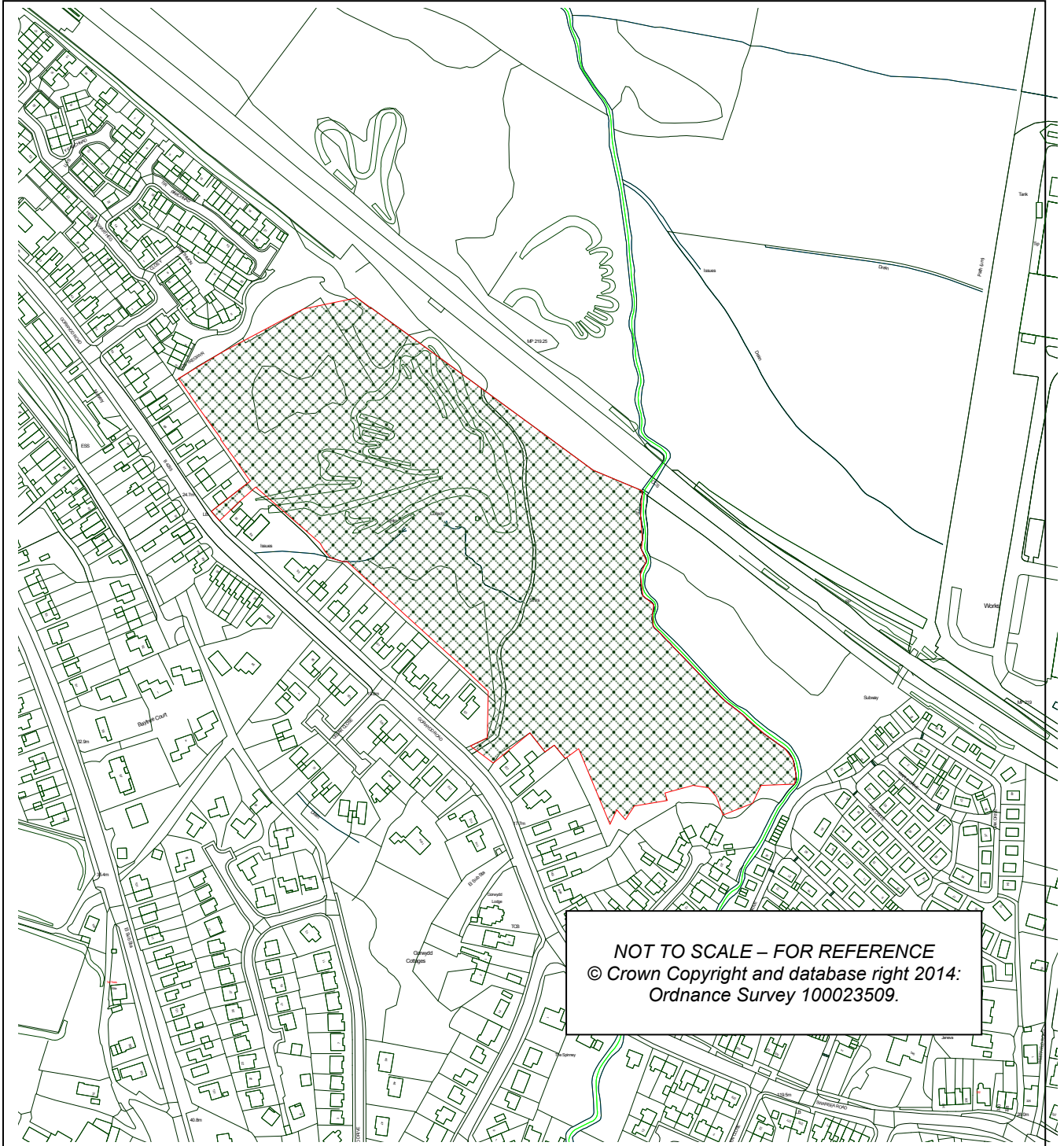
WARD:

Gowerton

Location: Land east of Gorwydd Road, Gowerton, Swansea

Proposal: Woodland management of trees covered by TPO No. 419

Applicant: C/O Agent



PLANNING COMMITTEE – 10TH NOVEMBER 2015

ITEM 4 (CONT'D)

APPLICATION NO.

2015/1846

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV30	Protection and improved management of woodlands, trees and hedgerows which are important for their visual amenity, historic environment, natural heritage, and/or recreation value will be encouraged. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2003/2096	Erection of 104 one, two, three and four bedroom dwelling houses, domestic garages, car parking spaces, roads, footpaths, cycleway, sewers, drainage, landscaping and public open space; one block of sheltered accommodation, comprising 27 one and two bedroom flats and associated highway works to provide new mini-roundabout to Gorwydd road Decision: Refuse Decision Date: 09/12/2003
A01/0397	Single storey rear extension Decision: Grant Permission Conditional Decision Date: 27/04/2001
2004/1959	Detached dwelling house Decision: Appeal Dismissed Decision Date: 30/06/2005
2013/0029	To lop 1 Oak tree covered by TPO no 419 Decision: Grant Tree Pres Order Consent (C) Decision Date: 11/02/2013
2005/0680	Residential development of 104 units (revised layout to planning permission 2002/2134 granted on appeal 2nd April 2004) Decision: Grant Permission Conditional Decision Date: 07/06/2005
2002/2134	Construction of 104 dwelling houses with a mixture of detached, semi-detached and terraced blocks comprising of one, two, three and four bedrooms, provision of sheltered housing accommodation comprising 27 one and two bedroom flats, associated garages, carparking spaces, roads, footpaths, cycleway and landscaping Decision: Appeal Allowed Decision Date: 02/04/2004

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ITEM 4 (CONT'D)

APPLICATION NO.

2015/1846

2012/0827 Two storey rear extension and side roof extension
Decision: Grant Permission Conditional
Decision Date: 03/08/2012

RESPONSE TO CONSULTATIONS

The application was advertised by means of site notices (placed on 11th September 2015). As a result of this advertisement, 94 letters of objection have been received, although many are duplicated so that 77 letters from different people at different addresses have been received. They can be summarised as follows:

- The potential negative impact on the wildlife inhabiting the area, including bats, badgers, nesting birds, reptiles and small mammals.
- The trees serve to mitigate against noise pollution experienced from the industrial site in Waunarlwydd, the railway line and standing traffic. If the density were reduced the noise levels will create an issue to the residents of Gorwydd Road.
- The loss of an area of beautiful woodland which is used by many people especially children who play there and as a dog walking area. Near to a cul-de-sac and green area the safety of the children is paramount and will be put at risk.
- The developers have already decimated quite a few trees on the site.
- There is a stream there which although plans submitted have indicated will be diverted could cause flooding to several areas including the main railway line.
- Already there have been heavy vehicles gaining access through our road which will not take any more traffic let alone these vehicles.
- This T.P.O. was granted many years ago by the Lliw Valley Council, let's not allow this to be lost because of potential housing development on a protected area.
- The information given on the application has very little detail of the work to be carried out and why? Furthermore from past experience of this company, there was nothing sensitive about work previously carried out, when work was undertaken in February 2015 to undertake a number of surveys ... I think Council and the residents of Gowerton need clearer and much more detailed information as to what trees they wish to work on and why? No trees with a TPO should be felled surely without adequate information why it needs to be felled and whether it is diseased or not and the map outlining the area of work is huge.
- The site is part of a SINC and is interlinked with three other pieces of land within its proximity and should not be allowed to be destroyed. There is a need to protect the trees and conservation for future generations.

Discrepancies and errors/omissions have been identified in the application submissions, particularly the use of an out-of-date site plan which does not identify houses built in proximity to the site; and the lack of detail provided on the works proposed and the identification of individual trees on the site.

Concerns have also been expressed that the applicant is just "... *another developer circumnavigating around the planning process and pre-empting that they will have planning permission for the proposed development request that has been put forward for consideration for inclusion in the LDP and taking advantage of Council's lack of man power and resources as a result of austerity cuts*"; and that the works proposed to the woodland is a precursor to the redevelopment of the site for residential purposes.

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ITEM 4 (CONT'D)

APPLICATION NO.

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Included in the above number, **Gowerton Community Council** objects strongly to this application on the following grounds:

- “1. *The map and information supplied to consider along with this application is out of date and does not give sufficient accurate information with regards to the site to be able to give a through or educated comment on the requests being put forward within this application.*
2. *As members have commented with regards to the development of this particular site previously, this is a natural wooded area, with several environmental factors that should be seriously considered prior to the consideration of these works. The area is or long standing use to wildlife etc. and this would be of detrimental effect to their habitats.*
3. *Council consider the preservation of trees in Gowerton to be of the utmost importance, and they cannot clearly see why the application is necessary as many of trees are mature and want to be preserved for the future”.*

The Gower Society has commented that they have no alternative but to register their objections to the proposal, for the following reasons:

1. *“Normally outside our normal scope but we consider the area important for conservation and the general improvement within an urban context. It is the type of area that our Society encourages and even gives financial support to. It has to be protected.*
2. *We note the large number of letters of local objection and these cannot be simply ignored.*
3. *We also note the officer’s report and we totally agree with what has been stated.”*

Byron Davies MP has also written on behalf of a constituent, stating the following:

“I, too, have grave concerns as in January 2015 I wrote to yourself regarding this site, which has been highlighted as a Candidate Site under the emerging Local Development Plan for housing, on the issue of the wild life habitat within the site.

This application is vague to say the least and the plan submitted is outdated. It would appear that the dotted line indicating where this work is to take place would appear not to coincide with the actual footpaths within the site. The width of the footpath has not been indicated within the report, only the height at which the work is to take place. I concede that the owner needs a means of access to manage the land, but I am told that this has not happened for over 30 years, why the sudden rush?

My understanding is that under a Woodland TPO even the smallest of saplings are considered protected. However, even some of the older trees may provide support to bats, which as you are aware are a protected species; and other habitat. There is no report from an arborist; they have not indicated if there will be a "Watching brief" as the work progresses.

The matter of the Japanese Knotweed has not been addressed.

The information provided is insufficient and I therefore request that this application be refused.”

ITEM 4 (CONT'D)

APPLICATION NO.

2015/1846

APPRAISAL

This application is reported to Committee as a call in request has been made by Cllr Susan Jones and the objection threshold has been reached i.e. a petition on more than 30 signatures from individual households has been received within the 21 day consultation period.

The applicant seeks consent to carry out works in a woodland covered by Tree Preservation Order No.419, located off Gorwydd Road, Gowerton. The Order was confirmed in September 1984.

The description of the site given by the agents in this application states land to the north of Gorwydd Road but, having digitised the site, this description was altered to read 'land east of Gorwydd Road' which was considered to be a better representation of the siting of the woodland.

In addition, the description of the proposed works given in the Tree Works specification attached to the application documents, clarified the extent and reasoning behind the need for the proposed works. However, as this description was lengthy, it was determined that the description for the purposes of the application be amended to reflect the woodland management works that were proposed. In this respect, further clarity was sought from the agents as to how they would determine what trees would be classed as 'poorer quality', but no response has been received.

Inspection of the trees was carried out by the Council's Landscape Assistant (Arboriculture) on 8th October 2015.

Summary of Inspection

Species: mixed broadleaf woodland – predominately Oak and Ash, with an area of Goat Willow to the north-west and an understory of Holly and Hazel (location shown on submitted plan)

Age: established woodland – mixed age-class

Safe Useful Life Expectancy: 100+yrs

Amenity Value: The woodland is visible from the properties on Gorwydd Road, Tir y Farchnad and Laurel Drive and provides a buffer between these properties and the railway. It is also a Site of Importance for Nature Conservation (SINC).

Physiological Condition: Good

Structural Condition: Good

Inspection conclusions

There is an existing network of established paths in the wood, some of which are accessible and some of which are fairly overgrown.

The paths shown on the map submitted with the application, for the most part, appear to correspond with or be close to existing paths. The western boundary is visible along its entire length from the adjacent grassy bank. An access path does not need to be cut here as this would mean the removal of semi-mature trees along the woodland edge to the detriment of the woodland and the amenity of the adjacent properties. There is an established track following the line of the proposed path along the northern boundary which requires no work other than the removal of some fallen trees.

The remaining paths proposed can be cut with a minimum of disturbance to the woodland and with no loss of visual amenity from the adjacent properties.

An established woodland will always contain trees of varied ages and conditions and this structure should be maintained. Trees which are over-mature, in decline or which contain large amounts of deadwood also contribute to the habitat value of the woodland but the removal of fallen trees and dead, dying or dangerous trees is exempt from TPO regulations.

As a guide regarding woodland management, "Tree Preservation Orders: A Guide to the Law and Good Practice" provides the following advice:

"3.16 A woodland TPO should not be used as a means of hindering beneficial management work, which may include regular felling and thinning. While LPAs may believe it expedient, as a last resort, to make TPOs in respect of woodlands they are advised (whether or not they make a TPO) to encourage landowners to bring their woodlands into proper management under the grant schemes run by the Forestry Commission. If, for one reason or another, a woodland subject to a TPO is not brought into such a scheme, applications to manage the trees in ways that would benefit the woodland without making a serious impact on local amenity should be encouraged (see paragraph 6.41 of this Guide)".

On this basis, the Tree Officer and Landscape Team have collaborated to ensure that the work proposed is limited by condition to ensure that the work is only carried out to a limited number/size of trees.

Responses to Consultations

Numerous letters refer to similar objections regarding the unacceptability of the proposed works, but many also refer to the 'destruction' and 'felling' of the woodland, which is not the case in this instance, as a 'pre-cursor to potential housing development' on the site. What is proposed in this application for TPO consent is a limited amount of works to cut access ways through the woodland, in order to gain access to assess and manage the remaining areas of trees within the established woodland.

Concerns regarding the negative impact on wildlife; the health and vitality of the woodland area; and the potential impact upon the TPO and SINC are addressed in the appraisal above. The reasoning behind the comments regarding the possible resultant noise pollution is questioned, given the fact that the majority of the established woodland is to remain in situ. Any plans to divert the existing watercourse through the site are not proposed, as part of this application for Tree Preservation Order consent; nor is the removal of the TPO covering the woodland, which is to be retained.

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Comments regarding heavy traffic are not relevant to the consideration of the application, as the agents state that works to trees would be carried out using hand tools, so that no access to heavy vehicles would be necessary to the woodland or surrounding area.

The Council's Planning Ecologist commented that *"It is unclear from the description of the proposed work what is to be cleared there is no width stated. The wood is already largely accessible I don't think the access suggested is necessary for drawing up a management plan for the wood. The whole wood forms the Gowerton Mart SINC it consists of lowland mixed deciduous woodland and wet woodland. These are both UK Biodiversity Action Plan habitats to which the Welsh government has a commitment to preventing their decline. The proposed work might compromise the integrity of the wood. At present I don't think there is a compelling reason for the work to be given permission."*

In response to these comments, the Council's Tree Officer and Landscape Team have confirmed that the works indicated are commensurate with improving access to the woodland to assess the area with a view to drawing up a management plan for the area, which is something that should be encouraged and falls in line with the guidance provided at Section 3.16 of "Tree Preservation Orders: A Guide to the Law and Good Practice" (see above)

CONCLUSION

Having regard to all material considerations, including the Human Rights Act, the proposal, subject to suitable conditions relating to the size/type of trees and areas of work, is considered to represent an acceptable form of works to a TPO protected woodland, complying with the criteria of Policy EV30 of the adopted City & County of Swansea Unitary Development Plan (2008).

RECOMMENDATION

APPROVE, subject to the following condition(s):

- 1 This consent relates to the cutting of paths only with any works limited to the following:
 - i) No tree greater than 75mm at 1.5m above ground level shall be removed;
 - ii) A deviation of up to 5 metres from the routes marked on the map is allowed to compensate for terrain and avoidance of mature trees;
 - iii) Where possible existing paths should be utilised;
 - iv) The width of the clearance must not exceed 2 metres;
 - v) The overhead clearance for the paths must not exceed 2.5 metres
 - vi) The only trees with a diameter greater than 75mm at 1.5 metres above ground level permitted to be felled are those which are dangerous i.e. hung-up over the path;
 - vii) The access path along the western boundary fronting Drovers Point estate shall not be cut;
 - viii) Only fallen trees shall be cleared along the existing track on the northern side of the woodland.

Reason: In the interests of visual amenity and safety, and the continued health of the woodland.

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| ITEM 4 (CONT'D) | APPLICATION NO. | 2015/1846 |
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- 2 The works to which this permission relates must be completed in its entirety no later than 2 years from the date of this consent, after which time the consent is no longer valid.
Reason: In the interests of visual amenity and safety.

 - 3 The work shall be carried out by a qualified tree surgeon to British Standard 3998 (2010) recommendations for tree work, the identity of whom shall be notified to the Local Planning Authority a minimum of 7 working days before the work is to be carried out.
Reason: In the interests of visual amenity and safety.

 - 4 The Local Planning Authority shall be notified a minimum of 7 days in advance of the date and time when the work is to be carried out.
Reason: To give the Local Authority the opportunity to inspect the work being carried out.

 - 5 The development shall be carried out in accordance with the following approved plans and documents:EDP1 - site location plan and Tree Work Specification, received 25th August 2015.
Reason: To define the extent of the permission granted.

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: Policy EV30 of the adopted City & County of Swansea Unitary Development Plan 2008.

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

- 3 Birds may be present. 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 trees/bushes, etc., particularly during the bird nesting season March-August.

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ITEM 4 (CONT'D)

APPLICATION NO.

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4 This consent is issued without prejudice to any other existing or proposed consents or easements on the site.

5 **STANDING ADVICE - DEVELOPMENT LOW RISK AREA**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

This Standing Advice is valid from 1st January 2015 until 31st December 2016

6 The applicant or his contractor should follow the advice given in BS 3998 (2010) 'Recommendations for Tree Work'.

7 The applicant or his contractor should contact the Council's Tree Officer (Tel. No. 01792 635724) with regard to the discharging of any of the conditions of this consent.

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ITEM 5

APPLICATION NO.

2014/1192

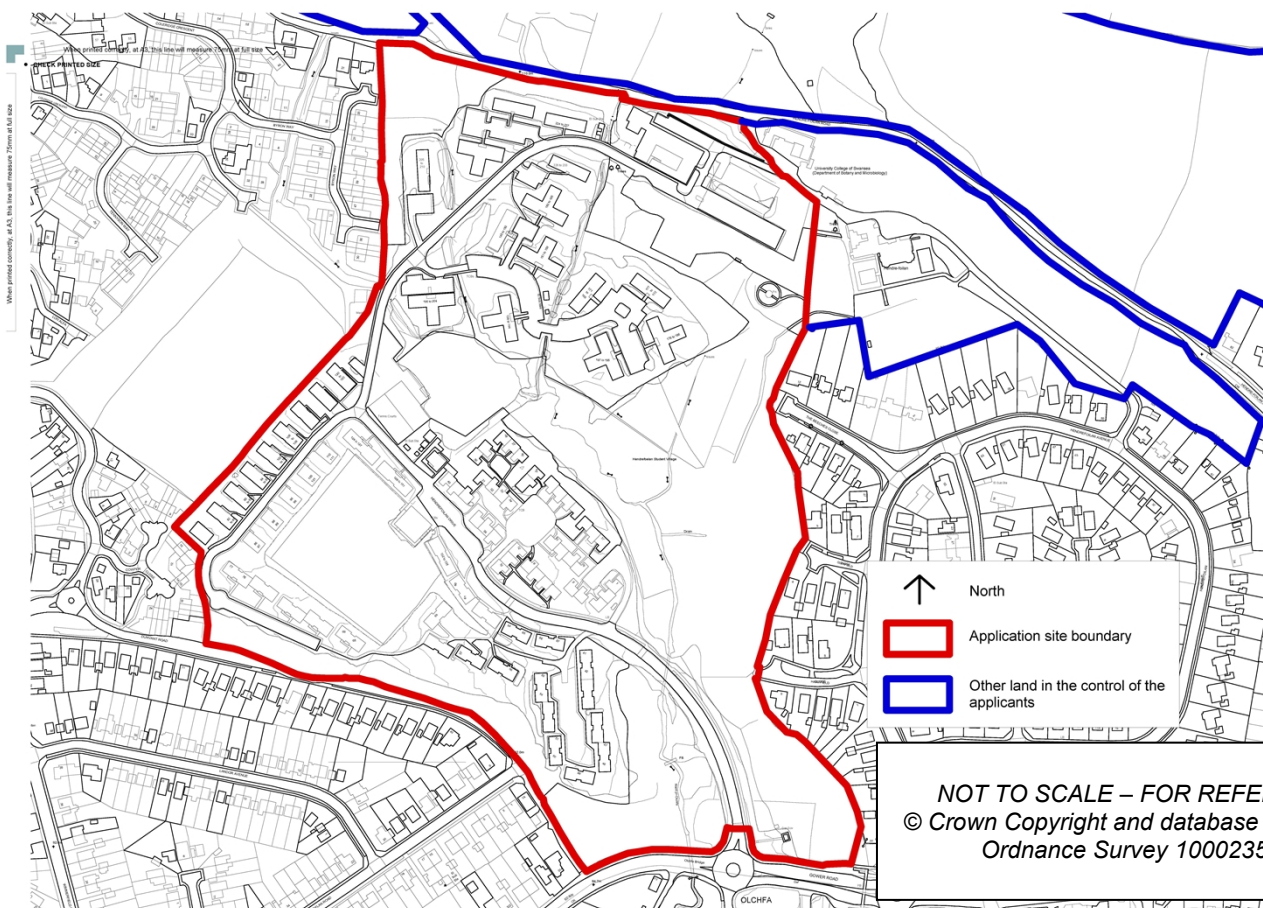
WARD:

Killay North
Sketty

Location: Hendrefoilan Student Village Hendrefoilan Drive Killay Swansea SA2 7PG

Proposal: Demolition of the existing student accommodation and other University buildings and comprehensive residential re-development of the site for up to 300 dwellings, with access road infrastructure, public open space, woodland planting and associated works (outline with all matters reserved)

Applicant: St Modwen Developments Limited and Swansea University



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.

Policy EV11 Development that would harm the character or setting of registered Historic Parks or Gardens or the character of Historic Landscapes will not be permitted.

Policy EV24 Within the greenspace system, consisting of wildlife reservoirs, green corridors, pocket sites and riparian corridors, the natural heritage and historic environment will be conserved and enhanced.

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

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

Policy 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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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 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 HC11 Higher Education Campus development will be permitted subject to a defined set of criteria. Expansion of student accommodation at Hendrefoilan Student Village together with enhanced social and support facilities will be permitted through:

- (a) Redevelopment and intensification of the existing accommodation, and
- (b) Limited additional development on the 'Quadrant Site'.

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 HC24 All new housing development will be required, where the level and nature of open space provision in the locality is inadequate to meet the needs of the future occupiers of the development proposed together with the needs of existing population in the locality, to:

- i) Make provision for areas of open space either within the site or at an appropriate location in relation to the development, or
- ii) Contribute towards the provision or improvement of existing off-site facilities in the locality through a commuted payment

Developers will be required to make appropriate arrangements for the management of these areas.

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

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- Policy AS2 Design and layout of access to new developments should allow for the safe, efficient and non intrusive movement of vehicles
- Policy AS4 Creation or improvement of public access routes will be encouraged
- Policy AS6 Parking provision to serve developments will be assessed against adopted maximum parking standards to ensure appropriate levels of parking

National Planning Policy

Planning Policy Wales (Edition 7 July 2014)

Supports in principle the redevelopment of 'brownfield' sites for new development.

Technical Advice Note 12: Design

Supplementary Planning Guidance

Places to Live: Residential Design Guide (January, 2014)

RELEVANT PLANNING HISTORY

None

RESPONSE TO CONSULTATIONS

The application was advertised on site and in the local press as a Departure from the provisions of the Development Plan. 13 LETTERS OF OBJECTION have been received, making the following points:

1. The Ecological Survey refers to only finding a disused badger sett. There is known badger activity in the woodlands.
2. The Ecological Survey refers to no signs of amphibians. There are wet areas where frogs have been sited.
3. The Ecological survey makes no mention of foxes. There are foxes within the woodlands.
4. The Design and Access Statement refers to easy access to schools, primary and a comprehensive school. The closest primary school (Hendrefoilan) is oversubscribed as is Sketty Primary. The secondary school (Olchfa) is also full. A development of 300 family homes, additional school places would need to be provided as all the existing facilities are full.
5. The management of the woodland on the site and surrounding the site is welcomed as this is something that has not been apparent for some years.
6. Additional pedestrian access through the woodland to existing residential areas should be in consultation with those existing residential properties.

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7. The site received several planning consents in the late 1970's and conditions should equally apply to ref:2014/1192, with regard to access roads and pedestrian access roads set behind buildings and a 2 metre high bund to be constructed along Dunvant Road.
8. The proposed secondary access road parallel to Dunvant Road would create an unacceptable degree of noise and disturbance with a significant loss of residential amenity contrary to Policies HC2 and EV1.
9. Any development near Dunvant Road should have a low height profile to avoid overlooking.
10. There is currently no permitted pedestrian access from the University to Dunvant Road. Pedestrian walkways will cause nuisance, low level crime and anti-social behaviour.
11. Who will own and maintain the woodland areas when the site is developed?
12. Pedestrian access onto Dunvant Road would be a danger to the public as access would be straight onto a lane which is used by vehicles.
13. Due to the height of the Dunvant Road entrance the public would be able to look directly into bedrooms.
14. Rain and surface water would flow directly onto Dunvant Road, causing a drainage problem, where there is already an issue.
15. Some trees in this area are under a possible protection order and could be killed if excavation works takes place nearby, destroying the woodland area.

Natural Resources Wales –

Initial response 12 Nov. 2014

Thank you for consulting Cyfoeth Naturiol Cymru / / Natural Resources Wales about the above proposal, which was received on 26 August 2014. Additional information with regard to hydraulic modelling was provided in another email dated 26 September 2014.

We would ask that determination of the application is deferred until further information and clarification is received in relation to European Protected Species (Bats), matters in relation to Flood Risk and Drainage Surveys.

Protected Species

Natural Resources Wales requests a deferral of the application, as there is insufficient information on the impacts of the proposals on bats, European Protected Species. In order for your Authority and NRW to assess whether there is a detriment to the maintenance of the favourable conservation status of bats, we advise that the following information is provided prior to determination:

- . daytime assessment of all the buildings on the site followed by climbing inspections (trees only) and emergence/re-entry surveys (buildings and trees) as appropriate according to the BCT guidance;
- . updated bat activity surveys in accordance with BCT guidance;

. details of the methodology employed during the emergence counts of houses 19 and 20; and an updated impact assessment and mitigation proposals as appropriate in view of the results of the surveys, to include revised mitigation proposals for the soprano pipistrelle maternity roost in house 20.

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, indicates the site to be outside of the flood zones.

The proposal is for the redevelopment of Hendrefoilan Student Village to 300 residential dwellings and will therefore remain classed as highly vulnerable development according to TAN15.

Whilst the site is shown to be within Zone A and outside of our flood maps, the Nant yr Olchfa watercourse runs through the site with four smaller streams feeding into it above and across the site. We note that the developer has undertaken a Flood Risk Assessment to understand the potential flood risk to the site from these ordinary watercourses.

We have reviewed the submitted modelling files; whilst it has not been possible to comment on the technical quality of the model, as no log or results files were supplied, given the inherent inaccuracies of modelling extremely small watercourses, it is considered that the report gives a reasonable assessment of flood risk to the site.

The results of ESTRY-TUFLOW hydraulic modelling in Figures 9-11, show that during the 5% and 1% scenarios, the majority of flow remains within the channels. However the outlines do highlight a small area which is shown to experience flooding during both events. This is contradictory to page 30 of the report which states that flooding would only occur during the 0.1% event. Whilst the report states that the model was run for the 1% +climate change, Figure 10 in the report only shows the results for the 1% scenario.

During the 0.1% scenario further flooding is shown at the same location and water also comes out of channel at a second location on the site.

The consultant proposes a number of mitigation measures in Section 7 of the Flood Consequences Assessment (FCA) on page 32; increasing the culvert capacity under the road, constructing a channel bank dwarf wall or a combination of these two options. The construction of a dwarf wall has been considered further in this FCA and inputted into the hydraulic model to assess the impact of such a structure.

We have concerns with the reliance on a private flood defence to protect residential dwellings from flooding and comply with Table A1.14 in TAN15.

Placing residential dwellings behind a defence will put residents at a greater risk should the defence fail or breach and no assessment of this scenario has been undertaken. In addition, the long term maintenance of such structures is often neglected and no information has been provided with regards to who will be responsible for the defence and how it will be maintained in the future.

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Therefore, we would request that the layout of the development, shown on drawing 7559 SK 100B dated 8/5/14, is amended to ensure that all proposed dwellings shown to flood (without the dwarf wall in place) in the 1%+CC are moved outside of this outline as a minimum. Those shown to flood during the 0.1% (without the dwarf wall) should be shown to comply with the criteria outlined in Table A1.15 of TAN15.

No blockage scenarios have been carried out. Given the urban nature of the location, blockage of culverts could be a realistic expectation and therefore should be assessed. Considering the likelihood of culvert blockage, we would also advise that further consideration should be given to the option of increasing culvert size.

The Drainage Strategy (dated June 2014) from Rodgers Leask indicates that peak runoff rates will be reduced by 20% from the existing site discharge which is in compliance with Section 8.3 of TAN15 for Brownfield sites. Appendix F confirms this 20% reduction from existing to proposed discharge rates.

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 Dwr Cymru/Welsh Water (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.

We also recommended that a full drainage survey of the site is carried out to ascertain the current foul sewer network. We advise that this is undertaken prior to determination, in order to inform the proposal. The applicant/developer will need to ensure that the surface water drains are kept separate from the foul water, therefore not overloading the foul network.

In consideration of the above we would ask that determination of the application is deferred until the additional information requested in this letter, is available for review and comment.

Further Response – 17 Dec. 2014

Thank you for your recent email of 28 November 2014, which included a revised Flood Consequences Assessment (FCA). Following a review of this additional information we wish to make the following comments.

Previously we raised concerns with regards to the dwarf wall which was proposed to mitigate against the flood risk to small parts of the site. Therefore, we welcome the submission of the revised FCA, which now considers a second option of upsizing the culvert capacities on the site.

Culvert 1 has been tripled in size and culvert 2 doubled in size. In addition, a re-run of the hydraulic model now shows that water remains in the channel during both the 1%+cc and 0.1% scenarios, removing the need for a dwarf wall. Whilst no updated modelling files have been submitted, we are satisfied that the new culvert capacities are able to convey the 0.1% flow.

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The consultant has also considered 25% blockage scenarios on the culverts during which water will also remain within the channel.

We are now satisfied with this approach. However would advise that your Authority's Drainage Engineers are also consulted as this revised proposal will involve works that will require prior consent from them.

We maintain our request to defer the proposed development, as there remains insufficient information to determine the likely impacts of the proposals on bats, a European Protected Species. We would be pleased to reconsider our position and provide further advice on the provision of the additional information specified below.

Final Response 11Oct. 2015

Protected Species (Bats)

We welcome the submission of the addendum bat survey report entitled; '*Addendum Bat Survey Report for Hendrefoilan Student Village, Sketty, Swansea (Report Ref: 1577-CWS-08)*', by Cotswold Wildlife Surveys dated 29th and 30th September 2015, along with the covering email from Andy Warren to Tim Gent (Savills), dated 1 October 2015. .

We note the conclusions of the addendum bat report. Accordingly, it is our view that providing the bat mitigation measures set out in Section 4: '*Conclusions and Recommendations*' of the report are implemented as part of the development, there should not be a detriment to the maintenance of the favourable conservation status of the bat species present. Therefore, we have no objection to the proposed development providing that appropriately worded conditions are attached to any permission that your Authority may be minded to grant which will implement the bat mitigation measures set out in Section 4: Conclusions and Recommendations, of the addendum bat report.

Dwr Cymru Welsh Water – No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site. Request that conditions be included within any planning permission granted to ensure no detriment to existing residents or the environment and to Welsh Water assets.

Council's Drainage Engineer – We have reviewed the updated Drainage Strategy, ref '*Hendrefoilan Student Village Swansea Drainage Strategy For St Modwen Developments Ltd*', Revision 1.2, dated 04.11.14 and based on the report we are satisfied that an appropriately designed surface water drainage scheme can be achieved on site, therefore we recommend that surface water drainage and detailed flood risk mitigation scheme conditions are appended to any permission given.

CADW - Cadw's role in the planning process is not to oppose or support planning applications but to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled ancient monuments or Registered Historic Parks and Gardens. It is a matter for the local planning authority to then weigh Cadw's assessment against all the other material considerations in determining whether to approve planning permission.

The advice set out below relates only to those aspects of the proposal, which fall within Cadw's remit as a consultee. Our comments do not address any potential impact on the setting of any listed building, which is properly a matter for your authority.

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These views are provided without prejudice to the Welsh Government's consideration of the matter, should it come before it formally for determination.

This outline planning application is for the redevelopment of the student village adjacent to Hendrefoilan House, Swansea for approximately 300 new homes with associated access, landscaping and works. This advice relates to the landscaped grounds associated with and contributing to the setting of Hendrefoilan House.

Cadw are currently considering the grounds associated with Hendrefoilan House for addition to the Register of Landscapes, Parks & Gardens of Special Historic Interest in Wales.

Hendrefoilan House was built for Lewis Llewelyn Dillwyn (1814-1892) in 1853. The site's elevated position afforded fine views towards Swansea Bay and Mumbles Head. The Dillwyn's were pioneers in the fields of politics, science and industry. Hendrefoilan was the family home of Amy Dillwyn (1845-1935) daughter of Lewis Llewelyn Dillwyn and novelist, feminist and pioneering female industrialist, who turned around the fortunes of the Llansamlet spelter works following the death of her father. The listed house and stables sit within landscaped grounds comprising: former stable block; the drive approaching the house from the east; the terrace with lawn, beds, paths and ornamental pond; woodland with woodland walks and many fine trees remaining including Holm Oak (*Quercus ilex*) and Wellingtonia (*Sequoiadendron giganteum*), the woodland also contains an ornamental fountain and small cascade; remains of the kitchen garden; tennis courts and archery field.

The areas of proposed development located in the previously developed student village are unlikely to have a significant adverse impact on the grounds of Hendrefoilan House. However, direct and indirect impacts of the proposed development including visual impact from key areas of the historic garden/grounds should be adequately assessed as part of any future application.

Development within previously undeveloped areas of Hendrefoilan's historic grounds, which lead to damage or loss of historic elements or further fragmentation of the landscape would have both direct and indirect adverse impacts. A thorough understanding of the historic significance of areas proposed for development is required. The previously undeveloped area of the walled kitchen garden is particularly sensitive. It is possible that remains of features, including paths and Victorian glasshouses, exist in the kitchen garden. This area of development is located in close proximity to Hendrefoilan House and stables and surrounding grounds and therefore also has the potential to have an adverse visual impact, in terms of size, scale, design and location. Therefore development in this area has potential for both direct and indirect adverse impact on the historic environment, requiring further assessment.

The retention and repair of historic features within the grounds of Hendrefoilan will have a beneficial impact in the long term. Further archival and archaeological investigation is required to inform the proposals to enhance the historic character of the grounds and works should be undertaken using appropriate techniques and materials and conditioned accordingly. It is proposed that the historic drive to the east of Hendrefoilan House will be retained and utilised for pedestrian, cyclist and emergency vehicle (only) access, thus keeping frequent traffic away from the historic access and designed grounds in this area.

The existing woodland in the grounds of Hendrefoilan House is also to be retained and new pedestrian routes created for the local community. In order to retain and enhance the historic character of the grounds at Hendrefoilan, mature trees and plantings of significance to the site's historic character should be retained and historic paths/routes through the grounds should be reopened/reused rather than creating new ones. The proposed woodland management to improve the condition of the woodlands within the grounds and to open up views from the site towards Swansea Bay and Mumbles Head will also have a beneficial impact. Consideration may also be given to the ongoing management of the grounds and woodlands at Hendrefoilan and to the potential for site interpretation for the local community.

Glamorgan Gwent Archaeological Trust – *original comment 2 Sept. 2014*

The Historic Environment Record curated by this Trust shows that the application area was formerly woodlands and formal gardens associated with 19th century Hendrefoilan House, which remains as a listed building, as are the stables. The area of the development has local importance in its associations with the industrial life of the region and with the University. A development of this size may also impact on so far unrecognised archaeological resources from the post medieval and more recent periods. At present we do not have sufficient information to determine this application. For this reason we would recommend that an archaeological assessment is carried out prior to the application being determined; we recommend that this should follow the Standards and Guidance of the Institute for Archaeologists and be undertaken by a suitable professionally qualified archaeologist (Institute for Archaeologists, which will assess and identify the archaeological resource, the setting on any statutorily protected landscapes or features; and propose any further mitigation necessary.

We would need this information, as the archaeological advisors to your Members, to enable us to make appropriate mitigation measures, in order to reduce the impact on the archaeological resource.

Obviously, given that the impact of the proposed development on the archaeological resource is a material consideration in the determination of the current planning application, therefore the determination of the application should be deferred until the report has been submitted to your Members. This recommendation follows the advice given in Welsh Office Circular 60/96, Section 12.

Further comment – 5th Oct. 2015

Further to our letter of 2nd September 2014, we have now received a copy of an Archaeological Desk Based assessment prepared by EDP Ltd (report ref EDP3066_01a, dated September 2015) on behalf of St Modwen Developments Ltd/ Swansea University.

The report meets current professional standards. It finds that the application site does not contain any designated heritage assets, and that the potential for buried archaeological remains of any period to be found is low. The site lies within the former estate and formal gardens of Hendrefoilan House, which is a listed building. Former garden features have been identified within the site, however, these will not be adversely affected by the proposed development, and there may be an opportunity to better manage and present these features within the completed development.

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The Desk Based Assessment report does not deal with any setting issues associated with the listed house (Grade II*, Cadw Ref 22370) or the nearby stables (grade II, Cadw Ref 22371). This is dealt with in a Landscape Statement of Significance (Node 2014), which is quoted in the amended Design and Access Statement submitted to your department in January 2015, and was not to hand when we made our original recommendations. The amended document notes in section 3.9 that the lay out of the development has been amended to address any negative impact on the setting of the listed building and on the visual amenity of the kitchen garden. We understand from the Design and Access Statement that Cadw have been consulted and that they may be seeking to include parts of the kitchen garden in the Register of Parks and Gardens of Special Historic Interest in Wales

As the possibility of encountering previously undiscovered buried archaeology remains low, as archaeological advisors to your members, we have no objection to the positive determination of this application. However, we point out that Cadw should be made aware of the proposed amendment to the original proposed layout of the site and asked for their opinion on the impact of the new plan on the setting of the Grade II* listed house.

Housing - Further to your request for comments on the Hendrefoilan student village site, the Housing Service will expect the provision of 30% Affordable Housing on site.

The scheme should include a range of 2 and 3 bedroom DQR compliant house types, with a mix of social rent and intermediate units to be disposed of via an RSL.

The design and specification of the affordable units should be of equivalent quality to those used in the Open Market Units, and they should be pepper potted throughout the development.

This site falls within the Swansea West sub-area, where there is a very high need for affordable housing, with 2 & 3 bedroom houses being the preferred property type.

Education –

Original Comments 10 Oct. 2014

In summary, in order to accommodate any pupils from this development the Authority would seek a Developer's contribution of £964,596 plus inflation for Primary School enhancements and would also be seeking the full £1,045,968 plus inflation for Secondary School enhancements. In this instance, please could we confirm the actual named schools to be recipients of this Developer's Contribution at a later stage when the emerging strategy for education provision in West Swansea has been considered further? If this arrangement is not acceptable at this time then please advise accordingly.

In addition, it must be remembered that, as Education are currently undertaking an LDP Review with regard to the effects the proposed Category A Sites might have on Education provision as a whole throughout the Authority, then the emerging strategy for education provision in this area may require reconsideration of our request particular in this case at a later stage; i.e. and when the Review has been completed and finalised for submitting feedback to Planning in order to aid the whole current LDP process.

Further Comments – 22 Sept. 2015

Confirm acceptance of the £650K being offered for Hendrefoilan Primary School on the basis that the single payment is made on the occupation of the 51st home.

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Council Ecologist - Much of the site is of low ecological value there are though areas of significant value this includes the woodland on the site and the bat roosts.

The main ecological aim is to end up with no overall loss of wildlife value. If the quadrant woodland is to be felled the overall amount of woodland on the site should be maintained by suitable planting, could we confirm that this is so.

The majority of the woodland apart from the Quadrant is to be kept and enhanced, we need to agree a management regime for this we have briefly discussed it with the developers but haven't reached any agreement.

It has been suggested that some of the wood that is felled is used as habitat piles in the adjacent wood this is an excellent idea but we do need to discuss where it's going to go.

Bats are very sensitive to increased levels of light at some point we need to agree a lighting plan that will avoid disturbing the roosts, the trees identified as having roost potential and the foraging areas.

Two bat roosts have been identified one of them is fairly large I think we need to discuss this with NWR. The developers will need a protected species licence and we need to be confident that the proposed mitigation is suitable.

There are reptiles on the site we should add a condition requiring a mitigation plan to be submitted and approved before any work starts that may affect them.

There will be nesting birds present on the site particularly in the Quadrant woodland, this could be covered by an informative but in view of the area to be cleared a condition might be better.

Highway Observations –

1. Background

1.1 This proposal is to redevelop the Hendrefoilan Student Village with up to 300 dwellings. Access to the site will remain as existing from the roundabout near Olchfa school and a full Transport Assessment has been undertaken.

1.2 The site is home to 1600 students and the assessment therefore considers the impact brought about by the difference in existing and proposed uses.

2. Traffic Surveys

2.1 Traffic data was collected in March and May of 2014 with queue length observations also being made to assist in validating a traffic model. Queues were observed during the am peak stretching from Parkway signals back towards Killay past the site access roundabout. The queue was present for a 10 minute period from 0830 to 0840 and traffic was relatively free flowing during the remainder of the peak hour.

2.1 A slow moving queue was also viewed in the pm peak between 1710 and 1730. This queue was seldom stationary for more than 10 seconds. The traffic surveys and site observations indicated a tidal effect with high traffic volumes heading towards the city centre in the am peak and returning in the pm peak.

3. Traffic Generation and Junction Assessment

3.1 National data has been used to estimate the likely traffic generation of the development. This indicates that the site could generate 46 arrivals and 121 departures in the morning peak hour, with 116 arrivals and 69 departures in the afternoon peak hour.

3.2 The existing use of the site has been surveyed in 2013 and showed 38 arrivals with 44 departures in the am peak hour with 45 arrivals and 33 departures in the pm peak hour.

3.3 In order to determine the actual impact brought about by the development, the difference in trip generation is used which calculates at 8 arrivals and 77 departures in the am peak and 71 arrivals with 36 departures in the pm peak. These figures are not the total traffic entering and leaving the site, but the difference in traffic levels between the existing use and the proposed use. This enables the impact of the proposed changes to be assessed.

3.4 Junction impact has been considered at;

- * Gower Road/Site Access
- * Gower Road/Wimmerfield Drive signals
- * Gower Road/Parkway
- * Gower Road/Sketty Park Road
- * Sketty cross

Overall junction impact at each of the junctions is below the recognised threshold of 5% in sensitive areas other than the site access itself, where the percentage impact is calculated at 5.8%. Traffic modelling therefore is only considered necessary at the site access junction due to the minimal impact at junctions further afield.

3.5 The modelling exercise indicates that whilst there are capacity issues on this section of Gower Road in the peak periods, the relatively small amount of additional traffic that will be generated by the development adds very little to the traffic volume.

3.6 The traffic signal junction at Parkway is currently being modified to include MOVA, which adjusts signal timings to improve throughput of the junction and can improve efficiency by 15% - 20%. Improvement should also be applied to the Wimmerfield Drive signals as clearly development traffic is likely to have some impact in this direction also, as local facilities are located in Killay precinct. A suitable condition can be added in the event that consent is granted to require the developer to contribute towards this in mitigation of additional traffic.

4. Highway Safety

4.1 Accident records for the past 6 years have been reviewed in the assessment. No pattern has been identified that would suggest issues with road alignment or layout and there is nothing to suggest that the development traffic will increase the number of accidents recorded along Gower Road.

5. Accessibility

5.1 There is a 10 minute frequency bus service along Gower Road past the site, with a bus stop adjacent to the site access. The current student bus will eventually be discontinued when all students vacate the site and it is unlikely that a bus service will enter the site on completion.

5.2 Local facilities are available in Killay which is just over 1Km from the site. Footways are present along Gower Road and there is intention to ensure permeability through the site by providing pedestrian links connecting the site to the surrounding residential areas. Details of these connections would be covered under subsequent detailed applications.

5.3 The footway along Gower Road on approach to the site and up to beyond Parkway via Sycamore Close is a shared use path for pedestrians and cyclists. This provides a safer route for cycle use along this busy section of Gower Road.

6. Travel Plan

6.1 An outline of the travel plan details is included in the assessment. A travel plan coordinator is to be appointed to manage the travel plan for a period of 5 years following first occupation. This is standard practice for residential travel plans in such situations. Some detail and initiatives will need to be agreed further and this aspect can be conditioned should consent be granted.

7. Conclusion

7.1 This site currently generates traffic movements associated with the student population and the assessment has considered the additional movements that would be generated by redevelopment of the site for up to 300 dwellings. The assessment identifies that the anticipated additional traffic is unlikely to have any significant detrimental effect on the surrounding highway network. I consider that subject to suitable conditions to secure a detailed travel plan together with an upgrade to the Wimmerfield Drive traffic signals and satisfactory internal road layout the development is acceptable.

8. Recommendation

8.1 I recommend no highway objection subject to the following;

- i. The site shall not be brought into beneficial use until the Wimmerfield Drive traffic signals have been upgraded to improve performance. All in accordance with details to be agreed.

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- ii. No part of the development shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. [The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established].
- iii. No building works shall be commenced until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed.
- iv. All internal roads shall be laid out and constructed to adopted standards in accordance with details to be agreed.
- v. 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.
- vi. The site shall not be brought into beneficial use until a Travel Plan has been submitted and approved.

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

APPRAISAL:

The proposal seeks outline planning permission for the residential redevelopment of the Hendrefoilan Student Village, Gower Road, Sketty, together with supporting infrastructure, open space and informal recreation. The student accommodation site is now indicated to be in excess of the University's needs and it is proposed to dispose of the site in order to reinvest into the University's wider growth and development strategy.

The Design and Access Statement (DAS) explains the background and rationale to the proposals which have been informed by a site and context analysis having regard to relevant national and local plan policy. An Indicative Development Framework Plan has been submitted to demonstrate the relationship between the proposals and their context and illustrates the form, scale and quantity of development that the site can deliver. This is supported by a series of drawings and diagrams that explain the design principles and give a vision of how the site could be developed.

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In summary the outline planning application consists of the following:

- * a total site area of 18.20 hectares
- * development of approx. 300 homes on a development area of 0.8 hectares inclusive of access road infrastructure
- * 9.50 hectares of retained woodland with an integrated network of pedestrian linkages
- * 0.70 hectares of public open space

In addition, to the Design and Access Statement, the application is accompanied by the following documents: Planning Statement, Landscape Assessment, Flood Risk Assessment, Ecology Report, Drainage Assessment and Strategy, Transport Assessment and Heritage Assessment.

Main Issues

The main issues for consideration in relation to this proposal relate to:

- compliance with development plan and national planning policies;
- urban design;
- highways and traffic issues;
- Other technical issues

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

Development Plan Policy and Land Uses

National Planning Policy

In line with recent Welsh Assembly Government guidance provided by Planning Policy Wales (PPW) (July 2014 7th 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 Hendrefoilan Student Village is identified under Policy HC11 of the Unitary Development Plan for Higher Education Campus development and provides a list of criteria for the consideration of such proposals. In particular, it indicates that the expansion of the student accommodation at Hendrefoilan Student Village together with enhanced social and support facilities will be permitted through (a) redevelopment and intensification of the existing accommodation, (b) limited additional development on the 'Quadrant Site'. The amplification to the policy indicates:

The Student Village site at Hendrefoilan is characterised by tracts of semi-natural broad-leaved woodland, interspersed with a mixture of predominantly low-level two-storey student accommodation. Much of the woodland is covered by TPO's and is viewed as a valuable environmental feature providing a green buffer between the Village and adjacent residential areas and forming a wildlife corridor linking with the countryside. Further encroachment into the protected landscape area will not be permitted.

However, the 'Quadrant Site', which is unprotected semi-mature woodland isolated from the green corridor by existing development, has the potential to provide some additional accommodation.

Additionally, UDP Policy EV24 indicates that within the greenspace system, consisting of wildlife reservoirs, green corridors, pocket sites and riparian corridors, the natural heritage and historic environment will be conserved and enhanced. Development proposals which would be likely to have a significant adverse effect on the greenspace system or which do not provide for appropriate compensatory or mitigation measures will not be permitted.

The Hendrefoilan Student Village has been deemed to surplus to the requirements of Swansea University and this is obviously a commercial decision, and its use therefore for higher education campus development is no longer required. The site has previously been developed and UDP Policy EV2 gives preference of the siting of new development to the use of previously developed land over greenfield sites. The redevelopment of the site would also be in accordance with the principle policy objectives contained within Planning Policy Wales with regard to a presumption in favour of sustainable development and the preference for the use of previously developed land over greenfield sites. It should also be noted that the site has been submitted as a Candidate site as part of the LDP proposing its reuse for housing. The redevelopment of the site for up to 300 units would also make a significant contribution to the Council's housing land availability. The development is therefore considered to be an acceptable departure to the Development Plan.

Whilst the residential development of the site is considered to be acceptable, under the Town and Country (Notification) (Wales) Direction 2012, where local planning authorities are minded to grant planning permission for residential development of more than 150 residential units (i.e. a Significant Residential Development), which is not in accordance with one or more provisions of the development plan, they are obliged to notify Welsh Government. Where a LPA notify the Welsh Ministers, the authority must not grant planning permission until the expiry of the period of 21 days, or notification is received that the Welsh Ministers do not intend to call in or do not consider the development to be notification development.

Affordable Housing

The need for affordable housing is a material planning consideration and UDP Policy HC3 states that in areas where a demonstrable lack of affordable 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. The Council's Planning Obligations Supplementary Planning Guidance (SPG) augments Policy HC3 and provides clarification on use, expectations and procedures and indicates that the Council will normally expect that 25 – 30% of all dwellings will be affordable housing.

Notwithstanding this, the applicants have indicated a willingness to provide 10% Affordable housing on site comprising a mix of 2 and 3 bed homes and will be offered to the nominated RSL/Council at 70% of Open Market Value or ACG (whichever is lower). Phasing to be agreed but the working proposition is that 70% of the affordable homes will be delivered by the time 50% of the market housing is complete, and all of the affordable will be provided before 70% of the market housing is complete. These issues are considered in more detail below.

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Planning Obligations

UDP Policy HC17 indicates that 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 individual development. The adopted SPG on Planning Obligations states that where developers contends that the Section 106 requirements are too onerous and will potentially make to scheme unviable, they will be expected to submit a development viability appraisal, and that the Council may seek independent verification of these details before considering whether to reduce the number and / or value of planning obligations sought.

In view of the above, a Viability Review has been undertaken and submitted as part of the application. The report concluded that the site's Existing Use Value (based around its student rental income) is substantially higher than the value that could be achieved from the redevelopment scheme (this is called the site's residual value or RV). The RV is calculated for a scheme which includes planning gain. In order to assess the conclusions of the Viability Report the LPA employed the District Valuer (DV). Whilst the DV has made a slightly higher RV calculation, the conclusion is that a policy compliant scheme (incorporating a 30% affordable housing / full education contribution) is not viable. Notwithstanding this, the University wants to see the redevelopment of the Hendrefoilan site, as the receipt from the sale will trigger a major reinvestment in its other facilities and in doing so the applicants acknowledge the local impact of the development on education facilities and affordable housing within the area. In recognition of this, they made the following Section 106 Planning Obligation offer:

- * Education – a single payment of £650,000 is to be made to fund a 2 class extension to Hendrefoilan Primary School. The payment will be made before the occupation of the 51st home on the site
- * Affordable housing – 10% of the homes on site will be affordable (according to prevailing definitions). These will comprise a mix of 2 and 3 bed homes and will be offered to the nominated RSL/Council at 70% of Open Market Value or ACG (whichever is lower). Phasing to be agreed but the working proposition is that 70% of the affordable homes will be delivered by the time 50% of the market housing is complete, and all of the affordable will be provided before 70% of the market housing is complete.
- * Transport – A sum of £20,000 is to be paid before the occupation of the 51st dwelling towards improvements to the traffic lights at the Gower Road/Wimmerfield Road junction.

Education

Whilst the Director of Education originally requested a Developer's education contribution of £964,596 towards Primary School enhancements and £1,045,968 plus inflation for Secondary School enhancements. Having regard to the above, Education have confirmed the acceptance of the £650K being offered for Hendrefoilan Primary School on the basis that the single payment is made on the occupation of the 51st home.

In this respect, the proposal will bring forward up to 300 dwellings at a time when the Authority has a 3 year land supply. In addition the applicant has advised that the sale of this site will trigger major investment in its existing University facilities and on balance, in this instance, it is not considered that the impact of the proposed development upon Education facilities in the area would provide sufficient justification for a recommendation of refusal in this instance.

Play Area / Public Open Spaces

UDP Policy HC24 indicates that all new housing development will be required, where the level and nature of open space provision in the locality is inadequate to meet the needs of future occupiers of the development proposed together with the needs of the existing population in the locality, to either make provision for area of open space either within the site or at an appropriate location in relation to the development, or contribute towards the provision or improvement of existing off-site facilities in the locality through a commuted payment. Developers will also be required to make appropriate arrangements for the management of these areas.

The proposed Indicative Development Framework Layout proposes the provision of a centrally located Local Equipped Area of Play (LEAP) approximately on the site of the existing sports / leisure facilities within the Student Village. In addition to this, it is proposed to manage the existing woodland areas to incorporate informal footpaths for casual recreation and several areas of public open space (POS) which will be retained as open grassed areas. It is proposed that the LEAP, woodland other areas of POS will be retained under the ownership and managed accordingly. This can be secured via a S106 Planning Obligation..

Urban Design

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

Approximately half of the 18 hectare site is currently used as student village accommodation with the remainder covered by woodland, a large section of which is protected by Tree Preservation Orders. The vehicular access from Gower Road provides a hierarchical route through the site with local access roads permeating through it.

The site topography has determined the layout of the student development, and is steeply sloping in certain areas, which poses several challenges to its redevelopment. The mature woodland areas provide a significant characteristic of the site. Additionally, there are several watercourses which run through the site and woodland areas.

The existing road layout, site topography and the mature woodland areas have dictated the Indicative Development Framework Layout. The existing vehicular access from Gower Road would be retained as the primary access and the existing spine road through the site and the mature woodland areas would be largely retained. The exception is the 'Quadrant' woodland area referred to under Policy HC11 above. The Indicative Layout proposes the removal of this area of woodland, largely as the retention of the quadrant woodland severely restricts potential unit numbers and 'sterilises' developed land to the north east. The accompanying Arboricultural Report indicates that the trees are generally of a low quality and provides poor ecological value largely due to disturbance by students. Moreover, the DAS highlights that the retention of the 'Quadrant' area would have design implications for the layout. The key design feature of the development concept is the ability to generally work with the contours of the site and due to the topography and the need to create a road network at an acceptable gradient, it is proposed to remove this area of woodland. Policy HC11 above, indicates that *the 'Quadrant Site' is unprotected semi-mature woodland isolated from the green corridor by existing development, and has the potential to provide some additional accommodation.*

The development concept has responded to the site and its context and it is proposed to retain the existing central spine road with secondary access roads off it serving development zones, which in turn are integrated with pedestrian linkages. The southern half of the site will be of a structured form with a higher density core, with a series of development tiers to the west using the existing site contours. The northern half of the site is shown at a lower density, with the development set in clusters of housing integrated with the woodland setting. In order to maximise permeability / access opportunities to local facilities and schools, it is proposed to create pedestrian linkages including a link to the existing residential area to the north-west of the site (Hendrefoilan) It is also proposed to provide a pedestrian link to the west of the site onto Dunvant Road. Representations have been received expressing concerns at this link. An indicative layout has been submitted to address this issue, and due to the levels and topography it is proposed to construct a stepped / tiered design pedestrian which will require localised works on Dunvant road to facilitate a safe crossing point. As this is an outline application only, it is proposed to impose a suitably worded planning condition.

Heritage

The site of Hendrefoilan Student Village was formerly the landscape and gardens associated with Hendrefoilan House, which is a Grade II listed building. The application site abuts does not the site of Hendrefoilan House and former stables but the historic grounds include a number of neglected landscape features such as a fountain and water cascade. UDP Policy EV1 (xi) states that new development should have regard to the desirability of preserving the setting of any listed building. Whilst the former landscape and gardens are not statutorily registered, UDP Policy EV11 states that development that would harm the character or setting of registered Historic Parks and Gardens will not be permitted.

CADW were consulted on the proposal as part of their remit in terms of the potential likely impact that the proposal would have on Registered Historic Parks and Gardens. CADW confirmed that they are currently considering the grounds associated with Hendrefoilan House for addition to the *Register of Landscapes, Parks & Gardens of Special Historic Interest in Wales*. They confirm that areas of proposed development located in the previously developed student village are unlikely to have a significant adverse impact on the grounds of Hendrefoilan House. However, there is potential for the area around the House and former kitchen garden to incorporate remains of features.

A Heritage Assessment has been submitted as part of the application, incorporating a Landscape Statement of Significance and Landscape and Visual Statement. This concluded that the Hendrefoilan landscape has a high significance mainly in terms of the setting of the house and stables. The Landscape and Visual Impact Statement identifies possible detrimental effect arising from the proposed development on the area of historic kitchen garden. In response to these issues, a number of mitigation measures have been incorporated into the Indicative Development Framework Plan to retain additional woodland and to offset the residential development in the northern cluster further from Hendrefoilan House to strengthen the retained landscape garden to the House.

Archaeology

An Archaeological Assessment has been undertaken of the Hendrefoilan Student Village site. This assessment concludes that the application site does not contain any designated heritage assets, where there would be a presumption in favour of their physical preservation *in situ* and against development. The site therefore has a low potential to contain archaeological remains from any period, other than 'low' value remains connected with medieval and post-medieval agricultural activity.

The site lies within the grounds of the former estate of Hendrefoilan House and former garden features, comprising a fountain, cascade, woodland and terrace, have been identified within the site. In the main, these will not be adversely affected by the proposed development and there is the opportunity to better manage and present these features within the completed development; i.e. within publicly accessible space. The majority of the proposals are contained within the footprint of existing built development. This existing development has been terraced into the natural hillside either side of a stream – creating large areas of cut and fill landscaping. This will have heavily truncated and/or disturbed any potential archaeological remains in these areas. As such, given the low potential for archaeology to be present within the site, and the truncation/disturbance of the natural ground levels, it is considered that there will be no impact on the potential archaeological resource as a result of this scheme proceeding.

Glamorgan Gwent Archaeological Trust (GGAT) originally requested deferment of the application in order for an archaeological assessment to be carried out. GGAT have assessed the Archaeological Desk Based assessment and accept its conclusions. As the possibility of encountering previously undiscovered buried archaeology remains low, GGAT have no objection to the positive determination of this application.

Highways and traffic issues

The proposal is to redevelop the Hendrefoilan Student Village with up to 300 dwellings and it is therefore appropriate that a full Transport Assessment (TA) has been undertaken.

It is proposed that the existing vehicular arrangement to the site from the roundabout on Gower Road will be retained. The student village is currently home to approx. 1600 students and the TA considers the impact brought about by the difference in existing and proposed uses.

The TA incorporates traffic data collected in March and May of 2014 with queue length observations also being made to assist in validating a traffic model. Queues were observed during the am peak stretching from Parkway signals back towards Killay past the site access roundabout. The queue was present for a 10 minute period from 0830 to 0840 and traffic was relatively free flowing during the remainder of the peak period. A slow moving queue was also viewed in the pm peak between 1710 and 1730. This queue was seldom stationary for more than 10 seconds. The traffic surveys and site observations indicated a tidal effect with high traffic volumes heading towards the city centre in the am peak and returning in the pm peak.

National data has been used to estimate the likely traffic generation of the development. This indicates that the site could generate 46 arrivals and 121 departures in the morning peak hour, with 116 arrivals and 69 departures in the afternoon peak hour. The existing use of the site has been surveyed in 2013 and showed 38 arrivals with 44 departures in the am peak hour with 45 arrivals and 33 departures in the pm peak hour. In order to determine the actual impact brought about by the development, the difference in trip generation is used which calculates at 8 arrivals and 77 departures in the am peak and 71 arrivals with 36 departures in the pm peak. These figures are not the total traffic entering and leaving the site, but the difference in traffic levels between the existing use and the proposed use. This enables the impact of the proposed changes to be assessed.

The overall junction impact at each of the assessed junctions is below the recognised threshold of 5% in sensitive areas other than the site access itself, where the percentage impact is calculated at 5.8%. Traffic modelling therefore is only considered necessary at the site access junction due to the minimal impact at junctions further afield. The modelling exercise indicates that whilst there are capacity issues on this section of Gower Road in the peak periods, the relatively small amount of additional traffic that will be generated by the development adds very little to the traffic volume.

The Head of Transportation indicates that the traffic signal junction at Parkway is currently being modified to include MOVA, which adjusts signal timings to improve throughput of the junction and can improve efficiency by 15% - 20%. Improvement should also be applied to the Wimmerfield Drive signals as clearly development traffic is likely to have some impact in this direction also, as local facilities are located in Killay precinct. This requirement can be included as a Section 106 Planning Obligation to require the developer to contribute towards this in mitigation of additional traffic.

It is confirmed that there is a regular 10 minute frequency bus service along Gower Road past the site, with a bus stop adjacent to the site access. It is anticipated that the existing student bus service will eventually be discontinued when all students vacate the site and it is unlikely that a bus service will enter the site on completion. Local facilities are available in Killay which is just over 1Km from the site. Footways are present along Gower Road and there is intention to ensure permeability through the site by providing pedestrian links connecting the site to the surrounding residential areas. Details of these connections would be covered under subsequent detailed applications.

The footway along Gower Road on approach to the site and up to beyond Parkway via Sycamore Close is a shared use path for pedestrians and cyclists. This provides a safer route for cycle use along this busy section of Gower Road.

This site currently generates traffic movements associated with the student population and the assessment has considered the additional movements that would be generated by redevelopment of the site for up to 300 dwellings. The assessment identifies that the anticipated additional traffic is unlikely to have any significant detrimental effect on the surrounding highway network. The Head of Transportation therefore concludes that suitable conditions to secure a detailed travel plan together with an upgrade to the Wimmerfield Drive traffic signals, arrangements for the future management and maintenance of the proposed estate layout, satisfactory internal road layout designs (and phasing details) the development is acceptable and a Construction Traffic Management Plan.

Ecology

An Ecological Report has been submitted incorporating an Extended Phase 1 Habitat Survey including a bat survey, which identified several trees with bat roost potential. It was agreed with the Council's Ecologist that additional inspection of the buildings on the site should be undertaken. This indicated the presence of bat roosts within the buildings. Additionally, NRW had requested deferment of the application to allow additional bat surveys to be undertaken.

Following the submission of an additional bat survey report, NRW have confirmed that providing the bat mitigation measures set out in the report are implemented as part of the development, there should not be a detriment to the maintenance of the favourable conservation status of the bat species present. Therefore, NRW have no objection to the proposed development providing that appropriately worded conditions are attached to any permission that your Authority may be minded to grant.

Hydrology

Flood Risk

The development site is located within Flood Zone A in accordance with Technical Advice Note (TAN) 15: Development and Flood Risk (2004). It is therefore considered to be at little or no risk from fluvial, tidal, or coastal flooding. A flood consequences assessment has been prepared to assess the flood risk posed by the ordinary watercourses within the site and also the impact of the redevelopment of the site on these watercourses. Whilst the site is shown to be within Zone A and outside of our flood maps, the Nant yr Olchfa watercourse runs through the site with four smaller streams feeding into it above and across the site. We note that the developer has undertaken a Flood Risk Assessment to understand the potential flood risk to the site from these ordinary watercourses. NRW raised concerns of localised flooding issues. A revised FCA which proposes to increase the culvert capacity of the site and NRW have confirmed acceptance of this proposal.

Drainage

The existing surface water drainage system comprises a number of individual small catchments, each served by an existing piped drainage network outfalling directly into the ordinary watercourses on site. In line with TAN15 and in consultation with Natural Resource Wales, the proposed surface water strategy for the site is to reduce the peak surface water run-off rate by 20% by utilising appropriate Sustainable Urban Drainage Solutions (SuDS) and, where required, stormwater attenuation/filtration tanks. The Council's Drainage Engineer has confirmed that the proposed approach is acceptable subject to appropriately design surface water drainage scheme, and recommends a number of planning conditions.

The site is currently served by an existing foul drainage network outfalling into the Welsh Water sewer in Gower Road. It is proposed that the foul water from the developed site will discharge into the same outfall, where possible by gravity. Dwr Cymru Welsh Water raise no objection subject to appropriately worded conditions being imposed.

Conclusion

The redevelopment of the Hendrefoilan Student Village will provide an opportunity to create a significant residential development consisting of around 300 homes in an established landscaped setting within the existing urban settlement of Killay. The site is located within a sustainable location without having a detrimental impact on the local highway network. The application has addressed issues in respect of cultural heritage, trees and landscape, ecology, flood risk and drainage and is considered to be acceptable departure to the development plan making a significant contribution to the housing land availability within west Swansea, whilst making a modest contribution to affordable housing requirements. The proposed Section 106 Planning Obligation seeks to make the development by securing a significant education contribution to Hendrefoilan Primary School. Approval is therefore recommended.

RECOMMENDATION:

That subject to the application is referred to Welsh Government as a significant residential development which is not in accordance with the provisions of the development plan (in accordance with the Town and Country (Notification) (Wales) Direction 2012), the application be APPROVED, subject to the conditions indicated below and the applicant entering into a Section 106 Planning Obligation in respect of:

Education – s single payment of £650,000 is to be made to fund a 2 class extension to Hendrefoilan Primary School. The payment will be made before the occupation of the 51st home on the site.

Affordable housing – 10% of the homes on site will be affordable (according to prevailing definitions). These will comprise a mix of 2 and 3 bed homes and will be offered to the nominated RSL/Council at 70% of Open Market Value or ACG (whichever is lower). Phasing to be agreed but the working proposition is that 70% of the affordable homes will be delivered by the time 50% of the market housing is complete, and all of the affordable will be provided before 70% of the market housing is complete.

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Transport – A sum of £20,000 is to be paid before the occupation of the 51st dwelling towards improvements to the traffic lights at the Gower Road/Wimmerfield Road junction.

A landscape management plan including management responsibilities and maintenance schedules for all landscaped / woodland areas including areas of public open space and the LEAP.

- 1 The proposed development shall be implemented in accordance with the approved Design and Access Statement (7559 - Document Revision 9) and the Indicative Development Framework Plan (7559 SK100 C) which set out the vision, objectives, urban design principles and development strategy for the site. The Design and Access Statement establishes the general site layout and masterplan, accessibility and movement, scale, amount of development, building concept, infrastructure, environmental sustainability and structural landscaping principles of the proposed development.

Reason: To ensure that the site is comprehensively developed to a high standard of sustainable urban design in accordance with National and Local Planning Policy advice and Guidance.

- 2 Approval of the details of the layout, scale, appearance and landscaping of and the means of access shall be submitted for approval by the Local Planning Authority and shall accord with the approved Design and Access Statement pursuant to Condition 1. The development shall be undertaken in accordance with these approved details and the agreed programme of phasing as approved pursuant to condition 4 of this permission.

Reason: To ensure that the site is comprehensively developed to a high standard of sustainable urban design and to ensure that the development is carried out in an orderly and satisfactory manner.

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

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

- 4 A programme of phasing of the development shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on the site. The development shall be completed and brought into beneficial use in accordance with the details approved under Conditions 1 and 2, or otherwise agreed by the Local Planning Authority or required by the conditions of the permission and the approved phasing programme.

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.

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- 5 Notwithstanding the details indicated in the application, all reserved matters applications shall be accompanied by details and disposition of the external finishes for each phase of the development unless otherwise agreed by the Local Planning Authority. The pattern of application of the external finishes shall be completed for each phase of the development in accordance with the approved scheme.
Reason: In the interests of visual amenity.
- 6 Notwithstanding the details indicated in the application, all reserved matters applications shall be accompanied by details of the levels for each phase of the built development indicating its relationship to the adjoining land and any changes to the site itself shall be submitted to and agreed by the Local Planning Authority in writing. The development shall be completed in accordance with the proposed details.
Reason: To enable the reserved matters application to be properly assessed to ensure that the work is carried out at suitable levels in relation to the adjoining land having regard to visual impact, drainage and gradient of access.
- 7 No part of the development shall be occupied until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning. The Estate Street Phasing Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed.
Reason: In the interests of the highway safety of the development.
- 8 All internal roads shall be laid out and constructed to adopted standards in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of highway safety.
- 9 No part of the development shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed internal roads within the development have been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that the internal roads are subject to a future management and maintenance agreement.
- 10 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.
Reason: In order to minimise traffic impacts on the surrounding highway network.
- 11 The development shall be occupied in accordance with a Travel Plan to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of sustainability and in order to reduce car borne travel.

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- 12 No development approved by this permission shall be commenced until a Construction Environmental Management Plan (CEMP) detailing all necessary pollution prevention measures by the construction phase of the development is submitted to and approved in writing by the Local Planning Authority.

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

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

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

- 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 Prior to the commencement of any development, a strategic site wide surface water drainage strategy based on sustainable drainage principles shall be submitted to and approved in writing by the Local Planning Authority. The strategy should be based upon the SuDs hierarchy, as espoused by the CIRIA publication 'The SuDs Manual, C697'. The strategy shall maximise the use of measures to control water at source as far as practicable, to limit the rate and quantity of run-off and improve the quality of any run-off before it leaves the site or joins any water body.

The strategy shall include details of all flow control systems and the design, location and capacity of all strategic SuDs features and shall include ownership, long-term adoption, management and maintenance scheme(s) and monitoring arrangements/ responsibilities, including detailed calculations to demonstrate the capacity of the measures to adequately managed surface water within the site without the risk of flooding to land or buildings. Details of phasing during drainage operations and construction shall also be included. The approved drainage works shall be carried out in their entirety , fully in accordance with the approved details, prior to the occupation of any building or alternatively in accordance with phased drainage operations agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory and sustainable means of surface water drainage and ensure future maintenance of the chosen system.

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- 16 Any reserved matters application shall include a detailed surface water strategy pursuant to the reserved matters site for which approval is sought. The strategy shall demonstrate how the management of water within the reserved matters application site for which approval is sought accords with the approved details for the strategic site wide surface water strategy. The strategy shall maximise the use of measures to control water at source as far as practicable., to limit the rate and quantity of runoff and improve the quality of any runoff before it leaves the site or joins any water body.

The strategy shall include details of all flow control systems and the design, location and capacity of all such SuDs features and shall include ownership, long-term adoption, management and maintenance scheme(s) and monitoring arrangements/ responsibilities, including detailed calculations to demonstrate the capacity of receiving on-site strategic water retention features without the risk of flooding to land or buildings.

Reason: To ensure that a satisfactory and sustainable means of surface water drainage is available 'upfront' to serve the development's individual phases and prevent any increased risk of flooding to third parties.

- 17 Prior to the commencement of development a detailed flood risk mitigation scheme, including supporting calculations, in line with the principles laid out within Option 2 of the report entitled 'Flood Risk Assessment for Hendrefoilan Student Village, Version 1.1' shall be submitted and approved in writing with the Local Planning Authority.

Reason: To ensure the submission and agreement of a suitable scheme and protect future residents of the site from being placed at flood risk.

- 18 The development shall incorporate a Local Equipped Area of Play (LEAP) details of which shall be submitted to agreed in writing by the Local Planning Authority. The provision of the LEAP shall be implemented in accordance with the agreed phasing of development.

Reason: To ensure that the development is provided with adequate play area to meet the needs of the future occupiers of the development in accordance with UDP Policy HC24.

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

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

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

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

- 21 The development shall be carried out in accordance with the bat mitigation measures set out in Section 4: Conclusions and Recommendations of the Addendum Bat Survey Report dated 29 / 30 September, 2015.

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

- 22 Notwithstanding the details indicated in the application, the development layout shall incorporate pedestrian connections along Dunvant Road and into the adjacent Hendrefoilan site to the north-west of the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the approved phasing programme.

Reason: In order to maximise the permeability of the site to allow future residents adequate accessibility to local facilities and in order to assess such details in the interests of pedestrian safety.

INFORMATIVES

- 1 The culverting of any watercourses or alterations to any existing culverts on site will require the Authority's prior written consent under Section 23 of the Land Drainage Act 1991 (as amended) irrespective of any other permissions given. We strongly recommend early engagement with and Coastal Management team to avoid any part of the development being held up as a result of separate legislation.
- 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, EV11, EV24, EV30, EV33, EV34, EV35, EV36, EV38, EV40, HC2, HC3, HC22, HC17, HC24, AS1, AS2, AS4 & AS6)
- 3 Natural Resources Wales advise that the developer seeks a European Protected Species licence from Natural Resources Wales under Regulation 53(2)e of The Conservation of Habitats and Species Regulations 2010 before any works on site commence that may impact upon bats. It should be noted that the granting of planning permission does not negate the need to obtain a licence.

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ITEM 5 (CONT'D)

APPLICATION NO.

2014/1192

- 4 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 is in use or being built
 - Take or destroy an egg of any wild bird
- You are advised that any clearance of trees, shrubs, scrub (including gorse and bramble) or empty buildings should not be undertaken during the bird nesting season, 1st March - 31st August and that such action may result in an offence being committed.
- 5 Bats may be present. All British bat species are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2010. This legislation implements the EC Habitats & Species Directive in the UK making it an offence to capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It is also an offence to recklessly / intentionally to disturb such an animal.
- If evidence of bats is encountered during site clearance e.g. live or dead animals or droppings, work should cease immediately and the advice of the Natural Resources Wales sought before continuing with any work (01792 634960).

PLANS

7559/001B site location plan received 13th August 2014

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ITEM 6

APPLICATION NO.

2015/1584

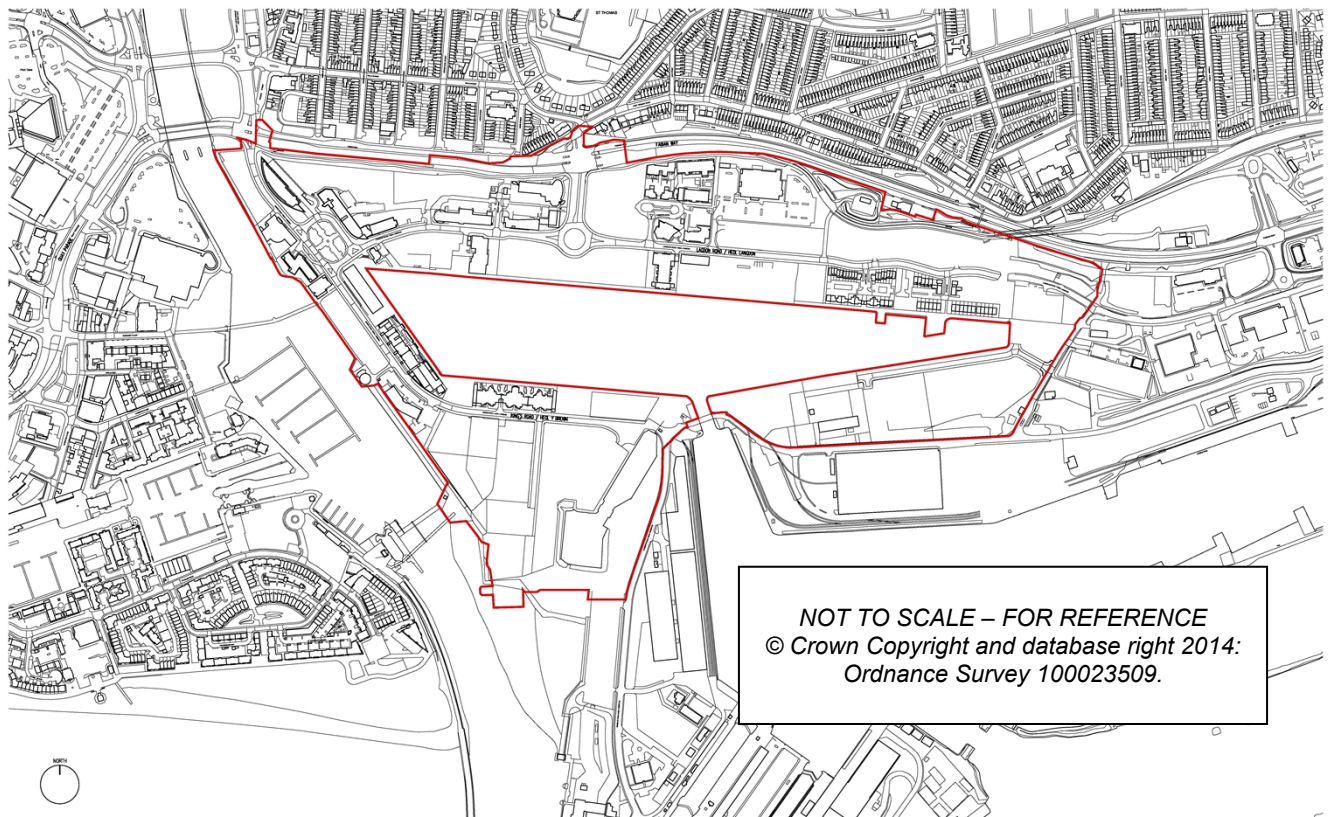
WARD:

St Thomas

Location: Land south of Fabian Way and East of River Tawe Swansea

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

Applicant: University of Wales Trinity St David & Welsh Government



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BACKGROUND INFORMATION

POLICIES

Relevant Planning Policies

National Planning Guidance

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

Technical Advice Note 12 – Design

Technical Advice Note 23 – Economic Development

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 EV33 Planning permission will normally only be granted where development can be served by the public mains sewer or, where this system is inadequate, satisfactory improvements can be provided prior to the development becoming operational.

Policy EV34 Development proposals that may impact upon the water environment will only be permitted where it can be demonstrated that they would not pose a significant risk to the quality and or quantity of controlled waters.

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.

Policy EV36 Development and Flood Risk

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ITEM 6 (CONT'D)

APPLICATION NO.

2015/1584

- Policy EV38 Development proposals on land where there is a risk from contamination or landfill gas will not be permitted unless it can be demonstrated to the satisfaction of the Council, that measures can be taken to satisfactorily overcome any danger to life, health, property, controlled waters, or the natural and historic environment.
- 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.
- Policy EC1 SA1 Strategic Mixed use Site
- Policy EC2 A major redevelopment area identified at SA1 Swansea Waterfront for mixed employment and residential development together with supporting leisure, tourism, community use and ancillary services
- Policy EC6 Provision of small-scale local shopping and neighbourhood facilities
- Policy EC15 Urban Tourism
- Policy EC16 Swansea Bay Recreational and Tourism Facilities
- Policy EC18 Serviced Tourist Accommodation
- Policy HC1 Land allocated in SA1 Swansea Waterfront for housing
- Policy HC3 Affordable Housing
- Policy HC11 Higher Education Campus Development
- Policy HC17 Planning Obligations
- Policy HC18 Leisure Facilities
- Policy HC31 Water Based Recreation
- 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:

Port Tawe and Swansea Docks - Supplementary Planning Guidance (12th September 2002).

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SA1 Swansea Waterfront Design and Development Framework (August 2004).

Places to Live: Residential Design Guide (January, 2014)

Fabian Way Innovation Corridor Masterplan Framework: Working Draft (Oct. 2015)

RELEVANT PLANNING HISTORY

- | | |
|-----------|---|
| 2002/1000 | Mixed use development comprising employment (Use Class B1, B2) residential (C3), retail (A1), commercial leisure (D2), food and drink (A3), hotel (C1), and educational (D1/C3) uses, car parking, associated infrastructure (including new highway access and pedestrian overbridge), hard and soft landscaping
Planning permission 19 August, 2003 subject to the completion of a Section 106 Agreement |
| 2002/0743 | Construction of highway infrastructure including cycle ways, footways, drainage and service
Planning Permission July, 2002 |
| 2008/0996 | Variation of Conditions 1 (review of phasing programme), 2 (land use masterplan), 3 (review of urban design framework), 5 (development capacity), 7 (scale, nature, distribution and design of Class A3 and commercial leisure uses), 14 (air quality), 16 (noise and vibration), 20 (waste management and recycling), 21 (ecology and wildlife) and 27 (archaeology) of outline planning permission 2002/1000 granted on 19th August 2003)
Planning Permission 11 Oct. 2010 |

RESPONSE TO CONSULTATIONS

The application was advertised on site and in the local press. ONE LETTER OF OBJECTION has been received making the following points:

1. Addition of a second tall building at the seafront would darken the site, increase traffic flows and spoil the general area and over intensify the site.
2. Assurances were given that the land for residential development to the east / south of Prince of Wales Dock would not be over 4 storeys high. This has now changed to 5 storeys which is unacceptable. Not in keeping with surrounding housing and would over intensify the site.
3. Traffic infrastructure will require a radical rethink. River bridges system cannot cope with current level of traffic. Additional traffic will only get worse.
4. Opening Langdon Road will become a 'rat-run'.
5. Lack of suitable parking facilities.

Statement of Community Involvement

Additionally, UWTSD carried out a period of public consultation between February – April, 2015, which included an official launch, a series of public exhibitions, newsletters, flyers and a social media campaign. The application is accompanied by a Statement of Community Involvement which summarises the consultation / engagement activities undertaken, and a detailed summary of the responses is presented in that document.

Design Commission for Wales (Feb. 2015) – Pre-application consultation

The Proposals

This proposal is for a mixed use development of part of the SA1 site to accommodate the relocation of existing UWTSD academic functions as well as facilitate the delivery of supporting development. This initial phase of development is to be located in the south west of SA1.

Main Points

A substantial amount of progress had been made since the previous presentation in November 2014 both in terms of the clarity of the approach to the site and the design of the masterplan. The focus on one site – the Peninsula – at this stage was welcomed and this allowed a more detailed discussion on the form and massing that has been developed since the last meeting.

It was evident from the discussions that many of the matters raised in the meeting had been given consideration by the design team or were still being progressed. The following key points summarise the discussion.

Catalyst for future development

The floor space required for the University itself has been located centrally within the site, maintaining a waterfront identity but leaving high-value waterfront development plots available for delivery through development partners. The catalytic impact of the development is therefore increased and the early development of the University buildings would promote further development.

It is helpful that the space requirements for the University accommodation have been established within the larger site and that those elements that are within the direct control of the University can be planned and designed.

Development partners

It is understood that there are a number of potential delivery partners that could come in to develop a range of supporting uses. The mix and arrangement of uses on the site will have a significant impact on the vitality and success of the scheme and therefore a mechanism must be established to enable the University to maintain control over the supporting uses. This could be in the form of a strategy or code for uses that will sit alongside the design code.

A realistic estates strategy is required to guide the use code and the masterplan going forward now that some of the master-planning principles have been established.

Scale and layout

The proposed building heights seem right for the site but would benefit from further testing/demonstration with the 3D computer model or, preferably, a physical model. It is evident that the location of the car park has been explored but still presents some issues in its current location. In particular the side elevation of the car park block will be very prominent on the approach to the site from Kings Road as well as from the residential properties opposite. As this is a north-facing block it may be harder to wrap the structure with active ground floor uses. In conjunction with establishing the hierarchy of routes through the site further consideration could be given to whether the car park can move further into the centre of the block rather than the edge. Wherever it is located the vehicle and pedestrian entrances and queuing space will need to be considered and shown.

The design code will need to establish an approach to other parking on the site for potential residential and hotel uses to ensure that any negative impact on the public realm is minimal.

Further development of the library design should seek to establish the relationship between the building and surrounding public space. As this is identified as the heart of the development it will need to be of the highest quality design.

Public realm

Consideration is starting to be given to the design of the key public spaces within the site. The Commission would like to see this developed further to have a clear understanding of the nature of the different spaces and how this relates to surrounding uses.

Defining the nature and scale of the public spaces to be provided on this site presents a challenge. It is not a city centre site but neither should it become a sub-urban campus – something different to each of these needs to be defined. Although at times the site may have visitors using the buildings and the waterside perimeter, especially if future bridge links are made, its location means that it will not be constantly busy. Examination of other dockside sites, in Swansea and elsewhere (Cardiff, Salford), will provide a realistic indication of how populated (or under populated) the public realm might feel, even with major occupiers nearby (the BBC, ITV and the Imperial War Museum in the case of Salford). The masterplan and urban design proposals need to create places that feel safe, attractive and successful when sparsely occupied. This may suggest fewer or smaller public spaces. This is a significant design issue that needs to be acknowledged and tackled head on. Defined by the project team as a 'peninsular', the site's waterside edge is its key physical characteristic and potentially one of its greatest selling points for developers and the wider public. We encourage the design team to explore this edge as a key component of the public realm in more detail. This includes what happens in the surrounding buildings, what the set-back will be, which spaces are lively and which are quiet, whether there is a difference between the river edge and the dock edge, where the sun is at different times of day, what the landscape approach will be, and what activity will be happening in and alongside the water. Even those spaces that are identified as being quieter need to be interesting. The significance of the waterside public realm needs to be articulated on the drawings.

With several other waterside developments in the pipeline in Swansea, including the Civic Centre site and the Tidal Lagoon, a strategic perspective of the nature of waterside public space and associated land uses would be of benefit and is a matter that the Local Authority could address in partnership.

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Phasing

It is recognised that an early start on site is desired and that the ambition of the University is to deliver the accommodation that it requires as soon as possible. The Commission would like to understand more about the timescale for delivery and what is proposed for the rest of the site in the meantime.

It would be useful to have a plan that identifies the areas of the site – buildings and public realm – that will be delivered by the University. The feasibility of constructing the southernmost part of the site once the middle University section has been placed needs to be considered.

Conclusion

This development will potentially have a transformational impact, bringing new activity and people to the waterside. In order to maximise the contribution that it will make to the city it will need to have a special character of its own. This is likely to be derived from the water's edge which is so prevalent and potentially varied. The character of the masterplan must be supported by an appropriate and realistic mix of uses established through an estates strategy. The Design Commission for Wales welcomes further engagement through the design review service as the proposals are developed to the next level of detail.

Swansea Bay Port Health Authority - no observations regarding this application.

Glamorgan Gwent Archaeological Trust - the proposal requires archaeological mitigation.

You will recall, and as the supporting information notes, that previous archaeological studies carried out in the area in advance of the Port Tawe development highlighted the position of the original seashore; further archaeological work has identified the depths of buried peat levels relating to phases of settlement, and land and water management within the wider area. Elements of remains of structures, buildings and features shown on the historic mapping, have also been identified. Given our recent experience on reclaimed land and industrial sites, it can be surmised that there is a strong potential that further elements of these may survive in as buried features. As noted in the supporting information, some parts of the construction and enabling processes for the development may penetrate through imported material and into previous ground surface, thus having a potential impact on any archaeological features located in the area.

As noted above, in previous responses to development in the wider SA1 redevelopment area we have recommended that a condition should be attached to any consent that was granted ensuring that the archaeological resource was investigated and where necessary protected. In this case, the application is for variations to conditions, and we note that conditions 27 and 28 of the original permission relate to archaeology and heritage, and that these have been merged. The applicants have taken the archaeological and heritage resource into consideration and acknowledge that there is a need for mitigation to ensure that should the depths of development reach the archaeological horizon. This will be identified within a written scheme of investigation and implemented; and following fieldwork and any post-excavation requirements, a report containing the results of the work should be produced. Therefore to ensure these recommendation are implemented, we recommend the attachment of a condition, which should be worded in a manner similar to the model given in Welsh Office Circular 60/96, Section 23.

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Natural Resources Wales – Do not object to the above proposal, however, make the following comments.

Flood Risk

As your Authority will be aware part of the site is located within zone C2, 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, indicates part of the site to be at risk of flooding in the 1% flood event.

We note that the proposal is for the Variation of Conditions for a previous planning permission regarding the development at SA1. We have reviewed the submitted Addendum to the Environmental Statement dated July 2015, and in particular Section 5: Hydrology and Drainage.

The Addendum recognises that there is an existing flood risk to the development area and that when climate change allowances are applied this could increase. The latest tide levels have been considered and both climate change allowances and confidence levels have been applied to the 0.5% and 0.1% tide levels. The Addendum proposes that finished floor levels of commercial buildings will be set at a minimum of 7.13m AOD and for residential buildings this will be 7.50m AOD. We can confirm that this will ensure that the proposed buildings will comply with Tables A1.14 and A1.15 of TAN15.

Foul Water Disposal

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 would recommend that Dwr Cymru Welsh Water (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.

Section 5.8.5: states that a private pumping station may be required to connect Plots E -F to the gravity sewer. If a pumping station is required, then we advise that your Authority receives confirmation that it will be adopted by Dwr Cymru, or if not, then your Authority should be certain and satisfied with whoever will be responsible for its operation.

The applicant should also be advised that, in addition to planning permission, it is their responsibility to ensure that they acquire all other permits/consents relevant to their development.

Pollution Prevention & Waste Management

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. We would also 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. Guidance for SWMPs are available from the DEFRA website (www.defra.gov.uk).

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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.

Ecology and Protected Species

We welcome the provision of the updated ecological report entitled; 'Trinity St David University, SA1 Development: Ecology', dated November 2014, by Hyder Consulting (UK) Limited. We are supportive of the recommendations made in Section 7 of the report and advise that these are discussed and agreed with your Authority's Planning Ecologist.

We would draw your Authority's attention to the recommendation that an assessment/internal inspection of the existing building with Plot E6, is carried out by a licensed bat worker in order to determine whether the building is suitable for use by roosting bats and whether additional surveys are required. It is unclear from the information provided if or when this building will be demolished. However, if it is to be demolished, then any survey/assessment must be carried out prior to demolition and the results submitted to the LPA and NRW.

All species of British bats are European Protected Species, legally protected under The Conservation of Habitats and Species Regulations 2010 (as amended). Legal protection relates to the animals themselves and the places they use to rest and breed.

Contaminated Land

It is our understanding that there are parts of SA1 that still contain contaminants which may have an impact on controlled waters. The site investigations that these rely upon are quite old and we welcome the updated site investigations, which have been provided.

Having reviewed the previous site investigations we note that some of the standards that have been quoted have since been superseded and in some cases the limits are now lower to ensure protection of controlled waters.

Therefore, in line with Planning Policy for Wales, we welcome an iterative approach to ensure that the site becomes fit for purpose.

We welcome the use of the CL:AIRE Definition of Waste: Development Industry Code of Practice (DoW CoP) for the reuse of material on the site. We also note that details of the 2010 Conditions have been provided in the documentation accompanying this application and would draw your attention to Condition 12.

In light of the variations and should your Authority wish to amend Condition 12, we suggest that alternative conditions are imposed.

Drainage Engineer – All previous drainage conditions still apply

Pollution Control – No objections

Ecologist - I think the impact of the proposals on the limited wildlife on the site is likely to be small providing the developers follow the recommendation section 7 of the ecological report. I think we should add a condition to any permission we give requiring the recommendations to be followed.

The recommendations are concerned mainly with protecting nesting birds and reptiles but they have also suggested a precautionary check for bats in a building to be demolished. The only thing I would add is they should agree a reptile mitigation scheme with us of some sort; this could either be something up front or something to be agreed if they find anything, is it worth asking the developers which they would prefer? Whichever it is we should make it a condition of any permission we give.

Highway Observations –

Land south of Fabian Way and East of River Tawe Swansea

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

1 Background

1.1 This is an outline application to vary the mix of uses covered under the 2002/1000 for the Sa1 mixed use development (and its subsequent variances 2005/1077, 2006/0762 and 2010/1317). Its primary function is to allow University Trinity St David to establish a new campus within the site. Following the approval of this section 73 application further reserved matters applications will be forthcoming.

1.2 At this point there are two distinct phases which will result in the relocation of the existing Mount Pleasant campus (phase 1 circa 2018) together with the relocation of the existing Townhill campus (phase 2 circa 2022) These two Phases will be primarily concerned with Academic accommodation and associated facilities.

1.3 There are further parcels of land included within this application and these will also form the basis of additional reserved matters applications.

2 Traffic Impact- Transport Assessment

2.1 The traffic impact of the development was considered in detail by the submission of a revised Transport Assessment (prepared by Hyder, on behalf of UWTSD). The TA has been developed following ongoing discussion with the relevant professional officers in Highways and Telematics, and as such the content and methodology has been agreed.

2.1.1 The SA1 Site is located approximately 1.2km to the south east of Swansea City Centre. The main university campus is on the western peninsula accessed via Kings Road which connects to Fabian Way at its northern end.

2.1.2 The proposals should ensure that people can reach the development, as far as practicable by walking, cycling, and public transport as well as by car.

2.1.3 UWTSD has circa 10,500 students spread over three locations, Swansea, Carmarthen and Lampeter, with Swansea being the largest by far (6,173 students). The Swansea campus has a mix of both undergraduates (77%) and postgraduates (23%)

2.1.4 Currently UWTSD is spread over five sites with Mount Pleasant and Townhill being the principal locations.

2.1.5 A travel survey was undertaken across the campuses. 849 responses were received (41% staff and 59% students). Of the staff responses 46% were from the Swansea campuses and for the students it was 55%. It is reasonable to assume that the results will be fairly typical of Swansea campuses given the high rates of response. The figures identified the modal splits for travel to university based on walking, car share, car, bus, cycle and train. These split figures were then used to estimate the movements expected for the new campus accommodation in SA1. For the students the bulk was for car and walk (approximately one third each) and for the staff the bulk was for the car (60%).

The figures were then compared to the TRICS Database to ensure that a robust assessment had been compiled.

3. Existing highway network and traffic

The main roads serving the development are Fabian Way (which links M4 junction 42 to Swansea city centre), Langdon Road, Kings Road, and Port Tennant Road. The TA estimated the nett difference generated by the proposed changes of use and the introduction of the academic uses into the mix.

The two junctions that were tested Fabian Way/Langdon Road and Fabian way/Mcdonalds were found to be approaching capacity for the current situation, the 2015 with development makes this slightly worse (2% increase).

Fabian way/Mcdonalds junction is predicted to be overcapacity in the consented 2010 (160%) and there is a 10% change with the 2015 consent with development. The potential increase can be mitigated for using funding previously agreed on an alternative development.

4. Car parking

4.1 On site facilities.

4.1.1 The SA1 Site currently has a number of pay and display car parks available for use. At the moment part of the site covered by this application is used as temporary car parking and thus this application will need an appropriate condition attached to develop a parking strategy such that as the site is built out adequate parking facilities are retained not only for the sites covered within this application but for other commercial/office/retail uses in the wider SA1 Area.

4.1.2 There are two Multi Storey Car Parks programmed for the SA1 Area. There is an existing planning permission for one but no timeframes available for its delivery.

4.2 Off site facilities

4.2.1 The scheme needs to mitigate against parking on the residential streets of Port Tennant and St Thomas which would be detrimental to the residents provision. The streets in the affected areas are a mix of limited waiting, residents parking permit controlled and also unrestricted. The majority of the residential area comes under a 'controlled parking zone' and as such should be adequately protected and policed by civil enforcement.

4.2.3 A number of public car parks are currently available for pay and display purposes within an easy walk of the proposed site.

4.3 Accident data

Personal Injury Accident data was obtained for the five year period to December 2013. There were 56 recorded incidences which resulted in three fatalities, 4 'serious injuries' and 49 'slight'. The fatalities all involved pedestrians crossing Fabian Way and the remainder of the accidents tended to cluster around junctions with a variety of circumstances and causes.

There was no common theme or cause which would indicate that the highway network layout or staging was at fault.

5. Existing traffic flows

Background traffic flows were obtained from CCS for the Fabian Way/Port Tennant Road junction and the Fabian Way/Mcdonalds/park and ride junction. In addition Automatic Traffic Count data was also provided to enable the peak flows (0800-0900) and (1600-1700) on Fabian Way to be estimated. In summary it was shown that the 24 hour flows on Fabian Way are in the region of 32,000 vehicles.

The existing junction counts were used to distribute traffic arising from the new proposed mix of development when compared to the previous mix version in 2010. Classified counts were undertaken in 2009 and these were factored to 2015 and this was compared to the ATC data on Fabian Way. The current ATC showed lower flows but the higher historical flows were assumed in order to provide a robust assessment.

6. Sustainable forms of transport.

6.1 Pedestrians and cyclists

The site is well located in terms of accessibility to walking and cycling routes. There are extensive footway links throughout SA1 linking to Swansea City Centre, to the north and to the east and beyond.

SA1 is well located in terms of access to the National Cycle Network and adequate cycle parking will be conditioned as part of the Highways requirements. It also links to existing traffic free cycle paths and on-road signed cycle routes.

There are planned improvement works in the pipeline not directly connected to the sa1 proposals and these will further enhance accessibility to the site by these two important transport modes. Works are currently being undertaken (2015/2016) to introduce MOVA (Microprocessor optimized vehicle actuation) on the Port Tennant Fabian Way/Langdon road junction to increase efficiency and release additional capacity in the junction.

6.2 Bus Network

The site is served by a number of bus services within a suitable walking distance with the closest stop being within 300m on Langdon Road. The stops closest to the site provide a combined frequency of four buses per hour to the Quadrant City Centre.

6.3 Rail Network

The railways station is located on the northern edge of the city centre approximately 1.6km from the peninsula where the academic accommodation is to be sited. Cycle parking is available at the railway station and can be reached by 5 minutes (on a bike) or 13 minutes (on foot).

6.4 In summary the site is in an accessible location.

7. Travel Plan

A Framework Travel plan has been submitted outlining the sustainable and accessible nature of the site. The document is 'live' and it will be a requirement for an annual report to be submitted to the LPA and any subsequent updates/amendments as required.

8. Development proposals

The development proposals are covered in detail in the Planning Officers report.

9. Impact of the Development

In summary the main change from the previously consented scheme is the introduction of academic accommodation to allow the current UWTSD campuses to be consolidated onto one larger site. The TA Concluded that despite localised increases in some timeframes the overall impact in traffic terms is less than that has been previously consented.

Notwithstanding that traffic movements are less Highways have been negotiating on a number of infrastructure items that were considered to be desirable in order to improve the accessibility and permeability of the site (particularly in view that there are no current plans to provide student residential accommodation on site). These included, but were not restricted to:

- Port Tennant Road/Fabian Way/Langdon Road junction
- McDonalds/Fabian Way/Park and ride junction
- New signalised pedestrian crossing on Fabian Way

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- Improved bus stop facilities on Langdon Road to the east of the Port Tennant junction.

It was agreed that based on the nett decrease in movements there was no requirement for a specific contribution but nonetheless negotiations continued with UWTSD.

It was agreed at a meeting on October 22nd 2015 that as far as CCS Highways officers were concerned the priority was for the pedestrian crossing (estimated costs £200,000). This was an item that had already been highlighted under the Fabian Way Corridor study programme of works but funding hadn't been sourced as it was only one item of a £25 million package of works jointly identified with NPTCBC and CCS. It was considered that in view of the lack of student residential accommodation on site then a safe pedestrian link across Fabian way was critical to the development.

UWTSD agreed to fund this element (up-to a ceiling of £200,000) to be delivered upon the completion of Phase 2- which is the relocation of Townhill campus (estimated circa 2022), with the Mount Pleasant Campus being brought down under Phase 1 (estimated circa 2018). The money can be secured under a Section 106 Agreement for payment upon beneficial occupation of the Phase 2 academic accommodation. This negates the need for a definition of the term 'full' in the context of student migration to the site which had been discussed previously.

10. Conclusion

The proposed variances to the SA1 Masterplan can be accommodated without detriment to highway safety and it has been demonstrated that there is less trips generated including the academic accommodation than the current consented mixed use development.

11. Recommendations

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

1. The applicant entering into a section 106 agreement to fund (up to a maximum figure of £200,000) a pedestrian crossing across Fabian Way linking to the communities of St Thomas/Port Tennant upon beneficial occupation of Phase 2 of the Development.
2. All reserved matters applications shall be accompanied by a Construction Traffic Management Plan. The approved traffic management plan for each phase of the development shall be implemented and adhered to at all times unless otherwise agreed by the Local Planning Authority.
3. Prior to the occupation of any part of the development, a car parking strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved car parking strategy shall be implemented in accordance with the approved phasing plan.

4. All adoptable areas shall be constructed to Highway Authority specification.
5. The development of all the University of Wales Trinity Saint David (UWTSD) owned plots highlighted on drawing no. 70183_PL003 shall be brought into beneficial use in accordance with the recommended measures within the submitted Framework Travel Plan. The Travel Plan co-ordinator shall produce an annual report and be responsible for monitoring and recommending adjustments to the Travel Plan in consultation with the Local Authority.
6. Cycle parking, in accordance with details to be submitted for approval to the LPA, should be included in subsequent reserved matters applications

APPRAISAL

This Section 73 application essentially seeks to amend the SA1 permission 2002/1000 (as previously amended by 2008/0996) to incorporate the aspirations of University of Wales Trinity St David (UWTSD) and in particular to deliver the 'Swansea Waterfront Innovation Quarter'. The application therefore seeks to vary the conditions to 2008/0996 specifically relating to the site masterplan and development capacities.

Overview

In order to reflect the ambitions of UWTSD and their recent land acquisitions it is proposed to revise the development framework with a new SA1 Swansea Waterfront masterplan in as far as it relates to the UWTSD owned plots. UWTSD have secured circa. 9 hectares of the remaining development land in SA1, and envisages delivering approx. 33,000 m² of new university accommodation which reflects the aim to create an Innovation Quarter with the University at its heart. The area of greatest change would be centred around the southern end of SA1 'The Peninsula' originally referred to as the Leisure Quarter. This area will incorporate the majority of the University's facilities with a range of complimentary uses. It should be noted, however, that this proposed 2015 masterplan seeks only to change those parts of the 2010 masterplan that have been acquired by UWTSD in order to deliver the 'Innovation Quarter'. The development of the remaining plots within SA1, which are predominantly owned by Welsh Government, will continue to be controlled by the existing approved Design and Development Framework and Masterplan under ref:2008/0996.

Planning Background

Outline planning permission was granted on the 19th August 2003 for a mixed use development of SA1 Swansea Waterfront (formerly Port Tawe Innovation Village) comprising employment (Use Class B1, B2) residential (C3), retail (A1), commercial leisure (D2), food and drink (A3), hotel (C1), and educational (D1/C3) uses, car parking, associated infrastructure, hard and soft landscaping. (Planning permission 2002/1000 refers). The application was deemed to be Environmental Assessment development under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and was therefore supported by an Environmental Statement. The assessments contained within the Environmental Statement were based on the scheme described in the Development Framework and Land Use Masterplan also submitted in support of the application, along with Travel Assessment and addendum.

A significant proportion of the SA1 Swansea Waterfront infrastructure together with a significant number of buildings have been completed in accordance with the original outline planning permission, and a number of recent planning permissions are likely to be implemented over the next year or so continuing the development and contributing to the wider regeneration objectives of the area.

Following on from the success of the development, market changes led to pressures to increase the scale of new buildings and to alter the proposed land use mix, and as a result a Section 73 application under the 1990 Town and Country Planning Act was submitted in 2008 to vary the conditions of the outline planning permission (Ref:2008/0996). This essentially sought to allow changes for the timing of the programme of phasing, for a review of the approved Land Use Masterplan and the Design and Development Framework to take place at appropriate intervals and also to allow for a revision to be made to the total development capacities for SA1 and for the capacity levels to be set by an addendum Environmental Statement. In order to properly assess the impact of the proposed changes, the application was supported by an addendum Environmental Statement and Planning Statement. This was granted permission on 11 October, 2010 and the original outline planning permission, as varied by ref:2008/0996, remains the extant permission.

Current Proposal

This current application under Section 73 of the 1990 Town and Country Planning Act again seeks to vary the Outline Permission for the SA1 Waterfront Development to facilitate the implementation of the revised masterplan proposals for the 'Swansea Waterfront Innovation Quarter' - principally varying Conditions 1 (review of phasing programme), 2 (land use masterplan), 3 (review of urban design framework), 5 (development capacity), 7 (scale, nature, distribution and design of Class A3 and commercial leisure uses), and other conditions to the Section 73 application 2008/0996 (granted 11 October, 2010) which previously varied the original outline planning permission 2002/1000 (granted 19 August 2003).

The variation of condition application is made in the joint names of the Welsh Government, the original applicant in 2002 and again in 2008, and the University of Wales Trinity Saint David (UWTSD) and is supported by the following documents:

1. A Design and Development Framework. This is submitted in two Parts:
 - a. Part 1 is a comprehensive Planning Design and Access Statement: this is an "umbrella" document which summarises the masterplan and its component elements, technical assessments and the planning justification for development.
 - b. Part 2 is a Design Code, prepared jointly with the Princes Foundation. This sets out the principles and parameters making reference to building lines, heights, a palette of potential materials and landscape design aspirations for the public realm. The Design Code covers both buildings plots and spaces and will be used to inform detailed planning and architectural submissions. The Code has been prepared to support and facilitate both core (University) and non-core (third party) partners/occupiers and has been drafted to promote a sense of place while having regard to project affordability. The Code deals with the areas of change within UWTSD-controlled plots.

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2. An Environmental Statement Addendum. This presents multiple, bespoke and updated technical assessments comparing the current scheme to the 2010 baseline permission.
3. Transportation Assessment and Travel Plan. This models the impact on the highway network and suggests potential mitigation measures such as, but not limited to, junction and signal improvements and the promotion of sustainable travel modes.

The Design and Development Framework Part: 1 The Planning Design and Access Statement seeks to address the revised masterplan proposals, the justification for the volume and distribution of floor area across the sites, and the ways in which complementary uses can bring forward a vibrant city centre expansion in a phased, controlled manner. Part 2 of the Design and Development Framework is a Design Code which will inform detailed future reserved matters submissions.

By way of background context, UWTSD plans to create a vibrant new 'Innovation Quarter' in SA1 which will become the home to UWTSD together with commercial and cultural partners with cafes and restaurants, ancillary retail, hotel and leisure facilities, residential development, sports and recreation facilities and public realm areas. The University has purchased circa 22 acres of land within the SA1 Swansea Waterfront with a view to establishing a new campus 'SA1 Waterfront Innovation Quarter' relocating from its existing higher education activities on the Townhill, Mount Pleasant and Ty Bryn Glas campuses. UWTSD has an existing presence in SA1 occupying the two Technium buildings and also the Dylan Thomas Centre in the Maritime Quarter, and proposes to retain the 'Alexandra Road Cultural Quarter' incorporating the Alexandra Road Art & Design Campus of the Alex Design Exchange and Dynevor Art & Design Centre. UWTSD aims to create a high quality academic development at SA1 which in turn will act as a catalyst for the further regeneration of the SA1 Swansea Waterfront area.

2015 Masterplan Proposals

'Peninsula'

It is reiterated that the revised proposal only seeks to change the areas acquired by UWTSD in order to deliver the 'Innovation Quarter'. The area of greatest change is centred on the southern end of SA1 (formerly referred to as the 'Leisure Quarter'). The 'Peninsula' would accommodate the majority of the University's facilities but with the objective of integrating with a range of complementary uses. It is intended to become a thriving hub of activity where students, university staff, business employees and the general public can come together to learn, work and socialise. It is not the intention to provide a 'closed' campus. The Design and Development Framework stresses that it is not the intention of the masterplan to deliver individual plots, rather to provide a greater emphasis on the delivery of lively streets and attractive public spaces, with the pedestrianisation of large parts of the public streets.

The 2010 masterplan proposed a large leisure complex, however, the revised 2015 masterplan now proposes a broader range of uses, with a mixture of academic, commercial, ancillary retail, restaurants and hotel uses. These building uses are intended to be complemented with a range of external spaces to encourage outdoor activities, including alfresco dining, concerts, art / exhibitions etc. which will attract visitors in addition to the general activity created by the students and staff.

'East End'

The second of the two areas of significant change lies to the east of the Peninsula, comprising the vacant plots along the southern banks of Prince of Wales Docks ('the East End'). It is proposed to establish the University's sports facilities at this location. It is proposed to locate the University's Health and Outdoor Education hub to this site, and as well as the indoor facilities it is intended to encourage watersports utilising the open water area of the Prince of Wales Docks and potentially the impounded water area of the Tidal Lagoon. These facilities are intended to be open to the general public and planning permission has already granted for a pedestrian bridge connecting the 'Peninsula' with the 'East End', which will contribute to the completion of the loop around Prince of Wales Docks.

Building Heights

The majority of the building heights of the new development identified in the masterplan would be 3 – 5 storeys which would be broadly consistent with the existing masterplan. Within the 'Peninsula' area it is proposed to provide a more appropriate distribution of massing, with the average height lower than previously proposed. However, it is now proposed to construct two taller buildings at the southern tip of 12 storeys, as opposed to a single tall building of 10 storeys under the 2010 masterplan. It is highlighted that the tall buildings are intended to reflect 14 storey Aurora building on the opposite of the mouth of the River Tawe. It is worth noting that under the Council's adopted Tall Buildings Strategy, this area is considered to a 'Welcome' Zone where tall buildings will be welcomed where well designed tall buildings can have a positive impact on the character and impact of the city.

Design Code

A separate Design Code Document has been produced alongside the Planning, Design and Access Statement, which again only relates to the land controlled by UWTSD. The aim of the Design Code to provide clarity as to what constitutes good quality design and will provide guidance for developers, and provides more detailed design parameters for the key areas of change. The objective is to ensure a high quality of buildings and public realm across the site, will establish the key principles and will provide guidance for the reserved matters submissions.

Variation of Condition Application

The principle of a mixed use development on the SA1 site was established in 2003 with the granting of the original outline planning application (2002/1000). The series of amendments that followed this approval, most notably in 2010, have sought to respond to market conditions and highlight the evolving nature of the development opportunity. This application represents the latest iteration of the SA1 site and is one that it is envisaged will deliver the potential of the site that was originally identified along with the key project objectives.

Much has already been achieved at SA1. Access and infrastructure has been completed opening up the entire area around the Prince of Wales Dock for development. Offices, shops, cafes and restaurants, hotels, new homes and apartments have been built and old waterfront areas opened up for public access for the first time. A new city district is beginning to emerge within the dramatic industrial landscape of the docks.

There remains however much latent potential still to be realised. Water within the dock is largely unused apart from occasional port traffic, some planned public spaces have yet to be built and the established population densities do not provide an adequate population to create busy urban places. In addition large areas of land remain to be developed. The university envisages building approximately 33,000m² of new university accommodation on land with capacity to accommodate additional space for commercial, cultural, residential and leisure development schemes.

This application seeks to update a series of conditions from the 2010 planning permission, most notably are conditions 2 and 4, which refer to the uses, development capacities and the design framework for the SA1 area. The following section provides an overview and justification of the development based on the nature and distribution of the land uses that are proposed, focusing on the key changes compared to the 2003 and 2010 permissions.

Education

The proposed revised SA1 Masterplan includes an additional 33,080m² of floorspace for institutional / education use compared to the 2010 planning permission and an additional 22,196m² of floorspace compared to the 2003 planning permission. The proposed increase in the amount of floorspace dedicated to education use is at the centre of this variation of condition application and reflects the aim to create an Innovation Quarter with the University at its heart, using academic delivery as a catalyst for regeneration.

The occupation of new buildings by UWTSU as part of the relocation of the university to SA1 will bring about the development of a learning-centred community for the university and its academic, business and cultural partners, creating a learning environment. Promoting access to education accords with the aims in Planning Policy Wales and the introduction of an increased amount of education floorspace at the site will provide a series of economic and social benefits facilitated through creating a critical mass of activity, with the associated economic multiplier effect created by new demand.

Establishing an 'innovation quarter' at SA1 with the University at its heart will reinforce the identity of the City Region's emerging knowledge and innovation economy by supporting a local knowledge economy along Fabian Way following the opening of the Swansea University Swansea Bay campus, which has the potential to complement the Swansea City Centre regeneration aims and provide employment opportunities and economic benefits for the City Region.

UDP Policy EC2 supports a mix of uses at SA1 Swansea Waterfront. Although education is not traditionally an "employment use" it does provide employment opportunities; indeed, the University currently employ circa 2,200 FTE staff based in the City. Through the University's clear vision to establish a critical mass of expertise that can attract new companies, partnerships and investment it is anticipated that the proposed development will play a major role in the regeneration of the City and the wider Region. Facilitating the transfer of knowledge and collaboration between industry and academia will create an integrated innovation and enterprise system that will act as a catalyst for growth and provide a more sustainable mix of uses than previously proposed.

It is considered that the proposed increase in educational uses at the SA1 site will support the regeneration aims of the site and provide high quality employment opportunities in accordance with Planning Policy Wales, Unitary Development Plan policies EC2 and the January 2015 City Centre Strategic Framework Review.

Leisure

Leisure type uses, in the form of sports and recreational facilities, as defined within Use Class D2 (assembly and leisure), are proposed. Such uses are integrated within the University, but will also include a publicly accessible element. Quasi leisure uses such as retail, hotel and restaurant uses remain part of the masterplan for the site and are discussed below.

The revised Masterplan proposes a large reduction (circa 60%) in total floorspace for leisure use in order to accommodate the proposed education uses. The SA1 area was subject to a similar decrease in leisure uses in the 2010 permission and reflects a change in the commercialisation strategy of the site and the recognition that the SA1 waterfront area represents a suitable expansion point for a mixed use scheme compatible with the aspirations of the City Centre.

Commercial entertainment leisure uses such as those previously proposed are not part of the current scheme; however, water leisure opportunities would be possible as the masterplan opens up Plot F for sports and recreational use and therefore allows the possibility of spill out into Prince of Wales Dock. The availability of the adjacent boat storage facilities, a retained element of the 2010 scheme, makes this all the more a realistic opportunity and is in accordance with UDP Policy HC31 which supports opportunities for water based recreation facilities in dock systems.

The Port Tawe & Swansea Docks SPG (2002) recognises the potential conflict of the provision of leisure uses at SA1 and its impact on the city centre, referring to the city centre as the “*preferred location in terms of a sequential test*”. Leisure uses were therefore preferred in the city centre.

A recognised decline in the performance of the city centre prompted the review into the Adopted Swansea City Centre Strategic Framework (2009). The latest iteration of this Review, prepared by the City and County of Swansea in January 2015, identifies that the city centre should include a ‘*vibrant mix of leisure, culture, retail, office and residential uses*’. The Review therefore recognises that SA1, in the context of the 2010 extant planning permission, has the “*potential to compete with the regeneration aspirations due to the significant quantum of leisure development that was approved as part of the Masterplan*”.

The proposed loss of floorspace for leisure uses in favour of education will therefore complement the City Centre and not compete with it. This is recognised in the Review and is in accordance with UDP Policy EC2, The Port Tawe & Swansea Docks SPG and the Local Development Plan Preferred Strategy (July 2014) which seeks further investment in SA1 and for it to complement the aims of the city centre regeneration.

The St Thomas / Port Tennant Wards are deficient on the Fields in Trust Standard for recreational space. The public (through organised groups and sports clubs) will have the ability to book spaces within the sports centre which, over time and subject to further planning applications, has the potential to become a centre for sports excellence in the City. This is consistent with the University’s wider regeneration, cultural and social aspirations and has the potential to address deficiencies in recreational space in the wider community.

The revised Masterplan includes University leisure uses on plot F to meet the recreational demands of students on the site. Such dedicated provision which reduce pressure on public facilities located off site and is therefore in accordance with UDP Policy HC18.

Retail / Food and drink uses

The proposed change in the amount of floorspace for retail uses (14,864m² in 2010, 12,114m² in 2015) and hotel (25,028m² in 2010, 16,828m² in 2015) are of a reduced scale compared to the proposed changes in leisure use and reflect a more balanced and realistic approach to the scale of such uses on the site.

In terms of retail provision, SA1 accommodates a small Tesco Metro alongside a range of restaurant uses focussed around the J Shed and Ice House. Food and drink uses are also provided within the two hotels on the northern side of the Prince of Wales Dock. Local small scale retail facilities were envisaged in accordance with condition 6 of the 2010 planning permission to complement the range of uses on the site and create sustainable mixed community with active frontages overlooking public areas. This principle is carried forward in the current proposals, with specific reference to active ground floor retail uses adjacent to waterfront locations. This is in accordance with the aspirations of the Welsh Government as an interested landowning party in the area and joint applicant. It is not the intent that a large format convenience supermarket is accommodated on site; but a range of smaller retail stores to serve local and visitors' needs. This is envisaged to include convenience and comparable retail, independent stores and a range of restaurant, eateries and licensed premises.

Retail use floor area more than doubled between the 2003 and 2010 permitted schemes. The proposed reduction in 2015 reduces this figure to ensure the proposals complement rather than compete with the city centre in accordance with UDP Policy EC2. It is considered that the provision of small scale local shopping and neighbourhood facilities is in accordance with UDP Policy EC2, EC4, EC6 and Paragraph 10.3.1 of PPW.

Hotel

The SA1 site is served by two existing hotels, a Premier Inn and Village Hotel on the north side of the Prince of Wales Dock. The Swansea City Centre Strategic Framework Review (2015) identifies the City Waterfront Priority Area (Civic Centre/Paxton Street) as suitable for a hotel development.

A reduced scale of hotel development is envisaged, however, the masterplan retains the location of this use at the southern end of the peninsula; a legacy project of both the 2003 and 2010 permissions. The produced reduction in the size of the hotel is considered to be balanced by the recognition in the Swansea City Centre Strategic Framework Review (2015) which identifies the City Waterfront Priority Area (Civic Centre/Paxton Street) as suitable for a hotel development and would be the sequentially preferred site for such uses.

The creation of an 'innovation quarter' at SA1 has the potential to become a tourist attraction in its own right, supporting the aim of enhancing 'City Break' tourism in Swansea, as referenced in the Local Development Plan Preferred Strategy (July 2014). This will be achieved through a combination of retail uses and education/cultural facilities and is also in accordance with Policy EC15 which supports improvements to the quality and range of facilities and attractions in the Tawe Riverside Basin.

The attractiveness of a hotel is envisaged to improve when considered adjacent to a City University and within a growing commercial business district. A hotel would offer a valuable choice for visitors to both formal and informal university functions and in support of conferences and seminars supporting the business community. It would also be reasonable to assume that a hotel would serve visitors attracted to the area as a result of the proposed Tidal Lagoon.

The reduced scale of hotel development is considered to be in accordance with UDP policy EC15 and EC18 which support such developments in the city centre.

Business

The proposed extent of commercial/business floorspace has increased by 14,382m² compared to 2010. This increase is at the heart of the University's Vision to create real transformational change within the Swansea Bay Region and attract business and industry which can be linked to the University's academic profile and enhance the University's potential for applied research. Partnership working is at the centre of the University's commercialisation strategy and the desire to integrate the academic facilities with those of business, creating synergies and supporting the key aim of UWTSD to develop the employability of its students.

The 2010 permission saw a reduction in business use across SA1 and therefore the change brings this figure back towards previous levels, supporting the aim to provide high quality employment opportunities in accordance with UDP Policy EC2 and Policy CC1 which supports such uses at SA1.

Residential

The proposed floor area identified within the land use schedule for residential development has reduced by 11% compared to the 2010 permission. However, when compared to the original 2003 permission, the amount of residential development now proposed represents an approximately 50% increase, highlighting the significant increase in development approved in 2010 and putting the current proposed change in context.

UDP Policy EC1 (2) seeks the development of 1,500 dwellings at the SA1 site. The reduced provision of residential floorspace effectively equates to a change from an average of 111m² per dwelling (2010) to 97m² per dwelling (2015). To date, planning permission has been granted for 1,164 units at SA1 leaving a total of 336 dwellings to meet the UDP target of 1,500, however, to date only around 600 units have actually been completed. A large proportion, if not all of the anticipated 1,500 units, are considered deliverable within the context of the masterplan.

Car Parking

The proposals increase the amount of dedicated car parking at the site and propose the creation of a larger multi storey facility at the peninsula accommodating 500 spaces and a car parking facility close to the sports hub with 650 spaces. There is an extant planning permission for a multi storey car park on Plot A9 (424 spaces) which is not affected by this application. It is intended that the car parking facilities identified on the peninsula and sports hub areas would be used by non-residential uses. The accompanying Transport Assessment outlines how the parking requirements of the development have been calculated and are in accordance with the maximum standards in the Adopted City and County of Swansea Parking Standards (March 2012). The transport impacts of the revised masterplan are outlined in full below.

Design – Layout

The University's wish to be engaged with the economic, social and cultural life of the city is addressed in the masterplan by the development of a number of interlinked neighbourhoods, each containing part of the university accommodation requirement. Cultural and commercial partners of the university will complete the additional development capacity within each neighbourhood. This approach is consistent with adopted Unitary Development Plan policies EC1 and EC2, emerging Local Plan policies, and references citing SA1 as a complementary area to the City Centre in the January 2015 City Centre Strategic Framework Review.

Impact on Residential Amenity

As already detailed above, this application seeks in part to amend the development capacities for SA1 as set by the aforementioned outline planning permission. The uses likely to potentially impact on residential amenity are business, leisure and retail/food and drink. Many of the food and drink units in particular have already been approved and almost entirely confined to the western end of SA1 where the concentration of such uses is considered appropriate and desirable. Within the context of an edge of city centre location and a mixed use development and subject to a careful approach to the masterplanning/siting of such uses, along with appropriate sound attenuation measures and controls over opening hours, it is considered that the increase in Class A3 uses could be accommodated without undue harm being caused to the residential amenity of existing or future occupants of SA1, the Maritime Quarter or St Thomas. It is not considered therefore that the proposal would be contrary to the provisions of UDP Policy EV1(iii).

The change from a leisure focus to an education focus within the 'Peninsula' area is not considered to have a significant change on the amenity of occupants of these buildings, while the design code sets out details to ensure the proposed new development integrates and complements these existing developments.

The siting of the multi storey car park (500 spaces) on the Peninsula is broadly similar to that shown on the approved 2010 masterplan and the Detailed Urban Design Guidance – Leisure – Part Two (August 2005) states that it "*should be positioned to minimise its impact on public spaces, primary roads and key frontages*". The position of the car park has been moved to the north of its previous location and the impact of this on the adjacent residential plot B5 (South Quay) has been considered and Section 8 of the Design Code includes example of how this building could appear to provide visual interest and avoid a blank facade. A new car park (650 spaces) is proposed adjacent to the Sports Hub. The siting of the car park spreads vehicle movements around the site and avoids dominating one area.

The Landscape & Visual Impact Assessment concludes that there are unlikely to be any significant adverse visual impacts from the proposed development and the changes will result in a positive visual effect due to the continuation of the townscape context which has already been established in the masterplan area. The removal of the large leisure use buildings from the Peninsula will therefore improve the visual amenity of the surrounding residential and business properties and sit more favourably in terms of scale and permeability, allowing it to 'knit' into the urban fabric of Swansea City.

In terms of the impact on the operational docks, the proposed changes to plot F, E8 and E9 are limited to the change from residential accommodation, to additional car parking and sports/leisure facilities. These changes are not considered to conflict with the docks.

The revised indicative masterplan continues to provide a demarcated corridor for the protected Tennant to Swansea canal corridor in accordance with UDP Policy HC31 and EC2 and the Port Tawe & Swansea Docks SPG (2002). The protection of the canal corridor is covered under Condition 25.

Design – Scale

The scale parameters of the development have been revised and the key changes in terms of the scale of the development are the removal of the large leisure building on the peninsula and replacement with a more considered and defined street pattern. This has been identified in the Landscape & Visual Impact Assessment as a positive change.

The other key change is also on the peninsula where an additional tall building is now proposed, increasing the maximum number of storeys from 10 to 12. The site is located within an area identified in the Tall Buildings Strategy SPG (2008) where well designed tall buildings can have a positive impact on the character and image of the city. The proposed maximum height of the development would remain below that of the Marina Tower (12 storeys), Aurora Building/Swansea Point (14 storeys) and Meridian Tower (29 storeys) to the west. As such, the proposed change in the range of scales of the development at the SA1 site is considered to be appropriate to the context of the site in accordance with UDP EV1 and the Tall Buildings Strategy SPG (2008). As previously indicated, the Council's adopted Tall Buildings Strategy has identified this area as a 'Welcome' Zone where tall buildings will be welcomed where well designed tall buildings can have a positive impact on the character and impact of the city.

Design - Appearance & Landscaping

The submitted Design Code provides guidance to the design/development procurement process, setting explicit quality benchmarks from the start and will form part of any subsequent land agreement between the land owner and developers. The appearance and landscaping of the development will be essential to meet the aims of the University and achieve the potential of the site. The Design Code has been prepared on a collaborative basis involving numerous stakeholders and provides a clear guide from which the detailed design of the academic plots can be delivered. It is considered to be in accordance with UDP Policies EV1 and EV2 through creating a development that is appropriate to its context, avoids harming amenity and provides a safe and secure environment.

Environmental Statement Addendum

Whilst acceptable in principle therefore, as stated above, the Addendum Environmental Statement has been submitted to properly consider the proposed land use and capacity changes within SA1. The addendum has considered the following topic headings, namely:

- Planning Context
- Geology and Contamination Assessment
- Hydrology and Drainage
- Traffic, Highways and Access
- Air Quality Noise
- Ecology
- Landscape and Visual Assessment
- Archaeology
- Waste and Recycling

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- Infrastructure and Services
- Socio-economic

Each of the issues are considered below:

Compliance with Development Plan Policy

The principle of development for the range of uses proposed within SA1 has been established by outline planning permission reference 2002/1000 referred to above and subsequent full planning applications. UDP Policy EC2 identifies SA1 Swansea Waterfront as a major redevelopment area for mixed employment and residential development together with supporting leisure, tourism, community uses and ancillary services. The development of the site should:

- (i) be comprehensive'
- (ii) integrate with the Maritime Quarter'
- (iii) Complement and not compete with the City Centre'
- (iv) Be of a high standard of design,
- (v) embrace principles of sustainable development,
- (vi) provide high quality employment opportunities,
- (vii) increase the range of housing choice,
- (viii) make appropriate provision for a network of pedestrian and cycle routes, and
- (ix) safeguard the potential canal route corridor.

UDP Policy EC2 does not make a specific reference to education facilities, although the original 2003 permission did incorporate a significant amount of institutional / education floor space (11,920 sq m) which was reduced under the 2010 permission. Notwithstanding this, the policy supports the provision of high quality employment opportunities and the relocation of UWTSO together with the potential development ancillary R & D / office uses would accord with this policy. Moreover, the emerging planning policy within the Fabian Way Innovation Corridor Masterplan Framework focusses on the potential economic benefits provided by the development of Swansea University Swansea Bay campus, the construction of the Swansea Bay Tidal Lagoon and this proposal by UWTSO. The Framework aims to reinforce the identity of the Swansea Bay City Region's emerging knowledge and innovation economy by supporting the development of a local Knowledge Economy Cluster, which will complement the City Centre regeneration aims and provide employment opportunities and economic benefits of the City Region. The acceptability of the proposal in the context of UDP Policy EC2 is considered above.

Affordable Housing

The need for affordable housing is a material planning consideration and UDP Policy HC3 states that in areas where a demonstrable lack of affordable 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. The Council's Planning Obligations Supplementary Planning Guidance (SPG) augments Policy HC3 and provides clarification on use, expectations and procedures and indicates that the Council will normally expect that 25 – 30% of all dwellings will be affordable housing.

However, within respect to the SA1 Swansea Waterfront mixed use development area, the Section 106 Planning Obligation completed in August, 2003 under the original outline planning permission 2002/1000 requires a phased programme of affordable housing up to a total of 10% of the total number of residential units within the Development. The completed residential development to date has been in accordance with this requirement, albeit the approved developments have not all incorporated a planning restriction to this effect and have been reliant on the Registered Social Landlords (RSL) developments to meet this requirement. This has been a deliberate policy objective in order to allow the private market housing to achieve a higher design quality.

It is considered appropriate that future residential proposals within SA1 make a 10% affordable housing provision in accordance with the SA1 Swansea Waterfront Section 106 Planning Obligation requirement rather than the Council's Planning Obligations Supplementary Planning Guidance (SPG) would which normally expect that 25 – 30% of all dwellings will be affordable housing. This position would be consistent with recent planning permissions to provide 10% affordable housing on Plots D8 / E1 (ref:2015/0030) & E3/ E3a (ref:2015/1107). Securing a 10% affordable housing provision would contribute to the delivery of the phased programme of the overall affordable housing provision within the SA1 development and would accord with the aspirations of Policy HC3 which seeks to negotiate the inclusion of an appropriate element of affordable housing and it is appropriate that this is tied to the planning permission via a Section 106 Planning Obligation.

Higher Education Campus Development

UDP Policy HC11 indicates that that Higher Education campus development will be permitted provided that:

- i) the layout, design, scale, density and use of materials is satisfactory, and reflects designing out crime principles.
- ii) the intrinsic qualities of the site are recognised and respected,
- iii) the relationship with adjacent buildings and spaces are satisfactory,
- iv) there is an acceptable means of access (including public transport, walking and cycling), and an appropriate level of parking,
- v) landscaping to an appropriate standard is incorporated as an integral element of the development,
- vi) there would be no significant adverse effect on residential and landscape amenity, natural heritage and historic environment, and
- vii) transport assessment and travel plans submitted with the application are satisfactory.

The principle of establishing the higher education campus as part of the SA1 Swansea Waterfront Innovation Quarter are discussed above, and the criteria of Policy HC11 will be satisfied through the adherence of the high quality designs through the Design and Development Framework / Design Code.

Geology and Contamination Assessment

The ESA reviews the changes to the proposed land uses at SA1 in the context of their relationship to geology and contamination. It also addresses the impacts that the proposed changes will have on receptors. The SA1 Swansea Waterfront is reclaimed land which was part of the former Swansea Docks.

Previous intrusive ground investigations have been undertaken across the site in relation to various elements of the development identifying any contamination from previous industrial uses. Based on the information gathered, the potential effects on identified receptors without mitigation measures being adopted are considered to be moderate. Appropriate remediation measures will be undertaken to make the sites suitable for use, with the residual effects after mitigation are assessed as 'not significant'.

No objections or concerns have been expressed by Pollution Control or by the Port Health Authority. Natural Resources Wales highlight that there are parts of SA1 that still contain contaminants which may have an impact on controlled waters, and have advised the LPA to amend Condition 12 under ref:2008/0996, with an alternative set of conditions. These are imposed under Conditions 10 – 14. Having regard to the imposition of these conditions, it is considered that appropriate mechanisms would be in place to overcome any danger from contamination to life, health, property, controlled waters, or the natural or historic environment in accordance with UDP Policy EV38.

Hydrology and Drainage

The ESA states that the background hydrology of the revised SA1 Masterplan site has not changed materially since the original 2002 Environmental Statement, the 2006 Flood Consequences Assessment (FCA) and the 2010 Addendum Environmental Statement, other than the development of the various plots and partial completion of the drainage and highway network.

Hydrology & Flood Risk

The 2006 FCA identified the dominant flood risk to the SA1 area from potential tidal flooding, as there are currently no sea defences along this section of coastline. However, the ESA highlights that the potential development of the Swansea Bay Tidal Lagoon will have a neutral or marginally beneficial effect on the proposed SA1 development. The lagoon proposals will introduce an increased resilience to surge tides from the Bristol Channel flooding the Kings Dock, which is adjacent to the development area, once completed by providing a seawall between the sea and the SA1 development.

NRW have confirmed that part of the site is located within zone C2, as defined by the development advice maps referred to under TAN 15 Development and Flood Risk (July, 2004), and that part of the site to be at risk of flooding in the 1% flood event. The Environment Agency (now NRW) has previously commented that a minimum development floor level of 6.58m AOD should be adopted, and Condition 13 under ref:2008/0996 states that development levels should be set at 6.5m AOD. The ESA indicates that new extreme water level estimates have now produced. The extreme flood level for T1000 year period has been assessed as 6.83m AOD, and indicates that this should form the minimum recommended floor level for the development. The ESA indicates that any areas in the proposed development with floor levels below 6.83 would need to be raised above this level. However, the ESA states that in line with NRW guidance, the finished floor level for commercial development would need to be set at a minimum 7.13m AOD and for residential development the finished floor level would need to be set at a minimum of 7.50m AOD in order to satisfy TAN 15 guidelines. It is therefore proposed for Condition 13 to be replaced by Condition 8 to ensure that all reserved matters applications for each phase of the development to incorporate the proposed levels which have regard to the recommended finished floor levels within the ESA unless otherwise justified by a FCA.

Surface Water Drainage

The existing drainage infrastructure would be utilised to serve the proposed development and the surface water strategy for the existing SA1 development comprises separate highway and plot drainage systems with outfalls either into the Prince of Wales Dock or the River Tawe. The drainage network would be supplemented by new piped connections and outfalls to provide an adequate surface water drainage system for the development. The ESA highlights that due to the made ground and potential risk from contamination, infiltration drainage SuDs systems are not suitable and separation of surface water from paved areas or roofs from groundwater would be necessary.

NRW have advised that consideration should be given to other forms of sustainable drainage. Condition 17 requires a comprehensive and integrated drainage system for each phase of the development to be submitted for approval.

Water Quality

As indicated above, ground conditions are unsuitable for infiltration drainage and separation of surface water flows from groundwater would provide some improvement in overall water quality compared to existing conditions. The proposed development will provide an impermeable barrier of tarmac/ concrete over the vast majority of the site, which at present has areas where run-off can permeate into the ground leaching the existing contaminants into the water table. The capping of the site with an impermeable layer will prevent this leachate occurring and improve water quality by reducing the amount of leachate flowing into the water table.

Foul Water Drainage

The foul drainage strategy comprises of piped gravity system with Kings Road and Marina Road / Langdon Road with spurs from each development plot. The existing foul network discharges to the existing Dwr Cymru Welsh Water (DCWW) sewer which lies below Langdon Road that connects to Swansea Waste Water Treatment Works to the east. The proposed development plots will connect to this network but it is indicated that the gravity sewer network serving the Peninsula site will require a pumping station and associated storage tanks to enable connection to the public sewer network. The pumping station and storage tanks have already been constructed and are subject to a Section 104 Agreement. It is concluded that the foul water drainage strategy for the revised SA1 Masterplan will have no major impact on the drainage network for the SA1 development. NRW and DCWW have raised no objections in this respect.

Having regard to the above, it is considered that matters relating to hydrology and drainage are being satisfactorily dealt with in accordance with UDP Policies EV33 (sewage disposal), EV34 (protection of controlled waters), EV35 (surface water run off) and EV36 (development and flood risk).

Traffic, Highways and Access

UWTSD intend to establish a new campus within SA1 and it is currently proposed to achieve this within two distinct phases which will result in the relocation of the existing Mount Pleasant campus (phase 1 circa 2018) together with the relocation of the existing Townhill campus (phase 2 circa 2022). The traffic impact of the development has been considered with the submission of a Transport Assessment (TA) and has estimated the nett difference generated by the proposed changes of use and the introduction of the academic uses into the mix.

Impact of the development

The TA has tested the Fabian Way/Langdon Road junction and the Fabian way/McDonalds junctions and both were found to be approaching capacity for the current situation, and the development makes this slightly worse (2% increase). Fabian way/Mcdonalds junction is predicted to be overcapacity in the consented 2010 (160%) and there is a 10% change with the 2015 consent with development. The potential increase can be mitigated for using funding previously agreed on an alternative development.

The TA has concluded that despite localised increases in some timeframes the overall impact in traffic terms is less than that has been previously consented. Notwithstanding that traffic movements are predicted to be less a number of potential infrastructure items were considered to be desirable in order to improve the accessibility and permeability of the site. These included, but were not restricted to:

- Port Tennant Road/Fabian Way/Langdon Road junction
- McDonalds/Fabian Way/Park and ride junction
- New signalised pedestrian crossing on Fabian Way
- Improved bus stop facilities on Langdon Road to the east of the Port Tennant junction.

However, it was agreed that based on the nett decrease in movements there was no requirement for a specific contribution. Notwithstanding this, following negotiations with UWTSD, CCS Highways officers were concerned that the priority was for the pedestrian crossing across Fabian Way (estimated costs £200,000). This was an item that had already been highlighted under the Fabian Way Corridor study programme of works but funding has not been sourced as it was only one item of a £25 million package of works jointly identified with NPTCBC and CCS. It was considered that in view of the lack of student residential accommodation on site then a safe pedestrian link across Fabian way was critical to the development. UWTSD have agreed to fund this element (up-to a ceiling of £200,000) to be delivered upon the completion of Phase 2 - which is the relocation of Townhill campus (estimated circa 2022), with the Mount Pleasant Campus being brought down under Phase 1 (estimated circa 2018). The money can be secured under a Section 106 Agreement for payment upon beneficial occupation of the Phase 2 academic accommodation.

Car parking

SA1 Swansea Waterfront currently has a number of temporary pay and display car parks available for use, including part of the application site, and these are generally intended for future development. There is an extant planning permission for a multi-storey car park but has yet to be delivered, and UWTSD are planning to construct two multi-storey car parks as part of their phased development. It is proposed to impose a planning condition requiring a car parking strategy to ensure that adequate car parking facilities are provided as part of the proposed development programme to serve the academic proposals in addition to the other commercial/office/retail uses in the wider SA1 Area. There is potential for the increased demand for parking on the residential streets of Port Tennant and St Thomas. However, the Head of Transportation indicates that those streets are a mix of limited waiting, residents parking permit controlled and also unrestricted. The majority of the residential area comes under a 'controlled parking zone' and as such should be adequately protected and policed by civil enforcement.

Conclusion

The Head of Transportation has concluded that the proposed revisions to the SA1 Masterplan can be accommodated without detriment to highway safety and it has been demonstrated that there is less trips generated including the academic accommodation than the current consented mixed use development.

Air Quality

The assessment of air quality impacts associated with the development was updated having regard to changes in baseline pollution levels and potential variations in traffic flows in the area as a result of the proposals when compared to the 2010 consented scheme. The ESA concludes that there would be negligible air quality impacts at sensitive locations, although a number of mitigation measures are proposed in order to encourage the use of sustainable transport modes, managing traffic flow and reducing pollution around the site.

The Head of Pollution Control has raised no concerns in respect of air quality and accordingly it is not considered that the proposal would conflict with the provisions of UDP Policy EV40 (air, noise and light pollution).

Noise

The noise assessment has considered the current noise environment in the vicinity of the variation of condition application site (SA1 Innovation Quarter) and potential likely significant effects on the proposed mixed use development. Surveys have been carried out to establish ambient and background noise levels and have had regard to construction and post-construction operational noise limits and additionally, consideration has been given to potential changes in traffic noise associated with the change in land use for SA1.

The 2010 consented scheme incorporated planning conditions 16 and 17 requiring the development to be designed incorporate noise mitigation measures to address noise issues and it is proposed to merge into Condition 15 in this proposed variation application, which would ensure for example that noise mitigation measures would be incorporated into the building / glazing façade design at the detailed design stage. It is indicated that construction noise impacts will depend on the distance of construction works from noise sensitive receptors i.e. residential properties. It is therefore proposed to impose an additional condition (19) requiring a Construction Environmental Management Plan (CEMP) detailing all necessary pollution prevention measures for the construction phase of each development.

With regard to traffic, it is concluded that the revised SA1 site layout will result in a negligible change in traffic noise when compared with the traffic noise levels for the 2010 SA1 layout. No objections have been received Pollution Control and it is considered therefore that the proposals would not unduly conflict with UDP Policy EV40 (air, noise and light pollution).

Ecology

A significant proportion of infrastructure and development within the SA1 Swansea Waterfront has been developed. UWTSO have identified a number of vacant development sites, which have been mostly cleared and prepare for redevelopment. An Ecological Survey Report has been undertaken consisting of a desk study and walkover survey of these sites.

The Ecological Survey indicates that there no habitats of nature conservation importance were identified, although some of the plots had potential to support protected species and suggests mitigation measures which could be incorporated into the site clearance programme and landscape strategy. However, the development area as a whole was considered to be of limited nature conservation value. The ecological constraints identified within the development area related to potential impacts on water quality of the River Tawe and adjacent docks, the potential presence of reptiles and nesting birds, and the identification of Japanese Knotweed on several of the plots.

The Council's Ecologist has endorsed this view subject to the implementation of the mitigation measures within the Ecological Survey Report. The 2010 consented scheme incorporated a number of planning conditions (21, 22, 23 & 24) relating to the implementation of ecological mitigation measures identified in the Environmental Statement relating to bats, nesting birds and reptiles, the restriction of site clearance outside of the bird nesting period, and the treatment of Japanese Knotweed. It is proposed to incorporate these mitigation measures into an amalgamated condition (20) within this current application. The existing condition 24 regarding the design lighting adjacent to the River Tawe to avoid or minimise downlighting in order to safeguard the migration of salmonids is retained as condition 22. With regard to the protection of water quality, Conditions 18 & 19 regarding the requirements for the submission of Construction Site Waste and Construction Environmental Management Plans for each phase of the development have been added to the application.

On the basis of the above, there are considered to be no unacceptable ecological constraints to the development proposed.

Landscape and Visual Assessment

The Landscape and Visual Impact Assessment (LVIA) chapter of the ESA provides an update to the LVIA section of the Environmental Assessment which was originally produced in 2002 and revised as an addendum in 2010, and provides an assessment of the current revised masterplan proposals. The assessment has focussed on the main changes from the 2010 proposals which are predominantly:

- * focus on UWTSD owned sites and the proposals will change the use of the south western quadrant of SA1 ('The Peninsula') from a 'leisure quarter' to a mixed use city quarter with university, commercial, retail residential and hotel uses.
- * change in floor areas, massing and building heights to the Peninsula area
- * the new proposals will provide a maximum height of 12 storeys to the Peninsula area – the extant 2010 masterplan proposers a maximum of 10 storeys.
- * updates to the layout of zones B, C, E and F

In terms of the visual impact of the proposals, the 17 original viewpoints have been assessed referencing the views used as the basis for the original landscape and visual impact assessment, and 2 new viewpoints have also been assessed.

Viewpoint 1 (taken from Fabian Way to the east). There are no additional buildings to the view from 2010. The view is considered of low importance, as the site itself is not visible, other than the existing taller buildings of Altamar and South Quay residential buildings.

Viewpoint 2 (is looking west along Fabian Way). Again there is no change to this view from 2010. The assessment is for a low to medium magnitude of change and slight to moderate adverse impact for users of Fabian Way.

Viewpoint 3 is taken from Jersey Park in the Dan-y-Graig residential area. It is predicted will give rise to a low magnitude of change and slight adverse impact whilst residents in Dan-y-graig and St Thomas with views towards the development will experience a slight or slight to moderate adverse visual impacts.

Viewpoint 4 from Grenfell Park Road to the north of the site, looking across school playing fields. The long-term development of the completed SA1 development will be 'filling in the gaps' of empty development plots that are currently visible, which will result in a more defined edge to the urban form, viewed as part of the city development. The sensitivity of the view is assessed as medium and the magnitude of change or impact as medium, with the potential level of effect as slightly beneficial to the view by improving the urban boundary and context.

Viewpoint 5A is taken from Trafalgar Footbridge looking towards the development site and is considered to be an important due to the gateway location. It is considered that once all of the proposed developments have been completed, the overall effect would be improved legibility and urban context of the current view of open and empty plots. Whilst the sensitivity of the view is assessed as high and the magnitude of change or impact as high, with the potential level of effect as moderately beneficial to the view.

Viewpoint 6 is taken from Arethusa Quay at the western end of the marina. It is concluded that there will be a very low magnitude of change to the view from the proposed development and overall visual impact will be negligible to slight adverse.

Viewpoint 7 is about 1km distant from SA1 (the footbridge over New Cut Road) and since 2010 the view has changed with the construction of the student accommodation buildings along New Cut Road. Subsequently there is a very low magnitude of change to the view and a slight to moderate adverse impact is predicted arising from the additional development proposed.

Viewpoint 8A is taken from the Sailbridge looking towards the development site. The 2015 peninsula development will be evident and the first phase of the development will include central blocks of the university buildings which are designed to reach a maximum height of 5 storeys, with the associated car park plot designed up to 6 storeys. Once completed, the two proposed 12 storey buildings to the peninsula point will break the skyline and will continue the urban form context established on site and will make a significant contribution to the townscape compared to the existing empty development plots. The sensitivity of the view is assessed as medium and the magnitude of change or impact as medium to high, with the potential level of effect as moderately beneficial to the view.

Viewpoint 9 is from Fabian Way at street level, close to the junction with Est Bank Way. This view is not considered to be of particularly high importance giving rise to a low to medium magnitude of change and slight to moderate adverse visual impact.

Viewpoint 10 is taken from the northern of the two road bridges across the River Tawe looking south. It is concluded therefore that there will be a low magnitude of change and slight adverse visual impact resulting from the additional development proposed.

In **View 11** from Ivey Place, which is an elevated view from the car park link adjacent to High Street multistorey car park. It is concluded that the additional development proposed within SA1 will give rise to a low magnitude of change and slight adverse visual impact.

In more distant views such as **Viewpoint 12**, from land just below Berwick Terrace (Mount Pleasant), provides a wide and elevated view over the city. A very low magnitude of change is predicted and a negligible adverse impact is predicted.

Viewpoint 13A is taken from Pant-yCelyn Road, Townhill. The most prominent built form is the existing BT building in the centre of the view, the Meridian Tower and Swansea Point development. The further development proposed on the SA1 site will also be seen in the context of existing urban form and against the backdrop of the docks. It is predicted that the completion of the SA1 development in accordance with the revised masterplan will give rise to very low magnitude of change and negligible adverse impact.

In **Viewpoint 14** from Brynhyfryd the further development on the site will be only just visible due to the distance from the site from the viewpoint. No discernible change to the existing situation is predicted whilst distant views for residents in these areas to the north west of the site will be subject to adverse visual impact ranging from slight adverse to no change.

Views from Mumbles and the Bike Path along Swansea Bay, as seen in **Viewpoint 15**, it is stated that the SA1 development is largely screened by the development around the marina and Swansea Point and a considerable distance to the view. Taking into account the distance of the view, no discernible change from this viewpoint is predicted.

In **Viewpoint 16** taken from the northern side of Fabian Way, and the majority of the view would be taken up by the existing development of SA1 (Plot A15 - 3 storey office development). Views towards the docks area will be blocked by the development, although views are already curtailed by temporary hoardings. The sensitivity of the view is assessed as low and the magnitude of change or impact as very high, with the potential level of effect as moderately beneficial to the view from Fabian Way.

Viewpoint 17 is taken from the footway which leads to the West Pier, and looks directly at the development site across the mouth of the River Tawe. The sensitivity of this view is considered high, as once complete the new peninsula buildings with the 12 storey buildings being the most prominent. It is concluded that the magnitude of change or impact would be high with the potential level of effect as moderately adverse to this view.

Viewpoint 18 is new viewpoint taken from the footpaths on Kilvey Hill. This is an additional viewpoint which was included in the 2010 assessment. The completion of the SA1 development will extend the urban form to the east around the Prince of Wales Dock, and will create new land mark buildings on the peninsula. The sensitivity of the view is assessed as high and the magnitude of change or impact as medium, with the potential level of effect as moderately beneficial to the view.

Viewpoint 19 a further new viewpoint taken from the beach at Blackpill along Swansea Bay. The site is barely visible and forms part of the wider context of the city.

Assessment of revised scheme – visual effects

The visual assessment has been based on the existing viewpoints in the 2010 ESA with 2 additional viewpoint locations identified during the review process. The viewpoints form representative views from visual receptors within the study area. In comparison to the 2010 ES proposals, it is considered that the overall visual effect of the 2015 proposals are expected to have a moderately beneficial effect on the viewpoint locations having regard to the context of the site within the existing urban form. The majority of the views (13) are considered to have a neutral or negligible potential level of effect. The only view assessed to have an adverse effect is that taken from the footway which leads to the West Pier (viewpoint 17) due to the loss of the visual connection to Kilvey Hill.

Assessment of revised scheme – landscape effects

The potential impact of the revised SA1 development has been assessed with reference to the revised masterplan proposals. It is indicated that the development will be seen as a natural extension of the existing built form in the north west of the site and will complete the development around the Prince of Wales Dock, enhancing its setting. It is considered that the overall effect of the proposals on landscape and townscape character will give a moderately beneficial impact to the existing character as the overall site is transforming to one of more built form, which is appropriate to its townscape setting.

The development is anticipated to reinforce the existing character along the waterfront areas, and will have a moderately beneficial effect on the seascape and its immediate character surrounding the site. The LVIA acknowledges that the industrial and maritime history of Swansea Docks has had a major influence on the development of the city, and whilst the SA1 development has altered the dockland area to an urban character, the original dock is still present as a perceivable influence on the area.

Landscape and visual mitigation and enhancement measures

Within the 2010 assessment it was noted that mitigation measures should include materials to adhere to the Design Development Framework principles, compliance with open space strategies to continue and ensure cohesion of approach and consideration of elevational treatments. These principles would remain and additional methods of mitigation such as phasing development, providing temporary hoarding and screening to individual developments and considering the use of temporary landscapes where appropriate during the construction phase. For the operation phase this would include framing views, maintaining a high quality design and sensitivity to adjoining neighbourhoods, enhancing access to SA1 and encouraging biodiversity while improving microclimate across the site.

Landscape and Visual Assessment Conclusions

In conclusion, the assessment of impact to landscape character from the proposed development has been assessed as moderately beneficial, building on the regeneration that has already taken place within SA1 and in the surrounding area. Visual impacts have been assessed as ranging from neutral or negligible to moderately beneficial to views from public viewpoints and to views for residents based on the additional extent of built form that will be seen. Overall, it is concluded that the development of the SA1 site forms part of the regeneration of the area and can be viewed as beneficial being in accordance with established planning policy in this regard.

These conclusions are accepted. Whilst in terms of visual impact it is predicted that of the 19 viewpoints identified, the majority of the views (13) are considered to have a neutral or negligible potential level of effect. The only view assessed to have an adverse effect is that taken from the footway which leads to the West Pier (viewpoint 17) due to the loss of the visual connection to Kilvey Hill. However, these impacts have been largely established by the extant outline planning permission for SA1, as edge of centre brownfield land, if it were not the SA1 development that is proposed, it is reasonable to assume that some other form of development would come forward in this area, which would likely have similar visual impacts. Those impacts also have to be balanced against the adverse visual impacts that would arise from an incomplete development or the outlook onto a vacant site. Furthermore, the high quality buildings being developed at SA1 in conjunction with the high quality public realm is a significant improvement in visual terms over the previous dock use of the site.

SA1 has made significant improvements to the visual amenity and image of the eastern gateway to the City Centre for both residents and visitors in accordance with development plan policy and adopted SPG. It is also acknowledged within the development plan to be a key element of the Council's strategy for the regeneration of Swansea as vibrant and distinctive waterfront city. It is considered that the changes proposed to the development capacities for the site will aid the continued contribution of SA1 to these objectives in light of changing circumstances and existing and committed development.

The urban design framework provided by the approved Design and Development Framework and Design Code documents, in conjunction with the other conditions of the outline planning permission and development plan policies and adopted SPG, provides an effective and sound base for the determination of future applications and significant comfort that appropriate mechanisms are in place to ensure that the design quality will continue to transform this part of the city.

Overall therefore it is considered that any adverse visual impacts identified arising from the development are outweighed by a largely similar fallback position and the significant benefits to the ongoing regeneration of SA1 and the City's waterfront aspirations. Furthermore, whilst it is acknowledged that the full impact on the landscape and visual amenity can only be assessed once the final designs of the buildings have been agreed, it is considered that appropriate mechanisms are in place, which seek to create and maintain a high standard of urban design throughout the site, to provide sufficient comfort for the consideration and control of further development in this area. Having regard to the foregoing, it is considered that the revised/updated landscape and visual impacts for the SA1 development are acceptable subject to the appropriate assessment and control of individual developments when considered against the approved urban design framework and UDP Policies EV1 (design), EV2 (siting and location) and EC2 (SA1).

Archaeology and Cultural Heritage

The ESA has assessed the potential impact of the development on the archaeological resource within the development area, reviewing the previous submitted information in the original 2002 application and also the 2010 consented scheme, and advising of potential mitigation measures to reduce any adverse effect and enhance any beneficial effect.

The 2002 assessment noted the presence of 200 sites of archaeological interest within the study area, which included land beyond the current planning application site boundary.

A total of 47 sites are located within the development area, and include two listed buildings, the J Shed and the Flag Ship Building (Ice House). It has been assessed that the proposed overall development will have a 'beneficial' effect on two sites – the Prince of Wales Dock and the Prince of Wales Dry Dock, and a 'Major' effect on four sites – Riverside Terminus, Vale of Neath Railway, Patent Fuel Works and Lock. However, only the Prince of Wales Dry Dock and the Lock are located in the area subject to this current application for the revised masterplan. As a result of the 2015 changes, the ESA indicates a 'beneficial effect' on a single site (Dry Dock) and a 'major' impact on a single site (Lock).

The implementation of intrusive groundworks required for the construction of buildings within the development area will have a potential impact on any archaeological resource located in the area and the ESA has recommended mitigation through an archaeological watching brief in order to record any surviving features or structures. The 2002 ES identified the presence of peat deposits, up to 4m in depth, below approx.. 3.5m of mage ground in the development. The 2010 ESA noted that the only potential threats to the peat deposits are from the excavation of underground car parking.

Glamorgan Gwent Archaeological Trust (GGAT) highlight that recent experience on reclaimed land and industrial sites, indicates that there is a strong potential that further elements of these may survive in as buried features. GGAT are satisfied that the scheme has taken the archaeological and heritage resource into consideration and acknowledge that there is a need for mitigation to ensure that should the depths of development reach the archaeological horizon. This should be identified within a written scheme of investigation and implemented; and following fieldwork and any post-excavation requirements, a report containing the results of the work should be produced. Conditions 27 and 28 under the 2010 consented scheme require archaeology mitigation measures and a programme of archaeological work to be secured. Within the proposed scheme it is proposed to merge these requirements into a single condition (24), requiring the implementation of a programme of archaeological work in accordance with a written scheme of investigation. It is considered therefore that subject to the continued imposition of the condition to preserve, enhance and record features of archaeological interest, the proposal would remain in accordance with UDP Policy EV6.

The 2 listed buildings within the site, J Shed and Flag Ship Building (Ice House) have both been renovated and brought back into beneficial use and now make a significant beneficial impact on the townscape of SA1. It is considered that the impact on the setting of these buildings and those more distant in St Thomas and the Maritime Quarter Conservation Area arising from these proposals can be properly considered at reserved matters stage to ensure compliance with UDP Policy EV1(xi), which seeks to preserve the setting of any listed building.

Waste and Recycling

The assessment of waste and recycling contained in the 2002 and supplemented by the 2010 submissions addressed the management of waste and recycling for the SA1 development. The ESA has assessed the change in impact due to the updated masterplan. It is estimated that the revised scheme will produce 12,025 tonnes more construction waste compared to 2010 based on a comparison of development floor area.

In order to mitigate this impact, it is proposed to impose new planning conditions (18 & 19) requiring a Construction Site Waste Management Plan (CSWMP) for the control, management, storage and disposal of demolition waste / excavated material for each phase of the development and also construction waste generation through good site practices to be detailed within a Construction Environmental Management Plan (CEMP). Subject to the imposition of these conditions, the impact on waste and recycling are considered to be acceptable.

Infrastructure and Services

The ESA explains that the existing infrastructure on the SA1 site provides for fully serviced development plots with connections to the highway and public drainage network, and the largest part of the utilities services infrastructure required to serve the completed development is already in place. The overall scale n infrastructure required to serve these parts of the site is therefore little different from that anticipated in 2010, and no adverse effects are identified and will have no major impact on the infrastructure for SA1. It is indicated that an energy centre will be established as part of the development upon the peninsula site and is expected to provide a localised district heating network.

Socio-economic

The Socio- Economic chapter of the ESA focuses on the benefits for rationalisation on UWTSD's estate and the creation of the SA1 Waterfront Innovation Quarter. The legislative background in relation to national planning policy namely Planning Policy Wales (Edition 7, July, 2014) and Technical Advice Note: Economic Development (Feb. 2014) is outlined with respect to the objectives of encouraging new economic development opportunities. Additionally, consideration is given to local planning policy context (which is considered earlier in the report) and also to the economic impact generation by the Higher Education section in the UK, and specifically in Wales.

It is highlighted that the current estate and profile of UWTSD in Swansea is a constraint on its ability to engage fully with local businesses. It is anticipated that the creation of the SA1 Innovation Quarter will connect UWTSD more closely with the business community, by improved accommodation and facilities in supporting innovation and knowledged based economic growth. It is also hoped that the SA1 development would encourage students / graduates / staff to establish innovation hubs / new businesses. It is stated that in the current academic (2014 / 2015) UWTSD has 3,481 FTE students across its Swansea sites. In the future opening year of the UWTSD SA1 Waterfront Innovation Quarter is projected to have around 3,900 FTE students within Swansea with 3,400 FTE based at SA1. The projected staff using the SA1 Waterfront Innovation Quarter is estimated to be 580 FTE staff.

Student Housing Provision

UWTSD has only 317 student accommodation units in Swansea (268 units in Townhill and 49 in Mount Pleasant). UWTSD does not consider that these existing hall of residence represent a desired long term option due to their condition and their location from the main activity at SA1 and those site may be subject to disposal to partially fund the new campus. The University is currently not proposing to provide student accommodation within the SA1 development; however, there is the possibility of private student providers wishing to respond to market demand on some of the development plots within SA1.

Student expenditure

It is estimated that UWTSD student expenditure generates some £46.948m annually, which would increase to £52.6m by the completion of the core academic projects (based on the projected 3,900 FTE student numbers). The construction value of the development is currently estimated to be in the order of £200m, over a 8 – 10 year construction period, which will deliver significant direct and indirect economic benefits.

Job Generation

The masterplan proposals relate only to a part of the SA1 area granted under the SA1 development and would accommodate not only the University activities but a mix of uses, including commercial (office, enterprise, and research), hotel, ancillary retail, restaurant and leisure venues and sporting activities. Using accepted employment to floorspace benchmarking ratios, it is estimated that the number of full time equivalent jobs generated by the non-university activities will be in the order of 2,636, once the development is built-out. This figure excludes the projected approx.580 university staff who will be based in Swansea.

Conclusion

The revised masterplan proposals will deliver a programme of phased academic (operational) and privately funded commercial, residential and quasi-leisure (retail) construction projects which will support the growth aspirations of the University and the creation of the SA1 Innovation Quarter, achieving modest increases in student and staff projections. The creation of the campus would enhance the position of UWTSD within the Higher Education sector, which in turn would contribute to the regeneration objectives of the SA1 area making a significant contribution to the economic benefits of the local and regional economy. The University also hopes that the development will have a significant and positive cultural and community impact in the locality.

Conclusion

Planning policy supports the regeneration of the SA1 area and the development proposals to create the Swansea Waterfront Innovation Quarter are consistent with adopted Unitary Development Plan policies, emerging Local Development Plan policies and are aligned with the aspirations of the City and County of Swansea as relayed in the January 2015 City Centre Strategic Framework Review. Additionally, the proposals align with the emerging planning policy aspirations of the Fabian Way Innovation Corridor SPG.

The proposals seek to refine and develop previous masterplan proposals to facilitate the creation of the University at the heart of a mixed use commercial area of the SA1 Swansea Waterfront as a complementary area of the City Centre. The Swansea Waterfront Innovation Quarter will be situated in a vibrant, modern waterfront location with easy access to the city centre and will provide purpose-built facilities for learning, teaching and research as well as social, leisure and recreation space. The development will combine its existing presence in SA1 with the two Technium buildings, which are currently used for commercial purposes, and will be connected to the City's Cultural Quarter at Alexandra Road through the Dylan Thomas Centre situated at the heart of the city centre.

The SA1 Waterfront Innovation Quarter masterplan proposals amalgamate a number of legacy projects granted under outline planning permission 2008/0996 and the revised 2015 land use framework the result of a robust site analysis, strategic options and masterplan refinement process involving UWTSD acquired development plots.

The masterplan framework set out within this Design and Development Framework Part 1: Planning Design and Access Statement, accompanied by its Part 2 counterpart: the Design Code, has evolved as a result of a collaborative design approach. Proposals have had regard to, and are supported by, general and SA1 site specific adopted Unitary Development Plan policies (2008), the emerging policy framework set out in the July 2014 Draft Local Development Plan, and sits within the wider supporting context of the Swansea City Centre: Strategic Framework Review (consultation Draft 2015).

Masterplan proposals and principles have been shaped and refined by a series of technical and design assessments as set out within the Environmental Statement Addendum and Transport Assessment which accompany the variation of condition planning application. The changes sought to the conditions set out in the 2010 decision notice will clarify the role and responsibility of UWTSD to take forward development proposals across its newly acquired sites while retaining pertinent 2010 conditions. The two parts of the Design and Development Framework, working together, inform the opportunities presented by individual development UWTSD development plots and have the potential to shape subsequent detailed (reserved matters) planning and architectural submissions to deliver and facilitating a vibrant, economically and environmentally sustainable and attractive mixed use development which will be instrumental in shaping the future prosperity of the University and the wider Swansea Bay City Region.

As a Section 73 application, the only matters which can be considered are the conditions to which the application relates and the permission itself is not a matter for consideration. The LPA may decide that planning permission should be granted subject to conditions differing from those subject to the previous planning permission, and additionally, a Section 73 application allows the LPA to reconsider conditions other than those which are the subject of the application to modify.

In conclusion it is considered that the conditions as set out below are acceptable and accord with the tests for conditions as set out in Welsh Government Circular WGC 016/2014. There are considered to be no additional issues arising from the provisions of the Human Rights Act and approval is therefore recommended in the manner set out above.

RECOMMENDATION

It is recommended that the Section 73 application to vary the conditions under planning permission ref: 2008/0996 (which previously varied the original outline planning permission 2002/1000) be APPROVED subject to the applicants entering into a Section 106 Planning Obligation incorporating the following provisions:

- **Each phase of residential development shall incorporate a minimum 10% provision of affordable housing of the total number of residential units.**
- **A developer contribution of £200,000 towards the provision of at grade pedestrian crossing facility across Fabian Way to be paid prior to the occupation of the Phase 2 Academic proposals.**
- **An agreed developer contribution or alternative mechanism to be approved by the LPA for the future management and maintenance of the Public Realm**

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and to the following conditions:

- 1 Prior to the commencement of development on any of the University of Wales Trinity Saint David (UWTSD) owned plots (as indicated on drawing no. 70183 PL_003), a phasing plan shall be submitted to and approved in writing by the local planning authority. The development of these plots shall be carried out in accordance with the approved plan, which shall be reviewed and re-submitted for the further approval of the Local Planning Authority as necessary.

Reason: To ensure that the development of the UWTSD owned plots is carried out in a logical and comprehensive manner in accordance with City and County of Swansea Adopted Unitary Development Plan Policy EC2.

- 2 The development shall accord with the Swansea Waterfront Innovation Quarter Masterplan presented as Drawing no. 70183_PL_004_Summary of Masterplan Proposals and shall not exceed the total development capacities as detailed in Appendix 2 of the Design & Development Framework Part 1 - Design & Access Statement. Any departures from the approved Masterplan will be considered on its merits having specific regard to the provisions of the adopted City & County of Swansea Unitary Development Plan Policy EC2 and relevant and related policy. The land use masterplan shall be reviewed, submitted to and approved in writing by the Local Planning Authority every 2 years.

Reason: To ensure that the development is carried out in a logical and comprehensive manner in accordance with the City and County of Swansea Unitary Development Plan Policy EC2 and the Design & Development Framework Part 1 - Design & Access Statement accompanying the planning application.

- 3 The approved Design & Development Framework Part 1 - Planning, Design and Access Statement and Design & Development Framework Part 2 - Design Code in respect of the University of Wales Trinity Saint David (UWTSD) owned plots highlighted on drawing no. 70183_PL003 shall be reviewed, submitted to and approved in writing by the Local Planning Authority every 3 years. The development shall be carried out in accordance with the approved documents.

Reason: To ensure the development is carried out in accordance with best practice in relation to design and the built environment.

- 4 Class A1 retail development shall be restricted to;
- i) the provision of appropriate small-scale local shopping facilities
 - ii) Maritime related sales
 - iii) Small scale speciality retailing servicing local tourism and recreation activity.

The design of all the retail development shall be consistent with the design guidance approved pursuant to conditions 3. Freestanding retail units designed principally to meet the needs of car borne shoppers are specifically excluded from this permission.

Reason: To ensure the density and nature of retail development does not exceed the total development capacities as detailed in Appendix 2 of the approved Design & Development Framework Part 1 - Planning, Design and Access Statement and Design & Development Framework Part 2 - Design Code and to ensure that retail development accords with adopted development plan policy.

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- 5 The scale, nature, distribution and design of all Class A3 and Commercial/Leisure uses shall accord with UDP Policy EC2 and related and relevant policy and be consistent with the Swansea Waterfront Innovation Quarter Masterplan (Drg. No. PL004_Summary of Masterplan Proposals).
- Reason: To ensure that the development is carried out in accordance with the total development capacities as detailed in Appendix 2 of the approved Design & Development Framework Part 1 - Planning, Design and Access Statement and with adopted development plan policy and supplementary planning guidance.
- 6 Details of the means of access, layout, scale, appearance and landscaping of the development (i.e. the reserved matters) for the University of Wales Trinity Saint David (UWTSD) owned plots (as indicated on drawing no. 70183 PL_003) shall be submitted to and approved by the Local Planning Authority. The reserved matters shall accord with the urban design guidance within the approved Design & Development Framework Part 1 - Planning, Design and Access Statement and Design & Development Framework Part 2 - Design Code and the development shall be completed in accordance with these approved details.
- Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 (as amended) and to ensure the development is carried out in accordance with best practice in relation to design and the built environment.
- 7 Details of all hard and soft landscaping works (including public realm spaces) in respect of the University of Wales Trinity Saint David (UWTSD) owned plots highlighted on drawing no. 70183_PL_003 shall follow the principles outlined in the Landscape Strategy Plan included within the Design & Development Framework Part 2 - Design Code. Any trees, shrubs or plant material which die, become seriously damaged or diseased within 5 years of planting shall be replaced by trees of a similar size and species to these already planted, unless otherwise agreed by the Local Planning Authority.
- Reason: To ensure that the development is carried out in accordance with the approved Landscape Strategy Plan.
- 8 All reserved matters applications shall be accompanied by details of the proposed levels for each phase of the development indicating its relationship to the adjoining land and any changes to the site itself. The levels for each phase of the development must have regard to the recommended finished floor levels within the Environmental Statement Addendum unless otherwise justified by a Flood Consequences Assessment. The development shall be completed in accordance with the proposed details.
- Reason: To enable the reserved matters application to be properly assessed to ensure that the work is carried out at suitable levels in relation to the adjoining land and to ensure a reasonable standard of protection against potential tidal inundation.
- 9 All reserved matters applications shall be accompanied by details and disposition of the external finishes for each phase of the development unless otherwise agreed by the Local Planning Authority. The pattern of application of the external finishes shall be completed for each phase of the development in accordance with the approved scheme.
- Reason: In the interests of visual amenity.

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10 Prior to the commencement of each phase of the development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of each site shall be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination of the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based, on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: It is considered that the controlled waters at the site are of a sensitive nature and contamination is known/strongly suspected at the site due to its previous mixed industrial uses.

Reason: It is considered that the controlled waters at the site are of a sensitive nature and contamination is known/strongly suspected at the site due to its previous mixed industrial uses.

11 Prior to occupation of each phase of the development, a verification report demonstrate completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To demonstrate that the remediation criteria relating to control water have been met, and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

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- 12 Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.
- 13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
Reason: 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.
- 14 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.
Reason: There is an increased potential for pollution of controlled waters from inappropriate methods of piling.
- 15 The mitigation measures in respect of air quality, noise and vibration identified in the 2015 Environmental Statement Addendum shall be incorporated into the detailed development proposals for each phase of the development and implemented as approved in respect of the University of Wales Trinity Saint David owned plots highlighted on highlighted on drawing no. 70183_PL003.
Reason: To prevent unacceptable levels of pollution, noise and vibration.
- 16 Foul water and surface water discharges must be drained separately from the site. All foul drainage must be connected to the public sewerage system. No surface water shall connect (either directly or indirectly) to the public foul sewerage system. No land drainage system shall discharge into the public sewerage system.
Reason: To protect the integrity of the public sewerage system and prevent contamination.
- 17 No part of the development hereby approved shall be occupied until a scheme for the comprehensive and integrated foul water, surface water and land drainage for each phase of the development has been implemented in accordance with details to be submitted to and approved by the Local Planning Authority.
Reason: To ensure that a satisfactory comprehensive means of drainage is achieved and that no adverse impact occurs to the environment or the existing public sewerage system.

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- 18 All reserved matters applications shall be accompanied by a Construction Site Waste Management Plan (CSWMP) for the control, management, storage and disposal of demolition waste / excavated material for each phase of the development.
Reason: To ensure the appropriate management and storage of waste generated on site to reduce the risk of pollution and to ensure sustainability principles are adopted during development.
- 19 All reserved matters applications shall be accompanied by a Construction Environmental Management Plan (CEMP) detailing all necessary pollution prevention measures for the construction of each phase of the development.
Reason: In order to prevent pollution of the environment, protect the residential amenities of the area and to secure the satisfactory development of the site.
- 20 The mitigation measures in respect of ecology, wildlife and Japanese Knotweed identified in the Ecology Report within the Environmental Statement Addendum (which should include a reptile mitigation scheme), shall be incorporated into the detailed development proposals and implemented as approved in respect of the of the University of Wales Trinity Saint David owned plots highlighted on highlighted on drawing no. 70183_PL003.
Reason: To protect the ecology of the site in accordance with the recommendations of the Ecology Report and Environmental Statement Addendum.
- 21 All reserved matters applications shall be accompanied by a Construction Traffic Management Plan. The approved traffic management plan for each phase of the development shall be implemented and adhered to at all times unless otherwise agreed by the Local Planning Authority.
Reason: In order to minimise traffic impacts on the surrounding highway network.
- 22 Except as already approved, all lighting immediately adjacent to the River Tawe shall be designed to avoid or minimise downlighting in accordance with details to be agreed as part of the reserved matters.
Reason: To safeguard the migration of salmonids.
- 23 Any infilling of the Tidal Basin is specifically excluded from this permission.
Reason: To ensure the environmental impacts are fully assessed.
- 24 No development shall take place until the developer has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved 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.

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- 25 Notwithstanding the details indicated in the Design & Development Framework Part 1 - Planning, Design and Access Statement and Design & Development Framework Part 2 - Design Code, the development shall retain a canal protection corridor as specified in Policy HC31 of the Swansea Unitary Development Plan and paragraph 5.33 of the Port Tawe SPG. The submission of a reserved matters application for this phase of the development must have regard to the protection of the canal corridor and must incorporate how the canal may be integrated into the public realm.
Reason: To accord with the requirements of the Swansea Unitary Development Plan and the adopted Port Tawe SPG.
- 26 Prior to the occupation of any part of the development, a car parking strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved car parking strategy shall be implemented in accordance with the approved phasing plan pursuant to condition 1.
Reason: To ensure that each phase of the development is provided with adequate car parking provision.
- 27 All adoptable areas shall be constructed to Highway Authority specification.
Reason: To maintain the integrity of the adopted highway.
- 28 The development of all the University of Wales Trinity Saint David (UWTSD) owned plots highlighted on drawing no. 70183_PL003 shall be brought into beneficial use in accordance with the recommended measures within the submitted Framework Travel Plan. The Travel Plan co-ordinator shall produce an annual report and be responsible for monitoring and recommending adjustments to the Travel Plan in consultation with the Local Authority.
Reason: In the interests of sustainability and to prevent unacceptable highway congestion.

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, EV33, EV34, EV35, EV36, EV38, EV40, EC1, EC2, EC6, EC15, EC16, EC18, HC1, HC3, HC11, HC17, HC18, HC31, AS1, AS2, AS5 & AS6)
- 2 In accordance with Article 22 of the Town and Country Planning (General Development Procedure) Order, 1995, the Local Planning Authority hereby confirm that the information contained in the environmental statement submitted with this application was taken into consideration by the Authority in the determination of the application.
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ITEM 7

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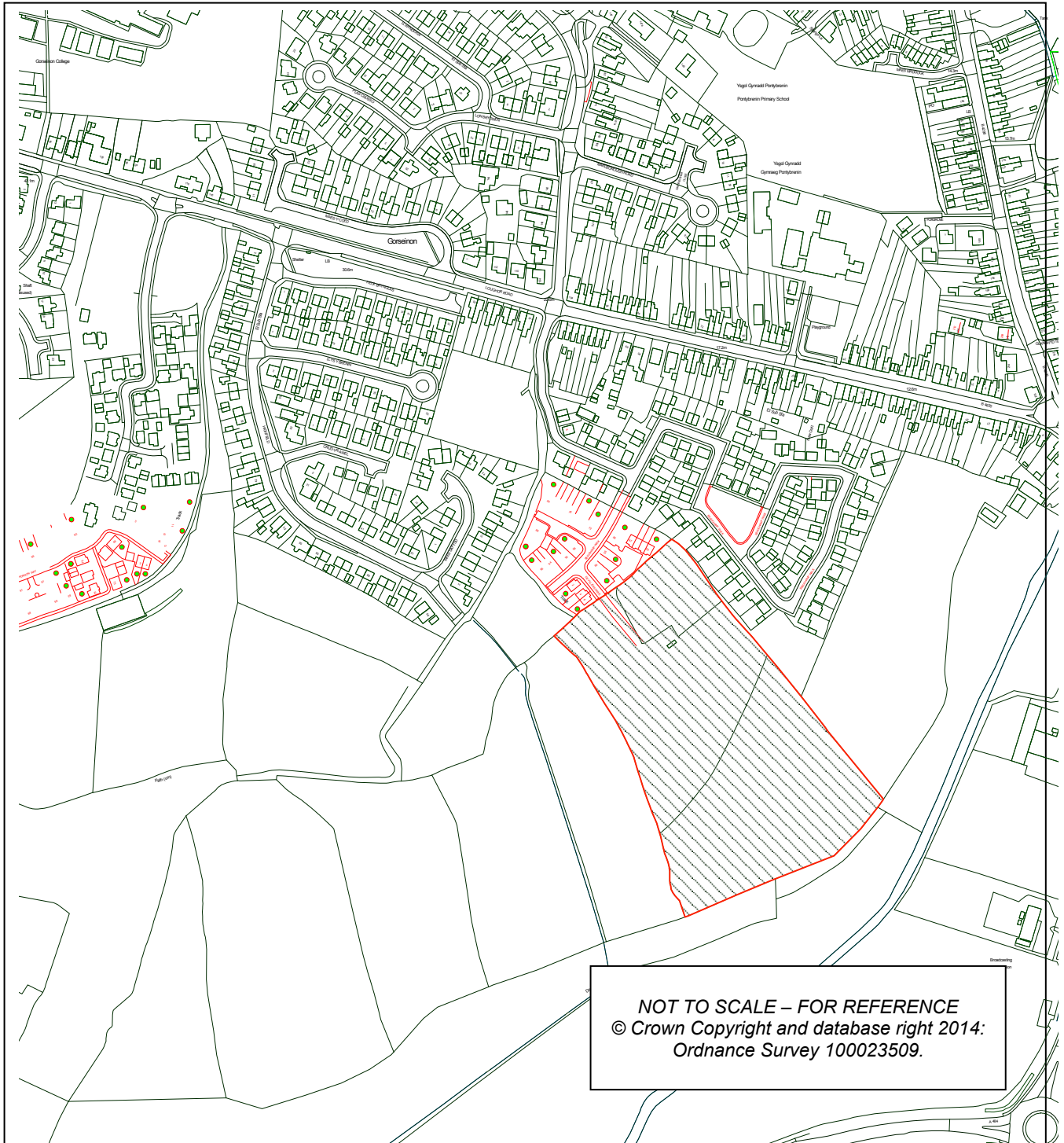
WARD:

Kingsbridge

Location: Land to the south of Loughor Road, Gorseinon, Swansea

Proposal: Residential development of up to 85 dwellings, together with a local equipped area of play, vehicular access and associated infrastructure and all other ancillary development (including demolition of existing redundant agricultural buildings) (outline)

Applicant: Persimmon Homes



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BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy EV22	The countryside throughout the County will be conserved and enhanced for the sake of its natural heritage, natural resources, historic and cultural environment and agricultural and recreational value through: i) The control of development, and ii) Practical management and improvement measures. (City & County of Swansea Unitary Development Plan 2008)
Policy EV23	Within green wedges development will only be permitted if it maintains the openness and character of the green wedge and does not contribute to the coalescence of settlements or adversely affect the setting of the urban area. (City & County of Swansea Unitary Development Plan 2008)
Policy EV30	Protection and improved management of woodlands, trees and hedgerows which are important for their visual amenity, historic environment, natural heritage, and/or recreation value will be encouraged. (City & County of Swansea Unitary Development Plan 2008)
Policy EV33	Planning permission will normally only be granted where development can be served by the public mains sewer or, where this system is inadequate, satisfactory improvements can be provided prior to the development becoming operational. (City & County of Swansea Unitary Development Plan 2008)
Policy EV34	Development proposals that may impact upon the water environment will only be permitted where it can be demonstrated that they would not pose a significant risk to the quality and or quantity of controlled waters. (City & County of Swansea Unitary Development Plan 2008)

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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 EV36	New development, where considered appropriate, within flood risk areas will only be permitted where developers can demonstrate to the satisfaction of the Council that its location is justified and the consequences associated with flooding are acceptable. (City & County of Swansea Unitary Development Plan 2008)	
Policy HC17	The Council will negotiate with developers to secure improvements to infrastructure, services, and community facilities; and to mitigate against deleterious effects of the development and to secure other social economic or environmental investment to meet identified needs, via Section 106 of the Act. (City & County of Swansea Unitary Development Plan 2008)	
Policy HC3	Provision of affordable housing in areas where a demonstrable lack of affordable housing exists. (City & County of Swansea Unitary Development Plan 2008)	
Policy AS1	Accessibility - Criteria for assessing location of new development. (City & County of Swansea Unitary Development Plan 2008)	
Policy AS2	Accessibility - Criteria for assessing design and layout of new development. (City & County of Swansea Unitary Development Plan 2008)	
Policy AS6	Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)	
Policy EV20	In the countryside new dwellings will only be permitted where justification is proved in terms of agriculture, forestry or the rural economy; there is no alternative existing dwelling in nearby settlements; and the proposed dwelling is located close to existing farm buildings etc. (City & County of Swansea Unitary Development Plan 2008)	
Policy AS10	Accessibility - Incorporation of appropriate traffic management measures in new developments. (City & County of Swansea Unitary Development Plan 2008)	

SITE HISTORY

There is no site history relating to this site.

RESPONSE TO CONSULTATIONS

Twenty five neighbouring properties were directly consulted and four site notices were placed close to the site. The application was also advertised in the press as a 'departure application'

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

- Why is there only one entrance to the whole site (a very large estate) directing all traffic through Loughor Road?
- Are there plans to build new schools in the area as the population is going to boom?
- Have the impacts on the wildlife in the area been taken into consideration as the greenery in the area will be significantly reduced in a very short period of time.
- The Planning Committee/Council made a rod for its own back when it stupidly approved the original application for Kingsbridge Fields. If Persimmon had put in an application for 200-300 houses straight off this would have undoubtedly been turned down. By piecemeal applications they have played the Council and made them look fools, as they cannot realistically refuse any future applications as the precedent has been set.
- No access off Victoria Road then no development. You should be dictating to the developer not the other way around.
- There is a high level of road noise from the bypass road close to this development. Is there any plans for any form of noise barrier, such as fencing, to reduce the road noise for the new development.
- The park area outlined in the planning application, contains mature trees, which attract a variety of bird species. Are these trees to be retained in this proposal.
- The opposition to this application relies on the facts that again this will cause undue stress on the infrastructure to the locality, the schools along with the additional traffic pollution that this will encourage, which whilst the proposed site is within the present new housing, it is far enough away for householders and parents to want to drive and park along Loughor Road causing disruption to existing householders and traffic. Additional pressure in the Gorseinon area will be felt within the schools and Medical Surgeries where additional places are not catered for.
- There would seem to be an additional Phase Four in the pipeline, which again would add to the existing problem as mentioned including the water course level and sewage, which is currently up to capacity. As this is identifiable from your LDP, then if this application is passed without consideration, a caveat should be included, that no further construction must take place within the Southern Part of Loughor Road or surrounding area of lower Kingsbridge.
- May I state, that of 20 to 30 households which are affected by this application, I am the only resident who has received your above dated letter
- I make this objection for those who did not receive your letter dated the 12 June 2015 and were not informed of your intentions, which makes application 2015/1138 illegal as a result of not informing local residents of the intention of planning, with the opportunity to act for or against such an application.

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- Access - firstly the proposed access off Loughor Road is already dangerous and a number of near misses have occurred of late. These have been reported to Persimmon but do feature as they have only made reference to actual accidents. The visibility is very poor and it's only a matter of time before a serious accident occurs. Secondly the access road into the estate is inadequate. The width and design means that it is already causing problems for the existing residents. Poor design means anyone visiting who parks on the road causes a significant obstruction - the whole estate is a bottle neck and any more houses are going to cause further problems. On many occasions the roads are blocked and larger vehicles unable to enter site (ie. refuse collection vehicles).
- Unlike Horizon Walk above, Persimmon do not have a separate access for construction vehicles. They use this access road for HGV and other construction vehicles and further development will continue to risk dangerous occurrences. On numerous occasions cars have been unable to enter or exit the estate for 15-30 minutes and there have been near misses with cranes, tankers and Lorries.
- Traffic Congestion - this application needs to be considered along with other developments in an already busy area. Loughor Road is particularly busy and when you add another 20+ (phase 2) 85+ (phase 3) and 60+ (phase 4) it will mean over 500 cars accessing from Kingsbridge Fields. This along with the Horizon Walk development above is a significant increase in vehicles. They will also add to the congestion to the surrounding roads especially Victoria Road.
- Drainage - Persimmon have experienced drainage problems during phase 1 and further development will exacerbate the issue. Building on the surrounding greenfield areas will increase the risk of flooding as there is nowhere for the water to soak away.
- Privacy - A number of houses will have their privacy taken away from them if the development of phase 3 goes ahead, especially those above the current attenuation pond.
- Loss of flora and fauna - any further development will result in a loss of wildlife and mature trees.
- Further expansion - It is clear from the plans that Persimmon are also planning another development and intend to expand on the requested 85 homes. Persimmon have constantly denied they were looking to expand this estate but their true plans have now been made clear and they appear to be attempting to get their way by increasing bit by bit and sneaking under the radar
- Concerned about the population of bats that are currently living in the outbuildings on the proposed site.
- Work is yet to finish on the current developments with large pot holes on roads and poor surface drainage.
- Any blockage of access particularly at the entrance would deny emergency service access as there is no alternative! (200 dwellings+).
- With regard to the actual land, we suffer from poor drainage. Basically our back garden resembles a bog most of the time and the field behind us is constantly waterlogged often in parts it has more than a foot of water on it .We struggled to get house insurance due the risk of flooding. Additional building will only exacerbate this.
- Surface water also already collects on various parts of the road on the estate rendering them inaccessible to parking.
- Had we known that Persimmon were planning on building two further phases, the last of which is behind our property and will impact on our privacy and quality of life, we would not have purchased this property.

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- Phase 3 (being applied for) and Phase 4 (shown on documents) are both on land identified as green wedge land by the Unitary Development Plan and as such should be rejected without further discussion.
- All site traffic is NOT maintained in an orderly or courteous manner towards residents. As a result, site traffic weighing many tons is passing by and rocking the foundations of our house on a daily basis and often seven days a week starting from 6:30AM! No one should have to live like this. Proposing further developing, increasing the duration of the building site is unacceptable.

Loughor Town Council

The Council proposes to object to the application for the following reasons:

(a) The proposal constitutes a departure from the existing UDP and the land is in the green wedge.

(b) The access for the whole site consists of a single access from Loughor Road which would be unable to cope with the traffic generated and associated risks. In addition any on street parking would create difficulties for emergency services and other utilities having regard to the limitations by a single access point.

Natural Resources Wales

Initial Comments

We object to the proposed development until further information is received in regards to flood risk.

Flood Risk

We are in receipt of a Flood Consequence Assessment (FCA) produced by Quad Consult Limited dated May 2015. 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, indicates the site to be outside the current flood zones.

The proposal is for a residential development of 85 dwellings which is classed as highly vulnerable development according to TAN15. Whilst the site is currently shown to be outside of the flood zones, the tidal flood zones are in close proximity to the site. The site could be affected when climate change allowances are considered, as per TAN15 requirements. Therefore, we would advise that the FCA be amended to include the potential tidal flood risk to the site. We would also refer you to the letter from Welsh Government to the Chief Planning Officers dated January 2014, which states that climate change should be considered in the 0.1% tidal flood scenario.

We acknowledge that Phase 4 of the development does not form part of this application, however, we take this opportunity to highlight that whilst the site is currently shown to be outside of the flood zones, our flood outlines were produced in 2007 and therefore it is likely that information has now changed which could alter the flood risk to the site. Consequently, we would advise that a FCA is undertaken as part of any future application at this site in order to assess what the potential flood risk could be. It would be beneficial to produce this FCA in conjunction with the current application for phase 3, in order to ensure there is no impact upon the above proposed development.

We would also take this opportunity to highlight that as part of the Phase 4 development, we would also request that a 7m buffer zone is provided between the River Lliw and the development in order to allow access to carry out maintenance works.

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Any works in, under, over or within 7m from the River Lliw at this location will require prior consent from Natural Resources Wales (NRW).

Memorandum of Understanding

As your Authority is aware, since 2007, issues have come to light regarding the foul and surface water drainage networks in this area. This has resulted in additional pollution and nutrient loading spilling to the Burry Inlet (which includes the Loughor WFD waterbody). As such, a Memorandum of Understanding (MOU) has been prepared and agreed by all relevant parties to enable development in this area to go forward.

Protection of the water environment is a material planning consideration and your Authority must be satisfied that the proposed method of foul and surface water drainage from the proposal will not cause any detriment to water quality.

We note that it is intended to dispose of foul water to the main sewerage system, which is our preferred and most sustainable method of foul water disposal. Please note that we would oppose any alternative proposal for a non-mains drainage system at this location. We understand that within the Phase 2 development, a pumping station was intended as part of the foul water drainage system. We recommend that Dwr Cymru/Welsh Water (DCWW) is consulted to make sure there are no capacity issues if this is to be used for the Phase 3 development also.

We would also recommend that your Authority consult with Dwr Cymru/Welsh Water (DCWW) to ensure hydraulic capacity exists at the treatment works to accommodate the flows from this development, without causing pollution. We would also remind your Authority that to accord with the terms and content of the agreed MOU, foul connections should only be allowed when compensatory surface water removal or suitable improvement scheme has been implemented within the same catchment.

For larger scale developments such as this, bespoke solutions will be necessary, depending on the size and location of the particular development. We recommend that applications such as this are discussed with the Technical Advisors Group.

The agreed relevant details must be recorded on your Authority's register of compensatory surface water disposal.

In addition to capacity and hydraulic overload issues, the Burry Inlet is understood to be sensitive to nutrient enrichment, notably to Phosphorus – a constituent of sewage-related discharges. Consequently, in respect of Phosphorus, the UK has an obligation under the Water Framework Directive (WFD) to protect sensitive water bodies from deterioration. We would therefore recommend that a corresponding amount of Phosphorus is removed at the Llannant WWTW to that expected to be produced by this development at the time of completion. This would prevent further deterioration in levels of Phosphorus in the Burry Inlet.

Surface Water Drainage

With regard to surface water disposal, it is imperative that no surface water is allowed to enter the sewerage infrastructure.

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It is proposed to discharge surface water into an existing land drain via attenuation, as it has been demonstrated within the FCA that infiltration would be unsuitable (ground investigation works have been undertaken on the adjacent site). Surface water attenuation areas should not be located in areas shown to be at flood risk.

The proposed development site is 4.2 ha in size. We note the calculated Greenfield runoff rates for the proposed development area of 2.5 ha as recorded in Appendix B of the FCA. The proposal is to limit any discharge from the development (up to the 1% AEP, 1 in 100 year storm) to a specific rate of 23.3 l/s which we have reviewed and is a suitable rate for this location. We note the inclusion of a 30% climate change factor within the storage requirements, which is appropriate for the lifespan of this development.

Ultimately, the drainage system design is a matter for the local authority engineers and we would therefore advise that you seek confirmation from your Drainage Section that they are satisfied with the proposals, prior to determination. Your Authority should agree a suitable surface water management plan.

We would encourage the applicant to investigate and implement other possibilities within the development, such as grey-water recycling, rain-water harvesting, etc.

Contaminated Land

Natural Resources Wales considers that the controlled waters at this site are not of highest environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site. It is recommended that the requirements of Planning Policy Wales and the Guiding Principles for Land Contamination (GPLC) should be followed. These comments are based on our assumption that gross contamination is not present at this location. If, during development, gross contamination is found to be present at the site the Local Planning Authority may wish to re-consult NRW.

European Protected Species - Bats

As noted within the Ecological Appraisal carried out by Soltys Brewster Ecology dated 9th October 2014, we welcome that the boundary hedgerows and trees on site are to be retained and a buffer zone away from the development included. The hedgerows and trees will continue to function for foraging and as a commuting network for bats as noted within the Ecological Appraisal. We also welcome the recommendations made in Section 6 of the report and advise that the applicant liaise with the Council's ecologist regarding these matters. We also note from the Ecological Appraisal that the buildings to be demolished on site have been surveyed for bats and any potential roosting opportunities. Whilst no bat roosts were found and the buildings on site seem to have negligible bat potential, we remind you that there is a possibility that bats may occasionally use parts of the buildings and therefore NRW recommends that the development proceeds with caution whilst carrying out works to the walls and/or roof. All British bat species and their roost sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and The Conservation of Habitats and Species Regulations 2010. The building contractors must also 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.

Additional Comments

(Based on an updated Flood Consequences Assessment - FCA)

Flood Risk

We are in receipt of an updated Flood Consequence Assessment (FCA) (revision 4) produced by QuadConsult Limited dated May 2015. The FCA has been updated to consider the 0.5% tide scenario with both a climate change and funnelling effect allowance included. The assessment states that this level is 7.255m AOD which we can confirm is correct. Therefore, providing that site levels (including the area allocated for surface water attenuation) are set above 7.255m AOD, we withdraw our previous objection to this proposal. Please note that our previous comments on flood consent, surface water and foul drainage, contaminated land and European protected species are still applicable to this application.

Dwr Cymru / Welsh Water

This proposed development is located in an area which has the potential to discharge into national and international designated waters. The Loughor Estuary forms part of the Carmarthen Bay & Estuaries European Marine Site which is the collective name for three European 'Natura 2000' designated areas, namely Carmarthen Bay & Estuaries Special Area of Conservation, Carmarthen Bay Special Protection Area and Burry Inlet Special Protection Area.

A key fundamental issue associated with any proposed development(s) located on both the Carmarthenshire and Swansea side of the Estuary is the potential impact of any revised or additional water discharges, either foul or surface water, will have on the local drainage systems and ultimately the designated waters. Dwr Cymru Welsh Water is contributing towards improving the water quality in the Estuary by undertaking key infrastructure improvements at its Northumberland Avenue and Llanant Waste Water Treatment Works which are designed to improve arrangements for dealing with surface water, provide ultra violet treatment and phosphate removal.

Equally developers too, can also play a significant part in mitigation measures by incorporating sustainable drainage facilities within their proposals. It is essential therefore, that as a pre-requisite of any development being considered for approval that such matters are effectively controlled through planning conditions.

Therefore, we seek your Authority's co-operation in imposing the following condition to any grant of planning.

1) No development shall take place until full details of a scheme for the foul and surface water sewerage disposal (incorporating sustainable drainage principles) of the whole site has been submitted to and approved in writing by the local planning authority and thereafter implemented in accordance with the approved details. Surface water shall not be connected to the foul sewerage system.

Reason: To ensure the integrity of the public sewerage system [and designated waters] is protected through the implementation of sustainable practices.

2) Foul water and surface water discharges shall be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

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3) No surface water shall be allowed to connect, either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.

4) Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.

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

5) No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been approved by the Local Planning Authority.

Reason: To ensure that effective drainage facilities are provided for the proposed development, and that no adverse impact occurs to the environment or the existing public sewerage system.

Glamorgan Gwent Archaeological Trust (GGAT)

We have consulted the information contained in the regional Historic Environment Record and note that an archaeological watching brief has been undertaken on the adjoining land immediately north in February 2014. This was recommended due to the proximity of the route of the Roman road that linked the forts at Loughor and Neath, and to the Scheduled Ancient Monument of the Roman Practice Camps. The archaeological work did encounter buried linear features, but these were deemed not to be of Roman date. The applicant has submitted an archaeological desk based assessment prepared by Dyfed Archaeological Trust (ref 2015/31) in support of their application. This assessment notes that the current area also has the potential to have archaeological remains, as the closest practice camp is some 250m SE of the area, and the road 200m north. The application area also includes an area marked as "old coal pit" and "shaft" on the late 19th century historic mapping; it is clear that some elements of this will remain, and will require archaeological mitigation. The assessment recommends that a targeted archaeological watching brief be maintained during the proposed development, a recommendation with which we concur.

We therefore recommend that a condition requiring the applicant to submit a programme of archaeological work in accordance with a written scheme of investigation should be attached to any consent granted by your Members. This should ensure that detailed contingency arrangements including the provision of sufficient time and resources to ensure that archaeological features and finds that may be located are properly excavated and analysed.

We recommend that the condition should be worded in a manner similar to the model given in Welsh Office Circular 60/96, Section 23:

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.

The work must meet the Standard and Guidance of the Chartered Institute for Archaeologists and it is our policy to recommend that it is undertaken by a Registered Organisation or a MCIfA level Member. Details of contractors who are able to work in Wales can be found at www.archaeologists.net/ro.

Coal Authority

The Coal Authority concurs with the recommendations of the Site Investigation Report; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development. In the event that the site investigations confirm the need for remedial works to treat any of the recorded mine entries and/or areas of shallow mine workings to ensure the safety and stability of the proposed development, these should also be conditioned to be undertaken prior to commencement of the development.

A condition should therefore require prior to the submission of the reserved matters:

- * The submission of a scheme of intrusive site investigations for the mine entries for approval;
- * The submission of a scheme of intrusive site investigations for the shallow coal workings for approval; and
- * The undertaking of both of those schemes of intrusive site investigations.

A condition should require as part of the reserved matters application:

- * The submission of a report of findings arising from both of the intrusive site investigations, including the results of any gas monitoring undertaken;
- * The submission of a layout plan which identifies appropriate zones of influences for the recorded mine entries on the site, and the definition of a suitable 'no-build' zone;
- * The submission of a scheme of treatment for the recorded mine entries, if identified on site for approval;
- * The submission of a scheme of remedial works for the shallow coal workings for approval.

A condition should also require prior to the commencement of development:

- * The implementation of those remedial works.

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

Highways Observations

Background: This proposal is for an extension of the recently developed site off Loughor Road and is for up to 85 dwellings. There is an additional area of land adjacent that is being considered for the emerging LDP and this will accommodate up to a further 60 residential units. A transport assessment has been submitted that considers the additional development traffic impact of both parcels of land. However 80 units for the current proposal are assumed in the assessment.

Predicted Traffic Impact: National data suggests that the trip generation for residential development is 0.612 movements and 0.659 movements per dwelling in the AM and PM peaks respectively. For the current proposal this translates to 49 movements in the AM peak and 53 movements in the PM peak. These are movements for the entire peak hour and therefore amount to less than one vehicle movement per minute. The impact of this additional traffic has been considered at a number of key junctions. These include:- Site Access (Belgrave Road mini roundabout); West Street/Loughor Road mini roundabout; Victoria Road/Loughor Road mini roundabout; Victoria Road/A484 roundabout; Gorseinon Cross traffic signals. Surveys were undertaken by the developer of the site access and West Street junctions. The site access and West Street were surveyed on 3 and 4 June 2014, Victoria Road mini roundabout was surveyed in February 2014. All other junctions had sufficiently recent survey data already held by this Authority.

During the surveys, queue observations were made at the site access and West Street junctions to aid in calibration of the model. Surveyors noted that whilst there were steady streams of traffic on the approaches to the junctions no stationary queuing of more than two to three vehicles was observed and when this did occur, the queue dispersed quickly with minimal delay.

In order to model the impact of the development traffic, the base traffic flow has to be determined. In this instance the base traffic flow is made up of the current surveyed traffic flows and committed but not yet completed developments of the existing site and Cae Duke which was recently consented. Any other future developments are taken account of with growth factors that represent on-going development in an area. For robustness however, a sensitivity test has also been conducted to include the addition of a possible 60 houses on the adjacent field should that site be successful in its bid for allocation in the LDP. Predicted development traffic is then added to the base model to give a total traffic scenario and the impact at the listed key junctions considered.

Capacity Analysis

Site Access:- The assumed year of opening is 2016 and the model of the base traffic movements (without the development) indicates the junction operating within theoretical capacity with the worst arm being Loughor Road (east) in the pm peak. This shows an RFC of 0.82 whereas anything above 0.85 indicates queuing may start to take place. When the development traffic is added, the RFC rises to 0.86 and therefore the model suggests that some queuing would start to take place, however the predicted queue is 5.5 vehicles and delay at the junction is indicated as 25 seconds which is a rise of 4 seconds compared to the base scenario. The percentage impact is indicated to be 9.29%.

These results are broadly similar to those reported with the initial development of the site and one would expect that with the increased number of dwellings the situation would worsen. However, it should be noted that the previous assessments assumed Cae Duke to be developed for up to 212 dwellings and a sports facility. Subsequently this was not the case with only 106 dwellings being developed. This therefore would explain why the efficiency of the site access roundabout does not show a worse situation than expected despite additional dwellings proposed for this site.

Sensitivity Test (Additional 60 dwellings):- With an additional 60 dwellings added for a possible future expansion, the RFC rises further to 0.88 with a queue increase to 6.6 vehicles and delay of 31 seconds. Theoretical capacity of the roundabout is reached when the model predicts an RFC of 1.

Other Key Junctions:- The development traffic impact at the other key junctions is well below the normal 10% additional traffic which dictates when detailed analysis is required. This guide figure does reduce to 5% impact in situations where there is a particular sensitivity. Other than the site access mini roundabout, the next junction with the highest percentage impact is the West Street/Loughor Road mini roundabout and here the percentage impact is shown to be highest in the PM peak reaching 3.57%. As none of the other junctions reach the lower recommended 5% threshold, no detailed modelling has been undertaken at those junctions.

Accessibility:- The site is located in a built up area adjacent to existing residential development and is effectively an extension to the recently approved development. Public transport and pedestrian footway provision is present and therefore those aspects are catered for. There is no dedicated cycle provision in the immediate vicinity of the site, however NCN Route 4 travels through Gowerton to the south and links to this are partially completed. There is a scheme to provide additional linkage from Kingsbridge across the common to the route and the completion of this would provide much better connectivity to the National Cycle Network.

The applicant has indicated a modal split for the site where 22% is allocated to cycling. In order to reinforce this, the provision of the additional link from Kingsbridge would be beneficial and therefore this development should contribute towards that scheme. Section 106 SPG on contributions provides guidance on this aspect and dictates that for the number of dwellings and the level of accessibility in the area, a contribution of £64,186 could be sought. This would cover the proposed 85 dwellings with further contributions applicable should the site extend further in the future.

Highway Conclusions and Recommendation:- The Transport Assessment submitted in support of the application has assessed the impact of the development traffic on adjacent key junctions. The outcome of the assessment is that the junctions will continue to operate within their theoretical capacity following the development. The site is relatively accessible although there is a need to improve cycle path provision for connection to the National Cycle Network and to that end a developer contribution towards a recognised scheme is recommended.

No highway objection is made subject to the following;

- i. 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.
- ii. The site shall not be brought into beneficial use until a contribution towards an extension of the Kingsbridge cycle path link has been made. This will require a sum of £64,186 to be deposited with the City and County of Swansea Council.
- iii. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. [The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established].

Management and Maintenance of Estate Streets – Note: The applicant is advised that to discharge this condition, the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

iv. All internal roads, footpaths and public areas shall be laid out and constructed to Highway Authority standards and Specification.

Drainage Observations

We have reviewed the submitted application and find the outline Drainage Strategy appropriate and would recommend that the following conditions are appended to any permissions given.

Condition 1

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

Reason: To ensure that a satisfactory comprehensive means of drainage is achieved and that no adverse impact occurs to the environment and to minimise surface water run-off.

Condition 2

- a) The development shall not discharge to the local watercourse network at any rate greater than 23.3 litres per second;
 - b) If an alternative complex control system is proposed the discharge rates shall not exceed the following – Q1=21.1l/s. Q30=42.2l/s. Q100=52.2l/s;
- as stated in the Flood Consequences Assessment dated May 2015, Rev 0.

Reason: To ensure prevent surface water flooding occurring both onsite and to adjacent third parties.

Condition 3

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or amending that order), Classes A, B, C, D and E of Schedule 2, Part 1 shall not apply.

Reason: To protect the integrity of the chosen surface water management system from additional impermeable areas that the SW system is not designed to accommodate.

Pollution Control Observations

No Objection subject to conditions relating to unforeseen contamination and a Construction Site Management Plan.

Ecology Observations

The most important habitats on the site are the block of woodland and the hedges and should be retained. The hedges should not have wooden fences constructed against them; these reduce the ecological value of the hedges and will cause dieback of vegetation and make management difficult.

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The body of the site is grass land of relatively low ecological interest. The loss of this will in part be compensated for by landscape planting. There may be some scrub clearance and access routes created through the hedges which might affect nesting birds, please could we add the Birds nesting informative to any permission given.

Housing Enabling Observations

Initial Comments

The housing service will require a 30% affordable housing contribution on this site. The scheme should include a mix of 2, 3 and 4 bedroom house types, DQR compliant and pepper potted throughout the development, and should include a mix of social (40%) and intermediate units (60%). The design and specification should to of equivalent quality to the open market units.

Additional Comments

The applicant has offered 26% for on-site affordable housing which equates to 22 affordable units. This provision is considered to acceptable in this instance.

Education Observations

Review of the Effect on Catchment Schools of Proposed Development: Revised 28/10/2015.

Catchment Area Schools

	School	Unfilled places January '15	Unfilled places Projected January 22	Suitability
English Medium Primary	Pontybrenin	31	34	
English Medium Comp.	Penyrheol	89	106	*Demountables
Welsh Medium Primary	YGG Pontybrenin	29	- 40	*Demountables
Welsh Medium Comp.	YG Y Gwyr	115	- 307	*Demountables

*N. B. there are demountable buildings on site which should be removed from the calculations and thus reduce the figures shown for unfilled pupil places even further.

S.P.G Calculations

Based on 85 dwellings, the development will generate the following pupils with the associated cost:

Primary: 26.35 pupils (£273,302)

Secondary: 18.7 pupils (£296,358)

Existing Commitments

There are a number of new developments still under construction and a number of other proposed developments for the area which are still under consideration by Planning, the results of all these would further exacerbate the situation. - Note: WM is very popular choice in this area – 29.4%.

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P.A. No. + Pupil No Generated	Site	No of Units	Requested contribution*:	Offered**:		Comments
2013/0261 Primary: 33.46 Sec: 23.76	Land at Cae Duke, Loughor Rd *08/03/2013	108 houses	£347,255 - Both Pontybrenin Pr / YGG £376,548 - Y Gwyr ** 17/09/2013 Total=	£44,288 £47,544 £73,882 <hr/> £165,714	YGG Pontybrenin only Y Gwyr Highways – Drop Off facility to include Turning Circle.	PA approved 10/12/2013. Section 106 signed 17/04/2014.
2014/0773 Primary: 7.7 Sec: 5.5	Land south of Beauchamp Walk, Gorseinon (Phase 2)	25 houses	£80,383 - Both Pontybrenin Pr / YGG £87,164 - Y Gwyr ** 30/09/2014 Total=	£10,372 £11,093 £17,425 <hr/> £38,890	YGG Pontybrenin only Y Gwyr Highways – Drop Off facility to include Turning Circle.	PA approved 14/04/2015. Section 106 signed 20/03/2015
2013/0617 Primary: 28.52 Sec: 20.24	Land South of Glebe Road, Loughor *11/11/2013	92 houses	£295,810 – Both Pontybrenin Pr / YGG £320,764- Y Gwyr ** 17/03/2014 Total=	£41,413 £42,982 £64,124 <hr/> £148,519	YGG Pontybrenin only Y Gwyr Highways – Drop Off facility to include Turning Circle.	PA approved 10/12/2013. Still subject to signing of Sec 106. (Imminent) Still On Going

A total of 69.7 Primary & 49.5 Sec. pupils generated from above named sites.

With the granting of the above-named Planning Applications (together with the signed Section 106 agreements), and if the current Pre Enquiry applications also progress, then these additional houses will of course all generate additional pupils thus reducing any spare capacity which might have been remaining within all the catchments schools of the area – i.e. both the English medium (Pontybrenin Primary & Penyrheol Comp.) and the Welsh medium (YGG Pontybrenin & YG Y Gwyr).

LDP Impact.

Education are currently undertaking an LDP Review with regard to the effects the proposed Category A Sites might have on Education provision as a whole throughout the Authority. The emerging strategy for education provision in the Kingsbridge area of Swansea is being considered further.

Negotiations are on- going with Persimmon re: the Garden Village site.

There are a number of sites within the Penyrheol Comprehensive catchment within the LDP, which will impact further on education places in the area.

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Education Conclusion

Should any further sites be submitted for Planning consideration for proposed development in the area then we may want to reconsider the accumulative effect on this particular application alongside any new ones received in the near future. It is Education's intention to request 100% of the full generated figure for secondary provision for the new rebuild of the Annex/Extension at Penyrheol Comp. School when the numbers of unfilled pupil places at the school are more limited than at present.

Number of Units	Secondary Pupils	Secondary Contribution £	Total Contribution £	100% Plus inflation £
85	18.7	296,357.60	296,357.60	296,357.60

It has to be appreciated that the actual delivery dates of this proposed development would also have a bearing on any request being submitted at this time, or in the future.

In summary, at this present time, in order to accommodate any pupils from this particular development:

- Education would not be seeking a Developer's contribution towards the English Medium provision for Pontybrenin Primary school, nor for Penyrheol Comp. School because of the current number of unfilled pupil places at the present time.
- However, Education would be seeking a Developer's contribution towards the Welsh Medium provision at both YG Y Gwyr and YGG Pontybrenin on this occasion, as both schools are currently well over capacity. In addition, it must be noted that the percentage of pupils in the Kingsbridge area in Welsh Medium education currently stands at 29.4% and is higher than in other wards, On this basis, Education would now be seeking the following developer's contribution for the named individual schools of:
 - YGG Pontybrenin – to establish additional accommodation for Y5/6 classes at £80,350.85 plus inflation (i.e. 29.4% of £273,302.2)
 - YG Y Gwyr – to facilitate increased accommodation for Y11 + pupils at £87,129.13 plus inflation (i.e. 29.4% of £296,357.6).

	General pupil calculations		Welsh Medium		
	Primary	Secondary		Primary	Secondary
85 Units	26.35	18.7	29.4% of WM	7.7469	5.4978
	£273,302.2	£296,357.6		£80,350.85	£87,129.13

Total Contribution : £80,350.85 + £87,129.13 = £167,479.98

Arboricultural Observations

The site is bordered by hedgerows covered by TPOs 562 and 577. In addition, the woodland in the north-east corner of the site is covered by TPO 577. Any development will need to be positioned to allow sufficient distance between the TPO hedgerows and trees and houses to allow for the future protection of the hedge and also to allow for adequate, useable amenity space for the future occupiers.

As the woodland now has a TPO it is unlikely that a LAP will be suitable in this area unless carefully designed and sited so as cause minimum impact on the surrounding trees.

Parks

At the present time we have no comment to make on the proposed development but if it does proceed and the Parks department is expected to adopt the LAP and/or any POS, we would wish to be involved from the outset to discuss proposals and any commuted sum contributions.

APPRAISAL

Outline planning permission is sought for residential development of up to 85 dwellings, together with a local equipped area of play (LEAP), vehicular access and associated infrastructure and all other ancillary development (including demolition of existing redundant agricultural buildings). All matters other than 'access' are reserved.

Site and Surroundings

The site comprises an area of greenfield grazing land measuring 3.50 hectares which is set behind the recently constructed houses within Beauchamp Walk and the under construction, phase 2 development also accessed off Beauchamp Walk. The site would be accessed from the new roundabout on Loughor Road via the phase 2 site. The site is bound to the northwest by the phase 2 site currently under construction; to the northeast by the recently constructed houses within Beauchamp Walk and a green field (identified as a potential candidate site KB0015); to the south east by the Afon Lliw; and to the south west by open fields.

The site is entirely located within the Llan Valley Green Wedge and constitutes open countryside when assessed against the UDP proposals map.

The site slopes gently from west to east and comprises one large field bounded by mature hedging. The north eastern boundary hedge (adjacent to the phase 1 development) is protected by a group Tree Preservation Order (TPO 562). The remainder of the north eastern boundary hedge, the south-eastern and south western boundary hedgerows and the woodland in the north west corner of the site are all protected by a recent Tree Preservation Order (TPO577).

The Proposal

The application has been made in outline form, with the only matter to be considered at this stage being 'access'. All other matters of appearance, landscaping, layout and scale are reserved. The proposal is for up to 85 new dwellinghouses.

The access is proposed to be derived from the existing estate road which leads from the new mini-roundabout on Loughor Road through the phase 1 and phase 2 stages of the development. The access point would be located adjacent to the north west boundary of the site, to the south of the TPO woodland.

Indicative plans have been included which show an internal road layout forming a 'loop' within the site, fronted by housing. The existing woodland is shown to be retained with a proposed local area of play within it.

The south eastern part of the site adjacent to the Afon Llan is shown to accommodate a surface water attenuation pond and an area of public open space. The proposal would also require the removal of the existing surface water attenuation pond associated with the phase 2 part of the development, and replaced with new residential development. The surface water from phase 2 is proposed to be diverted to the new larger surface attenuation pond at the south eastern end of the site.

The indicative layout also shows provision for access to the adjacent field to the rear of Beauchamp Walk (candidate site KB0015).

The scales parameters stated within the Design and Access Statement are as follows:

Width: 4m up to 10m; Length: 6m up to 10m; and Height: 7.5m up to 12.5m. The scales given are such that the development is intended to integrate with the adjacent houses on phase 1 and phase 2.

Main Issues

The main issues for consideration relate to the principle of development within the Green Wedge, impacts of the development on the character and appearance of the area, residential amenity impacts upon neighbouring residential occupiers, impacts of the development on access, parking and highway safety and impacts upon trees and environmental interests with regard to the provisions of Policies EV1, EV2, EV3, EV20, EV22, EV23, EV30, EV33, EV34, EV35, EV36, HC3, HC17, AS1, AS2, AS6 and AS10 of the City & County of Swansea Unitary Development Plan 2008 (UDP). The Supplementary Planning Guidance (SPG) – Places to Live: Residential Design Guide, and the SPG – Planning Obligations are also relevant to this application. There are no overriding issues for consideration under the provisions of the Human Rights Act.

Principle of Development

The site is wholly located within the Llan Valley Green Wedge and is within the open countryside. The application is therefore considered to be a 'departure' to the Unitary Development Plan.

Within the UDP, The Llan Valley Green Wedge is described as:

"An extensive, but fragmented green wedge comprising largely rolling lowland farmland with coastal influences towards the western edge. It primarily seeks to manage the urban form through controlled expansion, whilst preventing the coalescence of Gorseinon with Gowerton / Penllergaer, Penllergaer with Fforestfach and the westward expansion of Llangyfelach. This is the area of greatest development pressure, where there is a need to control the urban form to complement urban renewal and regenerations initiatives."

Policy EV23 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. The policy goes on to describe that appropriate development within the green wedge would comprise of the following types of development :

- (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 and forms of development that maintain the openness of the green wedge and do not conflict with the purpose of including land within it.

The Amplification of Policy EV23 at para 1.75 states that green wedges are areas of countryside that are under great pressure for development and which are important for containing and shaping the urban form and the surrounding development. It is therefore important to retain their open character. At para 1.76, it states that the areas identified include land which has been subject to considerable development pressure both in the past and currently. It is essential to retain the openness of green wedges, to serve the objectives of the policy, protect important areas of open land and maintain the integrity of individual settlements. Para 1.77 goes on to state that whilst there are policies in the UDP which seek to control development in the open countryside, it is considered important to give extra protection to the above mentioned vulnerable area of open space on the edge of the urban area and between settlements, in line with Planning Policy Wales (PPW) guidance. Green wedges are a well established policy tool within the County, although their boundaries have been carefully reviewed to ensure that only those areas that require extra protection to fulfil the purpose of the policy are included, whilst in addition ensuring sufficient land for development needs is provided.

Planning Policy Wales (PPW) (edition 7, 2014) at Section 4.8 'Managing urban form by means of green belts and green wedges' states at Para 4.8.10 – Local Designations such as green wedges may be justified where land is required to serve the same purpose as a Green Belt (see 4.8.3), but these designations do not convey the permanence of a Green Belt. Para 4.8.3 states that the purpose of a Green Belt is to:

- prevent the coalescence of large towns and cities with other settlements;
- manage urban form through controlled expansion of urban areas;
- assist in safeguarding the countryside from encroachment;
- protect the setting of an urban area; and
- assist in urban regeneration by encouraging the recycling of derelict and other urban land.

At Para 4.8.14 PPW states that when considering applications for planning permission in Green Belts or green wedges, a presumption against inappropriate development will apply. Local planning authorities should attach substantial weight to any harmful impact which a development would have on a Green Belt or green wedge.

Para 4.8.15 goes on to say that inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the Green Belt or green wedge. Green Belt and green wedge policies in development plans should ensure that any applications for inappropriate development would not be in accord with the plan. These very exceptional cases would therefore be treated as departures from the plan.

Finally, PPW Para 4.8.16 states that the construction of new buildings in a Green Belt or in a locally designated green wedge is inappropriate development unless it is for the following purposes:

- justified rural enterprise needs;
- essential facilities for outdoor sport and outdoor recreation, cemeteries, and other uses of land which maintain the openness of the Green Belt or green wedge and which do not conflict with the purpose of including land within it;
- limited extension, alteration or replacement of existing dwellings;

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- limited infilling (in those settlements and other development sites which have been identified for limited infilling in the development plan) and affordable housing for local needs under development plan policies; or
- small scale diversification within farm complexes where this is run as part of the farm business

The construction of residential development of up to 85 dwellings within the green wedge is considered to be fundamentally contrary to the thrust of the aforementioned UDP policy and PPW in that it would not 'maintain the openness or character' of the green wedge. The residential development would appear as an unnatural feature within an area of open countryside and would further intrude into the landscape therefore detracting from its openness and rural character.

The urban form of the development would not be in keeping with the openness of the rural setting of the locality which has been given extra protection via the green wedge designation on the edge of the urban area.

It is considered that the proposed urbanising form would fail to meet the criteria of Policy EV23 and PPW 2014 (para 4.8.16) in that it is not justified development in association with any agriculture or forestry; it does not provide any essential facilities for outdoor recreation, sport and is not a cemetery; it is certainly not a limited extension, alteration or replacement of existing dwellings; it is not 'small-scale' farm diversification. With regard to the remaining criteria of Policy EV23 and PPW 2014 (para 4.8.16), the proposed residential development certainly does not re-use existing permanent / substantial buildings; is not affordable housing; and is not development which would maintain the openness of the green wedge by virtue of its size, scale and industrial appearance and would directly conflict with the purposes of including the site within the green wedge designation.

Policy EV20 – New Dwellings in the Countryside states that in the countryside, new dwellings will only be permitted where:

- (i) The dwelling is required to accommodate a full time worker solely or primarily employed in agriculture, forestry or an appropriate use to serve the rural economy who need to live on the premises rather than a nearby settlement and,
- (ii) There is no alternative existing dwelling available in nearby settlements and there are no existing buildings on the farm or forestry unit suitable for conversion to residential use, and
- (iii) The proposed dwelling is located as close as possible to the existing farm building, forestry complex or place of work.

Applications for dwellings such as this are required to be accompanied by objective information assessing:

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

Given the type of development proposed, i.e. a large residential housing estate, it is clear that it is not intended to be occupied by any agricultural, forestry or rural economy workers.

In this regard the development is considered to be an unjustified development within the open countryside, and is clearly contrary to the criteria of Policy EV20 and conflicts with National Guidance which seek to protect the countryside from unjustified development and conserve and enhance the character and appearance of the countryside.

It is however acknowledged that there are exceptional circumstances (e.g. less than a 5 year housing land supply and the expiry of UDP on the 31.12.16) which warrant consideration of additional housing land releases. Any such proposals should nevertheless still accord with the principles of the UDP e.g. Strategic Policy SP7 and national planning policy guidance on new housing provision set out in PPW.

In terms of the site search sequence set out in these documents, the main consideration is whether the current proposal is an appropriate settlement extension/rounding-off. In plan form that would not appear to be the case, as it extends beyond open countryside land to the east and has little or no defensible boundary to the south. Little weight can be afforded to the LDP at the current stage of preparation. The only departure sites which may be considered in the absence of at least a Deposit Plan are the Strategic Sites identified in the adopted Preferred Strategy. Certain sites have been recommended by the Planning Committee for inclusion in the Deposit Plan and these were considered by Council on 24th September 2015, however public consultation will not be until the end of the year. The application site is not shortlisted for inclusion in the Deposit Plan, although the land to the east (KB0015) is included.

The Council's latest (2014) JHLAS Report states that in seeking to redress the current housing land supply shortfall:

3.11 Council Officers are seeking to bring forward certain sites identified in the LDP Preferred Strategy which are recommended for inclusion in the Deposit LDP in-line with the authorisation received from Council to do so (2nd December 2014). This applies to sites that represent a departure to the adopted UDP policy framework which will not prejudice the Council's future growth strategy, as well as sites within the current settlement boundary. In particular the Council will prioritise strategic sites and also 'exception' sites that will deliver a high proportion of affordable housing. Prioritising Strategic Sites is necessary to ensure the high unit numbers attributed to these sites can be fully delivered over the Plan period up to 2025 thereby helping to ensure the delivery of units is reasonably spread on an annual basis.

To put this in context, in order to achieve a five year housing land supply the Council needs to identify land for an additional 2400 dwellings within the next 2 years, over and above that identified to be brought forward in the JHLAS. This application would contribute less than 3 weeks supply to the total number of dwellings needed. At the scale proposed, schemes would have to be permitted on approx. 30 sites around the City and County to address the shortfall. This is neither feasible nor practical and would individually and cumulatively undermine the Council's adopted preferred future growth strategy.

It is therefore considered that the principle of developing this site for residential use is unacceptable as it would have a harmful impact upon the openness and character of the green wedge and would adversely affect the setting of the urban area. The proposal clearly conflicts with the countryside protection policies and as such would detract from the natural beauty of the open countryside and would fail to protect the character of the countryside for its own sake.

In addition, the applicant has failed to demonstrate adequate functional or financial need and has failed to demonstrate any other overriding agricultural, economic or social need for this residential development in the open countryside. The development therefore constitutes unjustified intrusion into the open countryside and the green wedge, and contrary to Policies EV1, EV2, EV20, EV22, and EV23 of the City and County of Swansea Unitary Development Plan 2008 and Planning Policy Wales (2014).

Visual Amenity and Urban Design

The application is in outline form with only the details of access being considered at this stage. Notwithstanding the previous section of this report, if the principle of development were considered to be acceptable, it is considered that a suitably designed scheme could be accommodated on the site following the design and layout of the dwellings constructed in phases 1 and 2 of the Kingsbridge Fields development.

However, as discussed in the previous section of this report, the principle of the development is considered not to be acceptable due to its location within the open countryside and green wedge, and as such the application would have a harmful impact upon the openness and character of the green wedge and would adversely affect the setting of the urban area, and would detract from the natural beauty of the open countryside by way of failing to protect the character of the countryside for its own sake. As such the application is considered to be contrary to the provisions of policies EV1, EV2, EV20, EV22 and EV23 of the Unitary Development Plan 2008 and Planning Policy Wales (2014).

Residential Amenity

With regard to the impact upon the residential amenities of existing occupiers adjoining the site, it is considered that the use of the site for residential purposes would not cause an undue harmful impact on the amenities of the existing residents. As the application is in outline form only, no details of the layout (other than an indicative plan) has been submitted. The indicative layout plan shows that up to 85 dwellings can be accommodated on the site without harming the residential amenity of the surrounding residential dwellings. Full consideration of the impacts upon the amenities of surrounding houses with regard to overbearance, overshadowing and overlooking would need to be considered fully at the reserved matters stage if the outline application were to be approved. As such the application is considered to be acceptable in that it is demonstrated that the site can be satisfactorily developed in accordance with the provisions of policies EV1 of the Unitary Development Plan 2008 and the SPG – Places to Live: Residential Design Guide

Highway Impacts

The Head of Transportation and Engineering has provided detailed observations within the previous paragraphs of this report. The conclusion reached is that the access is acceptable and the Transport Assessment submitted in support of the application has assessed the impact of the development traffic on adjacent key junctions, and that the outcome of the assessment is that the junctions will continue to operate within their theoretical capacity if the development was implemented. The site is relatively accessible, although there is a need to improve cycle path provision for connection to the National Cycle Network and to that end a developer contribution towards a recognised scheme is recommended.

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Therefore no highway objections are raised to the development. In this regard, the application is considered to be acceptable and is in accordance with the provisions of Policies EV1, EV2, EV3, HC17, AS1, AS2, AS6 and AS10 of the Unitary Development Plan 2008

Affordable Housing

The applicant has offered 26% for on-site affordable housing which equates to 22 affordable units. This provision is considered to be acceptable in this instance. In this regard the application is considered to be acceptable and is in accordance with the provisions of Policies HC3 and HC17 of the Unitary Development Plan 2008.

Education

The applicant has agreed to the requested contribution of £167,479.98 for provision in the Welsh medium primary and secondary schools.

Ecological Issues

No objections are raised to the development of the site subject to conditions. As such the application is considered to be acceptable in this regard and complies with the provisions of policies EV1, EV2, and EV30, of the Unitary Development Plan 2008.

Trees

The site is bordered by hedgerows covered by TPOs 562 and 577. In addition, the woodland in the north-east corner of the site is covered by TPO 577. It is considered that a suitably designed scheme could be accommodated on the site without harmfully impacting upon the TPO trees and woodland. As such the application is considered to be acceptable in this regard and complies with the provisions of Policy EV30 of the Unitary Development Plan 2008.

Coal Mining Issues

The Coal Authority has no objection to the proposed development subject to the imposition of conditions.

Water Quality Issues

This application is located within an area where ongoing concerns have been raised by Europe and Welsh Government regarding the water quality of the Loughor Estuary which is part of the following European protected sites: Carmarthen Bay and Estuaries Special Area of Conservation; Carmarthen Bay Special Protection Area; and Carmarthen Bay RAMSAR (CBEEMs). The City and County of Swansea as Local Planning Authority has followed the precautionary approach advised by its statutory advisor CCW towards all development that drains into CBEEMs, and carried out the following Habitat Regulations Assessment

Burry Inlet Habitat Regulations Assessment

Introduction

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

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

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

Water Quality

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

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

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

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

Other Possible Effects on CBEEMS features

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

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

The LPA has therefore satisfied its obligations as the 'competent authority' under the Habitats Directive and associated Habitat Regulations. This is in line with the requirements of National Policy Guidance and Policy EV25 of the Unitary Development Plan.

Hydraulic Capacity Issues in Gowerton WwTW Drainage Network

Whilst the LPA is satisfied that it has addressed the issues relating to the Habitat Regulations on this site, there are still outstanding issues in the Gowerton Waste Water Treatment Works (WwTW) catchment area.

In 2011 Dwr Cymru Welsh Water adopted the findings of a study commissioned to investigate the problems and solutions relating to foul drainage in this drainage catchment area. They have also prepared a plan of improvements works for Gowerton WwTW catchment area to start in 2020 (AMP7). In the meantime they are prepared to bring forward schemes if developers finance them.

In addition, the Council has kept a register of savings made on brownfield sites and some of these have been completed. The register is required by the Memorandum of Understanding 2011 agreed and signed by the City & County of Swansea, together with its partners Carmarthenshire County Council, Dwr Cymru Welsh Water, and Natural Resources Wales.

Foul Drainage

This development will separate surface water and land drainage from foul water, so the only drainage impact on the existing sewerage drainage system to Gowerton WwTW would be the foul connections. It is estimated that the maximum foul flow from this site can easily be accommodated by potential surface water removal schemes or compensatory water savings already made from other brownfield developments in the area.

Dwr Cymru Welsh Water has not objected to this scheme. Whilst Natural Resources Wales raised concerns last autumn regarding the impact of new residential development on the water quality of the estuary, there is no conclusive evidence that supports this view, and the Agency has since agreed to the Council's adopted Habitats Regulation Assessment. The HRA conclusions are based on objective information available through the 2010 Environment Agency's own Review of Consents of Gowerton WwTW.

The current application if approved would be subject to planning conditions controlling drainage, including the use of SUDs. On this basis, there is no known evidence to justify refusal on drainage grounds. Subject to further control by conditions, it is considered that the drainage arrangements for this scheme are acceptable and can meet the overarching aims of sustainable development in this area, and satisfy the provisions of Policies EV33, EV34, and EV35 of the UDP.

Land and Surface Water Drainage

The arrangements for surface water drainage have been submitted and have been considered by the Council's Drainage Officer and NRW. Surface water from the roofs, hard surfaces and roads will be discharged via an attenuation pond at greenfield rates.

The details provided are considered to be satisfactory in principle, but it is considered necessary, if planning permission were to be granted, to secure further details of the drainage arrangements via conditions, prior to the commencement of development on site, to ensure there is no potential future harm to the water environment of the estuary or the amenities of existing and future residents. On the basis of the information submitted to date, it is considered that there are no overriding reasons to warrant a refusal of permission on drainage grounds alone.

Subject to further control by conditions, it is considered that the drainage arrangements for this scheme are acceptable and are in accordance with the provisions of Policies EV33, EV34, EV35 and EV36 of the Unitary Development Plan.

Section S106 Contributions

As the application is recommended for refusal, there are no Section 106 contributions sought. However, if the application were to be considered acceptable, then the following contributions would be required:

Affordable Housing: Twenty Two units (26%) for on-site affordable housing affordable units.

Highways: A contribution of £64,186 towards the extension of the Kingsbridge cycle path link.

Education: A contribution of £80,350.85 (plus inflation) towards YGG Pontybrenin – to establish additional accommodation for Y5/6 classes, and a contribution of £87,129.13 (plus inflation) towards YG Y Gwyr – to facilitate increased accommodation for Y11 + pupils. A total contribution of £167,479.98

Other

Management plan for future maintenance and management of the:

- attenuation pond & pumping station
- local area of play / local equipped area of play
- public open space

Management and monitoring fee for the S106 – this will be based on either 20% of the planning application fee (£1,814) or 2% of the value of the obligations of the S106 agreement (whichever is the greater and subject to a minimum charge of £150).

Conclusion

Having regard to all material planning considerations, including the provisions of the Human Rights Act, the principle of the development is not considered to be acceptable due to its location within the open countryside and green wedge, and as such the application would have an a harmful impact upon the openness and character of the green wedge, would adversely affect the setting of the urban area, and would detract from the natural beauty of the open countryside by failing to protect the character of the countryside for its own sake. The development also constitutes unjustified intrusion into the open countryside due to the lack of any overriding agricultural, economic or social need for this residential development. The application is therefore considered to be contrary to the provisions of Policies EV1, EV2, EV3, EV20, EV22, and EV23, of the City & County of Swansea Unitary Development Plan 2008 and Planning Policy Wales (2014).

RECOMMENDATION

REFUSE, for the following reason

- 1 The proposed residential development by virtue of the site being located in the open countryside and the Llan Valley Green Wedge, would cause a harmful impact upon the openness and character of the green wedge, would adversely affect the setting of the urban area and would therefore fail to protect the character of the countryside for its own sake. In addition, the proposed residential development would constitute an unjustified intrusion into the open countryside and the green wedge due to the lack of any overriding agricultural, economic or social need for the development. The application is therefore considered to be contrary to policies EV1, EV2, EV3, EV20, EV22 and EV23 of the City & County of Swansea Unitary Development Plan 2008.

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PLANS

LP-01 Location Plan and 14079 C/110 Rev 7 - Engineering Layout received 30th May 2015

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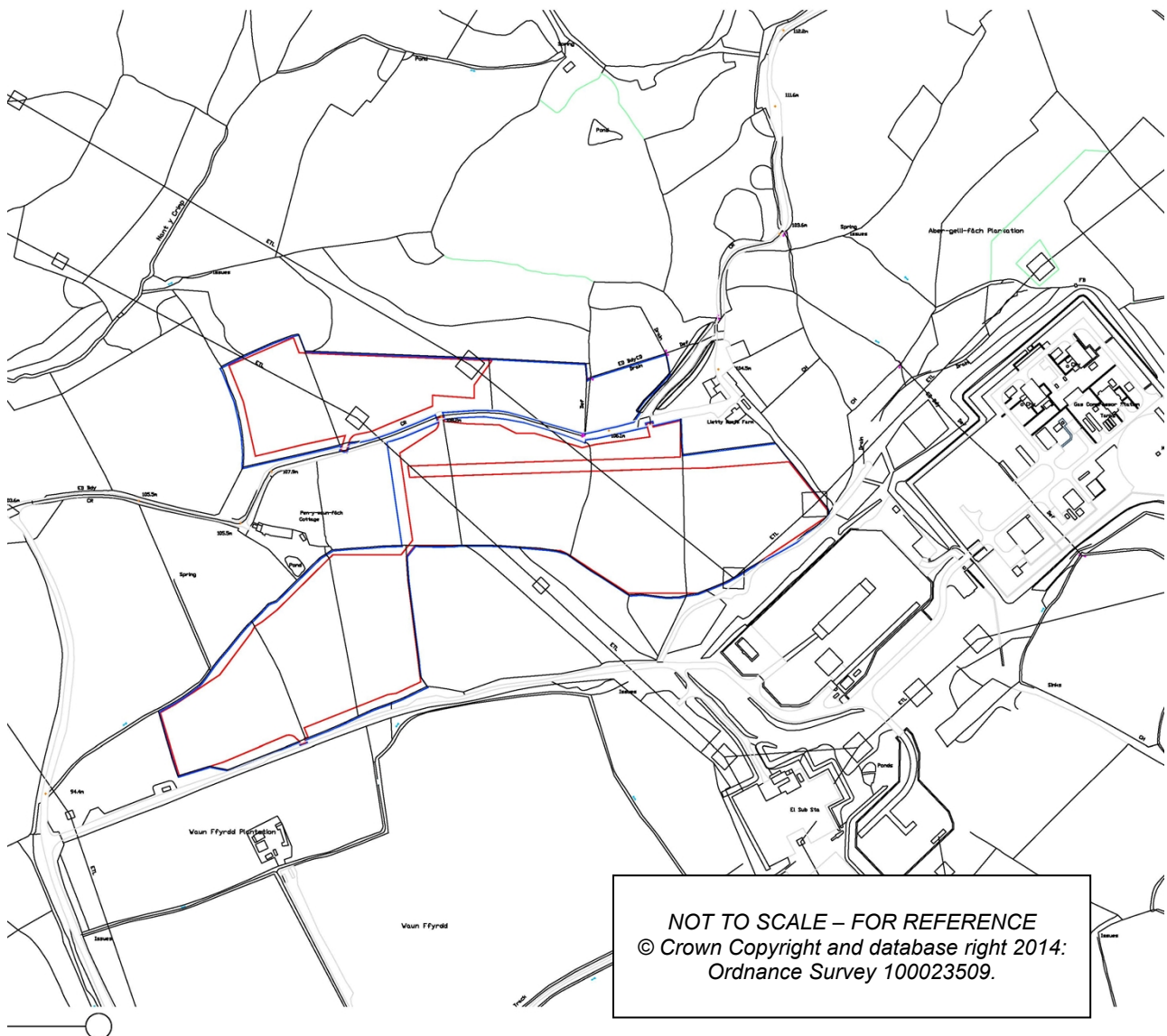
WARD:

Llangyfelach
Mawr

Location: Llettyr Morfil Farm U/S-Y878 Felindre Swansea SA5 7LU

Proposal: Construction of a 4.9 MW solar park (approx. 8.8 hectares) including photovoltaic panels, four inverter stations, centre station, new access tracks, security fencing, security cameras and associated equipment and infrastructure works

Applicant: KS SPV46 Ltd



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BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy 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 EV22	The countryside throughout the County will be conserved and enhanced for the sake of its natural heritage, natural resources, historic and cultural environment and agricultural and recreational value through: i) The control of development, and ii) Practical management and improvement measures. (City & County of Swansea Unitary Development Plan 2008)
Policy R11	Proposals for the provision of renewable energy resources, including ancillary infrastructure and buildings, will be permitted provided: (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,

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Policy R11 (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.

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 & County of Swansea Unitary Development Plan 2008)

Policy EV28 Within locally designated areas the natural heritage will be preserved and enhanced wherever possible. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.

Proposal

2003/1449

Conversion of barn to a dwelling unit for holiday accommodation incorporating rear conservatory and roof extension

Decision: Grant Permission Conditional

Decision Date: 18/06/2004

2006/1222

Erection of gas compressor station comprising one 30 mw electrically driven gas compressor, two 15 mw gas driven compressors and associated housing buildings, a 20 metre vent stack, and ancillary buildings and pipework to connect the compressor station to the national gas transmission system

Decision: Perm Subj to S106 Agree

Decision Date: 05/12/2006

RESPONSE TO CONSULTATION

The application was advertised on site and three neighbouring properties were consulted. FOURTEEN LETTERS OF OBJECTION have been received and a PETITION OF 55 SIGNATURES. It should be noted that letters have been received from Llangyfelach Community Council, Mawr Community Council and the Gower Society. The salient points from letters are summarised below:

1. Concerns regarding the visual impacts of the development on the character of the countryside in the area from the panels and associated development.

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2. Concerns Pen Y Waun Fach cottage and Llettyr Morfil Farm would be surrounded by fields of solar panels and the gas pumping station.
3. Concerns regarding noise and disturbance to local residents and holiday makers during the construction phase.
4. Concerns the area is being turned into an industrial park.
5. Concerns regarding the impacts of the development on the ecology of the area.
6. Concerns regarding the impacts of the development on property values in the area.
7. Concerns regarding the impact of the development on the adjacent holiday cottages in terms of loss of revenue for the owners and the wider impacts on tourism in the area if the development is approved.
8. Concerns regarding the cumulative impacts of the development in combination with the other solar farm developments approved at Abergelli Farm, Cefn Betingau Farm, Brynwhilach Farm and Gelli Wern Farm as well as other infrastructure within the surrounding area.
9. Concerns regarding the rainwater run off that will change the characteristics of the Afan Llan and Afan Lliw.

Other consultation responses:

Highways Observations 30.09.15

Construction of a 4.9 MW solar park (approx. 8.8 hectares) including photovoltaic panels, four inverter stations, centre station, new access tracks, security fencing, security cameras and associated equipment and infrastructure works.

This proposal is for a solar farm on land at Llettyr Morfil Farm U/S-Y878 Felindre Swansea SA5 7LU.

The site is spread over fields located in Felindre, in the community Councils of Llangyfelach and Mawr on a site totalling approximately 10 hectares. The Construction Traffic Management Plan submitted with the application indicates that the construction phase is estimated to last for 14 weeks. Hours of operation will be 0800 to 1800 Monday to Friday and 0800 to 1600 Saturdays.

A construction phase traffic management plan has been submitted and the content is such that it is adequate to enable formal comments on the Planning Application but will need to be upgraded prior to works commencing on site. This can be secured by condition. The indicated route for traffic accessing the site is J46, via the B4489 towards Felindre and finally off the adopted road towards Llettyr Morfil Farm, leading to the three site access points. The access is also used to serve other farms and is already in use by tractors and industrial vehicles. Following completion of the construction phase, traffic movements will be minimal and relate to occasional maintenance visits only.

Traffic movements during this phase for the contractors has not been estimated but given that there will be 50 staff maximum at any one time, and that they are intended to be brought in by minibus then the level of traffic movements is expected to be low. In terms of deliveries there will be an average of 10 daily HGV movements spread over the period. Overall, the total predicted movements are not considered to be of a high volume.

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A temporary car parking area for contractor's vehicles will be made available during the construction phase. The document also makes reference to an appropriate scheme of signage and a condition survey being undertaken to chart and repair if required, any deterioration in the road construction. There will also be wheel washing facilities to ensure that the highway is kept clear of dirt and this can be secured by condition.

Given the limited traffic movements associated with the development I recommend no highway objection, subject to:

1. 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.
2. No development approved by this permission shall take place until details of the methodology for the scope and nature of the dilapidation surveys on the adopted highway have been submitted to and approved in writing by the Local Planning Authority. The dilapidation surveys shall be undertaken in accordance with the approved details and the results together with any remediation works proposed shall be submitted to and approved in writing by the Local Planning Authority within two months of completion of the dilapidation surveys. Any remediation works shall be undertaken in accordance with the approved details within 6 months of the date of approval of such details.
3. Wheel washing facilities in accordance with details to be submitted for approval shall be available at all times to ensure that the highway is kept clear of dirt and debris.

Natural Resources Wales (NRW) 13.08.15

We would not object 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, indicates the site to be outside the current flood zones. The proposal would be classed as a less vulnerable development according to TAN15.

A Flood Consequences Assessment (FCA) has been prepared in support of the application and is entitled; 'Proposed Development of Solar Photovoltaic Panels and Associated Works at Llety Morfil, Near Swansea, Wales (Ref. J-5428-CFM)', dated July 2015 by H2OK.

The document also details how surface water will be managed on the site. We note that it is proposed to install bund, swale and scrape features running parallel to site contours to manage surface water runoff. In addition, the solar panels will have 20mm gaps between the modules to allow rainwater to fall beneath the panels and infiltrate into the ground.

We would be in favour of this SUDs approach as such techniques are advocated in Section 8 of TAN15. Ultimately the drainage system design is a matter for the local authority engineers; however we would advise that 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.

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Pollution Prevention

As best practice, we would advise the developer to produce a site specific construction management / pollution prevention plan. We advise that this plan should pay particular attention to the prevention of erosion and silt pollution. Any discharge of sediment contaminated water into the environment is an offence under the Environmental Permitting regulations and may result in enforcement action.

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 hotline 0800 807 060.

Ecology and Protected Species

We welcome the submission of the document entitled; 'Extended Phase 1 Habitat Survey: Land at Lletty Morfil Farm, Felindre, Swansea – Proposed Solar Park (Ref: PW/3781/15)', dated June 2015, by Reports 4 Planning.

The report states that the majority of fields at the site are classified as improved pasture, with the exception of a single field to the north which lies within the Waun Garn Wen SINC, which is regarded as being semi-improved in nature.

We draw your Authority's attention to Section 4 of the report, which mentions that a Landscape and Ecological Management Plan for the proposed development has also been produced. However, this document does not appear to have been submitted with the application.

Therefore, we advise that the recommendation laid down in Section 4, along with any further proposals made in the 'Landscape and Ecological Management Plan' are agreed with your Authority's Planning Ecologist in order to confirm that the proposals are appropriate and acceptable. We suggest that these are delivered via an enforceable condition, should your Authority be minded to grant planning permission.

Japanese Knotweed

Information provided in the Extended Phase 1 Habitat Survey; states that areas of Japanese knotweed are located on the site. If this invasive plant species is indeed present, then appropriate measures must be implemented for the 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.

Condition: Prior to the commencement of development, a detailed method statement for the removal or long-term management / eradication of Japanese knotweed on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of Japanese knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

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

Landscape

Having reviewed the information provided by the applicant, we would highlight to your Authority that our comments with regards to landscape only relate to potential impacts on the Gower AONB and Brecon Beacons National Park.

The proposed development lies approximately 10km from the boundary of the Gower AONB and some 12km or more from the National Park. The undulating landform and distances involved mean that the proposal would not be visible from either of the designated landscapes or have any effect on them.

There are a number of other large solar farms close to the proposal. The LVIA (Section 6.3.18) states that solar parks to the north west of the proposal fragment the landscape and rural continuity. This is illustrated in the viewpoint photograph from Mynydd Gelliwastad to the east.

However, the LVIA, appears to be incomplete as far as the cumulative assessment and conclusions are concerned. Therefore, we advise that your Authority will need to consider the effects of the scheme on the local landscape, particularly with regards to cumulative effects.

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We do not consider that the proposal would have any adverse landscape and visual effects on the Brecon Beacons National Park or Gower AONB.

To conclude, we would not object to the above, providing that appropriately worded conditions are attached to any planning permission your Authority is minded to grant.

Glamorgan Gwent Archaeological Trust 24.08.15

The supporting information includes an archaeological desk-based assessment; undertaken by AC Archaeology (report ref: ACD1160/1/1, July 2015) the report meets current professional standards. It has taken into account the nature of known sites within a study area and the likelihood of further remains within the development area, also the impact visually on heritage receptors within the study area. Whilst no archaeological features were recorded within the site boundary, this form of assessment ensures that all information is gathered to allow an informed response to be made regarding the nature of any archaeological resource. The assessment concludes that it is likely that the area has been under agricultural use since it was first mapped. The visual impact was not considered to be adverse due to topography.

It is our opinion that the work undertaken thus far provides suitable mitigation for the development; further archaeological work would not be necessary, and it is unlikely, given the evidence, that features of significance would be encountered during the development work.

Planning Ecologist 2.09.15

The site has been surveyed for its ecological interest. Some features of value were identified although generally the site is of low value. The fields consist largely of unimproved grassland which is of poor ecological value. The PV panels are to go within the grassland areas, impact will therefore be low. The main features of ecological value are the hedges and hedgerow trees on the site, these are to be retained and enhanced as part of the development. Overall the ecological value of the site is likely to be improved. No further survey work is required. Recommend a bird informative.

Drainage and Coastal Management 29.07.15

We have reviewed the submitted application and recommend that the standard surface water condition be appended to any permission given.

Health and Safety Executive 28.07.15

HSE does not advise, on safety grounds, against the granting of planning permission in this case.

Pollution Control Comments 3.09.15

I have been through the relevant info on the portal and have no objection to make regarding the application.

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NRW has commented regarding concerns during the construction phase and as long as the operating hours, stipulated within the Acoustic Consultancy Report are adhered to (Mon-Fri 08:00 – 18:00 Sat 08:00 – 13:00) then there are no grounds for objection. The noise levels provided are on the boundary of the guidance levels set out within BS5228-1 however not all piling will take place within the distances used to calculate sound levels at the two receptor locations and so the noise levels stated will not occur over the whole two week period.

Can you ask whether any reports have been produced with regard to vibration effects due to piling and the nearest receptors?

Pollution Control Comments 30.09.15

I am satisfied with their comments (in relation to the additional vibration report).

Landscape Section

No response received to date.

Countryside and Rights of Way 14.09.15

What are their current plans with regards to the footpaths LC35 and LC34?

Whatever happens they should apply for a temporary closure on both paths whilst any works are undertaken.

Under section 106, can we get them to complete works on footpath LC34 to open it up for public use? This would involve clearance, installation of metal, stock proof, self closing kissing gates at the necessary points, where it is obstructed along the length of the footpath. This would have to be surveyed to ascertain the number of kissing gates that would be required along its whole length? I have the specifications for the gates the Countryside Access Team uses. Can it also be ensured that the definitive line of the public right of way is not obstructed by the solar array. An officer can meet on site with contractors should it be necessary. The width of the path should be concurrent with the Countryside Access Team's policy of 2 metres wide if the path is to be unenclosed, or, 3 metres wide if the path is to be enclosed, (fenced off). Alternatively, there is the option of diverting the footpath to a more favourable route for all involved.

Western Power Distribution

No response received to date.

Wales and West Utilities

No response received to date.

APPRAISAL

This application seeks full planning permission for the construction of a 4.9 MW solar park on land at Llettyr Morfil Farm, Felindre. The solar park would comprise approximately 18,350 individual solar panels, over a site area of approximately 8.8 hectares.

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The ancillary infrastructure would include four inverter stations, a centre station, new access tracks to the inverter and centre stations, security fencing, security cameras and associated equipment and infrastructure works.

The plans have been amended to take into consideration the line of the public right of way in the southern part of the site. Several rows of solar panels in field 5 have been deleted from the scheme, which would have been sited adjacent to the access and grounds of Llettyr Morfil Farm. The application has been considered on the basis of the revised plans.

Site Location and Use

The site is located approximately 1.8km north of junction 46 of the M4, broadly equidistant between the M4 and Felindre to the north. The site consists of 9 agricultural fields forming an irregular shaped site. Within the surroundings of the application site are the dwellings at Pen y Waun Fach and Llettyr Morfil Farm, which includes holiday accommodation. Immediately to the east of the site is the gas compressor and electricity substation, to the south is the Waun Ffrydd plantation. To the north are agricultural fields. The site is bisected by an access road and public right of way which extends from the B4489 to Abergelli Farm to the east. The site is currently used as pasture land and horse paddocks. There are several pylons and associated high voltage cables crossing the site and a high pressure gas main passing under the site. The fields are defined by mature hedges and areas of woodland on the southern and part of the western perimeter.

The application site does not lie within any areas that have statutory or non-statutory designations for nature conservation or landscape interests. There are a number of Sites of Interest for Nature Conservation (SINC) bordering and within the site including a small part of the northern portion of the site. The woodland areas bordering the southern boundaries of Fields 3, 4, 5, part of 6, 7, 8, 9, the western boundary of 7 and the northern boundary of 1 are part of the Llettyr Morfil SINC, which contains Native Wet Woodland and Purple Moor Grass and Rush Pasture habitats; the latter being nationally scarce. Field 2 lies within the periphery of the Waun Garn Wen SINC's which contains Purple Moor Grass and Rush Pasture (rhos pasture) and areas of Native Wet Woodland.

Screening Opinion

Prior to the submission of the planning application the Local Planning Authority (LPA) was approached for a Screening Opinion under the provisions of the Town and Country Planning (Environmental Impact Assessment (EIA)) (England and Wales) (Amendment) Regulations 1999. The LPA determined that an EIA was not required for the proposal.

Supporting Documents

The application has been accompanied by the following supporting documents:

- Construction Traffic Management Plan
- Flood Consequences Assessment
- Extended Phase I Habitat Survey
- Historic Environment Assessment
- Tree Survey, Constraints & Feasibility Study and Arboricultural Impact Assessment
- Landscape and Visual Impact Statement

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- Photovoltaics and Reflection Report
- Design, Accessibility and Planning Appraisal
- Analysis of Construction Noise to Properties
- Design and Access Statement

MAIN ISSUES

The main issues for consideration are the impacts of the proposed solar park on the character and appearance of the area, the impacts upon residential amenity, highway safety, ecology and habitats.

The following City and County of Swansea Unitary Development Plan (UDP) Policies are material to the consideration of this proposal: EV1, EV2, EV3, EV21, EV22, EV28 and R11.

In terms of national guidance, national planning policy on renewable energy developments is set out in Planning Policy Wales, Edition 7 (PPW) and the associated Technical Advice Note (TAN) 8: Renewable Energy. They reflect the UK target of producing 15% of energy from renewables by 2020. Paragraph 2.13 of TAN8 recognises that there is balance to be struck between the desirability of renewable energy and landscape protection.

Policy SP11 of the adopted UDP is supportive of the generation of energy from renewable resources provided that environmental impact is kept to a minimum. Policies EV1 and EV2 are general policies. The former sets out a series of development management criteria for securing good design which includes seeking to avoid significant adverse impact on prominent buildings, landscapes and open spaces and avoiding conspicuous locations. The latter establishes a preference for previously developed land and identifies criteria for ensuring that new development has regard to the physical character and topography of the site and surroundings. EV3 requires all developments to have satisfactory access and parking provision. Policy EV21 sets out the circumstances where non-residential will be permitted in the countryside and includes reference to renewable energy generation. Policy EV22 is the countryside general policy which seeks to conserve and enhance the countryside through the control of development and appropriate management. The site would include sites of interest for nature conservation (SINCS), EV28 is therefore relevant and requires that within such areas natural heritage will be preserved and enhanced wherever possible. Policy R11 is specific to renewable energy and is permissive of such development provided 7 criteria are met, including that the benefits of the scheme in meeting local and national energy targets outweigh any adverse impacts, and that the scheme and any cumulative impacts can be satisfactorily incorporated into the environment and would not significantly adversely affect the visual amenity, local environment or recreational/tourist use of the area.

Solar energy is an established form of renewable power and in terms of its efficiency, 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. In relation to the proposed development, the applicant has stated the development would provide a clean electricity supply for almost 1200 households. This contribution to renewable energy targets has to be assessed and balanced against any detrimental impacts arising from the scheme, having regard to the above national and local planning policies.

Visual Amenity

The proposed solar park consists of approximately 18,350 solar panels, with associated infrastructure, mounted on pile driven steel frames called modules which range in height between 2.3m – 2.7m depending on the angle of slope at the site. The panels would be angled at 20° and would be arranged in a series of modules running east-west across the site. The panels would be some 0.8m off the ground.

Four inverter stations are proposed spread around the site measuring approximately 6.90m x 2.50m x 2.90m high. A centre station would be located close to the south western boundary which would comprise of the following components: A transformer (2.85m high x 1.5m x 1.5m), a switch gear (2.85m high x 4.13m x 2.5m) and a pitched roof DNO cabinet with an overall size of (4.88m high x 6.68m x 5.33m).

Security fencing would comprise of 2.10m deer type stock proof fencing with wooden poles at 6m spacing's.

34 CCTV cameras would be located around the boundary of the site. These are positioned to look inwards into the site. The overall height of the CCTV cameras is between 2.7m and 3.0m depending on the topography.

The layout of the modules has been influenced by the need to maintain adequate distances to existing features in the landscape including, hedgerows, trees, pylons and dwellings as well as a 12m buffer zone around the underground high pressure gas pipeline. All existing trees and hedgerows are proposed to be retained and reinforced as necessary and would be allowed to increase in height to provide greater screening. New hedgerows are proposed in various locations to define and provide additional screening to the development.

Access to the site would be derived from the existing track and public right of way that bisects the site. Access to the fields is via existing gates and internal access tracks would be formed and surfaced in loose aggregates laid 3.5m wide that will be allowed to naturally grass over. The longest internal access road would measure approximately 120m in length the remaining access roads are less than 55m.

The solar park would have an operational lifespan of some 25 years. At the end of this time all solar panels, framework, fencing and buildings would be decommissioned, dismantled and removed from the site.

Landscape Character

The application is accompanied by a Landscape and Visual Impact Assessment (LVIA) which deals with the landscape and visual effects of the proposal. This assessment has been informed by a 5km study area and identifies the site within two National Landscape Character Areas and several Landmap Aspect Areas.

The site is located within an undulating landscape. The north of the area is defined by the Mawr Uplands which form a distinctive open and expansive remote landscape, much of which is open commons. There are large wooded areas at Penllergaer Forest west of the site with other woodlands situated mainly within river valleys, however, there is a cluster of woodland blocks around the site.

A park and ride site is located 1km south of the site which lies just north of the former Felindre Tinplate works which is scheduled for employment use in the UDP and mixed use major development area in the emerging LDP. A large electricity substation and gas compressor abuts the south-east of the site with a further substation located 1km to the south, resulting in an extensive network of high voltage overhead cables and tall pylons within the area, which cross the site.

There are a number of solar parks which have been constructed to the north east of the site at Abergelli Farm and Cefn Betingau Farm. A further solar park has been constructed to the north west at Gelliwern Isaf. Planning permission has also been granted for a solar park located to the south of the site at Brynwhilach which will cover an area of some 28ha. Finally, a planning application for a solar farm at Gwenlais Uchaf some 2.5km to the north west of the site has been refused and is currently the subject of an appeal to the Planning Inspectorate.

When set within the surrounding landscape context described above, which is considered to be on the rural-urban fringe, it is considered that the siting of the development within an area that is discretely sited and screened from many wider views by landforms, woodlands and hedgerows, the proposed development would not have a significant adverse landscape impact. The LVIA concludes that there would be very limited effects on the wider landscape of the more extensive areas covered by the LANDMAP Aspect Areas or the National Landscape Character Areas. The greatest impacts, it considers, would be during the construction phase when there would be more vehicle movements and works taking place on site. The greatest effects are considered to be at the local level and are not considered to have a significant adverse impact on the wider landscape. The wider landscape impacts of the existing man made features within the environs of the site, including the gas compressor and substation with the associated pylons, together with the existing solar parks and Felindre business park, provides the rural-urban context within which the development would be viewed and when set against this context, it is considered that the development would not have a significant adverse impact on the wider landscape.

Visual Impacts

The assessment of the visual impacts of the development is informed by a series of viewpoints taken both within and around the site and wider area to inform an assessment of the visual impact of the development from close and more distant views.

From wider distant views the potential visibility has been assessed from representative viewpoints at distances of between 1km and greater than 4km. These viewpoints demonstrate that the site would be visible from the Mawr Uplands and the upland areas of Morryston. From these areas the site would be mainly screened by the woodland blocks surrounding the site, which would significantly limit the visual impact of the development. Viewpoint 8 from Mynydd Gelliwastad common to the east illustrates how the site would be partially screened by existing vegetation and seen in context with the adjacent electricity substation at a distance of some 2.4km. The visibility of the site would be viewed in the context of the existing large structures in the vicinity including the pylons and substations. According to the LVIA the strongest impact from these more distant viewpoints would be a small minor effect.

At these distances, and with the existing woodland blocks and hedges providing an effective screen to the development, it is considered that the proposed development would not have a significant visual impact on the character or appearance of this area.

The closer viewpoints from the access road and public right of way which divides the site highlights that the development would be visible to users of the road and public footpath. The closest structure to the road/path would be a row of solar panels in field 4 at a distance of some 12m. Views would, however, be filtered by the existing mature hedgerows and trees. There are a number of gaps in the existing hedgerow along this section of the road/footpath including access gates and one large section where Japanese knotweed is being treated adjacent to field 1 and a smaller section adjacent to field 5. It is proposed to provide infill planting and reinforcement of these hedges together with some 700m of new hedge planting to provide additional screening and improve bio-diversity within and around the site. Furthermore, the existing hedgerows would be allowed to increase in height to some 2.5m which will provide effective screening. With these mitigation measures it is not considered that the development would have a significant visual impact when viewed from the road/footpath. Any views of the development in the area would be seen in context with the large pylons and overhead cables that cross the site which are prominent and detracting features in this local landscape. The maintenance and reinforcement of the existing hedges would ensure that the predominantly rural character of the lane would not be significantly compromised by the proposed development. Parts of the development would be visible from the road, particularly in the winter when the screening function of trees and hedges is diminished, however, even during these periods of the year the distance of the panels from the road and the filtered views through the existing vegetation would mitigate any significant visual impacts.

There is a public right of way which cuts through field 9 in the southern portion of the site. The route of this public footpath is currently not accessible. There is no evidence on the ground of an access point within the southern boundary hedge which is dense and well developed. Furthermore, there is no access from the field in the northern boundary where the route of the footpath is defined as crossing in front of the neighbouring dwelling, Pen y Waun Fach. Notwithstanding this, the layout of the panels has been amended during the course of the planning application to take account of the alignment of the footpath. In order to screen views of the panels to the east of the path a new hedge is proposed to be planted, which should provide sufficient visual mitigation to users of this path, should it be made accessible in the future.

There are two residential properties at Pen Y Waun Fach to the west of the site and Llettyr Morfil Farm with its associated holiday accommodation to the east.

The dwellings at Pen Y Waun are orientated with their front elevations facing south towards the most southern portion of the development. There is existing screening between the dwellings and the northern edge of field 8 in the form of mature trees that would provide some screening to the site, but at ground level effective screening is lacking. To address this, it is proposed to plant a new hedgerow along the northern boundary of field 8 and part of field 7. This mitigation, together with a minimum separation distance of some 50m to the nearest panels, would ensure that there would be no significant adverse visual impacts from these properties. The siting of the panels has been drawn away from the eastern boundary of these properties by some 70m.

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Views of the development from the rear amenity area of these properties would be adequately mitigated by the existing hedgerow along this boundary and the planting of a new hedge to provide screening and to delineate the site.

The southern boundary of Llettyr Morfil Farm is defined by mature trees and hedge that would provide good screening from this property to the nearest panels in fields 5 and 6 (some 18m from the southern boundary). The closest panels would potentially be visible through the existing trees and hedges from the rear aspect of this dwelling, but would not be so incongruous, when viewed in context with the tall pylons near the southern boundary of field 6, that the development would result in significant harm to the outlook of the occupiers of this property. To the west the panels in field 2 would be sited some 190m from the property and the provision of a new hedge along the eastern edge of field 2 would provide additional screening and define the site. The existing and proposed screening together with the separation distances to this property would mitigate any significant visual impacts to the occupiers of this property, which includes holiday accommodation.

In summary, therefore, subject to the mitigation identified above, it is not considered the proposed development would result in any significant visual impacts or significant loss of outlook when viewed from these properties. It is acknowledged that it would take several years for the mitigation planting to mature, however, in the interim period it is not considered that the visual impact would be so significant, taking into account the existing screening, separation distances to the development, and the orientation of the properties, that planning permission should be withheld for this reason alone.

In terms of the potential cumulative landscape and visual impacts there are four solar parks (Abergelli Farm, Cefn Betingau Farm, Phases 1 & 2 and Gelli Wern) which have been developed and a further development, Brynwhilach, to the south of the site, which has been granted planning permission but has not yet been constructed.

The existing and proposed solar parks are constructed within close proximity of each other, with the closest to the site being the largest development to be granted planning permission at Brynwhilach. Despite its proximity there would be no intervisibility between the site and the other solar parks due to the enclosed wooded setting of the site. The development would contribute to the incremental change in the local landscape, however, within the wider landscape the enclosed setting of the development and its character on the fringes of the rural area would mean that there would be no significant cumulative landscape impacts in combination with other solar park developments.

The cumulative visual effects of the development have been considered thoroughly from several viewpoints. Where the development would be visible from wider views from the Mawr uplands and the upper parts of Morryston, the distance to the proposed solar park and the enclosed wooded nature of the site would mean that the visibility of the site would be minimal when viewed in combination with other solar park developments in the vicinity. Locally the cumulative impacts may arise for walkers using footpaths that cross through the proposed and existing solar parks, however, the relatively short duration of these impacts and the mitigation planting proposed would ensure that such cumulative impacts would not be significant.

Having regard to the foregoing paragraphs, the wider landscape and visual impacts of the development are not considered to be significant, even in combination with existing and approved developments in the area, principally due to the enclosed nature of the site and its location sited within a wider setting influenced by its proximity to existing infrastructure on the rural urban fringe. At a more local level, the character of the area when viewed from the access road and dwellings has already been strongly influenced by the pylons and cables crossing the area. Notwithstanding this the area retains a rural character derived from the openness of views and the surrounding hedgerows and trees. For the reasons given above, it is not considered the proposed development would result in any significant adverse impacts to the character or appearance of this area. In visual terms therefore, the proposed development is considered to be acceptable.

Impact Upon Heritage Assets

There are 9 Scheduled Monuments within the assessment area. These are all located 1km or greater from the site and all but 2 lie outside the zone of theoretical visibility (ZTV) for the development. These include Llangyfelach Cross Base which is located within the churchyard of the Church of St. David and St. Cyfelach and a Round Barrow at Mynydd Pysgodlin 4km to the north. Due to the distances involved, the intervening landforms and screening around the site, it is considered there would be no significant impact upon these heritage assets.

There are three Registered Historic Parks and Gardens in the assessment area. These lie outside the ZTV for the development, except for a wooded fringe of Penllergaer (Grade II). However there is not considered to be any intervisibility with this site due to the intervening woodlands.

In terms of listed buildings there are 6 listed buildings within the 2km study area, however, they either lie outside the ZTV or where within, as is the case of the Church of St. David and St. Cyfelach, which are both Grade II* Listed, there would not be a significant visual effect upon the settings of these buildings given the separation distance of some 2km, intervening landforms and screening.

Morrison Conservation Area is located within the assessment area, but lies outside the ZTV, as such it is accepted that there would be no significant visual impacts upon the setting of the conservation area.

Residential Amenity

Turning now to residential amenity, the closest residential properties to the project are the dwellings at Pen Y Waun Fach and Llettyr Morfil Farm, as described above. The separation distances to these properties together with the low profile of the development would mitigate any significant physical overbearing impacts to the occupiers of these properties.

In terms of the potential for glint and glare, particularly from private amenity areas of properties in the wider surrounding area, the applicant has submitted a report which states that solar panels have less reflected energy than standard glass and in terms of reflected energy is similar to smooth water. On the basis of this evidence, it is considered the development would not result in any adversely unacceptable glint or glare impacts that would justify a refusal for this reason.

In terms of noise and disturbance during construction, it is acknowledged that there would be some impacts to nearby residents in this respect, particularly from delivery and site works, given that the construction period is anticipated to be 14 weeks. The impacts from these activities can be mitigated by good site management practices and adherence to the specified hours of operation between 08:00 to 18:00hrs Monday to Friday and 08:00 to 13:00hrs on Saturday with no Sunday working. The Council's Pollution Control Division has considered the applicant's noise report which assesses the potential noise and vibration impacts of the development, and are satisfied that, based on this information, the development would not result in any significant impacts upon the living conditions of neighbouring occupiers during the construction phase.

Access and Highway Safety

The application has been accompanied by a construction phase traffic management plan which explains the route for traffic accessing the site is J46, via the B4489 towards Felindre and finally off the adopted road towards Llettyr Morfil Farm, leading to the three site access points. The access is also used to serve other farms and is already in use by tractors and industrial vehicles. Following completion of the construction phase, traffic movements would be minimal and relate to occasional maintenance visits only.

Traffic movements during this phase for the contractors has not been estimated but given that there would be 50 staff maximum at any one time, and that they are intended to be brought in by minibus then the level of traffic movements is expected to be low. In terms of deliveries there would be an average of 10 daily HGV movements spread over the period. Overall, the total predicted movements are not considered to be of a high volume.

A temporary car parking area for contractor's vehicles would be made available during the construction phase. The document also makes reference to an appropriate scheme of signage and a condition survey being undertaken to chart and repair, if required, any deterioration in the road construction. There would also be wheel washing facilities to ensure that the highway is kept clear of dirt and this can be secured by condition.

In view of the limited traffic movements associated with the development the Highways officer is satisfied that the proposed development would not result in any significant traffic or highway safety impacts subject to the submission of further information in relation to road dilapidation surveys and wheel washing facilities. Whilst Highways have requested the submission of a construction traffic management plan, it is considered this matter would be more appropriately dealt with by an informative note.

Other Issues

Drainage

Concerns have been raised in a letter of objection regarding the potential impact of the development on surface water runoff. The application has been accompanied by a Flood Consequences Assessment which includes outline details of the methods of dealing with surface water from the development i.e. through infiltration based methods including the installation of bund, swale and scrape features across the site. The Council's drainage engineer has offered no objection to the development subject to a condition requiring the submission of details of the surface water management scheme.

This is considered to be reasonable and necessary in order to ensure no detriment to the environment and adjacent properties. Subject to this condition it is not considered the development would have an unacceptable impact in terms of surface water runoff.

Ecology

Concerns have been raised in letters of objection regarding the impact of the development on the ecology of the area. The application has been accompanied by an ecological survey which has been considered by the Council's planning ecologist. The majority of fields at the site are classified as improved pasture, with the exception of a single field to the north which lies within the Waun Garn Wen SINC, which is regarded as being semi-improved in nature. The site is generally of low ecological value, the main features of value are the hedgerows and hedgerow trees. No trees are proposed to be removed and the hedgerows are proposed to be reinforced and allowed to increase in height. Some 700m of new hedges would also be planted. Parts of the site are infested with Japanese knotweed as such the management of this invasive plant can be addressed by a condition. It is recommended that the residual ecological impacts and landscaping management issues can be addressed by a condition requiring the submission of a Landscape and Ecological Management Plan and an informative regarding the timings of the bird nesting season. Subject to these requirements it is considered that the development has the potential to enhance the biodiversity of the local area. There have been no objections from NRW nor the Council's planning ecologist to the proposed development and as such the development is considered to be acceptable in terms of its impacts on the ecology of the area.

Archaeology

The application has been supported by an archaeological desk-based assessment which concludes that it is likely that the area has been under agricultural use since it was first mapped. The Council's adviser on these matters Glamorgan Gwent Archaeological Trust has considered the report and is satisfied that the work undertaken thus far provides suitable mitigation for the development. As such no further work is necessary.

Rights of Way

The rights of way officer has noted that there are two public rights of way that may potentially be affected by the development. The first is the road/footpath which bi-sects the site, the second cuts through field 9. The rights of way officer has further advised that a temporary closure may be required on both paths whilst works are undertaken. The applicant has been advised of this requirement.

The rights of way officer has asked whether works can be undertaken along an extended section of the footpath which lies outside of the application site. Whilst this would improve countryside access in this area, this land is not within the applicant's control as such these works cannot be required by condition nor a Section 106 agreement, which would require the agreement of the land owner. The layout of the development has taken account of the public right of way which runs through field 9, despite the fact that there is no access point along this path, as such the development is considered to have given full regard to the public rights of way within the site and a Section 106 contribution is not required to make the proposals acceptable in planning terms.

Existing Infrastructure

The site is crossed by electricity pylons and a high pressure gas pipeline. The development includes protection areas/buffer zones with this infrastructure and the respective operators have been consulted on the proposals. No responses have been received, however, in respect of the gas pipeline the HSE would not advise, on safety grounds, against the granting of planning permission, as such the proximity of the development to the existing infrastructure crossing the site is not considered to raise any material planning concerns.

Tourism Impacts

Concerns have been raised in letters of objection regarding the negative impacts of the development on tourism within the local area, in particular the holiday accommodation at Llettyr Morfil Farm.

It is considered that the majority of holiday makers, before committing to a holiday would wish to research their destination and the wider surrounding to ensure the area meets their requirements. It is considered there are already a number of urbanising features, discussed above, within the local area. Indeed the short route to the site from the M4 includes views of the substations, pylons and the Felindre business park. When set against this context and in view of the relatively limited visual impact of the development, discussed above, it is not considered that the development would result in a significantly adverse impact on the recreational or tourist use in the area. It is also noted in relation to wind farms a Welsh Government commissioned study found that there is little evidence of the negative effects on tourism from such developments which adds weight to the view the development would accord with the provisions of Policy R11, which amongst other things seeks to ensure that renewable energy projects do not significantly adversely impact on recreation and tourism.

Property Values

Concerns have been raised in letters of objection regarding the impact of the development on property values in the area. For the reasons discussed above, the development is considered to be acceptable in terms of its impacts on both visual amenity and residential amenity as such little weight is given to concerns that the development would impact on property values.

Other Relevant Local Appeal Decisions

There have been two appeal decisions this year for solar parks within the authority's boundaries, both of which have been dismissed. The first at Webbsfield, Ilston (Planning Ref: 2014/0876) lies within the Gower AONB where the planning inspector, in reaching his decision on the 1MW development, was mindful of the statutory duty to in relation to the protection of the AONB and found the development would be significantly harmful in visual and landscape terms, which is of national importance given its statutory designation. The Inspector did note that the amount of renewable energy that would be generated by the scheme would equate to the needs of 300 households...and contrary to the views of objectors, considered that it was a significant contribution.

Clearly the current application site is not located within AONB and therefore in assessing the current proposal the authority is not bound by this statutory duty. Instead the policy test outlined in Policy R11 is whether the development would have a significant adverse effect. For the reasons outlined above it is not considered the development would conflict with the criteria of R11.

The most recent decision relates to a proposed 3.6MW development at land at Pencefnarda Uchaf Farm, Gorseinon (Planning Ref: 2014/0761). The appeal was dismissed on the grounds that the development would be in-appropriate within a green wedge, the inspector considered the proposed development would appear as modern industrial engineered structures that would be in contrast to the rural landscape surrounding it. He found the development would detract from and unacceptably harm the open character and appearance of the area. Moreover, the inspector found that the development would result in a significant level of harm to the outlook of occupiers of properties near to the site on Pencefnarda Road.

The development proposed is not within a green wedge as such this aspect of the Pencefnarda Farm decision is not relevant to the consideration of this application. The inspector's comments in relation to the impact on the character and appearance of the area are relevant. Clearly, the provision of solar panels and their associated infrastructure within the countryside will result in some local and potentially wider visual and landscape impacts. Whilst this is acknowledged, a balance must be struck between supporting renewable energy proposals and avoiding significant impacts to the environment. Paragraph 2.13 of TAN8 recognises that there is balance to be struck between the desirability of renewable energy and landscape protection. In terms of visual and landscape impacts, for the above reasons, the proposed development would not, it is considered, result in any significant harmful impacts to the character and appearance of the countryside in this area. In terms of residential amenity impacts, the distance to the development from the nearest properties together with the existing screening, which would be supplemented, would ensure that, unlike the Pencefnarda Farm development, the current proposals would not, it is considered, result in any material loss of outlook to neighbouring occupiers.

In light of the above, whilst some of the normal planning matters raised in these appeal decisions are relevant to the consideration of this application, due to the specific circumstances pertinent to this site, they do not provide directly relevant comparisons. Moreover, it is well established that planning applications will be considered on their own individual merits.

Conclusion

There have been a number of solar parks approved in the areas surrounding the application site due to the favourable site conditions and the availability of existing infrastructure in the area. This proposal represents a further solar park development that would contribute to UK headline target of 15% of energy from renewables by 2020.

The contribution the development would make to meet these targets would be small in national terms and the Welsh Government has confirmed that the efficiency of solar park developments in Wales is some 10%.

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Nonetheless, the contribution of this development and others within the City and County of Swansea would provide a measurable local contribution to achieving this UK target and significant weight should be afforded to the development in this respect, as the Inspector stated in the Ilston appeal decision.

The application has been supported by a LVIA which has assessed the development from a series of viewpoints both within and surrounding the development, including distant views to assess the landscape impact of the development. Having regard to this information and the other supporting plans and documents it is considered that the proposed development would not have a significant adverse landscape or visual impact, subject to the mitigation measures proposed. There is sufficient distance and screening to neighbouring properties to ensure there would be no significant impacts upon the living conditions of neighbouring occupiers, although it is acknowledged there will be some temporary disturbance to neighbours during the construction phase. In terms of ecology, drainage and highway safety the development is considered to be acceptable subject to conditions and informatives. In the absence of any significant harm arising from the proposed scheme, the development is considered to be acceptable and would accord with the provisions of Policies EV1, EV2, EV3, EV21, EV28 and R11 of the City and County of Swansea Unitary Development Plan 2008. Approval is therefore 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 planning permission is for a period from the date of this permission until the date occurring 25 years after the date of commissioning of the development. Written confirmation of the date of commissioning of the development shall be provided to the Local Planning Authority no later than 1 calendar month after that event.
(Commissioning is defined as the point at which the solar farm is put into active service or becomes active, or is in use or useable condition)
Reason: To ensure that the landscape impact of the development exists only for the lifetime of the development.
- 3 The development shall be carried out in accordance with the following approved plans and documents: 15141.01 - Site location plan, P14-EK01 - Inverter Station, P14-EK 04 - Centre Station, P14-EK05 - Security Details, P14-EK06 - Camera Details, P14-EK07 - Access and Maintenance Roads, received 22nd July 2015. KS100-EM-01 D - PV Layout 1/2, KS100-EM-01 D - PV Layout 2/2, received 23rd October 2015.
Reason: To define the extent of the permission granted.

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4 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.

5 Prior to works commencing on site a method statement shall be implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority detailing the provision of suitable facilities on site to ensure vehicles leaving the site do not deposit mud or debris on the adjacent highway.

Reason: In the interest of highway safety.

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

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

7 No development approved by this permission shall take place until a Landscape and Ecological Management Plan (LEMP) detailing strategies for ecological mitigation, compensation and enhancement as outlined in Section 4 of the 'Extended Phase 1 Habitat Survey: Land at Lletty Morfil Farm, Felindre, Swansea - Proposed Solar Park (Ref: PW/3781/15)' has been submitted to and approved in writing by the local planning authority. The LEMP shall also include details of new tree and hedgerow planting, along with the reinforcement of existing hedgerows as identified on the Drawing No. KS100-EM-01 D. The scheme as approved shall be implemented and managed in accordance with the approved details and shall be retained at all times as approved.

Reason: In the interests of biodiversity and visual amenity.

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- 8 No development approved by this permission shall be commenced until a construction pollution 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 (see informative note 5 for details).

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

- 9 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 in accordance with the approved details prior to the commencement of work on site.

Reason: In the interests of the ecology and amenity of the area.

- 10 Prior to the commencement of development, details of the external colour and facing materials for the buildings hereby approved shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out and maintained in accordance with the approved details.

Reason: In the interests of visual amenity.

- 11 No development approved by this permission shall take place until details of the methodology for the scope and nature of dilapidation surveys stretching from the public highway to include the site access road and public right of way have been submitted to and approved in writing by the Local Planning Authority.

The dilapidation surveys shall be undertaken in accordance with the approved details and the results together with any remediation works proposed shall be submitted to and approved in writing by the Local Planning Authority within two months of completion of the dilapidation surveys. Any remediation works shall be undertaken in accordance with the approved details within 6 months of the date of approval of such details.

Reason: In the interests of highway safety.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: (EV1, EV2, EV3, EV21, EV22, EV28 and R11)

- 2 **STANDING ADVICE - DEVELOPMENT LOW RISK AREA**

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. It should also be noted that this site may lie in an area where a current licence exists for underground coal mining.

Further information is also available on The Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Property specific summary information on past, current and future coal mining activity can be obtained from: www.groundstability.com

This Standing Advice is valid from 1st January 2015 until 31st December 2016

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- 3 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 is in use or being built
 - Take or destroy an egg of any wild bird
- You are advised that any clearance of trees, shrubs, scrub (including gorse and bramble) or empty buildings should not be undertaken during the bird nesting season, 1st March - 31st August and that such action may result in an offence being committed.
- 4 Prior to any works commencing on site you are advised to contact the Councils Rights of Way officer to apply for a temporary closure on both paths affected by the development whilst works are undertaken.
- 5 As a minimum we would recommend that the construction pollution management 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).
- 6 You are advised that Highways Management require no development approved by this permission shall take place until details of the methodology for the scope and nature of the dilapidation surveys on the adopted highway have been submitted to Highways Management.
- 7 Highways Management require 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.
- 8 The dilapidation surveys shall be undertaken in accordance with the approved details and the results together with any remediation works proposed shall be submitted to and approved by Highways Management within two months of completion of the dilapidation surveys. Any remediation works shall be undertaken in accordance with the approved details within 6 months of the date of approval of such details.
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ITEM 9

APPLICATION NO.

2015/1611

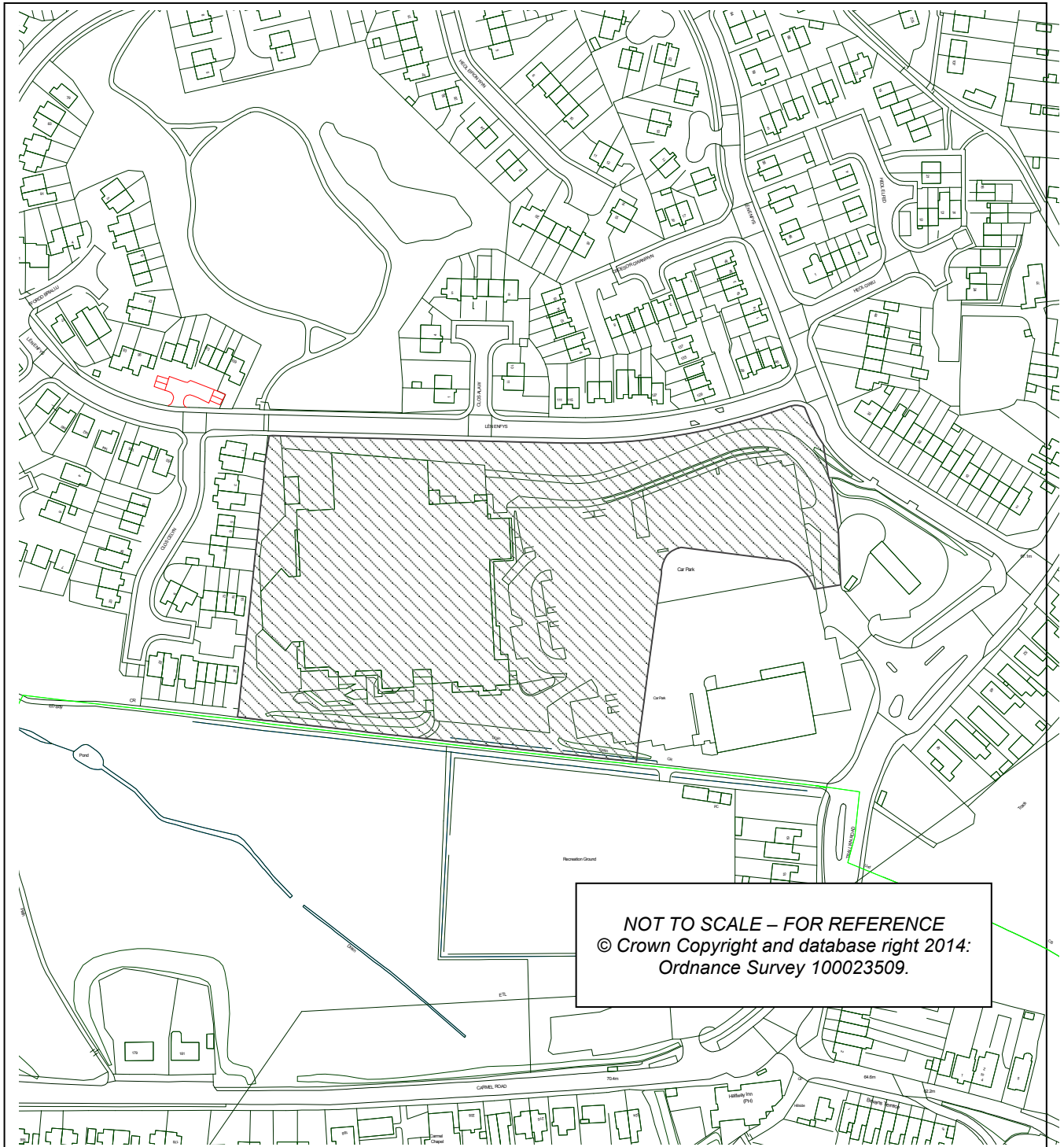
WARD:

Llansamlet

Location: The Range, Trallwn Road, Llansamlet, Swansea, SA7 9WL

Proposal: Demolition of part of building to the south and north. Construction of new extension to north, new facades to south and east elevations, new roof, landscaping, car parking and associated works

Applicant: CDS Group Services Ltd



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ITEM 9 (CONT'D)

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BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy EV13	Proposals for new or renovated shopfronts, including security grilles, should be sympathetic to the character of the building, adjacent properties and the surrounding area. (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)
Policy EC9	Retail development at out of centre locations will be restricted. (City & County of Swansea Unitary Development Plan 2008)
Policy AS2	Accessibility - Criteria for assessing design and layout of new development. (City & County of Swansea Unitary Development Plan 2008)
Policy AS6	Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

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

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ITEM 9 (CONT'D)	APPLICATION NO.	2015/1611
2005/1498	Residential Development (Outline) Decision: Grant Permission Conditional Decision Date: 22/11/2005	
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	
2013/1540	Retention of change of use of hand car wash to a mixed use comprising car sales, hand car wash and retention of two portacabins. Decision: Refuse Decision Date: 14/03/2014	
2011/1437	Retention of use of part of land for car sales and siting of four portacabins Decision: Withdrawn Decision Date: 23/10/2013	
2015/0070	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 Decision: Grant Permission Conditional Decision Date: 17/08/2015	
2006/2729	Installation of 2.8m palisade fencing Decision: Refuse Decision Date: 14/04/2009	
2009/0844	Change of use of former petrol station to a hand car wash Decision: Grant Permission Conditional Decision Date: 27/08/2009	
2008/2266	Variation of condition 2 of planning permission 2005/1498 granted on 22nd November 2005 to extend the length of time in which the reserved matters are to be submitted by 12 months Decision: Approve Conditional (S73) Decision Date: 16/01/2009	
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	

Neighbour comments

The development was advertised on site with a site notice, and the application was also advertised in the Press on the 5th October 2015. In addition, neighbours adjoining the rear boundary on Clos Celyn and the commercial premises at the front of the site were also consulted.

One letter of support was received from a resident living at Clos Celyn. The resident has stated that:

“My property backs on to the garden centre. I generally support the application; however, I would request that works are completed with the minimal of noise and that steps are considered to ensure minimum disruption through dust during building works. There are windows at the rear of the range above the garden centre which overlook the garden and into property. These are currently not used and it is requested that these do not become available for people to overlook the properties. Also, the security of the perimeter of the garden centre and the access lane should remain blocked to stop traffic and opportunistic thieves from accessing the lane.”

Consultations

Highways:

“Demolition of part of building to the south and north. Construction of new extension to north, new facades to south and east elevations, new roof, landscaping, car parking and associated works

The current parking layout provides 214 spaces plus 10 specifically for disabled use whereas the proposed scheme includes 244 spaces with 14 for disabled usage. The number of disabled spaces is in line with CCS Standards. The disabled parking provision is located closest to the entrance.

There is also cycle storage included although it seems remote from the entrance and could be better accommodated elsewhere within the site.

The parking layout as submitted has the incorrect dimensions on and thus a condition will be required to submit a revised plan with the spaces correctly detailed at 2.6m width by 4.8m length. This will have an impact on the total number of spaces that can be provided within the site.

Pedestrian routes through the site are being improved and lighting is also being provided.

As there is an overall reduction in floor space then it is unlikely that the development will be adding traffic to that already visiting the site.

Access to the site moved slightly from its current position, and the existing access is to be closed off. As such there are unlikely to be any highway safety issues from the use of the proposed access point. The access will easily allow for two way flow and as such the likelihood of any obstruction being caused is minimal. The plan that references the boundary treatments appears to show gates opening out onto the highway for the car park access whereas the servicing access opens inwards.

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Whilst the road is not adopted it is not restricted access and as such in order to not cause any obstruction the gates should open inwards. The servicing yard to the side/rear and is accessed independently.

Given that the store is already in existence and there is a net reduction in floor space then the principle of the development is acceptable.

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

1. A revised parking layout being submitted detailing the spaces at 2.6m width x 4.8m length, and being laid out in accordance with the approved plan prior to the beneficial use of the shop commencing.
2. The cycle storage being relocated in accordance with details to be submitted for approval to the LPA.
3. The gated access to the shopper's car park area shall be redesigned to open inwards in the interests of highway safety."

Ecology:

"The new survey is fine; the ecologist found evidence of bat use of the building which is consistent with the previous study carried out in 2011. The developers will need a protected species licence from NRW. The bat mitigation described in section 6 of the 2015 report is broadly suitable but we need a detailed plan that we can approve. Please could you ask them to submit a detailed mitigation plan including scaled drawing showing the proposed location and design of the roosts."

Ecology (further comments):

"We need to ensure that the mitigation as detailed in the plan is carried out. The mitigation needs to be exactly the same as that described in the NRW licence."

Pollution Control:

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
- k) Notification of whether a Control of Pollution Act 1974 (Section 61) Notice is to be served by Principle Contractor on Local Authority.

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*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

Reason: to ensure minimal nuisance impact on local residents/ businesses from construction activities.

INFORMATIVES

1 Construction Noise

The following restrictions should be applied to all works of demolition/ construction carried out on the development site All works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of 08.00 and 18.00 hours on Mondays to Fridays and between the hours of 08.00 and 13.00 hours on Saturdays and at no time on Sundays and Public Holidays and Bank Holidays. The Local Authority has the power to impose the specified hours by service of an enforcement notice. Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

2 Smoke/ Burning of materials

No burning of any material to be undertaken on site. The Local Authority has the power to enforce this requirement by service of an abatement notice. Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

3 Dust Control:

During construction work the developer shall operate all best practice to minimise dust arisings or dust nuisance from the site. This includes dust and debris from vehicles leaving the site. The Local Authority has the power to enforce this requirement by service of an abatement notice. Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

4 Lighting

During construction work the developer shall operate all best practice to minimise nuisance to locals residences from on site lighting. Due consideration should be taken of the Institute of Lighting [recommendations].

Natural Resources Wales:

“Protected Species (Bats)

We welcome provision of the bat surveys carried out in support of the application. As you are aware, European Protected Species (EPS) are protected by The Conservation of Habitats and Species Regulations 2010 (as amended) (The Habs Regs). Regulation 9 of the Conservation of Habitats and Species Regulations 2010 (as amended) requires public bodies in exercise of their functions, to have regard to and, in respect of enactments relating to nature conservation to secure compliance with the requirements of the 1992 ‘Habitats’ Directive (92/43/EEC).

Where an EPS such as a bat species is present, and a development proposal is likely to contravene the protection afforded to it, a development may only proceed under a licence issued by Natural Resources Wales as the appropriate authority responsible for issuing licences under Section 53 of the above Regulations. This licence can only be issued for the purposes of: *'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature, and beneficial consequences of primary importance for the environment.'*

Furthermore, the licence can only be issued by Natural Resources Wales on condition that there is 'no satisfactory alternative', and that 'the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.'

These requirements are translated into planning policy through Planning Policy Wales (PPW) July 2010, sections 5.5.11 and 5.5.12, and Technical Advice Note (TAN) 5, Nature Conservation and Planning September 2009. To avoid developments with planning permission subsequently not being granted derogations in relation to European protected species, as advised in PPW, your authority should therefore ensure the three tests for derogation are satisfied when considering development proposals where a European protected species is present.

We advise that, based on the information provided, the applicant will need to obtain an EPS licence from Natural Resources Wales before any works on site commence that may impact upon bats. Please note that the granting of planning consent does not negate the need to obtain a licence.

In this instance, Natural Resources Wales does not object to the above application as there will not be a detriment to the maintenance of the favourable conservation status of the bat species present, providing that:

- The works are carried out in accordance with a Method Statement (MS) to be agreed with your Authority, prior to any work commencing at the site. As this proposal will also require an EPS licence, an MS will in any case be required in support of that application. The same MS can be submitted for both purposes. We draw the applicant's attention to the Natural Resources Wales' website (see below) which includes a template for an MS.

The MS should include, but not be limited to, timing of works, measures to avoid killing & injuring bats during works, use of materials (such as timber, roofing felt), dimensions & positioning / locations of roosting areas and access points, vegetation retention / management, and proposals for lighting as appropriate. The MS should be implemented as agreed.

- A suitable roosting resource is retained or provided for the bats, appropriate to the species & its use of the structure.

Whilst we may wish to discuss aspects of the scheme with the applicant at the time of the licence application, Natural Resources Wales does not intend to comment further at this stage."

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Japanese Knotweed Officer:

Recommends a condition requiring a knotweed method statement given that it is present on site. In order for the condition to be discharged, the developer must devise an appropriate and suitable method statement, acceptable to the Knotweed Officer, for the control of the plant.

Welsh Water:

No objection subject to a condition requiring that no surface water from any increase in the roof area of the building /or impermeable surfaces within its curtilage shall be allowed to drain directly or indirectly to the public sewerage system.

Police Designing Out Crime Officer:

Recommendations have been made to prevent crime and anti-social behaviour.

APPRAISAL

Site Location

The site is located within Llansamlet, off Trallwn Road, to the south of Lon Enfys. The existing building is an A1 retail store – The Range (formally Asda). The area is predominantly residential to the north and west, and there is a large area of urban green-space to the south, and a Lidl store to the east (which has recently received consent for an extension and redevelopment).

The existing building is single storey with 2 steeply pitched 'conical' roofs on the south and east elevations. The majority of the roof is flat. The site includes a redundant service yard and buildings along the south and east end, a functioning service yard at the northern end, and a part internal and part external garden centre at the western end.

The primary elevation is the eastern elevation which faces a large customer car park. The existing building is in an extremely poor condition and suffers from a severely deteriorated building fabric. The southern end of the building is boarded up and derelict.

Background

Planning permission was previously granted for the demolition of part of the derelict south and eastern section of the building, the construction of new south and east elevations, a new roof covering the whole of the building, landscaping of the external parts of the car park area including new planting, lighting, cycle & pedestrian facilities and the conversion of the old service yard to car parking (ref: 2011/1380).

The applicant subsequently sought a minor amendment to alter the finishes to the building and include the demolition of the warehouse on the northern side of the building. The applicant was subsequently advised that a new application would be required for these works.

The site is, however, currently undergoing renovation under the provisions of the above planning permission and several metal storage containers are located on site. The store is currently operating out of a temporary marquee-type building located within the existing car park, although this does not currently benefit from planning permission and does not form part of this planning application.

Description of Development

Full planning permission is sought for the remodelling and refurbishment the existing 'Range' store in Llansamlet, Swansea. The key components are as follows:

- Demolition of derelict accommodation to south east of building.
- Demolition of the piecemeal masonry extensions to the North that contain the Warehouse, Service areas and Staff Accommodation.
- Construction of a new portal frame, steel clad, extension to the North of the store to re-house the warehouse and staff facilities.
- Construction of new (insulated) elevations to the south / east façades, with material references to the local context.
- Construction of a new (insulated) roof to the entire building.
- Landscaping of the external car park area, including new lighting, cycle and pedestrian facilities.

The existing Range building is in an extremely poor condition and suffers from a severely deteriorated building fabric, as a result of age, vandalism and neglect. The southern edge of the building is completely boarded up and presents a very unwelcoming elevation to the adjacent green space. The proliferation of pitched roof forms to the south/ west elevations (and the associated internal gutters) create significant maintenance demand, which has not been met. The roof is leaking in many places and the water ingress contributes to significant health and safety issues, stock damage, high running costs, low staff morale etc. The main (eastern) elevation has not been painted recently and appears scruffy and neglected and the perimeter is not secure.

In terms of external alterations, the eastern and southern elevations would have new insulated facades, leaning out at an angle with copper coloured cladding panels arranged randomly and with a strong horizontal emphasis (with the colour being chosen to reflect Swansea's past as 'Copperopolis'). On the main elevation, the façade is punctuated by a contrasting colour (blue) totem entrance which steps forward of and projects above the façade to denote the entrance and exit of the building. Vertical clad profiled metal composite cladding is proposed on the northern and western elevations which are less prominent. The existing garden centre section on the rear would remain. Copper coloured squares would be painted on the ground to mark out the parking spaces. 2 sprinkler tanks measuring approximately 4.6metres in height would be located in the north western corner of the site within the rear servicing yard, along with a plant room. 3 bat boxes would be located on the southern elevation.

A comparison of the existing and proposed gross floor areas are indicated in the table below:

	Existing (m ²)	Proposed (m ²)
Retail Area	4,768	5,215
Garden Centre	468	468
Offices(GF) and Warehouse	2,028	675
Offices (FF)	988	300
External Store	75	-
	8,327	6,658

ITEM 9 (CONT'D)

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2015/1611

The main issues for consideration in this instance are the impact of the proposed alterations on the visual appearance of the building and the area generally, impacts upon residential amenity and impacts upon highway safety and parking with regard to Policies EV1, EV3, EV13 and AS6 of the City and County of Swansea Unitary Development Plan 2008. There are no overriding issues with regard to the Human Rights Act.

Visual Amenity

The existing building is in a very poor state of repair and is considered to detract from the visual amenity of the area.

The main alterations proposed are to the eastern (principal) elevation and the southern elevation. The 2 conical roofs are to be removed and replaced with a new flat roof covering the entire building. The new eastern and southern elevations would lean outwards at an angle and would be clad in variegated copper coloured panels with a strong horizontal emphasis, as per the previous approval. However, whereas the previous approved scheme contained 2 new entrances with contrasting blue coloured 'totem' signs framing the entrance ways, the current application proposes one main entrance store which would improve legibility and provide a single focal point. The entrance would also have glazing to allow views in and out of the store. Concealed perforated shutters are to be provided which have been designed into the entrances ways and the applicant has confirmed that perforated roller shutters would be installed.

As per the previous application, the proposal would involve the demolition of various piecemeal sections on the southern elevation and a new fire access road would be provided in its place. The existing steps and works within this area would also be removed and replaced with a graded bank made up of the demolition infill. The warehouse to the north of the building would also be demolished as part of this proposal which would result in an open service yard. This section, along with a short section on the western elevation, would be clad with metal profile panels as they are not overly prominent from the public domain. Overall, the gross internal floor area of the building would be reduced by 1,669m², however the retail floor area would increase by 447m².

The landscaping of the existing and additional car parking would include stone-filled gabion baskets, low level vegetation, specimen trees and sculptural column lights, but no further details have been provided of the precise landscaping details which would be required by condition. This is similar to the previously approved scheme. However, the applicant has reoriented the parking spaces within the site which has resulted in increased parking provision. Rather than paint individual lines to denote the car parking spaces, the applicant has proposed painting the individual parking bays in various copper coloured hues to match those used on the building. Whilst these spaces would be more visible from the surrounding area, it is not considered that the proposals would have a detrimental impact on the character of the area and would add interest to the store.

A green weld-mesh fence is proposed to secure the site at a height of approximately 3m. This would provide security and visual permeability to ensure that the site is overlooked and would enclose the rear service area. Two sprinkler tanks and a plant room would be installed in the rear service yard but these would not be overly prominent from outside the site due to their positioning at a lower level.

It is considered that the proposed elevational and landscaping alterations would drastically improve the visual appearance of the retail unit and would significantly contribute to the improvement of the visual amenity of the area. It would also improve the views from the urban green space and from the surrounding residential properties.

Residential Amenity

The site is bound to the west by residential properties in Clos Celyn off Lon Enfys. This part of the site is occupied by the external garden centre. There would be no increase in the height or footprint of the building, and no changes other than replacing part of the cladding to the western elevation and replacing the existing perimeter fencing with new weld-mesh fencing. As such the residential amenity of properties within Clos Celyn would not be detrimentally affected by the development.

The proposals do incorporate new offices, training rooms, staff rest area/ kitchenette and toilet facilities at first floor level in the northern elevation of the building. However, these windows would be located 36m away from the side elevation of the nearest property and within this context; it is not considered that the proposals would have a detrimental impact on residential amenity.

Two sprinkler tanks to a height of 4.6 metres would be located in the rear service yard along with a plant room. The tanks would be located approximately 16.5 metres from the rear elevations of Nos. 1 and 2 Clos Celyn. However, given that the tanks would be situated at a lower ground level than the dwellings and the distance involved, it is not considered that the tanks would have an adverse impact on neighbouring amenity in terms of their scale. Whilst there would be the potential from overlooking from the ladder leading to the tanks, this would only be on sporadic occasions for maintenance purposes and is not considered to significantly impact on amenity.

One neighbour who has commented on the application is supportive of the proposals but has requested that the works are completed with the minimal of noise and that steps are considered to ensure minimum disruption through dust during building works. The Council's Pollution Control Officer has raised no objections but has requested that a Construction Method Plan is provided as part of any application to ensure there are no significant issues that would impact on neighbours during the construction phase. However, a condition to this effect was not attached to the previous consent (ref: 2011/1380) and work is currently ongoing on site. Therefore, in this instance, it is not considered reasonable or necessary to require a condition with regards to a demolition/ construction plan and any noise/ disturbance issues can be dealt with via other legislation if they arise.

Access and Highway Safety

The proposals include a new access, parking layout and internal spine road within the site with the new car parking layout comprising painted parking spaces.

The current parking layout provides 214 spaces plus 10 specifically for disabled use whereas the proposed scheme (as amended) includes 236 spaces with 14 for disabled usage. The scheme was amended following comments from the Highways Officer in terms of the size of the spaces and the scheme is now in accordance with the Adopted Parking Guideline dimensions.

There has therefore been an increase in parking provision and the Highways Officer has advised that as there is an overall reduction in floor space, it is unlikely that the development would be adding traffic to that already visiting the site. The applicant has also relocated the cycle parking area closer to the store entrance at the Highways Officer's request.

Access to the site has moved slightly from its current position, and the existing access is to be closed off. As such there are unlikely to be any highway safety issues from the use of the proposed access point. The access would easily allow for two way flow and as such the likelihood of any obstruction being caused is minimal. Given that the store is already in existence and there is a net reduction in floor space then the principle of the development is acceptable and the Highways Officer has raised no objection to the application subject to conditions.

Ecology

As the proposal involves works to the roof as well as demolition works, the applicant submitted a bat and nesting bird report from 2011. The report identified a single pipistrelle bat and roosting house sparrows. Given the time that has lapsed since the previous survey was undertaken, the Council's Ecologist requested an updated survey which has subsequently been submitted. The updated survey found evidence of bat use of the building which is consistent with the previous study carried out in 2011. The developers would therefore need a protected species licence from NRW. The Ecologist considers that the bat mitigation described in section 6 of the 2015 report is broadly suitable but a detailed plan of the mitigation would be required as part of the application.

The applicant has subsequently submitted full details of the mitigation measures which include three bat boxes on the southern elevation at a minimum height of 3m above ground level.

The Council's Ecologist has advised that providing a condition is attached regarding the mitigation measures being provided, then the proposals are acceptable. NRW have advised that the works would require a European Protected Species (EPS) license. As such, NRW do not object to the above application as there would not be a detriment to the maintenance of the favourable conservation status of the bat species present, providing that the works are carried out in accordance with a method statement and a suitable roosting resource is provided for the bats. Given that the method statement would be required for the EPS license, it is not considered necessary to duplicate the requirements via a planning condition.

Derogation Tests

Paragraph 5.5.12 of Planning Policy Wales states that new developments for which development works would contravene the protection afforded to European protected species require derogations (an authorised departure from the system of protection) from the provisions of the Habitats Directive. Derogations are granted by a licence issued by the Welsh Government. To avoid developments with planning permission subsequently not being granted a derogation in relation to European protected species, planning authorities should take the three requirements for a derogation into account when considering development proposals where a European protected species is present. These derogations are considered below:

Regulation 53(2)(e) (Imperative reasons of overriding public interest etc): In this case, the development is not likely to have a major impact on the bat species, and this has been recognised by Natural Resources Wales and the Council's Ecologist. The wider public interest includes:

- Refurbishment of poorly performing and outdated retail building to provide increased insulation and weatherproofing
- Improving the County Borough's retail offering with good quality accommodation
- Improving the visual amenity of the surrounding landscape through the refurbishment of a building in poor condition.

Regulation 53(9)(a)(that there are no satisfactory alternatives to the proposed activity): Doing nothing and letting the building fall into further disrepair would result in a maintenance/ liability burden for the applicant and the building would eventually deteriorate to a state where it would no longer be fit for use by bats. There is insufficient space on the site to construct a new building elsewhere and this approach is considered unsustainable. The existing built fabric results in significant health and safety issues, stock damage, high running costs, low staff morale etc. In addition, the applicant already has planning consent for works to the majority of the building and an EPS is being sought for these works.

Regulation 53(9)(b) (that the action authorised will not be detrimental to the maintenance of the population of the species concerned): The Council's Ecologist and Natural Resources Wales have been consulted on this application and have stated that the proposals are unlikely to have a detrimental impact on the maintenance of the bat population given that mitigation would be provided with suitable space for various species of bats and given the limited number of bats found.

Other issues

The Council's Japanese Knotweed Officer has advised that a method statement for the eradication of the plant would be required for the site given that it is known to be present.

The Police Designing Out Crime Officer has provided recommendations to prevent crime and anti-social behaviour. The neighbour who has commented has requested that the access road remains blocked off post development and there is no indication there is any change to the current arrangements. The applicant has stated that they intend to seek Secure by Design accreditation and the comments of the Designing Out Crime Officer would be attached as an advice note to any consent.

Conclusion

The proposed alterations to the building and car park are welcome changes to the building. The proposal would result in a vast improvement to the visual appearance of the building and the area generally. It is not considered that the application would harm the residential amenity of neighbours nor highway safety.

As such the application is considered to be acceptable and complies with the provisions of policies EV1, EV2, EV3, EV13, EV40, EC9, AS2 and AS6 of the City & County of Swansea Unitary Development Plan 2008.

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ITEM 9 (CONT'D)

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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 (HS124/001), Proposed Ground Floor Plan (HS124/014 Rev. D), Proposed West and North Elevations (HS124/016 Rev. C), Proposed Roof Plan (HS124/017 Rev. A), Proposed F01 Plan (HS124/018) and Elevational Study (HS124/025 Rev. A) received on 31st July 2015; Fence Line and Secure by Design (HS124/330 Rev. E) and Roller Shutter Schedule (HS124/461 Rev. D) received on 1st October 2015; Sprinkler Pump Room, Plan View and Sections (16530-5) received on 8th October 2015; Proposed East and South Elevations (HS124/015 Rev. E) received on 9th October 2015; and Proposed Site Plan (HS124/011 Rev. H) and Proposed Parking Bay Typical Layout (HS124/026 Rev. B) received on 16th October 2015.
Reason: To define the extent of the permission granted.
- 3 Prior to the first beneficial use of the development hereby permitted, samples of all external finishes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the approved details.
Reason: In the interests of visual amenity.
- 4 Prior to the first beneficial use of the development hereby permitted, and notwithstanding the details submitted with this application, full landscaping details shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To safeguard landscape and amenity interests.
- 5 All planting and grass seeding or turfing comprised in the approved details of landscaping for the site shall be carried out in the first planting and seeding seasons following the first beneficial occupation of the development or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
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.

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ITEM 9 (CONT'D)

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- 6 Within 1 month of the date of this consent, a detailed scheme for the eradication of Japanese Knotweed shall be submitted for the written approval of the Local Planning Authority. The approved scheme shall be implemented prior to the first beneficial use of the development hereby permitted.
Reason: In the interests of the ecology and amenity of the area.
- 7 Prior to the first beneficial use of the development hereby permitted, the car parking spaces as indicated on Drawing No. HS124/011 Rev. H. shall be clearly demarcated on the ground, and retained thereafter for the duration of the use.
Reason: To ensure adequate on site car parking provision in the interests of highway safety.
- 8 Prior to the first beneficial occupation of the development hereby permitted, 3 Schwegler bat boxes shall be installed on the southern elevation at a minimum height of 3m above ground level and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure suitable bat mitigation is provided as part of the development.
- 9 The 3m high service yard fence as shown on Drawing No. HS124/330 Rev E shall be open mesh steel panel fencing powder coated green and the low level perimeter fence shall be wooden post and rail fencing to a maximum height of 500mm, unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of visual amenity.

INFORMATIVES

- 1 The applicant is advised of the need to obtain separate consent under the Town and Country Planning (Control of Advertisements) Regulations 1992 for any advertisements requiring express consent which it is intended to display on the premises.
- 2 Before any building works are commenced or buildings altered a European Protected Species licence is required from the Welsh Assembly Government to be supported by a relevant method statement and detailed mitigation proposals.
- 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, EV3, EV13, EV40, EC9, AS2 and AS6.
- 4 The Council's Pollution Control Officer has advised the following:
A) Construction Noise
The following restrictions should be applied to all works of demolition/ construction carried out on the development site:
All works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of 08.00 and 18.00 hours on Mondays to Fridays and between the hours of 08.00 and 13.00 hours on Saturdays and at no time on Sundays and Public Holidays and Bank Holidays.

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- 4 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.

B) Smoke/ Burning of materials

No burning of any material to be undertaken on site. The Local Authority has the power to enforce this requirement by service of an abatement notice. Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

C) Dust Control:

During construction work the developer shall operate all best practice to minimise dust arisings or dust nuisance from the site. This includes dust and debris from vehicles leaving the site. The Local Authority has the power to enforce this requirement by service of an abatement notice. Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

D) Lighting

During construction work the developer shall operate all best practice to minimise nuisance to locals residences from on site lighting. Due consideration should be taken of the Institute of Lighting [www.ile.org.uk] recommendations.

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ITEM 10

APPLICATION NO.

2013/0617

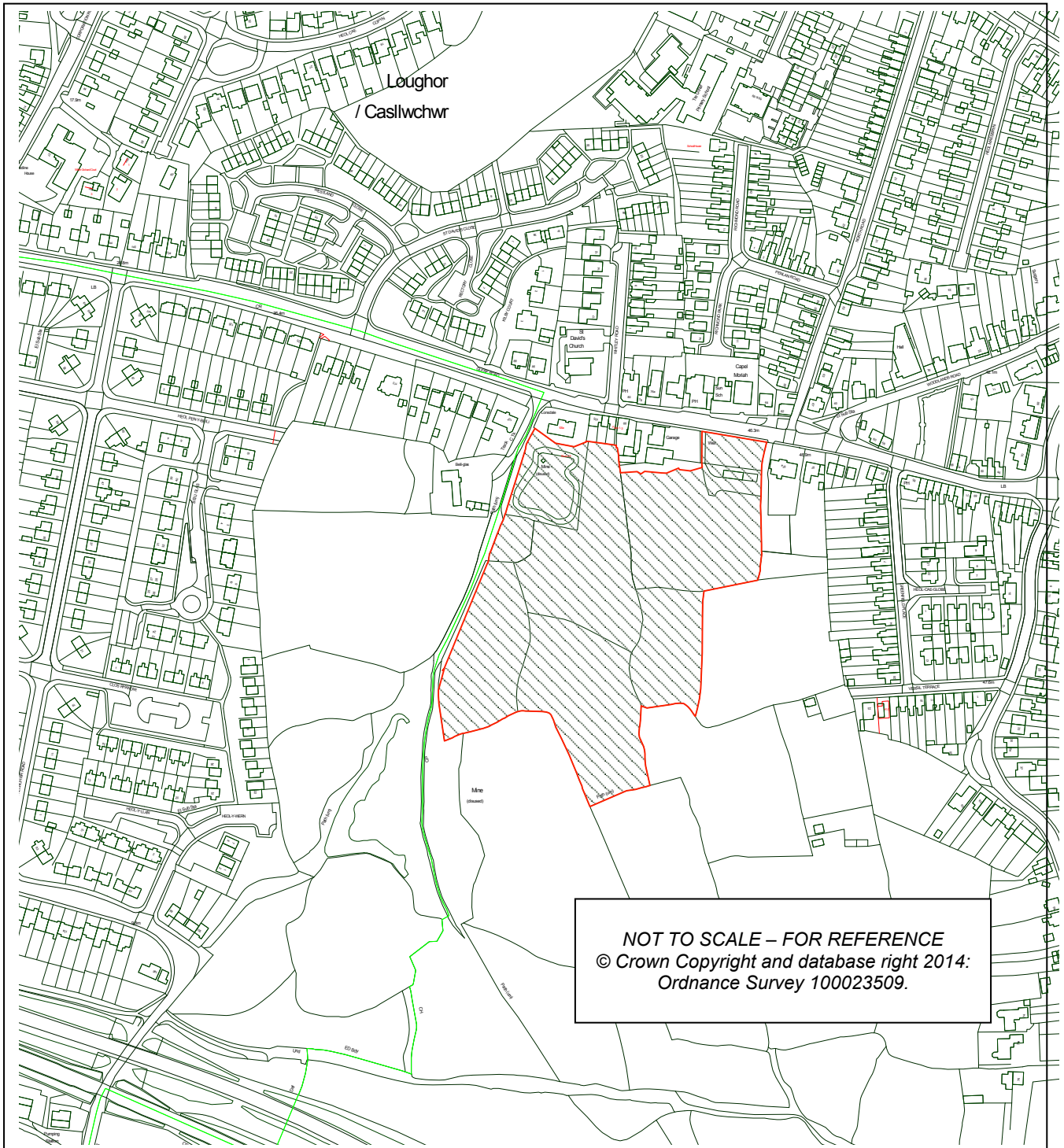
WARD:

Upper Loughor

Location: Land south of Glebe Road, Loughor, Swansea

Proposal: Residential development comprising 92 dwellings with associated access, drainage and public open space (outline)

Applicant: Trustees of T J Thomas



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APPLICATION NO.

2013/0617

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy AS1	Accessibility - Criteria for assessing location of new development. (City & County of Swansea Unitary Development Plan 2008)
Policy AS2	Accessibility - Criteria for assessing design and layout of new development. (City & County of Swansea Unitary Development Plan 2008)
Policy AS6	Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy EV33	Planning permission will normally only be granted where development can be served by the public mains sewer or, where this system is inadequate, satisfactory improvements can be provided prior to the development becoming operational. (City & County of Swansea Unitary Development Plan 2008)
Policy EV34	Development proposals that may impact upon the water environment will only be permitted where it can be demonstrated that they would not pose a significant risk to the quality and or quantity of controlled waters. (City & County of Swansea Unitary Development Plan 2008)
Policy EV35	Development that would have an adverse impact on the water environment due to: i) Additional surface water run off leading to a significant risk of flooding on site or an increase in flood risk elsewhere; and/or, ii) A reduction in the quality of surface water run-off. Will only be permitted where it can be demonstrated that appropriate alleviating measures can be implemented. (City & County of Swansea Unitary Development Plan 2008)
Policy HC1	Allocation of housing sites for 10 or more dwellings. (City & County of Swansea Unitary Development Plan 2008)

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Policy HC3	Provision of affordable housing in areas where a demonstrable lack of affordable housing exists. (City & County of Swansea Unitary Development Plan 2008)	
Policy HC17	The Council will negotiate with developers to secure improvements to infrastructure, services, and community facilities; and to mitigate against deleterious effects of the development and to secure other social economic or environmental investment to meet identified needs, via Section 106 of the Act. (City & County of Swansea Unitary Development Plan 2008)	
Policy HC24	Provision of public open space within new residential developments. (City & County of Swansea Unitary Development Plan 2008)	

SITE HISTORY

App No.	Proposal
2015/0088	Two storey side extension and single storey rear extension Decision: Refuse Decision Date: 16/03/2015

RESPONSE TO CONSULTATIONS

The application was advertised on site and in the local press. 5 LETTERS OF OBJECTION were received which can be summarised as follows:

- As a result of its role in the 140-5 religious revival and association with the evangelist Evan Roberts, Moriah Chapel is an internationally important centre of pilgrimage for tens of thousands of visitors, for this reason there is concern over the impact of the proposed development on parking in the vicinity.
- The proposal is likely to result in reduced parking opportunity in the vicinity, leading to a poor visitor experience, fewer tourists and less income for the local economy.
- Moriah Chapel is widely used and often attracts large numbers of visitors. All visitors currently park along Glebe Road.
- Coaches often visit – stopping outside the chapel
- It is imperative that the Christian Heritage of the area is safeguarded.
- The proposal will have a significantly harmful effect on the local environment
- The proposal does not comply with one of the key principles of 'planning for nature conservation' in that development should provide a net benefit for biodiversity conservation with no significant loss of habitat or population of species (TAN 5)
- The submitted Planning Statement "did not highlight any specific wildlife rarity or exception, but the existence of many hedgerows with intermittent trees add biodiversity value to the site and these have been integrated into the development so that over time they will increase their environmental benefits" – these two statements are considered untrue and misleading
- The development site supports a significant number of birds
- Bats are present on the development site
- The detailed aboricultural report shows the rural nature of this site with an abundance of trees, hedges and wildlife.

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- The state of nature report 2013 provides stark warning that far more species are declining than increasing in the UK and if this residential development of 92 houses is permitted then the City and County of Swansea will be contributing to this decline.
- The proposal will disturb the tranquillity currently afforded by this Greenfield site to the detriment of nearby residents.

Llwchwr Town Council – No Objection

Glamorgan Gwent Archaeological Trust – No Objection subject to standard condition.

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

Natural Resource Wales – No Objection subject to standard conditions and advisory notes.

The Coal Authority – No Objection subject to standard condition

Head of Environmental Management and Protection – No Objection subject to standard conditions

Head of Transportation and Engineering -

1 Background

1.1 This proposal is for the erection of up to 92 dwellings on land south of Glebe Road, Loughor. This is one of 3 sites that have been considered in Transport Assessments for developments along the Glebe Road/Loughor Road corridor. Each of the sites has included the impact of all others so that the combined impact of traffic from all 3 sites can be properly assessed.

1.2 The site has a frontage to Glebe Road of approximately 50m opposite the Moriah Chapel and it is intended to provide a mini roundabout at the access junction which will assist in keeping vehicle speeds low along that section of the highway.

2 Traffic Impact

2.1 Whilst this proposal is for up to 92 dwellings, the transport assessment has assumed to test the impact of up to 120 dwellings. This indicates a traffic generation of 13 arrivals and 50 departures in the am peak with 45 arrivals and 24 departures in the pm peak. The impact of this number of movements has then been assessed at a number of key junctions along the Loughor Road corridor.

2.2 The junctions assessed include;

Site Access

Loughor Road/Belgrave Road

Loughor Road/West Street

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These are the junctions where impact is considered to be highest especially when combined with the other development sites on the corridor.

2.3 All junctions are shown to operate within their theoretical capacity. There are indications that the ratio to flow capacity at Belgrave Road and West Street junctions will approach 0.9 and therefore some queuing will take place. This concurs with the assessments submitted on the other development sites.

3 Site Access

3.1 Access would be from Glebe Road opposite Moriah Chapel. Road realignment is indicated and a mini roundabout installed. The realignment of the road to accommodate the necessary geometry for a mini roundabout would result in spare road space outside the chapel. Part of the road works therefore will include a bus layby that will accommodate the dropping off and picking up of church goers. The application is in outline form and therefore detailed design will be required. However indicative plans show that this scenario can be accommodated.

3.2 An indicative layout plan also indicates a possible internal road layout and whilst some minor amendment would be necessary, the proposal to serve the indicated number of dwellings is feasible.

4 Accessibility

4.1 There are footways along Glebe Road and Loughor Road that adequately serve the development. In addition there are two public footpaths present. Footpath LC39 runs along the western boundary of the development and LC 40 which runs through the site. LC 40 will need to be rerouted to follow the internal road alignment. Both footpaths connect to Culfor Road.

4.2 Bridleway LC 38 traverses east/west to the south of the site joining Culfor Road with Waun Road. The bridleway emerges opposite a proposed footpath from the Cae Duke development.

4.3 The National Cycle Network Route 4 utilises Culfor Road and is within reasonable distance of the site.

4.4 There is a 30 min frequency bus service past the site.

5 Road Safety

5.1 The allocated development sites on Glebe Road/Loughor Road have been required to contribute to a range of road safety enhancements in the area. These were identified as requirements under the safer routes in the community scheme and included, traffic calming, a pedestrian crossing and TROs in the wider area. The school drop off facility was a separate issue required to enable improvement to traffic flow along the Loughor Road corridor. This development could generate traffic movements along Waun Road which is in need of traffic calming and there needs to be better linkage with the public rights of way through and adjacent to the site.

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To that end, the developer is offering a contribution of up to £92,000 and this sum should be apportioned appropriately towards the range of works identified in mitigation of the additional traffic being generated.

5.2 The site access works, which includes the provision of a mini roundabout and bus layby I consider to be a separate issue and a consequence of providing access to the site. These works therefore will require full funding by the development in addition to the indicated contribution towards safer routes in the community.

6 Conclusions and Recommendation

6.1 The impact of the development traffic when added to existing and proposed traffic flows in the area is shown to be able to be accommodated on the surrounding highway network. Access improvements will be of general benefit to through traffic and potentially improve highway safety. Highway safety improvements in the area will ensure that development traffic does not have an adverse affect on identified issues and to that end a developer contribution towards mitigating the effects of additional development traffic is recommended.

6.2 I recommend no highway objection subject to the following;

i. 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.

ii. The site shall not be brought into beneficial, use until a contribution towards local road safety enhancements has been made. This will require a sum of £92,000 to be deposited with the City and County of Swansea Council secured through a Section 106 Agreement.

iii. The site shall not be brought into beneficial use until the access works, including a mini roundabout and associated lay-by have been completed in accordance with engineering details to be submitted and approved.

iv. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. [The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established].

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Management and Maintenance of Estate Streets - Note

The applicant is advised that to discharge this condition, the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

- v. All internal roads, footpaths and public areas shall be laid out and constructed to Highway Authority standards and Specification.

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

APPRAISAL

Introduction

Outline planning permission is sought for the construction of 92 residential units. Although the application is in outline form with all matters reserved, some significant supporting information has been submitted relating to amount of development, layout, access and landscaping arrangements.

The application is supported further by:

- Extended Phase 1 Habitat Survey
- Aboricultural Survey and Hedgerow Assessment
- Aboricultural Implications Assessment
- Transport Assessment
- Drainage Strategy

Site and Surroundings

The site is located centrally within the urban settlement of Loughor and is accessed via one vehicle access point from Glebe Road. The northern site boundary backs onto houses and a petrol station, the western boundary is heavily wooded and runs along a public footpath, the eastern boundary abuts an area of open land and the southern boundary adjoins an area of green wedge. The application site extends to five fields, four of which benefit from a land allocation for housing development, the fifth is not allocated and lies within the adjoining green wedge and will be used to provide an attenuation pond and wetland habitat for the development.

Capel Moriah, the adjacent School building and the railings, are all Grade II listed with separate records (LB 479/479/480) and face Glebe Road directly opposite the site. They are constructed of local pennant stone with slate roofs and are largely unaltered and provide a heritage anchor to an area otherwise lacking in features of interest. Much of the significance of these buildings lies in the connection to Evan Roberts and the Welsh Revival in the early 1900's, and for this reason the Chapel attracts many visitors.

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The general built character of the area is of irregular suburban blocks with dwellings fronting the street but with some instances of internal road and cul-de-sacs. The variety of block forms coupled with the difference in architectural styles found in the locality suggests an area which has grown incrementally in phases over time. This is further supported by the variety of housing types which range from traditional stone fronted Victorian terraces and public buildings through to larger, more recent house types incorporating modern suburban features such as shallow pitched or hipped roofs with overhangs and integrated garages.

The 3.81 ha site is irregular in shape and falls steadily downwards in a southerly direction providing vistas out from the site to the hillsides on the opposite side of the estuary. As the land slopes down from Loughor, it meets the railway line and A484 bypass at the bottom of the valley where the Afon Lliw River flows out to the Loughor Estuary to the west.

The patchwork of fields which make up the site is defined by well-established trees and hedgerows which are in themselves a significant constraint. A group Tree Preservation Order has been placed on a number of hedgerows and trees that cross the site.

A former mine shaft sits in the North West corner of the site and no development is intended within this area.

The site is allocated as a housing site under Policy HC1 (105) of the City & County of Swansea Unitary Development Plan 2008 (UDP) and although this land allocation extends to an adjoining additional enclosure, this is in separate ownership and the owners have no immediate inclination to bring the site forward for development. Notwithstanding this, the application site forms the majority of the land allocation.

The Proposal

The proposal seeks a residential development of up to 92 dwellings and associated infrastructure. It is acknowledged that the proposal are largely indicative due to the application being in outline form, however, it is considered that any consent issued should inform any future development that the design concept contained within the information submitted with this application should inform any detailed application. A suitably worded informative will be used to communicate this.

The application site layout includes 90 dwelling comprising a mix of 6 different house types. The scale parameters range from 7m – 10m in length; 5m -10m in width and 7m – 10.5m in height.

Main Issues

The main issues for consideration with regard to this application relate to the acceptability of residential development at this greenfield site in terms of the impacts of the development on the character and appearance of the area, residential amenity impacts on neighbouring occupiers, impact of the development on access, parking, highway safety and impacts upon environmental interests having regard to the provisions of the policies of the City and County of Swansea Unitary Development Plan 2008 (UDP). There are in this instance no additional overriding issues for consideration under the provisions of the Human Rights Act.

Principle of Development

The site forms part of an allocated housing site within the current UDP under Policy HC1 (Housing Sites) (105) 'Land South of Glebe Road, Loughor Road' where the potential for 110 homes is indicated. This site represents approximately 3.8ha of the wider allocation and with up to 92 homes being proposed, it has a density of approximately 24 homes per hectare.

It is allocated within the Greater North West Swansea housing policy zone. The amplification to the policy confirms that it is not necessary to phase the release of Greenfield land given the relatively low levels of release proposed. These Greenfield sites (including this site) are all within this housing policy zone where there would otherwise be a housing land shortage due to the lack of available alternative sites within existing settlements. Having regard to Policy HC1, the principle of residential development on this Greenfield site is acceptable and in accordance with the UDP housing strategy.

It is noted however that the scheme does not include the whole of the housing allocation site HC1 (105) as it excludes a smaller area of land to the east of the allocation. However it is noted that within the proposed layout, provision is made for future access to this land.

Visual Amenity and Urban Design

The submitted design proposals show the scheme in its wider context which helps to show its relationship to the existing settlement pattern. The site currently comprises open fields lying to and accessed from the southern side of Glebe Road, behind existing properties and with very limited connections in other directions. Given these constraints the scheme integrates as well as possible into the existing community to the north. Given the limited connectivity of the site, it is well served by local facilities (within 175m distance) including 2 pubs, a chapel and petrol station with some local shop facilities. In addition to this there are a number of facilities within half a mile of the proposed site entrance which include Tre Uchaf Primary Scholl as well as a large green space for recreation nearby, Loughor RFC, Gower College Swansea (Gorseinon Campus) and Penuel Chapel. Further afield both Pontybrenin Primary School and Ysgol Gynradd Gymraeg Pontybrenin (Welsh Medium) are located less than a mile from the site. Public transport is within a short walk of the site entrance. It is also intended to provide a pocket park within the scheme for residents' use. Given the limited connections around the site boundaries, as well as the proximity to local facilities, the approach of a single vehicular access point to connect to the existing community is considered acceptable.

The site layout plan presents a scheme which has a mixture of house types and sizes, as well as varying plot sizes, which is a welcomed approach to a housing scheme of this size, as it helps create a mixed community with a good range of housing options as well as visual interest with an increase legibility and sense of place. The area around the site entrance to the north presents a higher density than the remainder of the scheme as a result of the use of terraced dwellings in this location. This succeeds in maximising access to the local facilities and allows for lower density detached houses on the edges which aids integration with the surrounding landscape. Some terraces are present elsewhere within the site but are generally short in nature. The remainder of the site appears suburban in scale and layout with detached or semi-detached properties in plots of varying sizes. Overall the proposal represents a scheme which incorporates a mixture of dwellings types and densities which helps create small character areas.

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Although the scheme is wholly residential, the proximity of the site entrance to a number of established local facilities offsets this.

The indicative layout scheme provides a hierarchy of streets with a main access street running through the scheme, supplemented by minor and shared streets coming off this to serve smaller groups of dwellings. The winding nature of the streets within the scheme respond to the natural/suburban location on the edge of the settlement abutting the countryside, and also aids in reducing traffic speeds whilst providing interest and legibility to the scheme. The proposed shared space areas around the linear green neighbourhood (a landscaped area of retained trees and hedgerows within the site) will also help to reduce traffic speeds and create a more pedestrian friendly environment. The building layout is well structured with perimeter blocks and dwelling fronting the streets. Also plots 1 and 13 address Glebe Road at the site access creating a gateway to the site and positive relationship to the established street scene.

Overall the scheme provides well defined streets and spaces as a result of the structure of the building layout providing a visually interesting townscape. Generally views along the street are terminated well at the front elevation of houses, a notable exception to this however, is the initial view into the site from the entrance at Glebe Road which terminates at a row of parking spaces. However, this area is acknowledged as the connecting access point to the future development land to the east. The layout of the scheme appears to be well considered and the proposal presents good definition between the public and private realm with natural surveillance overlooking most publicly accessible areas.

There are no details of the facing materials of the dwellings, but this could draw on a wide palette. Given the proximity of the site entrance to the listed chapel opposite as well as the adjacent pennant stone pub, the character of these buildings will be significant in terms of stitching the character and appearance of the scheme to the wider area. It will therefore be important to ensure a high quality approach at the site entrance, possibly utilising natural stone in order to respond to the setting of the listed chapel.

Overall the indicative scheme is a well thought out response to the site location and its constraints and displays many good principles of urban design, and as such it is considered that the proposed indicative design and layout of the estate is acceptable and complies with the provisions of Policy EV1 and EV2 of the UDP.

Residential Amenity

On the basis that this is an outline application with all matters reserved, the true impact of the proposal on individual households can only be assessed at reserved matters stage. However, some consideration is given below to the indicative layout scheme provided. However, when the reserved matters application is submitted, this issue can be addressed in detail at that stage.

With regard to the amenity of existing residents along Glebe Road, the closest property within the indicative scheme would be Plot 33, however this achieves a separation distance in excess of 40m from the rear of 101 Glebe Road. Whilst Plot 32 is situated closer to the site boundary, it is neighboured by the commercial petrol filling station/garage and as such residential amenity is not a consideration.

In terms of the residential amenities of the future occupiers of the development, overall the proposed garden size for most plots are sufficient for the size of the proposed dwellings, with more generous gardens provided to the larger dwellings in the southern part of the site and less significant gardens for the smaller dwellings to the north around the site entrance. It is in this northern area that some of the plots fall marginally below minimum separation distances

Having regard to the above, it is considered that the proposed development would not result in any significant impacts on the amenities of existing residents in Glebe Road and would not raise adverse impacts in respect of the residential amenities of the future occupiers of the proposed development. The proposal would therefore be in accordance with Policy EV1 of the UDP.

Highways Impacts

The following self-explanatory comments have been made by the Head of Transportation and Engineering

1 Background

This proposal is for the erection of up to 92 dwellings on land south of Glebe Road, Loughor. This is one of 3 sites that have been considered in Transport assessments for developments along the Glebe Road/Loughor Road corridor. Each of the sites has included the impact of all others so that the combined impact of traffic from all 3 sites can be properly assessed.

The site has a frontage to Glebe Road of approximately 50m opposite the Moriah Chapel and it is intended to provide a mini roundabout at the access junction which will assist in keeping vehicle speeds low along that section of the highway.

2 Traffic Impact

Whilst this proposal is for up to 92 dwellings, the transport assessment has assumed to test the impact of up to 120 dwellings. This indicates a traffic generation of 13 arrivals and 50 departures in the am peak with 45 arrivals and 24 departures in the pm peak. The impact of this number of movements has then been assessed at a number of key junctions along the Loughor Road corridor.

The junctions assessed include;

- Site Access
- Loughor Road/Belgrave Road
- Loughor Road/West Street

These are the junctions where impact is considered to be highest especially when combined with the other development sites on the corridor.

All junctions are shown to operate within their theoretical capacity. There are indications that the ratio to flow capacity at Belgrave Road and West Street junctions will approach 0.9 and therefore some queuing will take place. This concurs with the assessments submitted on the other development sites.

3 Site Access

Access would be from Glebe Road opposite Moriah Chapel. Road realignment is indicated and a mini roundabout installed. The realignment of the road to accommodate the necessary geometry for a mini roundabout would result in spare road space outside the chapel. Part of the road works therefore will include a bus layby that will accommodate the dropping off and picking up of church goers. The application is in outline form and therefore detailed design will be required. However indicative plans show that this scenario can be accommodated.

An indicative layout plan also indicates a possible internal road layout and whilst some minor amendment would be necessary, the proposal to serve the indicated number of dwellings is feasible.

4 Accessibility

There are footways along Glebe Road and Loughor Road that adequately serve the development. In addition there are two public footpaths present. Footpath LC39 runs along the western boundary of the development and LC 40 which runs through the site. LC 40 will need to be rerouted to follow the internal road alignment. Both footpaths connect to Culfor Road.

Bridleway LC 38 traverses east/west to the south of the site joining Culfor Road with Waun Road. The bridleway emerges opposite a proposed footpath from the Cae Duke development.

The National Cycle Network Route 4 utilises Culfor Road and is within reasonable distance of the site.

There is a 30 min frequency bus service past the site.

5 Road Safety

The allocated development sites on Glebe Road/Loughor Road have been required to contribute to a range of road safety enhancements in the area. These were identified as requirements under the safer routes in the community scheme and included, traffic calming, a pedestrian crossing and TROs in the wider area. The school drop off facility was a separate issue required to enable improvement to traffic flow along the Loughor Road corridor. This development could generate traffic movements along Waun Road which is in need of traffic calming and there needs to be better linkage with the public rights of way through and adjacent to the site. To that end, the developer is offering a contribution of up to £92,000 and this sum should be apportioned appropriately towards the range of works identified in mitigation of the additional traffic being generated.

The site access works, which includes the provision of a mini roundabout and bus layby I consider to be a separate issue and a consequence of providing access to the site. These works therefore will require full funding by the development in addition to the indicated contribution towards safer routes in the community.

6 Conclusions and Recommendation

The impact of the development traffic when added to existing and proposed traffic flows in the area is shown to be able to be accommodated on the surrounding highway network. Access improvements will be of general benefit to through traffic and potentially improve highway safety. Highway safety improvements in the area will ensure that development traffic does not have an adverse effect on identified issues and to that end a developer contribution towards mitigating the effects of additional development traffic is recommended.

I recommend no highway objection subject to the following;

- i. 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.
- ii. The site shall not be brought into beneficial use until a contribution towards local road safety enhancements has been made. This will require a sum of £92,000 to be deposited with the City and County of Swansea Council secured through a Section 106 Agreement.
- iii. The site shall not be brought into beneficial use until the access works, including a mini roundabout and associated lay-by have been completed in accordance with engineering details to be submitted and approved.
- iv. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. [The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established].

Management and Maintenance of Estate Streets – Note

The applicant is advised that to discharge this condition, the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

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- v. All internal roads, footpaths and public areas shall be laid out and constructed to Highway Authority standards and Specification.

Note: The Developer must contact the Highway Management Group , The City and **County of Swansea , Penllergaer Offices, c/o The Civic Centre , Swansea SA1 3SN** before carrying out any work . Please contact the Senior Engineer (Development) , e-mails to, tel. no. 01792 636091.

Affordable Housing

UDP Policy HC3 (Affordable Housing) highlights that where a demonstrable lack of affordable housing exists, the Council will seek to negotiate the inclusion of an appropriate element of affordable housing on suitable sites. The evidence base for this need is the Local Housing Market Assessment which assessed the dynamics of the housing market in Swansea and underpins the Council's Housing Strategy. The affordable housing provisions has been subject to extensive negotiations which has resulted in a total of 19 affordable housing units being agreed equating to 20% provision rather than the 30% advocated within adopted Policy and SPG. However, there are a number of unknown costs associated with this development site. As host to a disused mineshaft there is an inevitable degree of grouting going to be required on the site which is currently unquantified but is estimated to be a minimum of £350,000. This figure is considered to offset the slightly exaggerated land value of £1,493,579,000 and the estimated cost per dwelling of sprinkler systems (likely to be a mandatory requirement on all new dwellings from 2016 onwards) of £3,075.00 per unit (£282,000 total). Having regard to this, on balance the provision of 20% affordable housing is considered acceptable and can be secured by a S106 planning obligation.

Education

The Director of Education has requested a financial contribution. The following schools are within the catchment of the application site:

English Medium Primary – Tre Uchaf Primary

English Medium Secondary - Penyrheol Comprehensive

Welsh Medium Primary - YGG Pontybrenin

Welsh Medium Secondary - Ysgol Gyfun Gwyr

The development will generate the following pupils with the associated cost:

Primary – 28.52 (£295.810)

Secondary – 20.24 (£320.764)

In January 2013, the surplus capacity at Tre Uchaf Primary was 59 with the projection figures for September 2019 being 59 also. However the Welsh Medium primary school YGG Pontybrenin is already over capacity with the projection figures for September 2019 indicating an overcapacity of 65.

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In terms of secondary education English medium Penyrheol Comprehensive currently has capacity and the projection figures up to 2019 indicate a surplus capacity of 122. However, YG Y Gwyr has a 2019 projection figure of 168 overcapacity. On this basis a request of £295,810 has been made towards YGG Pontybrenin and £320,764 towards YG Y Gwyr.

The applicant has however contested these figures, based on there being sufficient English medium places and only a shortfall of Welsh medium places, and therefore the contribution should be linked to the anticipated number of Welsh Medium places required. The draft 'Welsh in Education Strategic Plan 2014-17' issued in December 2013 cites the Welsh Medium percentage in the City growing from 10.5% in 2013 to 16.4% in 2019 (year 6 pupils) or staying around the 14% level for Year 2 pupils. It is therefore argued that a fair and reasonable related contribution would be in the order of:

92 dwellings x 0.31 primary aged children x 14% requiring Welsh Medium Places x £10,372 = £41,413.

A similar argument is applied in terms of secondary education, namely that the contribution should only apply to the likely proportion of children that will require Welsh medium provision. The draft 'Welsh in Education Strategic Plan 2014-17' cites Welsh medium percentages in the City growing from 9.45% in 2013 to 13.4% in 2019 (year 9 pupils) . Therefore it is argued that a fair and reasonable contribution would be in the order of:

92 dwellings x 0.22 secondary aged children x 13.4% requiring Welsh medium places x £15,848 = £42,982.

The applicant's rationale that it cannot be accepted that 100% of pupil generated by the proposal will require Welsh medium education is considered reasonable and the estimated figures for Welsh medium education take-up in the City are based on sound Welsh Government Guidance. On this basis, the applicant's suggested contribution of £100, 000.00 is considered acceptable and can be secured by a S106 planning obligation.

Open Space / Play Space Provision

UDP Policy HC24 (Play Areas / Public Open Space) requires new housing developments where the level and nature of open space provision in the locality is inadequate, to: make provision for open space within or near to the development or: to contribute towards the provision or improvement of existing off-site facilities.

A request was received from the Parks Department requesting a contribution of £75,000 towards capital construction costs for the upgrading and increasing the size and items of play equipment at Childrens Corner, Loughor Road and Parc William, west of Loughor Road.

In justifying requests for Section 106 Obligations, the Authority is required to have regard to the following tests:

- Necessary to make the development acceptable in planning terms,
- Directly related to the development and

- Fairly and reasonably related in scale and kind to the development

Welsh Office Circular 13/97 (Planning Obligations) also advises that “developers may reasonably be expected to pay for or contribute to the cost of infrastructure which would not have been necessary but for their development. The effect of such infrastructure investment may be to confer some wider benefit but payments should be directly related in scale to the benefit which the proposed development will derive from the facilities to be provided. Developers should not be expected to pay for facilities which are needed solely in order to resolve existing deficiencies”.

To meet the aforementioned tests, the facility needs to be accessible to young families from the proposed development. It is considered that upgrading existing play facilities more than 1km distant from the site would not achieve this. Additionally, the scheme includes two designated play areas as well as significant green corridors/neighbourhood greens. The adopted residential Design Guide seeks to ensure that the starting point for public spaces and play areas is an on-site provision within 5 minutes' walk or 400m from homes, which this scheme provides. As such the request for £75,000 towards improving existing facilities within the wider community is considered unjustified.

The play and open space provision within the application site is considered to be acceptable and complies with the provisions of Policy HC24 of the UDP.

Ecological Issues

The applicant has submitted an extended Phase 1 Habitat Survey which highlights that the trees and hedgerows have an intrinsic interest in a local context and are likely to function as important sources of shelter and corridors for both bats and birds. Additionally the site provides appropriate habitat for terrestrial mammals. The Council's Ecologist has confirmed that the loss of a number of the trees and hedgerows within the site is acceptable as long as measures are taken to mitigation for this loss. As such it is considered appropriate to recommend conditions ensuring habitat species enhancement, the retention and protection of trees, and that hedgerows are not removed as part of the scheme. It is considered that the recommendations in section 6 of the ecological report should be followed.

Trees

Due to the presence of a number of TPO trees on the site, the proposed indicative site layout incorporates a number of areas of existing vegetation to be retained. These areas relate to historic field boundaries and are well integrated into the scheme and provide character and a level of maturity to the scheme. Retained trees and hedgerows help to create 'green corridors' for ecology, provide structure to the development and highlight and create focal areas for open space. These retained features also help to soften views of the development from the wider countryside to the south. The retention of individual trees hedgerows as well as the existing vegetation covering the mineshaft provides good opportunities for biodiversity which helps to partially offset the impact of the development.

The submitted Arboricultural Survey and Hedgerow Assessment provides clear and accurate details regarding the quality, condition and constraints of the trees and hedgerows. Further to this, the Arboricultural Implication Assessment provides a detailed impact assessment of the trees and hedgerows.

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Overall the proposal provides adequate space for many of the trees and hedgerows on this site and many of the high quality trees are retained, an example of which is the high quality native oak tree retained as part of the "Pocket Park." It is considered that the proposal is acceptable in arboricultural terms subject to the inclusion of the planning conditions and informatives.

Coal Mining Issues

The Coal Authority considers that the content and conclusions of the submitted Mining and Contamination Assessment are accurate and recommend that a planning condition should be imposed requiring that further intrusive investigation works be undertaken, to confirm shallow coal mining condition within the southern part of the site prior to commencement of development. Subject to this, the Coal Authority has no objection to the proposed development.

Archaeological Issues

Glamorgan Gwent Archaeological Trust have confirmed that they have no objection to the positive determination of this application, provided a condition be attached to any consent granted requiring the applicant to commission an archaeologist to conduct a watching brief during ground works, as there is still the potential to encounter as yet unrecorded remains of Roman date.

Drainage

This development will separate surface water and land drainage from foul water, so the only drainage impact on the existing sewerage drainage system to Llannant WWTW will be a foul connection. Surface water will be managed and the proposal includes for an attenuation pond in the adjoining enclosure

Dwr Cymru Welsh Water has not objected to this scheme. Whilst Natural Resources Wales raised concerns last autumn regarding the impact of new residential development on the water quality of the estuary, there is no conclusive evidence that supports this view, and the application will discharge between manhole numbers SS57987001 and SS57985101 located in Glebe Road, which ultimate discharges via Llannant WWTW, which is unaffected by the ongoing issues surrounding water quality and surface water discharge in the area. In any event, as indicated above, foul and surface water discharges will be separated.

The arrangements for surface water drainage have been submitted and have been considered by the Council's Drainage Officer and NRW. Surface water from the roofs, hard surfaces and roads will be discharged via an attenuation pond and reed bed system at Greenfield rates.

The details provided are considered to be satisfactory in principle, but it is considered necessary to secure further details of the drainage arrangements via conditions, prior to the commencement of development on site, to ensure there is no potential future harm to the water environment of the estuary or the amenities of existing and future residents.

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The current application if approved will be subject to planning conditions controlling drainage, including the use of SUDs. On this basis, there is no known evidence to justify refusal on drainage grounds. Subject to further control by conditions, it is considered that the drainage arrangements for this scheme are acceptable and can meet the overarching aims of sustainable development in this area, and satisfy the provisions of Policies EV33, EV34, and EV35 of the UDP.

Other Material Considerations

The concerns raised by third parties are summarised above and have been addressed within the above appraisal. This includes reference to the current status of this Greenfield site, its acceptability for development and impacts upon the highway access, parking and public safety concerns relating to traffic, all of which are considered in the Highways section above. The indicative design and layout considerations have been carefully assessed and amendments have been made to the indicative scheme to ensure that the design and layout would be acceptable. The impact on trees, local wildlife and ecology has been properly assessed by NRW, the Council's Ecologist and the Council's Arboricultural Officer and subject to conditions are considered to be satisfactory in this respect.

Additionally, the site is crossed by a Public Right of Way, the initial part of which currently runs through a narrow un-lit alleyway. As part of the scheme, it is proposed to realign the public footpath which is considered acceptable in principle however, upon planning approval a formal submission to obtain both temporary and permanent diversion will be necessary.

Conclusion

The proposal is for residential development of up to 92 dwellings on a site allocated for housing in the UDP. The proposal is considered to be acceptable in terms of its impacts on the character and appearance of the area, impacts on residential amenity and impacts on access, parking and highway safety.

The indicative layout and design of the development will create a distinctive development that has had regard to the hedgerows bounding the site and will enable land not previously accessible to the public to be used as open space / informal recreation, and will provide connections to the wider sections of the allocated housing site.

The drainage proposals have been considered in the above report including the foul connections and the hydraulic capacity issues, as well as the land / surface water drainage issues.

RECOMMENDATION

APPROVE, subject to the following conditions and the applicant entering into a S106 Planning Obligation to provide:

- **19 units of affordable housing on the site;**
- **an education contribution of £100, 000**
- **a highways contribution of £92,100;**

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- **Management plans for the future maintenance and management of the attenuation ponds and the maintenance, management and public access to the public open space and the play areas;**

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

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

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

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

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

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

4 The development shall be carried out in accordance with the following approved plans and documents: Drwg No 1107-TP01 Rev A - Existing Site Plan, received 1st May 2013.

Reason: To define the extent of the permission granted.

5 A detailed scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority, and shall be implemented prior to the commencement of work on site.

Reason: In the interests of the ecology and amenity of the area.

6 Notwithstanding the Mining and Contamination Assessment (Ref 10986/PB/12) submitted in support of this planning application, before development works commence on site, a more detailed investigation of the contamination within the site shall be conducted and the results of this (in the form of a Phase 2: Detailed Investigation Assessment Report) shall be submitted to and approved in writing by the Local Planning Authority.

This Phase 2 Assessment shall;

- a. Provide detailed site-specific information on substances in or on the ground, geology, and surface/groundwater

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- b. Provide for a more detailed investigation (Human Health Risk Assessment) of the site in order to confirm the presence or absence of those potentially significant source-pathway-receptor pollutant linkages identified in the originally submitted Mining and Contamination Assessment.

Note; where any substance should be encountered that may affect any controlled waters the applicant, or representative, must contact the Environment Agency in order to agree any further investigations required.

In the event that the need for remediation is identified, the applicant/developer shall submit a subsequent detailed report (Phase 3 - Remediation Strategy Options Appraisal) to the Local Planning Authority for its written approval before development works commence on site.

This Phase 3: Remediation Strategy Options Appraisal shall indicate all measures to be taken to reduce the environmental and human health risks identified in the Mining and Contamination Assessment and Phase 2 Assessment, to an acceptable level, in a managed and documented manner, to best practice and current technical guidance.

The agreed remediation measures shall be implemented in full.

Reason: To ensure that the safety of future occupiers is not prejudiced.

- 7 Prior to the occupation of any residential unit, a verification report demonstrating completion of the works set out in the approved remediation strategy required by Condition 6 and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long term monitoring and maintenance plan') for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and the reporting of this to the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced.

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

Reason: To ensure that the safety of future occupiers is not prejudiced.

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- 9 Any topsoil (natural or manufactured), or subsoil to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only materials approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes. Subject to approval of the above, verification sampling of the material received at the development site is required to verify that the imported soil is free from contamination and shall be undertaken in accordance with a scheme agreed in writing by the Local Planning Authority.

Reason: To ensure the safety of future occupiers is not prejudiced.

- 10 Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with relevant Code of Practice and Guidance Notes. Subject to approval of the above, verification sampling of the material received at the development site is required to verify that the imported material is free from contamination and shall be undertaken in accordance with a scheme agreed in writing with the Local Planning Authority.

Reason: To ensure the safety of future occupiers is not prejudiced.

- 11 Prior to the commencement of demolition/construction works on the application site (including all access roads) a Construction Pollution Management Plan (CPMP) should be submitted to and approved in writing by the LPA. The CPMP is to include the following:

- a) Demolition/Construction programme and timetable
- b) Detailed site plans to include indications of temporary site offices/ compounds, materials storage areas, proposed compounds, delivery and parking areas etc
- c) Traffic scheme (access and egress) in respect of all demolition/construction related vehicles;
- d) An assessment of construction traffic generation and management in so far as public roads are affected, including provisions to keep all public roads free from mud and silt;
- e) Proposed working hours;
- f) Principal Contractor details, which will include a nominated contact for complaints;
- g) Details of all on site lighting (including mitigation measures) having regard to best practicable means (BPM);
- h) Details of on site dust mitigation measures having regard to BPM;
- i) Details of on site noise mitigation measures having regard to BPM;
- j) Details of waste management arrangements (including any proposed crushing/screening operations); and

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| 11 | k) Notification of whether a Control of Pollution Act 1974 (Section 61) Notice is to be served by Principle Contractor on Local Authority.
l) A community and stakeholder liaison process.
Note: items g - j inclusive need to take particular account of the potential for statutory nuisance from site related activities [see Informatives].
Reason: To ensure minimal nuisance impact on local residents/businesses from construction activity. | |
| 12 | Prior to the beneficial occupation of any building the appropriate basic Radon protective measures shall be installed and appropriate validation reports provided to the Local Planning Authority.
Reason: In the interests of ground stability and safety. | |
| 13 | Prior to commencement of works on site, further intrusive investigation works shall be undertaken to confirm shallow coal mining conditions within the southern part of the site. In the event that the site investigation confirms the need for remedial works to treat any areas of shallow mine workings and/or any other mitigation measures to ensure the safety and stability of the proposed development, any such works should be undertaken prior to commencement of any works on site.
Reason: In the interests of ground stability and safety. | |
| 14 | No development including demolition works shall commence on site until a scheme for the retention and protection of trees of British Standard 5837:2012 - Trees in relation to design, demolition and construction has been submitted to and approved in writing by the Local Planning Authority. This shall include full details on all works that impact on the original ground conditions within the root protection areas, as detailed in BS5837:2012 and in particular details of protective fencing, ground protection and construction method, required tree surgery operations, service trenching positions and any changes in ground level within the root protection areas of all retained trees. No development shall take place except in complete accordance with the approved scheme, and the works required by that scheme are in place. All protective fencing, ground protection etc shall be retained intact for the full duration of the construction phase of the development hereby approved, and shall only be removed, or altered in that time with the prior written approval of the Local Planning Authority.
Reason: To ensure the protection of retained trees on site during construction works. | |
| 15 | No development including demolition work shall commence until all tree protection measures as detailed in the approved scheme have been implemented, inspected and approved in writing by the Local Planning Authority.
Reason: To ensure the protection of retained trees on site during construction works. | |

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- 16 No retained trees shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner with 5 years from the date of the first occupation of any building for its permitted use, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority.
Reason: To ensure as possible that the landscaping scheme is fully effective.
- 17 If any retained tree is cut down, uprooted or destroyed or dies another tree shall be planted at the same place and that tree shall be of such a size and species and planted at such a time as may be specified in writing by the Local Planning Authority.
Reason: To ensure as far as is possible that the landscaping scheme is fully effective and in accordance.
- 18 No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been approved in writing by the Local Planning Authority. This scheme shall include details of sustainable drainage system (SuDS) for surface water drainage and/or details of any connections to a surface water drainage network. The development shall not be brought into beneficial use until the works have been completed in accordance with the approved drainage scheme, and this scheme shall be retained and maintained as approved unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that a satisfactory comprehensive means of drainage is achieved and that no adverse impact occurs to the environment or the existing public sewerage system and to minimise surface water run-off.
- 19 Prior to the commencement of any development, a scheme relating to the maintenance of the surface water system shall be submitted and agreed in writing with the Local Planning Authority. The surface water system shall be maintained in accordance with the agreed scheme thereafter.
Reason: To ensure the satisfactory long-term operation to prevent the increased risk of flooding.
- 20 Only foul water from the development site shall be allowed to discharge to the public sewerage system and this discharge shall be made between manhole reference numbers SS57987001 and SS57985101 located in Glebe Road as indicated on the extract of the Sewerage Network Plan (attached to this decision notice).
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.
- 21 Land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.
Reason: To prevent hydraulic overload of the public sewerage system and pollution of the environment.

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- 22 The development shall be carried out in accordance with the recommendations contained within Section 6 of the approved Extended Phase 1 Habitat Survey Report by Middlemarch Environmental received on the 30th July 2013.
Reason: In the interest of protecting the ecology of the site and surrounding area.
- 23 Any open excavations during construction phase shall either be covered or fitted with ramps to prevent any terrestrial mammals that may be present from becoming trapped in open excavations. Details of any ramps or covers to be used shall be submitted to and approved in writing by the Local Planning Authority prior to their use on site.
Reason: In the interest of protecting the ecology of the site and surrounding area.
- 24 Before the development hereby permitted is commenced, details of the levels of the building(s), road(s) and footpath(s) in relation to the adjoining land and highway(s) together with any changes proposed in the levels of the site shall be submitted to and agreed by the Local Planning Authority in writing.
Reason: To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, and the amenities of adjoining occupiers.
- 25 No part of the development hereby permitted shall be occupied until street lighting has been installed in accordance with a detailed scheme to be agreed with the Local Planning Authority.
Reason: To ensure a convenient and safe form of development.
- 26 No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.
Reason: In the interest of highway safety.

INFORMATIVES

- 1 The reserved matters application shall have regard to the urban design principles, development strategy and structural landscaping principles of the development, as set out in the information submitted in support of this application.
- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 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: Policies AS1, AS2, AS6, EV1, EV2, EV3, EV33, EV34, EV35, HC1, HC3, HC17 and HC24 of the Swansea Unitary Development Plan 2008.

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- 4 Bats may be present. All British bat species are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2010. This legislation implements the EC Habitats & Species Directive in the UK making it an offence to capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It is also an offence to recklessly / intentionally to disturb such an animal.
If evidence of bats is encountered during site clearance e.g. live or dead animals or droppings, work should cease immediately and the advice of the Natural Resources Wales sought before continuing with any work (01792 634960).
- 5 Birds may be present in this building and grounds please note it is an offence under the Wildlife & Countryside Act 1981 (as amended) to intentionally (intentionally or recklessly for Schedule 1 birds) to:
- Kill, injure or take any wild bird
 - Take, damage or destroy the nest of any wild bird while that nest in use or being built
 - Take or destroy an egg of any wild bird
- Care should be taken when working on buildings particularly during the bird nesting season March-August.
- 6 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 is in use or being built
 - Take or destroy an egg of any wild bird
- You are advised that any clearance of trees, shrubs, scrub (including gorse and bramble) or empty buildings should not be undertaken during the bird nesting season, 1st March - 31st August and that such action may result in an offence being committed.
- 7 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.
- 8 Any culverting of a watercourse requires the prior written approval of the Local Authority under the terms of the Public Health Act 1936, and the prior written consent of the Environment Agency under the terms of the Land Drainage Act 1991/Water Resources Act 1991. The Environment Agency seeks to avoid culverting, and its consent for such works will not normally be granted except for access crossings. The Environment Agency has no knowledge of flooding in this vicinity. However, you are also advised to consult with your Engineers Department, who may hold records/additional information, prior to the granting of planning consent.
- 9 The Environment Agency and the Local Authority have permissive powers to maintain watercourses depending on the watercourse's definition as "Main River" or "Ordinary Watercourse". The responsibility for general maintenance of the river and its banks rests with the riparian owner. Any bankside trees or vegetation within 3 metres of the watercourse should be protected from development in order to promote conservation and preserve visual amenity.

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| 10 | Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or underground waters. | |
| 11 | Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste must be licensed waste carriers. | |
| 12 | The activity of importing waste into the site for use as, for example hardcore, must re-registered by the Environment Agency Wales as an exempt activity under the Management Licensing Regulations 1994. | |
| 13 | Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under over or within 7 metres of the top of a main river i.e. Nant-y-Fendrod & Nant Bran. | |
| 14 | Any culverting of a watercourse requires the prior written approval of the Local Authority under the terms of the Public Health Act 1936, and the prior written consent of the Environment Agency under the terms of the Land Drainage Act 1991. | |
| 15 | The applicant or his contractor should follow the advice given in BS 3998 (2010) 'Recommendations for Tree Work'. | |
| 16 | The developer is advised to contact Dwr Cymru (Welsh Water) Telephone Swansea 772200 Ext. 2562 with regard to adequacy of water supply and position of water distribution mains in the area. | |
| 17 | To protect the integrity of the Public Sewerage System, foul water and surface water discharges shall be drained separately from the site. | |
| 18 | To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment, no surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system unless otherwise approved in writing by the Local Planning Authority. | |
| 19 | To prevent hydraulic overload of the public sewerage system and pollution of the environment, land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system. | |
| 20 | If connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Developer Services on 0800 917 2652. | |
| 21 | The developer is advised that the Welsh Government are planning to introduce new legislation that will make it mandatory for all developers who wish to connect to the public sewerage to obtain an adoption agreement for their sewerage with Dwr Cymru Welsh Water (DCWW) (Mandatory Build Standards). Further information on the Mandatory Build Standards can be found on the Developer Services Section, DCWW at www.dwrcymru.com or on the Welsh Government's website www.wales.gov.uk . | |

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- 22 The developer is advised that some public sewers and lateral drains may not be recorded on Dwr Cymru Welsh Water's (DCWW) maps or public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. DCWW advise that the applicant contacts their Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 DCWW has rights of access to its apparatus at all times.
- 23 All internal roads, footpaths and public areas shall be laid out and constructed to Highway Authority standards and Specification.
- 24 The developer is advised that the Council's Highways Dept will require a Construction Traffic Management Plan prior to construction works commencing on site. The developer must therefore 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 mark.jones@swansea.gov.uk , tel. no. 01792 636091.
- 25 Under the Flood and Water Management Act 2010 the City and County of Swansea is now classed as the Lead Local Authority (LLFA) and as part of this role is responsible for the regulation of works affecting ordinary watercourses. Our prior written consent for any works affecting a watercourse may be required irrespective of any other permission given and we encourage early engagement to avoid any issues.
- 26 It is an offence under the Town and Country Planning Act 1990 to:
Cut down, uproot, top, lop, wilfully destroy or wilfully damage a tree protected by a Tree Preservation Order.
Wilful damage to a protected tree includes damage to its surrounding rooting area by; excavation work, storage of materials or machinery, parking of vehicles, deposit of soil or rubble, disposal of liquids, or the mixing of cement.
- 27 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 Monday 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.
- 28 No burning of any material to be undertaken on site. The Local Authority has the power to enforce this requirement by service of an abatement notice. Any breaches of the conditions attached to such a notice will lead to formal action against the person(s) named on said notice.
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Report of the Head of Economic Regeneration and Planning

Planning Committee - 10 November 2015

DEVELOPER GUIDANCE – PLANNING APPLICATIONS FOR NON-HOUSEHOLDER RESIDENTIAL DEVELOPMENT

Purpose:	To seek the approval of Elected Members to publish a Guidance Note for Developers
Policy Framework:	Swansea Unitary Development Plan; Swansea Local Development Plan Preferred Strategy (2014) and Proposed Allocations (2015)
Reason for Decision:	To enable the Planning Authority to set out a clear and reasoned approach for the determination of future planning applications for non-householder residential development, and to respond in a proactive manner to the identified shortfall in housing land
Consultation:	Legal, Finance and Access to Services
Recommendation(s):	It is recommended that the Guidance Note is approved as the Council's agreed protocol for administering and determining planning applications for non-householder residential proposals
Report Author:	Tom Evans
Finance Officer:	Aimee Dyer
Legal Officer:	Chris Allingham
Access to Services Officer:	Sherill Hopkins

1.0 Background

- 1.1 The Council's current adopted development plan, the Swansea Unitary Development Plan (UDP) is approaching its 2016 end date and inevitably the number of allocated housing sites that remain undeveloped has significantly diminished. The emerging Swansea Local Development Plan (LDP) will not be adopted before the latter months of 2017. As a result of these and other factors, the Council is currently unable to meet its statutory requirement to maintain a minimum 5 year supply of housing land.
- 1.2 Welsh Government guidance makes clear that a lack of a sufficient supply of housing land must be considered a significant material planning issue when considering the appropriateness of residential development proposals, even if such proposals represent a departure to the adopted development plan.
- 1.3 Having regard to this context, Council on 24 September 2015 agreed that the Planning Authority should take a proactive response to the current shortfall in housing land supply. In particular by engaging positively with developers that wish to submit planning applications on LDP sites and, where appropriate, encouraging applications in advance of formal adoption of the LDP.

2.0 The need to respond to the housing land shortage

- 2.1 The Council as local planning authority has a statutory requirement to maintain a minimum 5 year housing land supply. The number of available and deliverable sites has reduced as the current UDP reaches its end date, a situation that has been made worse by the need to remove a number of sites that have historically formed part of the County's land supply to comply with recently updated Welsh Government Guidance. As a result of this and other factors the Council is currently unable to meet its statutory requirement to maintain a minimum 5 year supply of housing land. The current supply stands at around 3 years, as set out in the latest Joint Housing Land Availability Report (2015), which has been agreed with the Welsh Government and relevant stakeholders.
- 2.2 It was reported to Members on 24 September 2015 that the need to address the housing land shortfall is increasingly acute as the land supply continues to diminish, and that it is anticipated the planning authority will be faced with determining numerous 'departure' planning applications in advance of the adoption of the LDP as a result. Departure applications (i.e. those that do not accord with UDP policies or allocations) are likely to include Greenfield sites that may be subject to particular sensitivities. Even if the Council refuses planning permission for such departure applications, prospective developers may anticipate these will ultimately be allowed on appeal as a result of the significance that a Planning Inspector would give to the need to provide land for housing development.
- 2.3 Members agreed on 24 September 2015 that measures need to be taken with immediate effect to try to increase the available housing land supply, and specifically that Officers should negotiate the preparation and submission, as appropriate, of planning applications for residential development on Strategic Sites in advance of the adoption of the LDP.

This approach will not only serve to address the housing land supply shortage and ensure that large sites are able to be ‘built out’ during the plan period, but will also enable supporting community facilities and/or infrastructure to be delivered at an early stage on such sites, through the imposition of appropriate planning obligations.

- 2.4 By focussing on strategic sites, as well as sites currently within settlement boundaries, the planning authority will be well placed to resist other applications that may be submitted on Greenfield sites not currently allocated in the adopted Unitary Development Plan, since such applications can then be said to be at variance with the Council’s strategy for meeting its land supply shortage. Without such a strategy in place the Council will be in an increasingly vulnerable position to prevent unsatisfactory and unpopular applications gaining planning permission.

3.0 A Guidance Note for Developers

- 3.1 The purpose of the Guidance Note for Developers (attached at Appendix 1) is to make clear to prospective housing developers and the Welsh Government/Planning Inspectorate that the Council has a clear strategy in place to address the current housing land shortfall. In particular, by prioritising applications for sites within settlement in the first instance, but also encouraging early applications on appropriate LDP allocations in advance of LDP adoption. The Guidance sets out the nature of evidence that is required from prospective developers to demonstrate the extent to which their proposals are compliant with the LDP Preferred Strategy and emerging Deposit LDP. The Guidance makes clear that proposals must be subject to an appropriate sustainability appraisal and be shown to be viable and deliverable, such that they will make a genuine and early contribution to meeting housing supply.
- 3.2 The Guidance states that the Council will apply a clear sequential approach to site selection in line with national guidance and to ensure it prioritises those LDP sites capable of delivering the widest social and economic benefit. In the first instance the Council will, wherever possible, endeavour to bring forward planning applications on sites recommended for allocation in the LDP that are within the existing UDP settlement boundary and/or sited on brownfield land. Such sites already benefit from in principle support for development, some of which include Council owned land.
- 3.3 In the case of departure applications, it states that Strategic Sites will be prioritised to ensure the high unit numbers attributed to these sites can be fully delivered over the plan period. Any ongoing delays to start dates on Strategic Sites will reduce the likelihood of delivering the allocated number of units on each site within the Plan period (i.e. by 2025). This would potentially undermine the soundness of the LDP, as there is less flexibility in terms of when homes must start being delivered on the ground at Strategic Sites as compared to non-strategic sites that typically can be built out within a few years. Such concerns can be addressed by prioritising early applications on Strategic Sites and therefore ensuring the delivery of units is reasonably spread on an annual basis over the period to 2025. Details of the housing-led Strategic Sites identified in the Preferred Strategy and recommended for allocation in the Deposit LDP can be found at www.swansea.gov.uk/ldpstrategicsites and are described below:

Land north of Pontarddulais
Land north of Garden Village
Land south of A4240 Penllergaer
Land west of Llangyfelach Road , Penderry
Land north of Clasemont Road Morrison
Land northwest of M4 J46, Llangyfelach
Land north of Waunarlwydd/Fforestfach

The following **Mixed Use Strategic Sites** are also recommended for allocation in the Deposit LDP, which include an element of residential uses, and will similarly be prioritised for early applications for housing where appropriate:

Central Area and Waterfront
Fabian Way Corridor
Swansea Vale

- 3.4 The Guidance states that planning applications relating to Strategic Sites must be underpinned by a masterplan that relates to the whole site, regardless of whether the planning application proposes only an element of the site is delivered as an early phase. It requires that such masterplans are formulated with appropriate stakeholder consultation, meet the policy requirements of the emerging LDP, and are agreed by the Local Planning Authority. It makes clear the Council will seek the delivery of complementary uses and relevant infrastructure alongside proposed new housing, which can provide wider community benefit such as a new school. Strategic Sites are considered best placed to demonstrate that the delivery of such community uses and infrastructure is viable and directly related to the wider development proposed.
- 3.5 The Guidance highlights that **LDP Exception Sites**, recommended for allocation in the Deposit LDP for the delivery of a majority proportion of affordable housing, will also be prioritised. There is a pressing need to deliver affordable housing in certain parts of the County. The latest needs assessment has identified significant shortfalls in provision, in particular within Swansea West, Gower Fringe and Gower AONB. Priority will therefore also be afforded to those planning applications that deliver majority proportions of affordable housing on sites that are recommended for allocation in the Deposit LDP for this express purpose, as well as appropriate sites on the edge of existing village settlement boundaries.
- 3.6 Significantly, the Guidance makes clear that less priority will be afforded to those smaller (non-Strategic) sites recommended for allocation in the Deposit LDP that are located beyond existing settlement boundaries. Departure applications on such sites are not the preferred means of redressing the housing land supply as these:
- are less likely to deliver associated wider community facilities and highway improvements;
 - will deliver fewer units than larger strategic sites;

- may divert the attention and resources of a developer away from delivering units and infrastructure on Strategic Sites; and
- would require multiple land releases to redress the housing shortfall.

- 3.7 The Guidance makes clear that departure applications on sites that are not recommended for allocation in the Deposit LDP, and that are also not currently allocated in the UDP, will not generally be supported by the Planning Authority. The broad assumption is that these proposals, besides being contrary to adopted policy and the Guidance Note, would both individually and cumulatively undermine the soundness of the emerging LDP Settlement Strategy.
- 3.8 The Guidance provides details of the wide range of evidence required to support any departure planning application. Proposals will need to be accompanied by evidence to demonstrate that they are sustainable, viable, compatible with the LDP Preferred Strategy, and crucially will deliver housing completions before adoption of the LDP.
- 3.9 Ultimately the main aim of the guidance is to set out the Planning Authority's positive approach to delivering the necessary new homes across Swansea but to deter the submission of speculative applications for residential development that are unlikely to be supported.

4.0 Timing and Procedures

- 4.1 Publication of the Swansea Deposit LDP is scheduled for early 2016. The Guidance Note makes clear that the Planning Authority considers it inappropriate for the Council to determine any planning application for housing development on a proposed LDP site that represents a departure to the UDP prior to public consultation on the Deposit LDP being concluded. Developers are also advised to await the outcome of the Deposit consultation process before submitting departure applications, and where necessary amend their proposals having regard to any appropriate representations made in relation to the site or the LDP more broadly.
- 4.2 In instances where the Planning Authority recommends approval of a significant residential development (defined as 150+ dwellings) prior to formal adoption of the LDP, the application need will be referred to the Welsh Government for their consideration under the provisions of the Town and Country Planning (Notification) (Wales) Direction 2012.

5.0 Equality and Engagement Implications

- 5.1 There are no direct equality and engagement Implications.

6.0 Financial Implications

- 6.1 There are no immediate financial implications arising from approval of the Guidance Note. Failure to deal with the shortage of housing land is likely to lead to increased incidence of planning appeals however, which could give rise to future requirements for external advice to the Council such as legal support that would have a financial cost.

7.0 Legal Implications

- 7.1 The Council is statutorily obliged to provide a minimum 5 year supply of housing land.
- 7.2 The Developer Guidance Note will be used as a 'check list' by the Planning Authority in the determination of planning applications but the document is not formal supplementary planning guidance. The Guidance Note is therefore an informative to provide transparency of approach and consistency in decision making, and does not form part of the statutory development plan.

Background Papers:

- Swansea LDP Preferred Strategy
- Swansea LDP Proposed Allocations <http://www.swansea.gov.uk/LDPPA>
- Technical Advice Note 1 Joint Housing Land Availability Studies (TAN1)

Appendices:

Appendix 1 - Guidance Note for Developers - Planning applications for Non-householder residential development



Guidance Note - Planning Applications for Non-householder Residential Development

1.0 Overview

- 1.1 The Council is approaching the end date of the current adopted Unitary Development Plan (UDP), which expires on the 31st December 2016. Inevitably the number of sites allocated for housing in the UDP that are undeveloped has diminished in recent years. Furthermore, a number of these undeveloped sites that have historically formed part of the County's housing land supply have now been removed from the agreed figures to reflect updated Welsh Government Guidance¹. As a result of this and other factors the Council is currently unable to meet its statutory requirement to maintain a minimum 5 year supply of housing land.
- 1.2 The Council recognises that a failure to maintain a 5 year supply of housing land could result in increased numbers of planning applications being submitted for housing development that are contrary to adopted UDP policy.
- 1.3 The purpose of this Guidance Note is to make clear to prospective housing developers that the Council has a clear strategy in place to address the current housing land shortfall, and to provide advice to any interested parties as to how the Planning Authority will deal with planning applications submitted on sites not currently allocated within the UDP. In particular the Guidance highlights that all reasonable efforts will be made to bring forward proposals on previously developed land and sites within-settlement. Where appropriate, the Council will also encourage **early applications** on recommended Local Development Plan (LDP) allocations in advance of **LDP adoption**. The Guidance sets out the nature of evidence that is required from prospective developers to demonstrate the extent to which **departure applications** are otherwise compliant with the **LDP Preferred Strategy** and emerging **Deposit LDP**. The Guidance makes clear that proposals must be subject to appropriate sustainability and socio-economic appraisals. They must also be viable and deliverable such that they will make a genuine and early contribution to meeting housing supply.

¹ Technical Advice Note 1 Joint Housing Land Availability Studies (TAN1)

2.0 Status and Purpose of this Guidance

- 2.1 This Guidance Note [*is to be/has been*] endorsed by Elected Members of the Council². The document is not supplementary planning guidance to adopted policy and is instead intended to provide information for developers that have submitted, or are considering submitting, a planning application.
- 2.2 The main purpose of the guidance is to set out the Council's positive and proactive approach to delivering the necessary new homes across Swansea. It also aims to dissuade the submission of inappropriate departure applications for residential development that are unlikely to be supported by the Planning Authority.
- 2.3 The Guidance applies with immediate effect to any planning application currently being considered by the Planning Authority, as well as applications that may be submitted in the future.

3.0 Housing Land Supply within Swansea

- 3.1 Welsh Government Planning Guidance states that "*Local planning authorities must ensure that sufficient land is genuinely available, or will become available, to provide a 5-year supply of land for housing judged against the general objectives and the scale and location of development provided for in the development plan*"³. According to the method of calculating housing land supply prescribed by the Welsh Government⁴, the Council does not currently have the required 5 year supply of housing land. The current land supply for the County identified in the latest published **Joint Housing Land Availability Report (2014)** is 2.7 years. Although the 2015 study has not yet been published it is anticipated that this figure will increase, however there will continue to be a shortfall.
- 3.2 Welsh Government guidance states that the housing land supply figure should be treated as a material consideration in determining planning applications. It also makes clear that an Authority should act when the land supply falls below the required 5 years by having a strategy that will redress the shortage and increase land availability. Whilst the need to increase housing supply will be a material factor in considering applications, Welsh Government guidance also highlights the importance of ensuring proposals still comply with other relevant development plan and national planning policies.

4.0 Determining Planning Applications on Recommended LDP Sites

- 4.1 Officers will take a positive approach to the negotiation and preparation of appropriate early planning applications for residential development on sites recommended for allocation in the Deposit LDP, subject to the requirements and approach set out below.

² City & County of Swansea Planning Committee, 10 November 2015

³ Planning Policy Wales (PPW), Paragraph 9.2.3

⁴ Technical Advice Note 1 Joint Housing Land Availability Studies (TAN1)

- 4.2 In the first instance the Council will, wherever possible, endeavour to bring forward planning applications on sites that are within the existing UDP settlement boundary and/or sited on previously developed land, including sites recommended for housing allocations in the LDP. Such sites already benefit from in principle support for development and therefore increased efforts will be made to facilitate the delivery of new housing units at these locations, including measures to bring forward appropriate Council owned land.
- 4.3 In the case of departure applications, the Council will prioritise **LDP Strategic Sites** recommended for allocation in the Deposit LDP and identified in the approved LDP Preferred Strategy. The Planning Authority has a specific mandate from Elected Members to consider early applications on these Strategic Sites⁵. Applications will be prioritised to ensure the high unit numbers attributed to these sites can be fully delivered over the plan period. Delays incurred to start dates for development on Strategic Sites could reduce the likelihood of delivering the allocated number of units across such sites by 2025. This would potentially undermine the soundness of the LDP, as there is less room for flexibility on Strategic Sites compared to non-strategic sites in terms of when new homes need to start being delivered on the ground. Such concerns can be addressed by prioritising early applications on Strategic Sites and therefore ensuring the delivery of units is reasonably spread on an annual basis over the period to 2025. Overall, these sites are most capable of delivering the widest social and economic benefit. Delivering new homes at Strategic Sites at the earliest reasonable opportunity will therefore make a significant contribution to the LDP settlement strategy.
- 4.4 Details of the Housing led Strategic Sites identified in the Preferred Strategy and recommended for allocation in the Deposit LDP can be found at www.swansea.gov.uk/ldpstrategicsites and are described below:

Land north of Pontarddulais
Land north of Garden Village
Land south of A4240 Penllergaer
Land west of Llangyfelach Road , Penderry
Land north of Clasemont Road Morrison
Land northwest of M4 J46, Llangyfelach
Land north of Fforestfach / Waunarlwydd

The following **Mixed Use Strategic Sites** are also recommended for allocation in the Deposit LDP, which include an element of residential use. New housing on these sites will similarly be prioritised for early applications, in association with other supporting uses where appropriate:

⁵ Reports of the Cabinet Member for Enterprise, Development and Regeneration to Council on 2nd December 2014 and 24th September 2015

Central Area and Waterfront
Fabian Way Corridor
Swansea Vale

- 4.5 Planning applications relating to Strategic Sites must be underpinned by a masterplan that relates to the whole site, regardless of whether the planning application proposes only an element of the site is delivered as an early phase (see Section 6 'Additional Guidance' below regarding hybrid applications). The masterplan should be formulated with appropriate stakeholder consultation and meet the policy requirements of the emerging LDP, and be agreed by the Planning Authority. The Council will seek the delivery of complementary uses and infrastructure that provide wider community benefit alongside proposed new housing. Strategic Sites are considered best placed to demonstrate that the delivery of such community uses and infrastructure is viable and directly related to the wider development proposed.
- 4.6 There is a pressing need to deliver affordable housing in certain parts of the County. The latest needs assessment has identified significant shortfalls in provision, in particular Swansea West, Gower Fringe and Gower AONB. Further detail is available at <http://www.swansea.gov.uk/article/5147/LDP-strategic-housing-market-assessments>. Priority will therefore also be afforded to those planning applications that deliver majority proportions of affordable housing on sites that are recommended for allocation in the Deposit LDP for this expressed purpose, including appropriate sites on the edge of existing village settlement boundaries. Prospective developers of such schemes are encouraged to discuss the details of their proposals with the Planning Authority at an early stage, in order to help identify the suitability of the site proposed early on in the process. The overall numbers that such sites would contribute towards meeting the current housing shortfall would be small, however such sites are being prioritised at this stage for the particular purpose of meeting identified needs for affordable housing.
- 4.7 Less priority will be afforded to bringing forward in advance of LDP adoption those smaller (non-Strategic) sites that are recommended for allocation in the Deposit LDP but that are currently located beyond existing settlement boundaries as defined by the UDP. Departure applications on such sites are not the preferred means of redressing the housing land supply as these:
- are less likely to deliver associated wider community facilities and highway improvements;
 - will deliver fewer units than larger strategic sites;
 - could divert the attention and resources of a developer away from delivering units and infrastructure on Strategic Sites; and
 - would require multiple releases to redress the shortfall.

Notwithstanding this broad approach regarding non-Strategic sites, the Council does not wish to 'freeze out' small scale developers from the process and would therefore encourage any prospective developer to discuss its proposals with the Planning Authority from an early stage, in order to consider the individual merits of an application and have full regard to the particular circumstances and planning issues.

For example there may be instances where negotiations on Strategic Sites and Exception Sites are insufficiently advanced within an area and/or unlikely to lead to the delivery of sufficient numbers of residential units to address the identified housing shortfall. In such circumstances a small scale site could provide a contribution to housing numbers that cannot reasonably be secured by other sites.

- 4.8 The Planning Authority does not encourage departure applications on sites that are not recommended for allocation in the Deposit LDP or currently allocated in the UDP. Such proposals will not generally be supported by the Planning Authority. The broad assumption is that such proposals, besides being contrary to adopted policy and this Guidance Note, would both individually and cumulatively undermine the soundness of the emerging LDP Settlement Strategy. Fundamentally such proposals are considered unlikely to be capable of successfully meeting the requirements, tests and evidence that are set out in this Guidance Note.

5.0 Evidence required for Departure Planning Applications

- 5.1 Departure applications will need to demonstrate that the proposed development is in-line with the emerging LDP, and will deliver a meaningful and early contribution to meeting housing supply. In addition to the supporting information normally required to determine applications, proposals will also need to be accompanied by the following evidence and demonstrate that they are sustainable, viable, compatible with the LDP Preferred Strategy, and will deliver housing completions before adoption of the LDP:

a) Site and Settlement Appraisal

- 5.2 The appraisal should consider the nature and function of the settlement within which the site is proposed, as well as the characteristics of the individual site. An assessment of the requirement for housing should be provided, having regard to the immediate locality and neighbourhood, as well as the housing requirements for the County as a whole.
- 5.3 The appraisal should consider how the site aligns within the search sequence required by national planning guidance to demonstrate sustainability of approach⁶ and its compatibility with the **LDP Sustainable Settlement Strategy**. This approach requires developers to follow the same principles in terms of identifying and prioritising sustainable sites as the Council has followed in the preparation of the UDP and LDP.

b) Sustainability Appraisal

- 5.4 Sites proposed in the Deposit LDP have been subject to a **Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA)** to demonstrate why and how it represents a sustainable form of development in relation to both the local and national policy context. The principles and objectives of SA/SEA are set out Welsh Government Guidance⁷. Any planning application for a site that is not proposed for allocation in the Deposit LDP must carry out an SA/SEA using the same methodology and SA Framework as used by the Council.

c) Viability Appraisal

⁶ Planning Policy Wales, Paragraph 9.2.8

⁷ Planning Policy Wales, Paragraph 4.3.1 and 4.4.3

- 5.5 A viability appraisal is required to demonstrate that the site can be developed on the basis of accommodating appropriate policy requirements (e.g. obligations for affordable housing, education, highways, open space provision, etc), as well as providing other necessary infrastructure. The appropriate balance of planning obligations will vary depending on the particular circumstances and characteristics of the site. This appraisal is an important part of demonstrating the sustainability and deliverability of the proposal.

d) Housing and Infrastructure Delivery Statement

- 5.6 A Housing and Infrastructure Delivery Statement is required to set out precisely how the proposed development would deliver new homes and supporting infrastructure to help reduce whatever is considered to be the identified shortfall in housing supply at the time of determination. This should clearly identify a timeline for the development including the expected start date, the relevant phasing of infrastructure, the annual completion rate, and the expected completion date for the whole development. This should also clearly identify which developer(s) will be building the homes. This requirement is to ensure compliance with advice in Welsh Government Guidance⁸ that states: *“...sites must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development, so as to create and support sustainable communities where people want to live”*.

e) Welsh Language Impact Assessment

- 5.7 Having regard to the provisions of national planning guidance⁹ and the legislative requirements from the Planning (Wales) Act 2015, the needs and interests of the Welsh language must be a considered in determining the suitability of significant new residential developments. Where appropriate, for example in areas above a certain threshold of Welsh speakers and/or designated as a ‘language sensitive area’, development proposals should be accompanied by a Language Action Plan (LAP) setting out the measures to be taken to promote, protect and enhance the Welsh language. The detailed requirements for a LAP should be discussed with the Planning Authority in advance of the submission of any application. The Council has produced an LDP Topic Paper on Welsh language, which may be of assistance to developers considering submission of a planning application. The Topic Paper is available at <http://www.swansea.gov.uk/ldpbackgroundpapers>.

f) Screening

- 5.8 Applications may need to be screened to ascertain whether the development requires an Environmental Impact Assessment (EIA) to be submitted as part of the supporting documentation. The LPA would encourage this screening process to be undertaken prior to the submission of an application. Developers should be aware that any subsequent decision would be publicly available. The submission of a Screening Opinion alongside the application, rather than being done in advance, may give rise to a delay in the determination of the proposed scheme if it is subsequently found that an EIA is required.

⁸ Planning Policy Wales, Paragraph 9.2.3

⁹ Technical Advice Note 20: Planning and the Welsh Language (2013)

5.9 Developers must have regard to the requirements of the Habitat Regulation Assessment (HRA) under the Conservation of Habitats and Species Regulations 2010, to ensure that no harm would arise to **Natura 2000** sites as a result of approved development. The first stage of the HRA is a screening stage this identifies all the likely impacts both directly or indirectly on Natura 2000 sites either alone or in combination with other plans or projects. The purpose of the screening stage is to determine whether or not the likely impacts will be significant and as such site proposers will need to provide sufficient evidence to enable this assessment.

6. Additional Guidance

- 6.1 Publication of the Swansea Deposit LDP is scheduled for early 2016. The Planning Authority considers it inappropriate for the Council to determine any planning application for housing development on a proposed LDP site that represents a departure to the UDP prior to public consultation on the Deposit LDP being concluded.
- 6.2 Developers are advised to await the outcome of the Deposit consultation process before submitting departure applications, and where necessary amend their proposals having regard to any appropriate representations made in relation to the site or the LDP more broadly.
- 6.3 Departure planning applications should either be a full or 'hybrid' application to allow the Council to properly assess proposals, particularly in terms of the housing requirement to be met, the nature of the housing to be provided, and the deliverability of the scheme. Outline applications are not considered acceptable, as without full and detailed information being provided for the initial phases of housing being proposed it will prove difficult for the Council to be satisfied that the proposal represents an appropriate, sustainable, viable and deliverable form of development.
- 6.4 A failure or unwillingness to provide the essential requirements set out in this Guidance Note for Developers will leave the Council unable to adequately assess the sustainability of the proposed development.
- 6.5 In instances where the Planning Authority recommends approval of a significant residential development (defined as 150+ dwellings) prior to formal adoption of the LDP, the application will be referred to the WG under the provisions of the Town and Country Planning (Notification) (Wales) Direction 2012.

Glossary of Terms

This glossary provides an explanation of the terms used in this note, in so far as they apply within the context of this guidance specifically:

Departure Application – a planning application that is at variance with adopted UDP policy, for example that relates to a site that is not defined as a housing allocation in the UDP, and/or is located outside the current settlement boundary. A departure application site may, or may not, be proposed as an allocation in the Deposit LDP.

Deposit LDP – the full version of the LDP that is based on the evidence compiled and updated throughout the plan preparation process, and that has regard to public consultations and stakeholder engagement carried out during earlier pre-Deposit stages. The Deposit document features both a written statement and Proposals Map.

Early application – a planning application relating to a site that is proposed as an allocation in the Deposit LDP but that is submitted to the Planning Authority in advance of adoption of the Plan.

Housing-led Strategic Site – an LDP Strategic Site (see below) that is allocated for primarily residential development, but in association with other relevant complementary and supporting uses

Joint Housing Land Availability Report (2014) – a report of the findings of the City & County of Swansea Joint Housing Land Availability Study for 2014 that sets out the housing land supply for the area at the base date of 1st April 2014. It has been prepared in accordance with the requirements of Planning Policy Wales, Technical Advice Note 1 (2006), and the Welsh Government Guidance Note on the JHLAS process (September 2012).

LDP adoption – within 8 weeks of receiving the Inspector's Report, an Adoption Statement will be prepared to show that the Council has formally adopted the LDP. The LDP will then become the statutory plan for the City & County of Swansea and will be used to provide development principles and guide decisions on planning applications.

LDP Exception Sites – recommended LDP housing sites proposed for allocation on the proviso that the development delivers a majority of affordable housing i.e. in excess of 50% of the total number of units to be delivered on the site

LDP Preferred Strategy – a strategic level, pre-'Deposit', planning document that sets out the broad approach the Council will take to ensure the City and County of Swansea is developed in a sustainable manner over the period to 2025

LDP Sustainable Settlement Strategy – the proposed means by which the LDP will meet the requirement to identify sufficient land to accommodate future growth in population and housing demand, as set out in Policy 2 of the LDP Preferred Strategy.

LDP Strategic Site – sites by virtue of their nature, scale or location contribute significantly to the spatial strategy of the LDP, as defined in the LDP Preferred Strategy. Housing led Strategic Sites will be allocated in the Deposit LDP for a minimum of 600 homes.

Mixed Use Strategic Site – an LDP Strategic Site that incorporates an extensive element of non-residential uses including (depending on the location) retail and leisure, other commercial, business, and general industrial uses. Housing will also form an element of Mixed Use Strategic Sites.

Natura 2000 Site – an EU wide network of nature protection areas established under the 1992 Habitats Directive, the aim of which is to assure the long-term survival of Europe's most valuable and threatened species and habitats. It is comprised of Special Areas of Conservation (SAC) and Special Protection Areas (SPAs), which are defined in the UDP.

Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) – a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. economic, environmental and social factors). Each LPA is required by Section 62(6) of the 2004 Planning Act to undertake an SA of its LDP. This form of sustainability appraisal fully incorporates the requirements of the Strategic Environmental Assessment (SEA) Directive & Regulations. An SEA is a generic term used internationally to describe environmental assessment as applied to policies, plans and programmes. The SEA Regulations require a formal “environmental assessment of certain plans and programmes, including those in the field of planning and land use”.

Agenda Item 7

Report of the Head of Economic Regeneration and Planning

Planning Committee – 10 November 2015

PLANNING ANNUAL PERFORMANCE REPORT

1.0 Background

- 1.1 The Annual Performance Report (APR) was first proposed by Welsh Government as a result of their 'Positive Planning' consultation in December 2013, associated with proposals to modernise the planning system and improve the delivery of planning services in Wales.
- 1.2 The Planning (Wales) Act 2015 subsequently came into force on the 6th July 2015 and the APR is seen by Welsh Government as an important mechanism for the monitoring of Local Planning Authority performance against a key set of National performance indicators. The APR also provides the opportunity for Local Planning Authorities to set their performance in context, to articulate what it has done well and what steps it proposes to take to address areas of performance in need to improvement.
- 1.3 In this respect the APR represents an important tool for benchmarking the performance of Authorities across Wales but importantly must also be seen in the context of Welsh Government proposals to intervene where Local Planning Authorities exhibit consistent underperformance.
- 1.4 This Authority's APR, reviewing performance for the period 2014-15, is attached as Appendix 1 to this report for Member consideration and must be submitted to Welsh Government by 20th November 2015.

2.0 Context

- 2.1 The Authority underwent a significant change process during 2014-15, partly as a result of budgetary pressures, and partly in response to Welsh Government proposals associated with the Planning (Wales) Act 2015.
- 2.2 In this respect the Planning Control Service underwent restructuring in August 2014 to accommodate the implications of ER/VR and a comprehensive review of its enforcement function and planning application process was also undertaken following the introduction of the Idox electronic document management system.
- 2.3 The Authority's Committee structures and scheme of delegation were also amended in January 2015 to broadly align with the recommendations of Welsh Government contained within its consultation document entitled 'Planning Committees, Delegation and Joint Planning Boards (October 2014)'.

3.0 Performance:

- 3.1 The positive changes introduced during 2014-15 have significantly improved the Authority's development management performance in both qualitative and quantitative terms. This is not, however, fully reflected in returns for the APR given the timescales involved and the interim measures in place both prior to restructuring of the Planning Control service and following amendments to the Committee size, structures and scheme of delegation in January 2015.
- 3.2 That said, the average time taken to determine all planning applications at 64 days was significantly below the Welsh average of 74 days with the percentage of all applications determined within 8 weeks for Q3 and Q4 2014-15 being 80% compared to a Welsh average of 72%.
- 3.3 Similarly significant progress has been made in terms of reducing the backlog of outstanding enforcement cases, however, this has influenced performance relating to the speed of investigation and resolution of cases as the historic caseload is reduced.
- 3.3 The percentage of Member made decisions contrary to officer advice appears high and the percentage of appeals dismissed is also low compared to the Welsh average, however, Committee restructuring has resulted in an increase in delegation and a reduction in the total number of decisions made contrary to officer advice. This is not, however, reflected in performance in 2014/15 given the transitional measures in place during the last quarter of the last recording year.
- 3.2 LDP progress has been delayed over the past year whilst engaging with the public and hearing petitions on proposed sites to be allocated in the Plan. Whilst this has provided a robust basis on which to move forward it has added some 9 months to the process. The ongoing failure to identify a gypsy and traveller site under the provisions of the UDP has, however, had a knock-on effect on the LDP which will be found unsound if advanced without meeting gypsy and traveller needs.

4.0 Conclusion

- 4.1 This year's APR provides a useful tool to benchmark the Authority's performance against other Authorities in Wales and to monitor progress in future years. It also demonstrates that the Authority has already made significant progress in addressing areas of performance that were in need of improvement and in embracing the Welsh Government's agenda for the modernisation of the planning system in Wales.
- 4.2 Moving forward the Authority faces significant budgetary pressures at a time of transformational change for the City and its region and it is inevitable that difficult decisions will have to be made regarding the Authority's priorities and service levels in the future.

Background papers:

Draft Planning (Wales) Bill and Positive Planning: proposals to reform the planning system in Wales published 04/12/2013 -
<http://gov.wales/consultations/planning/draft-planning-wales-bill/?lang=en>

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<i>Production:</i>			



Swansea Local Planning Authority (LPA)

PLANNING ANNUAL PERFORMANCE REPORT (APR) – 2015-2016

PREFACE

Introduction to the report by the Cabinet Member responsible for the planning service, or equivalent.

I have the pleasure of introducing the first Annual Performance Report (APR) for the City and County of Swansea's Planning Service. APR's have been introduced as part of Welsh Government proposals, embodied with the Planning (Wales) Act 2015, to modernise the planning system and improve local delivery of planning services. The Council's Planning Service is responsible for protecting the amenity and environment of our city and countryside in the public interest and facilitating sustainable development and the economic regeneration of our urban and rural areas. This is achieved though having an up to date planning policy framework in place which sets out a clear vision for future growth and development of the City and County against which planning applications can be determined. The Council's planning policy framework is currently being reviewed and, at a time of transformational change in the Swansea Bay and City Region, the APR provides a mechanism for ensuring that the Planning Service is responding positively to the challenges of evolving national planning guidance and the goals of sustainable development. The Planning Service presents the most tangible means of translating the Council's corporate objectives and regeneration agenda into development on the ground with the overall aim of improving the quality of life for local residents and building more sustainable communities.

Councillor Robert Francis-Davies, Cabinet Member for Enterprise, Development and Regeneration

CONTEXT

- 1.0 This section sets out the planning context within which the local planning authority operates.**
- 1.1 The City and County of Swansea covers an area of 378 square kilometres (about 2% of the area of Wales), approximately 66% of which is rural and 34% urban. The City is the second largest in Wales and the regional centre for South West Wales.
- 1.2 Latest population estimates stand at 241,300 (2014), which represents almost 8% of the total population of Wales. The population is growing by around 1300 per annum.
- 1.3 Swansea contains around 110,100 dwellings, with 67% of all stock owner-occupied. The 2014 Welsh Index of Multiple Deprivation identified 12% of Swansea's local areas as falling within the top 10% most deprived in Wales.
- 1.4 Swansea is a centre of learning - home to Swansea University, University of Wales Trinity St. David and Gower College Swansea, which in total support around 20,000 full-time students.

1.5 GVA (Gross Value Added) per head in Swansea stands at £17,445, slightly above the Wales level but over 25% below the UK average. 75% of Swansea's working age residents are economically active and 106,000 people work in Swansea, mostly in the service sectors, with over 30% employed in the public sector. Over 29,000 people commute into Swansea each day.

1.6 Estimates suggest 4.47 million people visited Swansea Bay in 2014 spending £390 million.

2.0 Planning background, including previous adopted or abandoned development plans.

2.1 City and County of Swansea Unitary Development Plan (UDP) adopted 2008, covers the period 2001 to 31st December 2016.

2.2 The replacement Local Development Plan (LDP), currently at Deposit Stage, will provide the future policy context for the period up to 2025

3.0 Place and fit within the community strategy and/or wider strategic and operational activity of the authority.

3.1 A Single Integrated Plan (SIP) known as the One Swansea Plan has replaced the community strategy and the plans for community safety; health, social care and wellbeing; and children and young people. The SIP, which is reviewed and updated annually by the Swansea Local Service Board, has adopted the LDP vision as its vision for Swansea as a place to live, work and visit. The planning system is specifically identified as the mechanism for delivering this vision.

3.2 The SIP has six identified outcomes linked to services and projects, all of which are supported by the planning system, including ensuring people have good places to live and work, have a decent standard of living and can live healthy, safe and independent lives.

3.3 The current UDP and emerging LDP also seek to deliver the land use objectives expressed in other Council strategies, plans and programmes, whilst the evidence gathered for the LDP, such as household projections, retail impact assessment, strategic transport modelling, etc is being used to inform other strategies and wider corporate action, such as the Local Housing Strategy, City Centre Strategic Framework Review, and the Local Transport Plan.

4.0 Existing and previous major influences on land use (e.g. heavy industrial, agricultural, energy, transport).

4.1 Swansea had a pioneering role in Britain's Industrial Revolution. It was a world leader in the smelting of copper, and a centre for the mining of coal and manufacture of tinplate, steel and other metals. Since the decline of these heavy industries, the area has suffered a loss of identity.

- 4.2 National policy supports employment growth within the Swansea Bay region, and there is a requirement to align jobs with housing and infrastructure to reduce the need to travel, especially by car. Current local policy focuses on generating wealth by diversifying the economy away from public sector employment and growing a higher value knowledge economy (life sciences, technology and engineering) that offers higher skilled and better paid employment opportunities. There are a number of projects to help deliver these objectives which are likely to be continued throughout the LDP period, with initiatives such as the ongoing transformation of Swansea's Fabian Way corridor by two universities, plans for the redevelopment of the City Centre and Waterfront area, together with the Tidal Lagoon and new super-hospital proposals.
- 4.3 Between 2001 and 2011 the average property price in Swansea rose by 124.8%. The West of the County now contains some of the more expensive dwellings in South Wales, whilst the North and East of the County contain generally much lower house prices. Since 2006, the average house price to average household income/earnings ratio in Swansea has reduced from over 7 times income to less than 6. However, despite this improvement, the lower availability of mortgage finance for first time buyers means that aspiring households still cannot afford to buy. Almost half of the 35% of households in Swansea that are non-homeowners have annual incomes of under £10,000, and three-quarters have incomes of less than £20,000 per annum. These households can realistically only afford social rented accommodation and in most cases need Housing Benefit support to meet the cost of social rent.
- 4.4 As a result, many developers have put schemes on hold and/or scaled down their building activities. In recent years new house build completions are down by around a third of the average for the past decade. Combined with this, a shortfall in supply of market and affordable housing across Wales has resulted in an intensification of needs, the growth of the private rented sector in response to the fall in supply of other sectors and increasing numbers of conversions of existing housing stock to HMOs.

5.0 Historic/landscape setting of the area, including AONBs, conservation areas etc.

- 5.1 Over 50% of the County's area is identified as being of significant ecological interest. Nearly 70% of the habitats and at least 20% of species identified as being of importance for biodiversity conservation in the UK can be found in the County, and approximately 17% of the County's area is protected by designations at a European (SAC, SPA, RAMSAR) or National (SSSI, NNR) level.
- 5.2 The landscape is of critical importance within the County, as it provides a striking setting for the City and at least 40% of the County (the Gower AONB) is recognised as being landscape of national importance. Most of the AONB coastline is also designated as Heritage Coast which extends for 59km. Gower attracts large numbers of visitors and tourism is very important for the local economy.

- 5.3 There are currently 31 Conservation Areas and 519 Listed Buildings within the County, many of which are characterised as having good authentic surviving historic features that still contribute to the distinctive, special character of the area. However, some Conservation Areas have been degraded in character due to inappropriate alterations to the external features of buildings, or new developments that are out of keeping with the character of the area. The character and size of Conservation Areas can vary greatly, from very small rural hamlets with a cluster of buildings around a church, to urban areas of buildings originally constructed for industrial and commercial purposes.
- 5.4 Most of Swansea's Conservation Areas were designated in the late 1960's and 1970's and therefore, the published documentation supporting these earlier Conservation Areas is often limited. This limits the amount of information available upon which development management decisions in Conservation Areas can be based. A programme of Conservation Areas Review is therefore underway

6.0 Urban rural mix and major settlements.

- 6.1 The County can be broadly divided into four physical areas: the open moorlands of the Lliw Uplands in the north; the rural Gower Peninsula in the west, containing a number of rural villages, contrasting coasts and the Gower Area of Outstanding Natural Beauty (AONB); the suburban area stretching from the edge of Swansea towards settlements in the west and along the M4 corridor; and the coastal strip around Swansea Bay, which includes the city centre and adjacent district centres.
- 6.2 Some two-thirds of the county's boundary is with the sea - the Burry Inlet, Bristol Channel and Swansea Bay.
- 6.3 Most of the population live within the urban areas radiating from the City Centre and in the surrounding nearby urban settlements. There are also rural / semi-rural settlements in and around the edges of Gower and to the north.
- 6.4 The Northern, Eastern and Central parts of the County have historically supported significant levels of housebuilding. The regeneration of the retail heart of the City Centre through mixed use development, including the reintroduction of residential units into the central area, has been seen as a particularly important means of breathing life back into the City. There has been major investment in infrastructure and environmental improvements, and these areas are well located for access to a wide range of employment opportunities. Development has been encouraged within the Maritime Quarter, SA1 and Lower Swansea Valley riverfront areas to reinforce the image and role of Swansea as a 'Waterfront City'.
- 6.5 Within the North West part of the County development has been concentrated on the settlements of Gorseinon, Loughor, Penllergaer and Pontarddulais in support of regeneration initiatives and local employment centres. This has included significant levels of housebuilding over the past decade.

6.6 West Swansea was the focus for the greatest boom in post war building and is now largely built-out to its environmental limits. Beyond this area the Gower Fringe is characterised by rural and semi-rural areas, including the settlements of Penclawdd, Crofty, Dunvant, Three Crosses, Upper Killay and Bishopston, where development has historically been limited to infill and small scale rounding off. Within the Gower AONB restrictive housing policies have historically been applied, however small-scale affordable housing development required to satisfy the overriding economic or social needs of a local community may be permitted.

7.0 Population change and influence on LDP/forthcoming revisions.

7.1 The County has a population of 241,300 (mid-2014, ONS estimates) - the second largest unitary authority in Wales. Official estimates suggest that between 2004 and 2014, Swansea's population increased by 13,100 - an average annual growth of around 1,300 people (0.6%). 104,800 households live in Swansea, with an average household size of approximately 2.25 people. A falling average household size can be attributed to the significant rise of single-person households who now account for a third of all households.

7.2 Comparison of the age structure for Swansea against the Wales average shows a higher proportion of young adults, which is largely associated with the significant local student population. Numbers of those of pensionable age are comparable with the Welsh average; however the older population is projected to grow as a result of better health and associated improvements in life expectancy. Life expectancy at birth in Swansea now stands at 77.6 years for males (Wales 78.3) and 82.1 for females (Wales 82.3)

7.3 78% of the population were born in Wales, with 11.4% of people aged three and over able to speak Welsh. The latest official estimates suggest a non-white ethnic population of around 14,300 - 6.0% of Swansea's total population. 34.9% of Swansea's residents (aged 16-64) are qualified to NVQ level 4 (Degree level) and above.

7.4 The population of Swansea is projected to grow to over 250,000 by 2025 as a result of birth rates exceeding death rates and net in-migration. The County will need sufficient new homes, additional employment opportunities and improved infrastructure and community facilities to support this level of growth and raise standards of living.

7.5 Key influences on the LDP include:

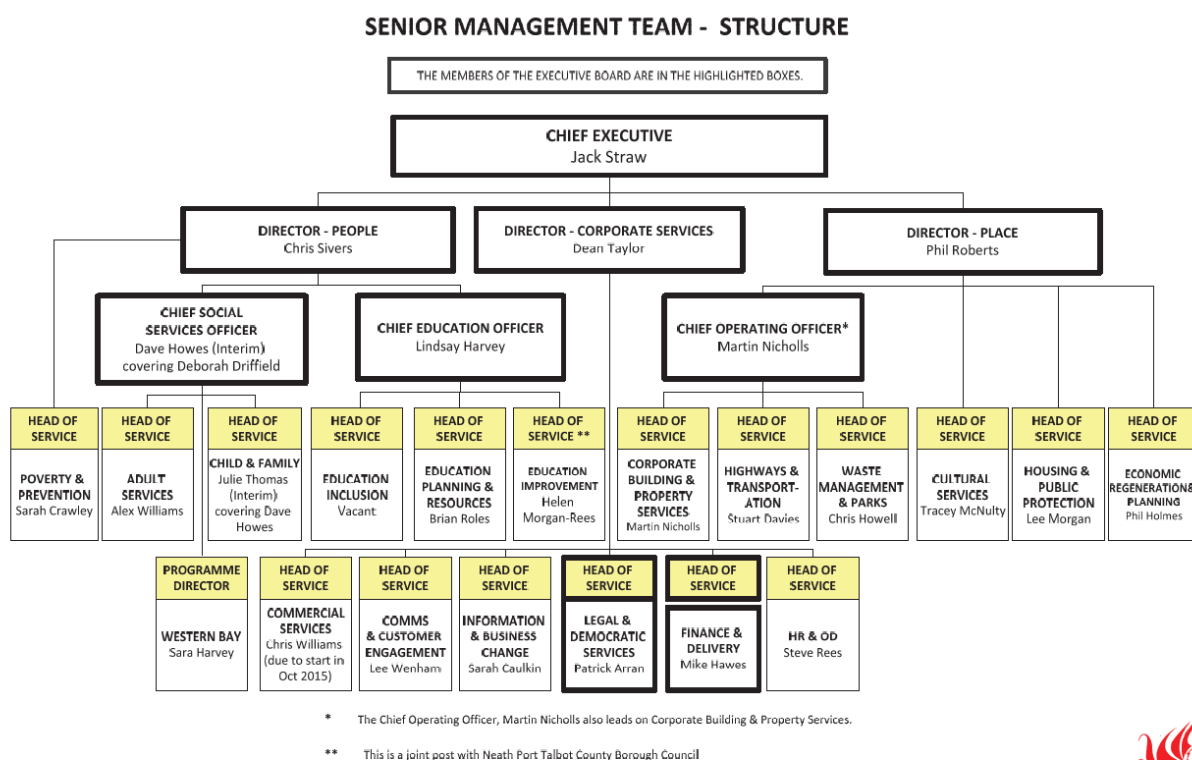
- The link between housing land supply and support for local economic growth - the LDP seeks to provide for over 17000 new dwellings and support 14000 new jobs,
- Supply of new house building not keeping pace with demand as the local population grows,
- A shortfall of affordable housing across the County with the recession increasing the demand for such housing,
- Need for greater variety of size and tenure mix within new housing developments to contribute towards sustainable balanced communities,
- The age and condition of the current social, and to a lesser extent, private housing stock means that substantial improvement is required, particularly in relation to energy efficiency,
- Designing houses to meet the needs of an increasingly elderly population to live independently for as long as possible,
- The lack of suitable alternative accommodation for the elderly.

PLANNING SERVICE

This section should in the main be drawn from sections prepared and approved for department's internal service report.

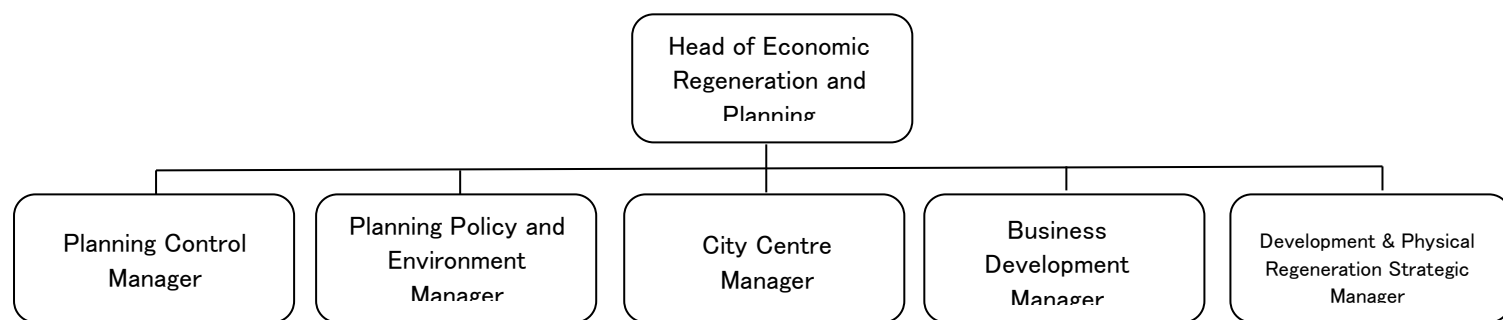
- 8.0 Setting within wider organisation, including organisation chart. How is the department structured? What is the reporting line to the Chief Executive? Are the development management and forward planning team co-located? Are they headed by a single separate head of service? If not, do they report along the same lines?

Chart 1 - Organisational Structure



- 8.1 The Council is organised into three Corporate Directorates reporting directly to the Chief Executive Officer, as detailed in Chart 1 above. Both the development management and forward planning functions sit within the Economic Regeneration and Planning Service under a single Head of Service who reports to the Director of Place.
- 8.2 As detailed in Chart 2 below the Economic Regeneration and Planning Section, itself, is organised into 5 separate service areas namely Planning Control, Planning Policy and Environment, City Centre Management, Business Development and Development and Physical Regeneration.

Chart 2 – Organisational Structure



9.0 Wider organisational activities impacting on the service – how has the department responded to financial constraints imposed during budget setting? What cross departmental activities has the department been involved in or been affected by, e.g. closer joint working in advance of Williams implementation, IT changes, real estate rationalisation?

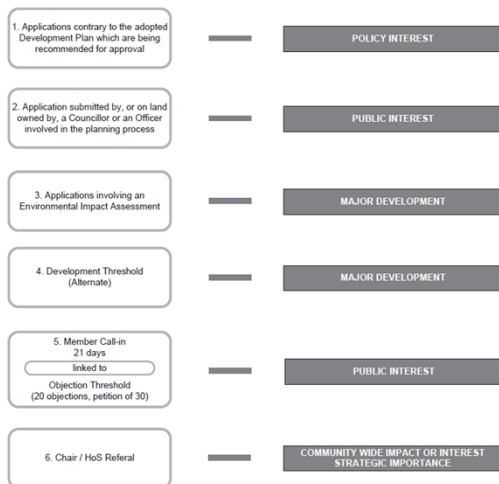
- 9.1 The planned budget savings target for Economic Regeneration and Planning Section for the period 2014/15-2017/18 is £1,190,000. This target is currently under review with the aim of providing up to 50% savings over the next 3 financial years.
- 9.2 The Planning Policy and Environment Service is also currently undergoing a review of its structure in response to these budgetary pressures, to accommodate the retirement of the Planning Policy and Environment Manager at the end of February 2016 and to meet current planned budget savings of £1110,000 over the period 2014/15-2017/18.
- 9.3 With a view to meeting this target the Planning Control Service has undergone a significant change process in an attempt to address current planned budgets savings of in excess of £460,000 over the same period.
- 9.4 This includes an ongoing year on year reduction of staff costs in the Planning Control service of £230k including, to-date, the loss of a Team Leader post, 4 Administration Officer posts and a Conservation Officer in the Urban Design and Conservation Team. Fee income targets in the budget have been increased for planning applications (+£50k) and fees were introduced for pre-application advice (+£50k target) and S106 monitoring (+£10k target) on 1st April 2015. Costs associated with the loss of the Planning Improvement Fund grant (£70k) have also been absorbed within the budget. In addition to efficiency savings detailed below, press advertising costs have also been reduced through contract re-negotiation (£25k saving).
- 9.5 Within the Planning Control Service an electronic document management system has been introduced to improve efficiency and processes and procedures have been reviewed using “Systems Thinking” methodology to remove blockages and double handling in the system.
- 9.6 The Planning Control Service was also restructured in August 2014 and job descriptions were rationalised to accommodate staff savings and ER/VR and to provide flexible working for example, planning and enforcement officers now have the same job descriptions, as do all technicians and all administrative staff on the same grade.

- 9.7 Historically the Service area was organised into two separate Area Development Control Teams, a Major Projects Team, a separate Enforcement and Appeals Team, a team of Technicians, DC Admin and a General Admin Teams, together with an Urban Design and Conservation Team.
- 9.8 The new structure detailed in Chart 4 at paragraph 11.1 below comprises of three self-contained Area Teams incorporating development control, enforcement and technical staff, a single Business Support Ream providing administrative support and a rationalised Urban Design and Conservation Team.
- 9.9 The Council’s Committee structure was also amended in January 2015 to align with the recommendations of Welsh Government contained within its consultation document entitled “Planning Committees, Delegation and Joint Planning Boards (October 2014)”. In this respect the two former Area Planning Control Committees, the Rights of Way Sub-Committee and the Development, and Management and Control Committee comprising of all 72 Councillors have been amalgamated to form one single Planning Committee of 12 members dealing with all planning and rights of way issues.
- 9.10 In addition the Authority’s scheme of delegation has also been amended broadly in line with the National Scheme of Delegation recommended in the above referenced Welsh Government consultation document and as detailed in Chart 3 below. The Chair of Planning Committee, however, has referral and veto powers in certain circumstances and the Head of Service can also refer applications of strategic significant to Committee for decision.

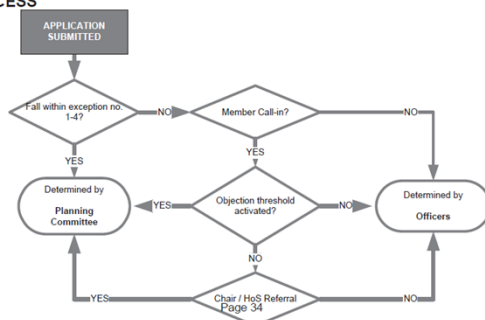
Chart 3 – Scheme of Delegation

Member Call-In linked to objection threshold:

STRUCTURE



PROCESS



9.11 The Authority is currently in dialogue with Neath Port Talbot CBC following the procurement of the Idox replacement back office system by both Authorities with shared hosting facilities. This will provide further opportunities for efficiency savings and shared working.

10.0 Operating budget – including budget trend over 3 years, and fee income. Does the planning department retain fee income? Is this used to calculate its operating budget? Has a discrepancy between expected fee income and actuals affected the forward planning or operational activity of the department?

10.1 The operating budget dedicated specifically to the development management and forward planning functions is difficult to establish as staff within the Planning Control and Planning Policy and Environment Service areas input into a range of functions including central administration for the Section as a whole, Rights of Way, Sustainability, Ecology and AONB functions and land charges for which fee income is not retained.

10.2 Whilst the overall budget for Planning Control and Planning Policy and Environment has reduced over the past three years fee income has risen since 2010/11 as illustrated in Table 1 below:

Table 1 – Planning Application Fee Income

Income (£)	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
Target	1,010,000	780,000	639,000	639,000	689,000	787,600
Actual	870,572	589,069	670,199	908,679	841,171	957,352

10.3 Fee income is retained within the Planning Control Section budget which is, however, set demanding fee income targets for each financial year to cover a growing proportion of the costs of the Service. This places a heavy emphasis on fee income as a means of sustaining the core business of the Service and represents a significant risk to service delivery should fee income fall or fee income targets be increased further to accommodate budget savings.

11.0 Staff issues – what is the current staffing level of the department? What are the current plans for staff skills development and succession planning? Are any vacancies being carried? Has the service had to manage with redundancies (with reference to budget section above)? Has a loss of skills through sickness absence or other reasons, adversely affected the department? What are the coping mechanisms for this?

11.1 The current staffing structure for Planning Control and Planning Policy and Environment is summarised in Chart 4 and 5 below respectively:

Chart 4 – Planning Control Structure

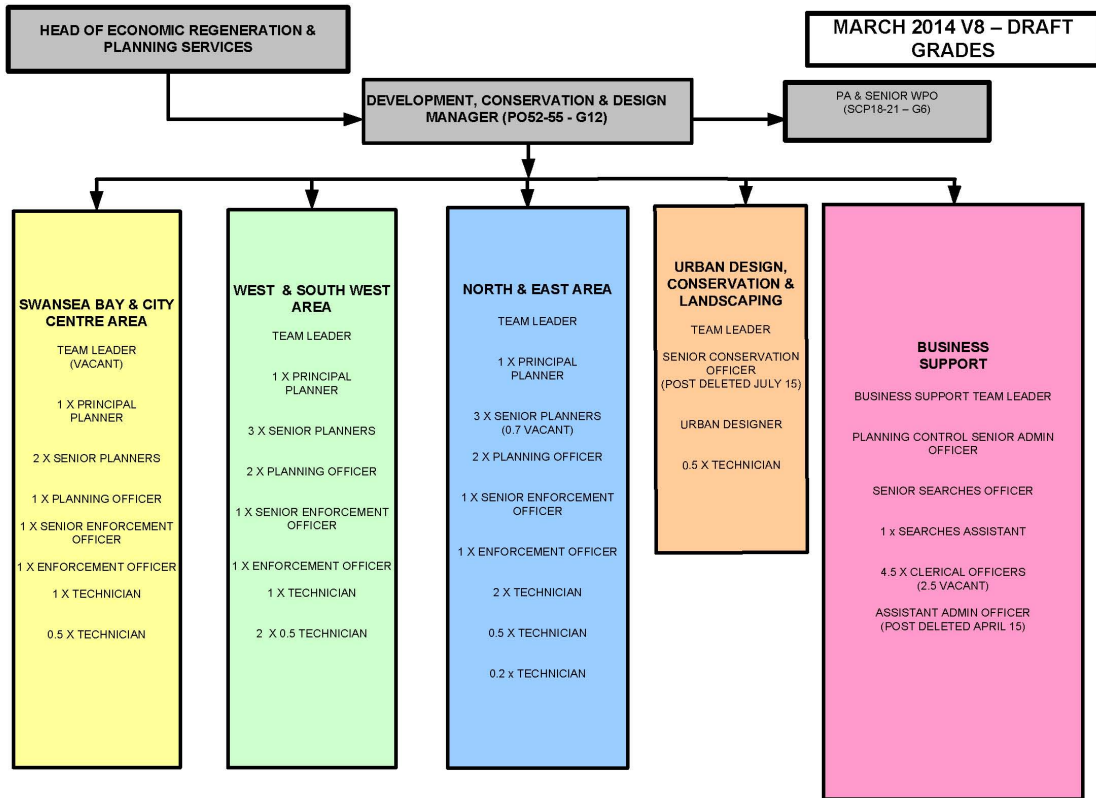
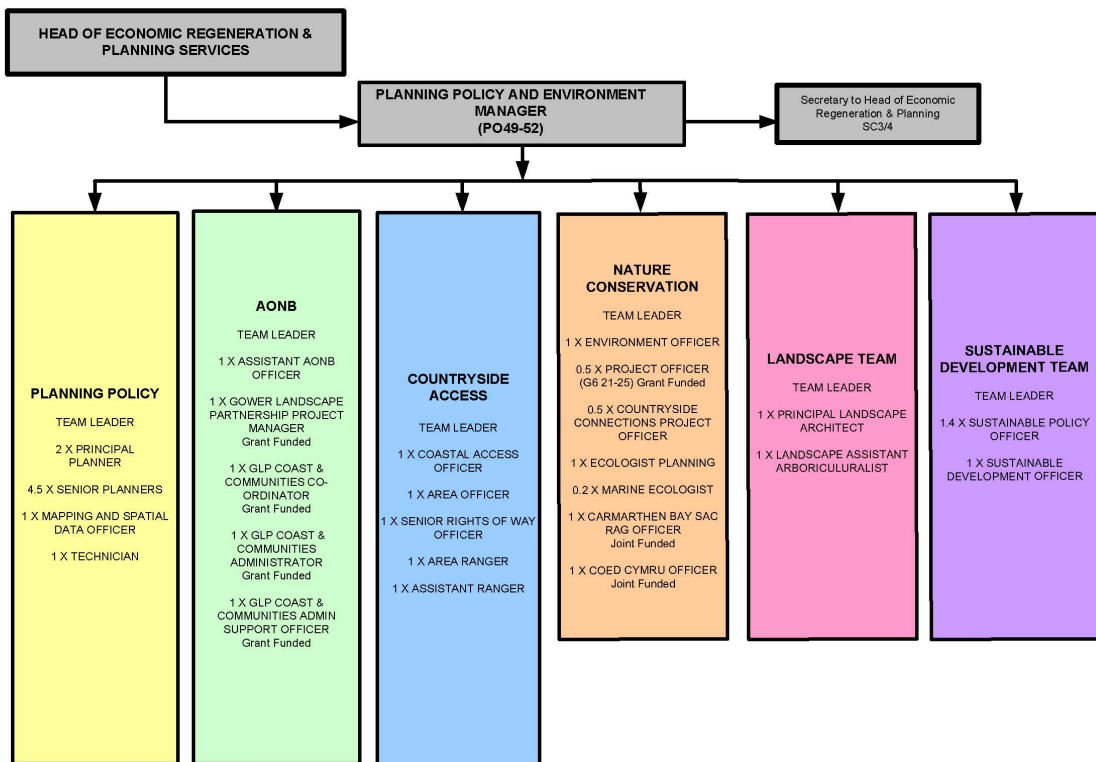


Chart 5 – Planning Policy & Environment Structure



- 11.2 As part of previous rounds of budget savings the Planning Control Section carries a vacancy provision in its budget equivalent to 12.5% of its total staff costs to be met through holding posts vacant on an ongoing basis. It currently carries one vacant Team Leader post, 2.5 vacant posts and two members of staff on temporary contracts in its Business Support Team. It also has a number of staff members working reduced or family friendly hours.
- 11.3 As detailed above the Section has been restructured and job descriptions rationalised to provide more flexible working. Through on the job training, staff from previously discrete teams e.g. DC Admin. and General Admin. carry out a much wider range of functions. An Urban Design post and Buildings Conservation Officer post have been merged to form a single post with the loss of heritage skills now being carried by the Team Leader.
- 11.4 Responsibility and authority has also been delegated further down the staff structure to accommodate a reduction in Team Leaders as a result of restructuring and to help facilitate change.
- 11.5 Upskilling and reskilling of staff in this way is an ongoing process but is seen as a robust mechanism to manage the risk to the Service as ongoing budget cuts bite deeper and harder.

YOUR LOCAL STORY

- 12.0 Workload. What are the current planning pressures the service is facing? What is the status of the LDP? Is development/monitoring/revision proceeding as planned? What is the impact on support of development management services, e.g. for master planning? What is the DM workload per officer?**
- 12.1 Development management pressures stem from a year on year increase in the number of planning applications received from 1482 in 2012/13 to 1832 in 2014/15 reflecting both an upturn in the development industry but also the additional number of applications submitted under the new non material amendment procedure introduced by Welsh Government. This has had the effect of increasing applications but reducing fee income for some developments which would previously have required the submission of a revised planning application. The number of planning applications received per case officer (FTE) was 146 per annum in 2014/15. This excludes the provision of pre-application advice, and appeals and input into the change process described above, enforcement cases, corporate projects and initiative and policy/SPG formulation.
- 12.2 The Planning Control Service was also under interim management arrangements until restructuring in August 2014 which has had an impact upon performance during the first and second quarters of 2014/15.
- 12.3 There has also been a review of the enforcement service by Scrutiny Working Group and significant political pressure to resolve an historic underinvestment in the enforcement service which had resulted in a build up of a significant enforcement backlog, with 674 outstanding cases being investigated by the Authority in July 2014.

- 12.4 Unpredictable workload associated with the submission of NSIP applications such as the Swansea Bay Tidal Lagoon and Abergelli Power, significant appeals and a compensation claim in respect of an Article 4 Direction has also had a significant impact upon available staff resources and the Planning Control budget.
- 12.5 Significant planning policy pressures include the current UDP approaching the end of the plan period; the lack of a five year housing land supply; advancing strategic LDP sites ahead of adoption of the plan; and the viability of introducing a Community Infrastructure Levy (CIL).
- 12.6 The UDP covers the period until the end of 2016, after which time, and until the adoption of the LDP (anticipated late 2017), there will be a local planning policy vacuum. Coupled with a housing land supply shortage, this could potentially result in speculative planning applications being submitted for housing development on currently unallocated Greenfield land outside settlement boundaries. To attempt to address this, a guidance note for developers on 'departure' applications is currently being prepared. The note, which is due to be reported to Planning Committee for endorsement in November, puts in place a clear strategy for dealing with the housing land shortfall and prioritises early applications on appropriate LDP Sites, and in particular on Strategic Sites and sites for affordable housing.
- 12.7 Most of the Strategic Sites will deliver wider physical infrastructure improvements and are in the process of being master-planned. However there may be some gaps in infrastructure provision, particularly in relation to highways improvements that may need to be funded by CIL. Further research needs to be undertaken to establish whether CIL would be viable.
- 13.0 Reference to the Annual Monitoring Report (as an attachment). In the absence of an AMR, the authority should report on its progress towards adoption of the LDP, and any key issues arising in the year.**
- 13.1 LDP progress has been significantly delayed over the past year whilst engaging with the public on proposed sites to be allocated in the Plan. Members heard petitioners, visited sites and considered representations during a process which lasted 9 months. In addition, the ongoing failure to identify a gypsy and traveller site under the provisions of the UDP has had a knock-on effect on the LDP which will be found unsound if advanced without meeting gypsy and traveller needs.
- 13.2 Progress has however been made on LDP background evidence, including:
- Strategic Highway Network Capacity Study and assessment of impact of proposed Strategic Sites
 - 2014 & 2015 Joint Housing Land Availability Studies (JHLAS) published
 - Green Wedge/settlement boundary review completed
 - Ongoing Strategic Site Master planning including preparation of cross-boundary SPG for Fabian Way Innovation Corridor
 - Swansea City Centre Strategic Framework Review completed
 - Retail & Leisure Capacity Study completed
 - Housing Market Assessment Updated
 - Sustainability Appraisal of all LDP Candidate Sites

- 14.0 Current projects. Any specific items of research, best practice development or other initiatives being undertaken within the planning service. Examples could include a “development team” approach to major applications, work on a Local Development Order or process reviews.**
- 14.1 Joint Supplementary Planning Guidance has been drafted with Neath Port Talbot BC for the Fabian Way innovation corridor. It is a strategic site in the LDP and is due to be subject of public consultation later this year. Masterplans are also being produced for the other proposed LDP Strategic Sites.
- 14.2 Joint working with NPT and the agreement of a Memorandum of Understanding with Tidal Lagoon Swansea has assisted effective working between the relevant service areas from both Authorities and Natural Resources Wales.
- 14.3 Introduction of the Idox back office system to replace Northgate M3 and associated process change with potential for joint working with Neath Port Talbot CBC.
- 14.4 Review of the enforcement process in conjunction with Legal Services to reduce failure demand and improve efficiency.
- 15.0 Local pressures. Major applications or other planning issues having a disproportionate impact on the efficiency of the service. Could include specific development pressures, enforcement issues such as major site restoration issues, monitoring compliance of conditions with non-devolved consents (e.g. wind energy applications) or applications of national significance (e.g. LNG storage site).**
- 15.1 Responding to the Swansea Bay Tidal Lagoon NSIP application has had a significant impact on the Service and the Authority as whole. One Team Leader plus support staff were dedicated to furnishing the application process within Planning Control alone with significant input from colleagues in Services such as Pollution Control, Ecology, Highways. Significant external specialist expertise also had to be commissioned and resourced from existing budget.
- 16.0 Service improvement. What were the recommendations of the previous service improvement plan? In future years, this will also refer to actions identified in the previous Annual Performance Report (ideally they will share actions). For each of these:**
- 1. Have they been implemented?**
 - 2. If no, what are the obstacles and what is being done to overcome them?**
 - 3. If yes, have positive changes been observed as a result?**
 - 4. Have any secondary or new issues emerged to be addressed?**
 - 5. What are the next steps, if any?**

- 16.1 The Services Business Plan identified a number of key actions for Planning Control which are Summarised as follows:
- Planning Improvement Services project,
 - Continued review of the democratic processes in line with the findings of the Wales Audit Office AIR & follow-up work,
 - Address Burry Inlet constraint to Development,
 - Member Training,
 - Completion of Corporate Property's Universal Asset Review,
 - Implementation of the Section 106 Register,
 - Deliver an agreed programme of Conservation Area Appraisals,
 - Implement Buildings at Risk Strategy.
- 16.2 The Planning Improvement Services Project included the restructuring of the Service which was complete in August 2014 and the introduction of revised business processes which were completed by January 2015. This has facilitated significant improvement to key elements of performance of the development management and enforcement functions in Quarter 3 and 4 of 2014/15.
- 16.3 The Authority's democratic processes were reviewed, structures amended and scheme of delegation changed in January 2015 broadly in line with Welsh Government recommendations contained within its consultation document entitled "Planning Committees, Delegation and Joint Planning Boards (October 2014)". External training has also been provided for Members of the new Planning Committee. This has facilitated an increase in delegation and reduction in the levels of Member overturns although not fully reflected in performance for 2014/15 given the transitional arrangement in place for the final quarter of that year.
- 16.4 Burry Inlet issues remain a significant potential constraint to development and is being addressed through a Memorandum of Understanding between Dwr Cymru/Welsh Water, Natural Resources Wales, Carmarthen and Swansea Council's. This is subject to review to provide a focus on capacity issues.
- 16.5 A Housing Land Availability, CIL and Section 106 Monitoring Database has been procured and populated. Revised processes have also been established and have been subject to internal Audit and scrutiny by Audit Committee to ensure that a robust mechanism is in place for the monitoring of Obligations. The Authority's Universal Property Review, which provides advice on Council sites subject to asset disposal, has also been completed.
- 16.6 Progress on delivering a programme of Conservation Area Appraisals has been delayed as a result of staff restructuring and the loss of one FTE within this small Team of specialists. The Fynone Conservation Appraisal is, however, at an advanced stage and is scheduled for adoption in December 2015.
- 16.7 Significant work has been completed on the Buildings at Risk Strategy with grant funding secured and work to key listed buildings at risk, including at the Hafod/Morfa Copperworks, Palace Theatre, Danbert House, Scotts Pit and Roman Bridge, completed or progressed during the year. A summary of the work to-date is summarised below:

Table 2- Listed Buildings at Risk

Listed buildings repaired and no longer at risk	7
Listed buildings still at risk that have been subject to urgent repairs	7
Vulnerable listed buildings that have been repaired	11
Current number of listed buildings at risk	40 (7.8%)
Current number of vulnerable listed buildings	80 (15.5%)
Listed buildings not at risk	(76.7%)

16.8 The Services Business Plan identified a number of key actions for the Planning Policy and Environment Section which are reproduced below:

- Progress the preparation of the Local Development Plan,
- Undertake and complete assessments to inform the evidence base for LDP.

16.9 LDP preparation is progressing behind the dates specified in the original Delivery Agreement, however, an amended Delivery Agreement was agreed with Welsh Government in June 2013.

17.0 Performance Framework. What are the identified areas for improvement set out in Annex A? What steps will the authority take to address these? How will they be resourced? How will success be measured?

17.1 The Delivery Agreement was reviewed in 2013 and the LDP is being progressed within 12 months of the revised date. A further revision is currently being prepared.

17.2 Once a Delivery Agreement has been revised beyond 18 months of the original dates specified there is little possibility of recovering slippage time, and the original agreement is in any superseded. It is considered that the performance measure should be refined to follow the most recent Delivery Agreement.

17.3 The Councils current land supply stands at 3 years. Given that the Council is currently preparing the LDP, it does not consider it necessary at this stage to produce a formal review of the UDP housing land supply (e.g. by producing an Interim Housing Land Policy Statement). Furthermore this would cause confusion with, and ultimately delay, the LDP preparation process. However, in the interim, the Council is seeking to bring forward certain sites identified in the LDP Preferred Strategy which are recommended for inclusion in the Deposit LDP. This applies to sites that represent a departure to the adopted UDP policy framework which will not prejudice the Council's future growth strategy, as well as sites within the current settlement boundary. In particular the Council will prioritise strategic sites and also 'exception' sites that will deliver a high proportion of affordable housing. Prioritising Strategic Sites is necessary to ensure the high unit numbers attributed to these sites can be fully delivered over the Plan period up to 2025.

- 17.4 In efficiency terms the Authority has seen a significant improvement in performance since restructuring in August 2014 with the percentage of all applications determined within 8 weeks rising to 84% in Q3 and 75% in Q4 2014/15.
- 17.5 The Authority sets a local target of 13 weeks for the determination of major applications which is considered to be a more realistic target given the average time to determine major applications in Wales last year was 206 days. 34% of all major applications were determined within this time whilst the average time for the determination of all major applications at 247 days was heavily influenced by the determination of a number of very old applications.
- 17.6 More accurately recording of timescales in relation to applications subject to S106 Planning Obligations and taking fuller advantage of provisions for the extension of time will help improve performance against this measure.
- 17.7 The Authority proposes to carry out a further review of its processes and procedures as part of the introduction of a replacement back office system in April 2016. Whilst this may have a short term impact upon performance it is anticipated that this will reduce the administrative burden associated with current incompatible systems and bring about opportunities further efficiency savings.
- 17.8 The percentage of Member made decisions contrary to officer advice appears high compared to the Welsh average although the way this is measured has changed since the previous year which appeared to represent a percentage of all decisions rather than those decision made by Members.
- 17.9 As detailed above the Authority amended its Committee structures and scheme of delegation in January 2015 to broadly align with Welsh Government proposals. This has resulted in an increase in delegation and a reduction in the total number of decisions made contrary to officer advice. This is not, however, reflected in performance in 2014/15 given the transitional measures in place during the last quarter of this recording year.
- 17.10 Enforcement performance has been under significant scrutiny by the Authority and through the Authorities Scrutiny Working Group following the build-up of a significant backlog of enforcement cases as a result of historic under resourcing of the section.
- 17.11 Following restructuring in August 2014 additional staff resources have been allocated to the enforcement of planning control resulting in a significant reduction in the backlog of outstanding enforcement cases from in excess of 650 cases in August 2014 to some 500 in April 2015. This has had an impact upon the percentage of cases resolved within the required timescales.
- 17.12 The enforcement process and procedures are, however, currently subject to further review, in conjunction with Legal Services, with a view to removing blockages and failure demand in the system and improving efficiency.
- 17.13 The above improvements will have to be resourced from existing budget with difficult decisions having to be made regarding priorities to accommodate identified budget savings with improvement measured against existing suite of measures and PI's.

WHAT SERVICE USERS THINK

17.14 In 2014-15 the Wales Data Unit conducted two customer satisfaction surveys on behalf of the Planning Officers Society Wales aimed at assessing the views of people that had received a planning application decision during the period. The first covered the period April 2014 – September 2014 and the second covered the period October 2014 – March 2015. The following feedback is based on the combined results of both surveys.

17.15 The surveys were sent to 554 people, 19% of whom submitted a whole or partial response. The majority of responses (64%) were from local agents. 21% were from members of the public. 12% of respondents had their most recent planning application refused.

17.16 We asked respondents whether they agreed or disagreed with a series of statements about the planning service. They were given the following answer options:

- Strongly agree;
- Tend to agree;
- Neither agree nor disagree;
- Tend to disagree; and
- Strongly disagree.

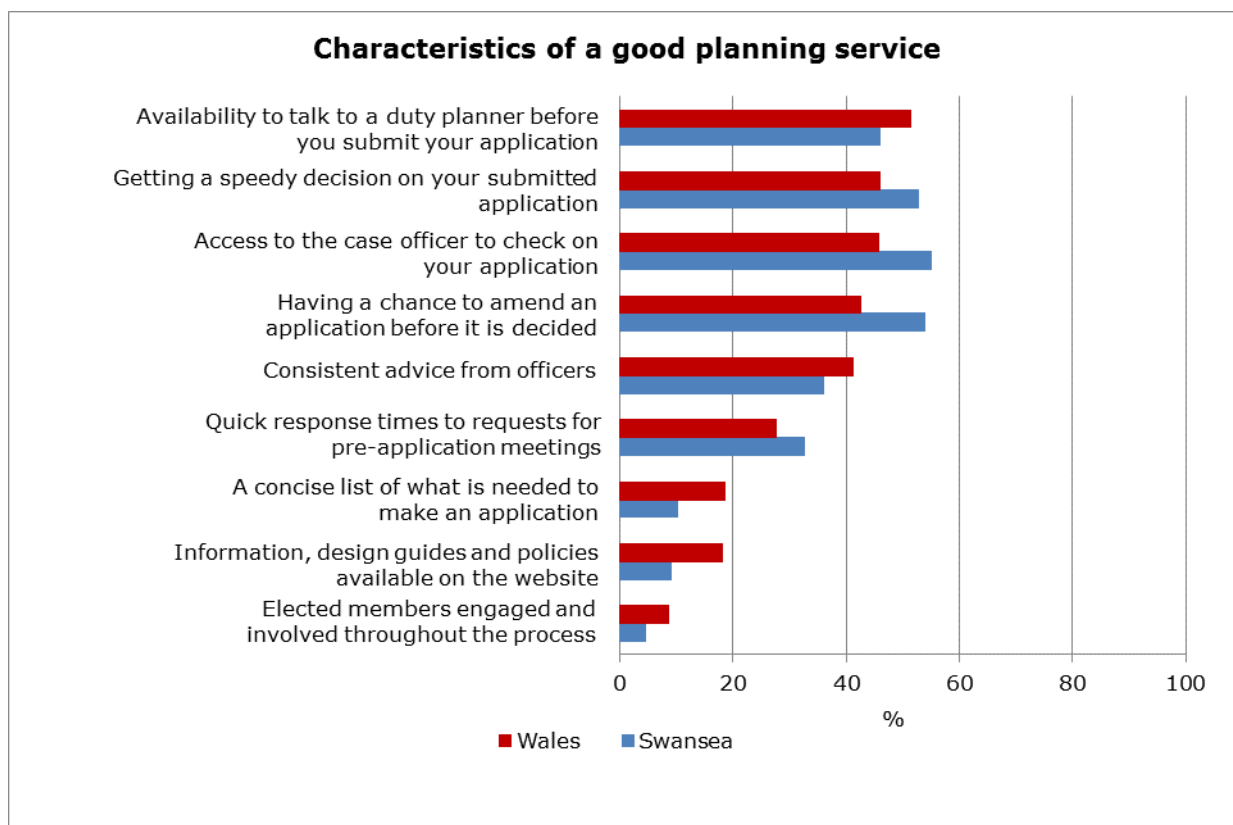
17.17 Table 1 shows the percentage of respondents that selected either ‘tend to agree’ or ‘strongly agree’ for each statement for both our planning authority and Wales.

Table 1: The percentage of respondents who agreed with each statement, 2014-15

	%	
Percentage of respondents who agreed that:	Swansea LPA	Wales
The LPA enforces its planning rules fairly and consistently	46	45
The LPA gave good advice to help them make a successful application	58	57
The LPA gives help throughout, including with conditions	51	48
The LPA responded promptly when they had questions	52	55
They were listened to about their application	58	56
They were kept informed about their application	40	46
They were satisfied overall with how the LPA handled their application	52	57

17.18 Respondents were also asked to select three planning service characteristics from a list that they thought would most help them achieve successful developments. Figure 1 shows how often each characteristic was selected as a percentage of the total number of selections. For us, ‘having access to the case officer to check on applications’ was the most popular choice.

Figure 1: Characteristics of a good planning service, Swansea LPA, 2014-15



Comments received include:

"Swansea is an efficient planning authority."

"Speed of response needs to be greatly improved"

"I do notice some inconsistency of approach and interpretation of policy between some officers."

17.19 Against this background the Authority also carried out its own customer satisfaction survey of applicants and agents. Of the 175 respondents 96% stated they were either satisfied or very satisfied with the overall service provided by the Authority.

OUR PERFORMANCE 2014-15

17.20 This section details our performance in 2014-15. It considers both the Planning Performance Framework indicators and other available data to help paint a comprehensive picture of performance. Where appropriate we make comparisons between our performance and the all Wales picture.

17.21 Performance is analysed across the five key aspects of planning service delivery as set out in the Planning Performance Framework:

- Plan making;
- Efficiency;

- Quality;
- Engagement; and
- Enforcement.

Plan making

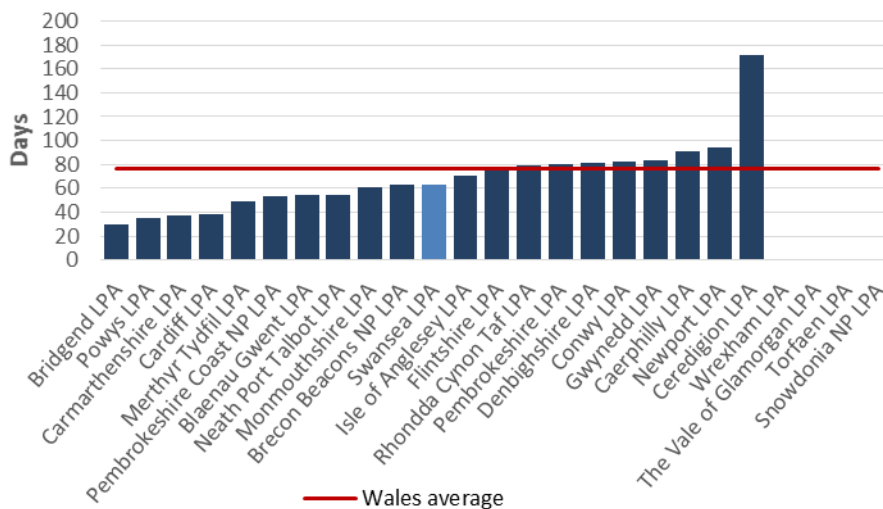
17.22 As at 31 March 2015, we were one of 21 LPAs that had a current development plan in place. We are currently working towards adopting our LDP/updating our LDP. So far, we are 30 months behind the dates specified in the original Delivery Agreement.

17.23 During the APR period we had 3.0 years of housing land supply identified (2015 JHLAS), making us one of 18 Welsh LPAs without the required 5 years supply.

Efficiency

17.24 In 2014-15 we determined 1,734 planning applications, each taking, on average, 64 days (9 weeks) to determine. This compares to an average of 76 days (11 weeks) across Wales. Figure 2 shows the average time taken by each LPA to determine an application during the year.

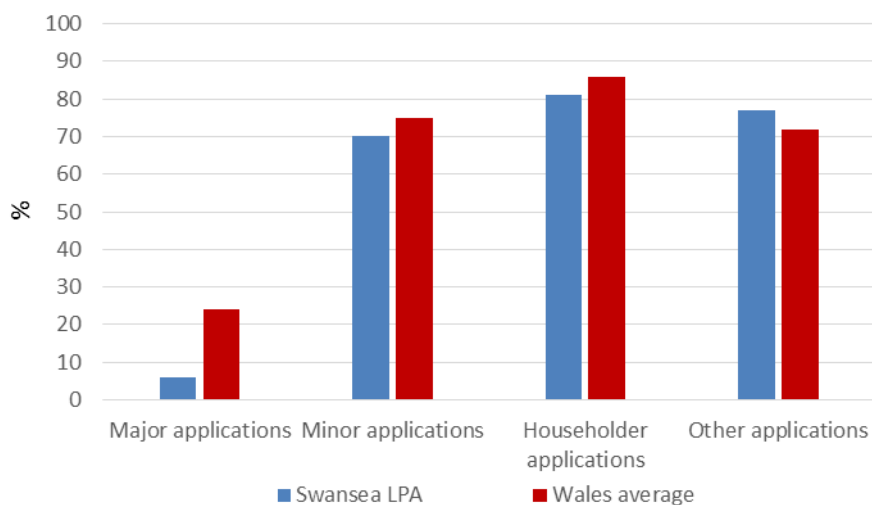
Figure 2: Average time taken (days) to determine applications, 2014-15



17.25 71% of all planning applications were determined within the required timescales. This compared to 73% across Wales and was below the 80% target. Only 5 out of 25 LPAs met the 80% target.

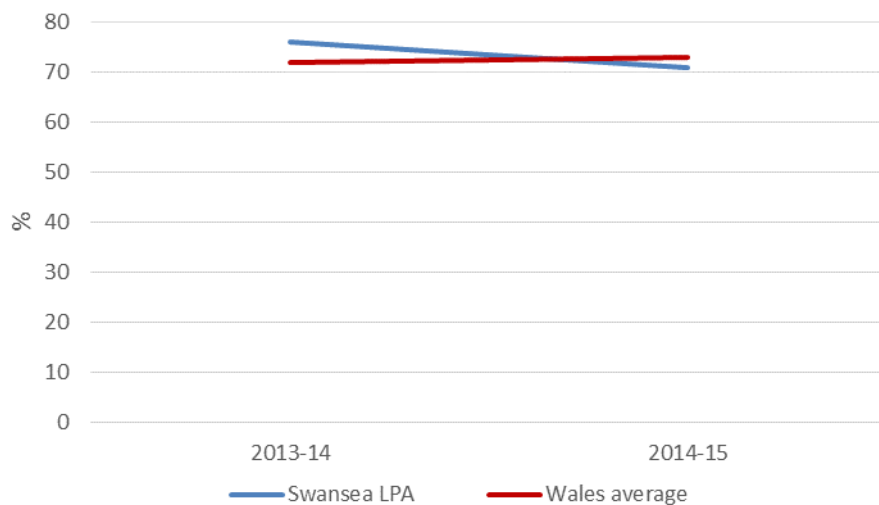
17.26 Figure 3 shows the percentage of planning applications determined within the required timescales across the four main types of application for our LPA and Wales. It shows that we determined 81% of householder applications within the required timescales.

Figure 3: Percentage of planning applications determined within the required timescales, by type, 2014-15



17.25 Between 2013-14 and 2014-15, as Figure 4 shows, the percentage of planning applications we determined within the required timescales decreased from 76%. Wales saw an increase this year.

Figure 4: Percentage of planning applications determined within the required timescales



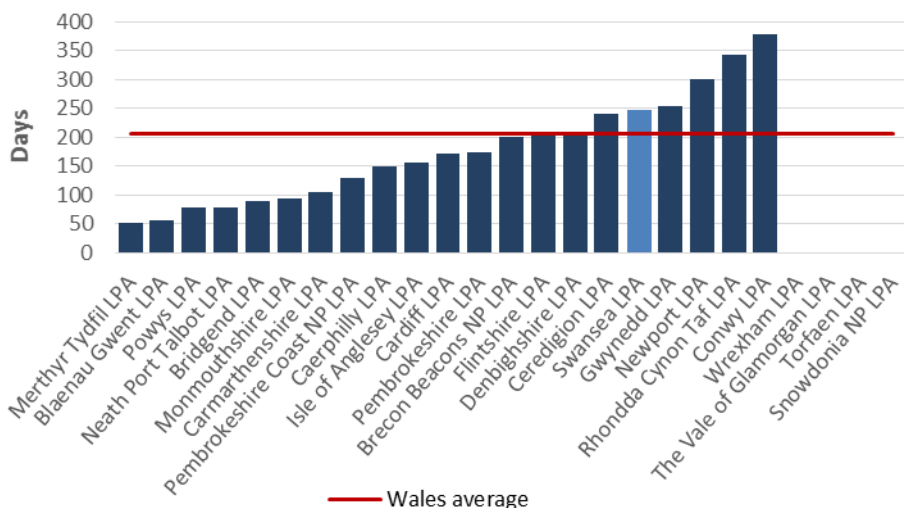
17.26 Over the same period:

- The number of applications we received increased;
- The number of applications we determined increased; and
- The percentage of applications we approved increased.

Major applications

17.27 We determined 32 major planning applications in 2014-15, 3% (1 application) of which were subject to an EIA. Each application (including those subject to an EIA) took, on average, 247 days (35 weeks) to determine. As Figure 5 shows, this was the fifth longest average time taken of all Welsh LPAs

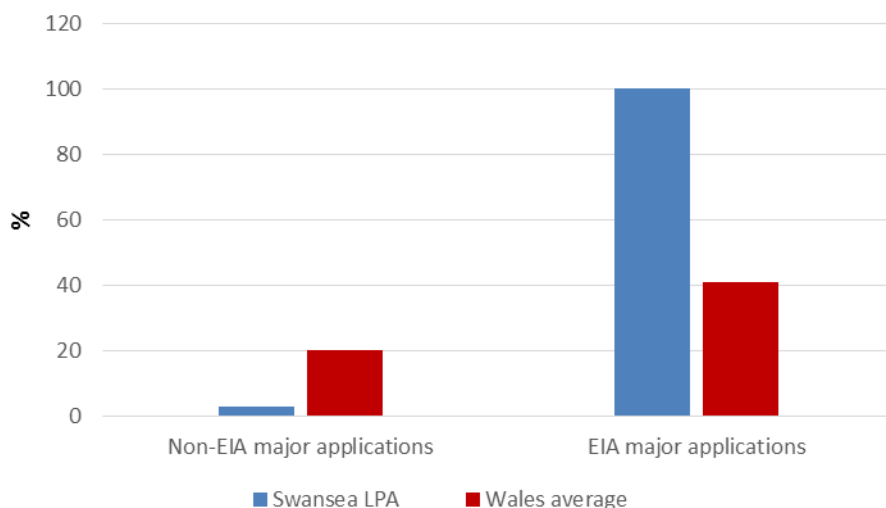
Figure 5: Average time (days) taken to determine a major application, 2014-15



17.28 6% of these major applications were determined in the required timescales, the lowest percentage of all Welsh LPAs.

17.29 Figure 6 shows the percentage of major applications determined within the required timescales by the type of major application. 3% of our ‘standard’ major applications i.e. those not requiring an EIA, were determined within the required timescales during the year.

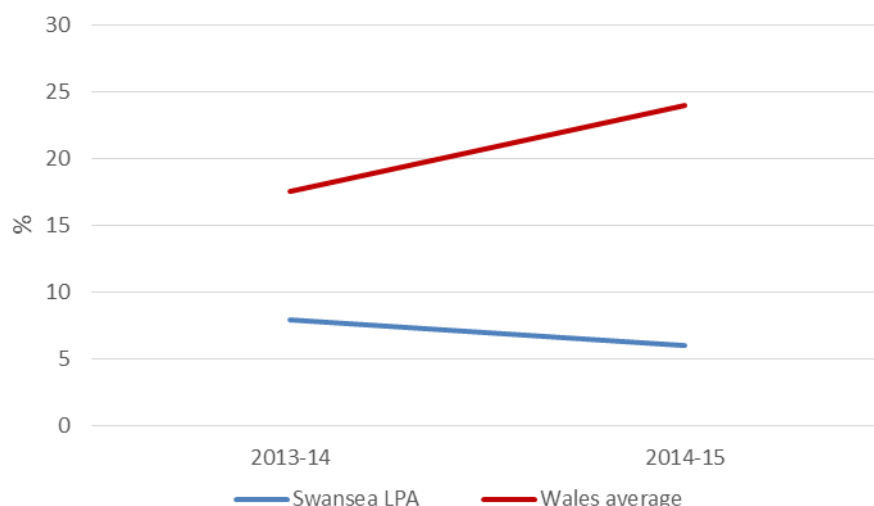
Figure 6: Percentage of major applications determined within the required timescales during the year, by type, 2014-15



17.30 Since 2013-14 the percentage of major applications determined within the required timescales had decreased from 8%. In contrast, the number of major applications determined increased as had the number of applications subject to an EIA determined during the year.

17.31 Figure 7 shows the trend in the percentage of major planning applications determined within the required timescales in recent years and how this compares to Wales.

Figure 7: Percentage of major planning applications determined within the required timescales



17.32 Over the same period:

- The percentage of minor applications determined within the required timescales decreased from 75% to 70%;
- The percentage of householder applications determined within the required timescales decreased from 83% to 81%; and
- The percentage of other applications determined within the required timescales decreased from 84% to 77%.

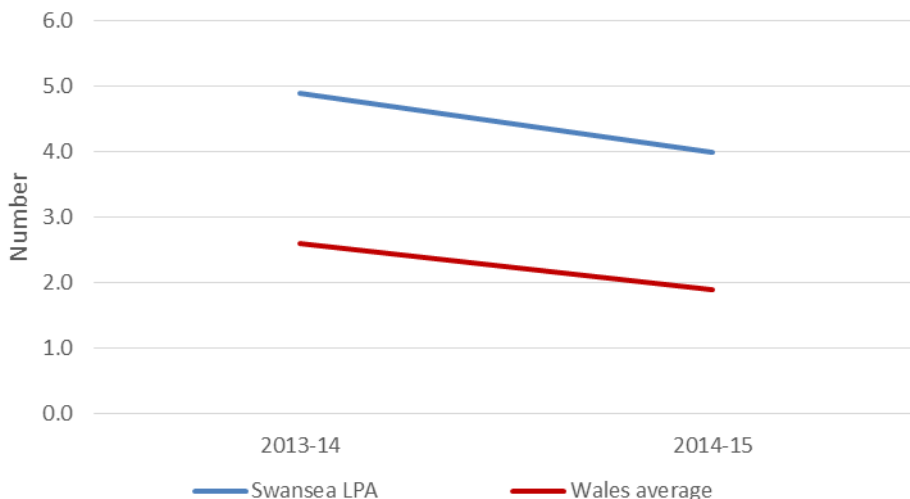
Quality

17.33 Our Planning Committee made 47 planning application decisions during the year, which equated to 6% of all planning applications determined. Across Wales 7% of all planning application decisions were made by planning committee.

17.34 23% of these member-made decisions went against officer advice. This compared to 11% of member-made decisions across Wales. This equated to 1.3% of all planning application decisions going against officer advice; 0.7% across Wales.

17.35 In 2014-15 we received 73 appeals against our planning decisions, which equated to 4 appeals for every 100 applications received. This was the highest ratio of appeals to applications in Wales. Figure 8 shows how the volume of appeals received has changed since 2013-14 and how this compares to Wales.

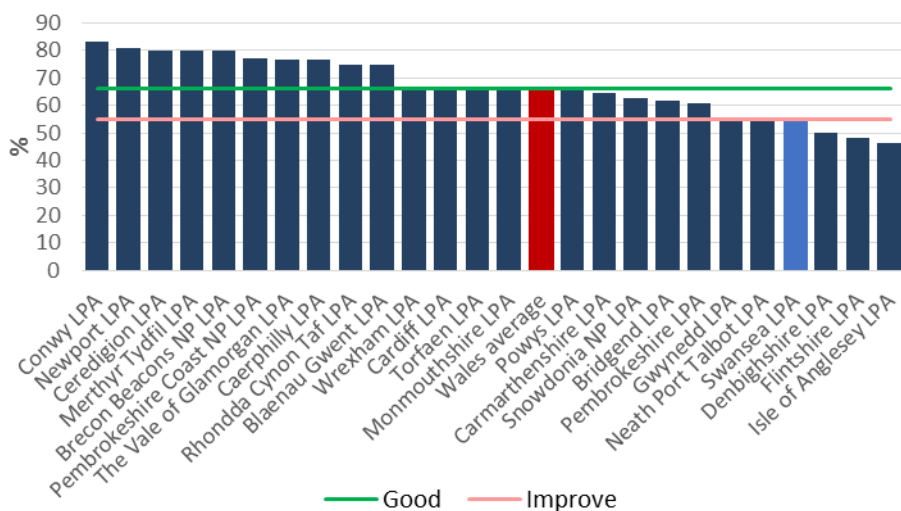
Figure 8: Number of appeals received per 100 planning applications



17.36 Over the same period the percentage of planning applications approved decreased from 87% to 85%.

17.37 Of the 71 appeals that were decided during the year, 55% were dismissed. As Figure 9 shows, this was the fourth lowest percentage of appeals dismissed in Wales and was below the 55% threshold.

Figure 9: Percentage of appeals dismissed, 2014-15



17.38 During 2014-15 we had no applications for costs at a section 78 appeal upheld.

Engagement

17.39 We are:

- one of 22 LPA's that allowed members of the public to address the Planning Committee; and

- one of 20 LPAs that had an online register of planning applications, which members of the public can access, track their progress (and view their content).

17.40 As Table 2 shows, 58% of respondents to our 2014-15 customer satisfaction survey agreed that the LPA gave good advice to help them make a successful application.

Table 2: Feedback from our 2014-15 customer satisfaction survey

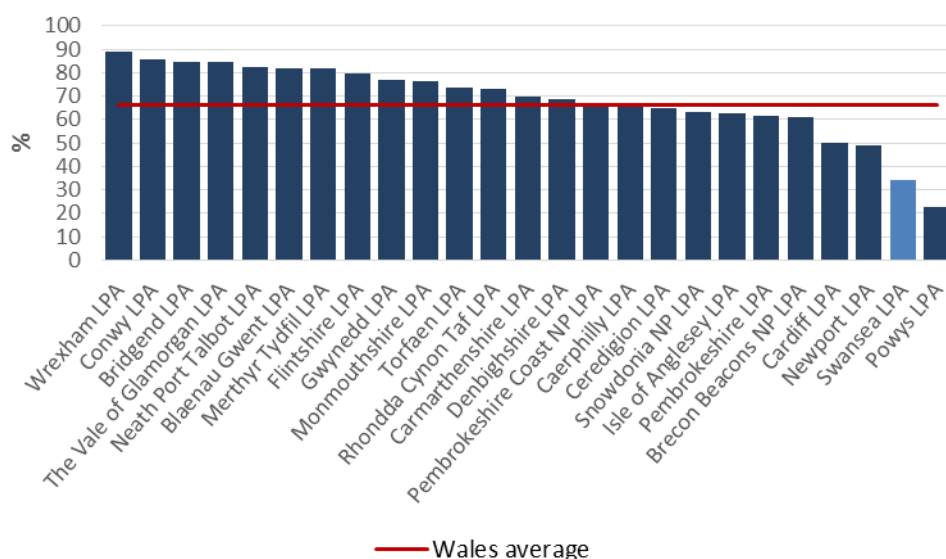
	%	
Percentage of respondents who agreed that:	Swansea LPA	Wales
The LPA gave good advice to help them make a successful application	58	57
They were listened to about their application	58	56

Enforcement

17.41 In 2014-15 we investigated 687 enforcement cases, which equated to 2.8 per 1,000 population. This was the fifth highest rate in Wales. We took, on average, 115 days to investigate each enforcement case.¹

17.42 We investigated 34% of these enforcement cases within 84 days. Across Wales 66% were investigated within 84 days. Figure 10 shows the percentage of enforcement cases that were investigated within 84 days across all Welsh LPAs.

Figure 10: Percentage of enforcement cases investigated within 84 days, 2014-15

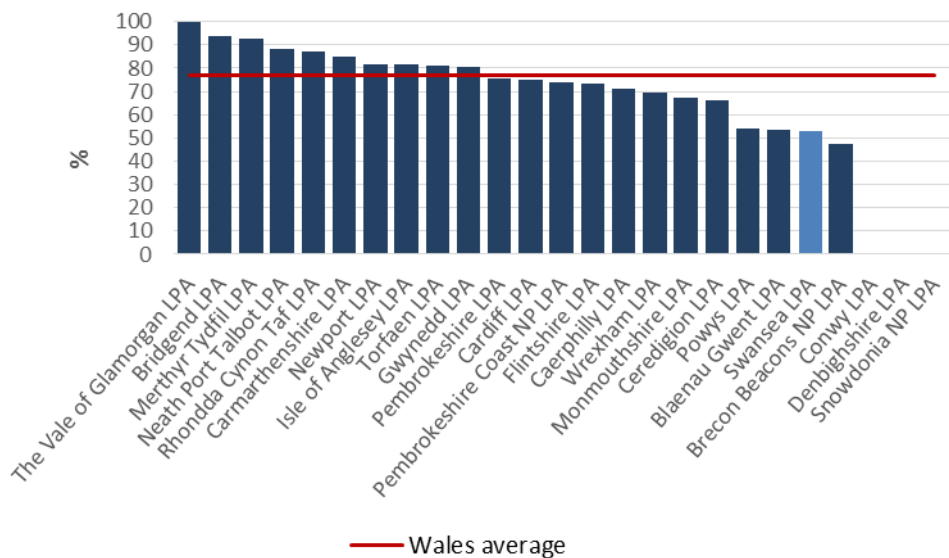


17.43 Over the same period, we resolved 49 enforcement cases, taking, on average, 184 days to resolve each case.

¹ Robust comparisons are not currently available as only 14 of the 25 LPAs supplied data for this indicator.

17.44 53% of this enforcement action was taken within 180 days from the start of the case. As Figure 11 shows this was the second lowest percentage in Wales.

Figure 11: Percentage of enforcement cases resolved in 180 days, 2014-15



ANNEX A - PERFORMANCE FRAMEWORK

OVERVIEW

MEASURE	GOOD	FAIR	IMPROVE
Plan making			
Is there a current Development Plan in place that is within the plan period?	Yes		No
LDP preparation deviation from the dates specified in the original Delivery Agreement, in months	<12	13-17	18+
Annual Monitoring Reports produced following LDP adoption	Yes		No
The local planning authority's current housing land supply in years	>5	4-4.9	<4
Efficiency			
Percentage of "major" applications determined within time periods required	Not set	Not set	Not set
Average time taken to determine "major" applications in days	Not set	Not set	Not set
Percentage of all applications determined within time periods required	>80	60.1-79.9	<60
Average time taken to determine all applications in days	Not set	Not set	Not set
Quality			
Percentage of Member made decisions against officer advice	Not set	Not set	Not set
Percentage of appeals dismissed	>66	55.1-65.9	<55
Applications for costs at Section 78 appeal upheld in the reporting period	0	1	2
Engagement			
Does the local planning authority allow members of the public to address the Planning Committee?	Yes		No
Does the local planning authority have an officer on duty to provide advice to members of the public?	Yes		No

WALES AVERAGE	Swansea LPA LAST YEAR	Swansea LPA THIS YEAR
Yes	Yes	Yes
60	18	30
Yes	N/A	N/A
4.2	5.1	3.0
24	8	6
206	No Data	247
73	76	71
76	No Data	64
11	1.6	23
66	55	55
0	3	0
Yes	Yes	Yes
-	-	-

MEASURE	GOOD	FAIR	IMPROVE
Does the local planning authority's web site have an online register of planning applications, which members of the public can access, track their progress (and view their content)?	Yes	Partial	No
Enforcement			
Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days	Not set	Not set	Not set
Average time taken to investigate enforcement cases	Not set	Not set	Not set
Percentage of enforcement cases where enforcement action is taken or a retrospective application received within 180 days from the start of the case (in those cases where it was expedient to enforce)?	Not set	Not set	Not set
Average time taken to take enforcement action	Not set	Not set	Not set

WALES AVERAGE	Swansea LPA LAST YEAR	Swansea LPA THIS YEAR
Yes	Yes	Yes
Enforcement		
66	No Data	34
71	No Data	114.5
77	No Data	53
175	No Data	184

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SECTION 1 – PLAN MAKING

Indicator	01. Is there a current Development Plan in place that is within the plan period?	
“Good”	“Fair”	“Improvement needed”
A development plan (LDP or UDP) is in place and within the plan period	N/A	No development plan is in place (including where the plan has expired)

Authority’s performance	Yes
The adopted Unitary Development Plan is up to date and covers the period until 31 st December 2016.	

Indicator	02. LDP preparation deviation from the dates specified in the original Delivery Agreement, in months	
“Good”	“Fair”	“Improvement needed”
The LDP is being progressed within 12 months of the dates specified in the original Delivery Agreement	The LDP is being progressed within between 12 and 18 months of the dates specified in the original Delivery Agreement	The LDP is being progressed more than 18 months later than the dates specified in the original Delivery Agreement

Authority’s performance	30
The Delivery Agreement was reviewed in 2013 and the LDP is being progressed within 12 months of the revised date. A further revision is currently being prepared.	
Once a Delivery Agreement has been revised beyond 18 months of the original dates specified there is little possibility of recovering slippage time, and the original agreement is in any superseded. It is considered that the performance measure should be refined to follow the most recent Delivery Agreement.	

Indicator	03. Annual Monitoring Reports produced following LDP adoption	
“Good”		“Improvement needed”
An AMR is due, and has been prepared		An AMR is due, and has not been prepared

Authority’s performance	N/A
No adopted LDP is in place.	

Indicator	04. The local planning authority's current housing land supply in years	
"Good"	"Fair"	"Improvement needed"
The authority has a housing land supply of more than 5 years	The authority has a housing land supply of between 4 and 5 years	The authority has a housing land supply of less than 4 years

Authority's performance	3.0
<p>Given that the Council is currently preparing the LDP, it does not consider it necessary at this stage to produce a formal review of the UDP housing land supply (e.g. by producing an Interim Housing Land Policy Statement). Furthermore this would cause confusion with, and ultimately delay, the LDP preparation process. However, in the interim, the Council is seeking to bring forward certain sites identified in the LDP Preferred Strategy which are recommended for inclusion in the Deposit LDP. This applies to sites that represent a departure to the adopted UDP policy framework which will not prejudice the Council's future growth strategy, as well as sites within the current settlement boundary. In particular the Council will prioritise strategic sites and also 'exception' sites that will deliver a high proportion of affordable housing. Prioritising Strategic Sites is necessary to ensure the high unit numbers attributed to these sites can be fully delivered over the Plan period up to 2025.</p>	

SECTION 2 - EFFICIENCY

Indicator	05. Percentage of "major" applications determined within time periods required	
"Good"	"Fair"	"Improvement needed"
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority's performance	6
<p>The Authority has set a local performance indicator with a target of 13 weeks for the determination of major applications which is considered to be a more realistic target given the average time to determine major applications in Wales last year was 206 days. 34 % of all major applications were determined within this time period.</p> <p>More accurately recording of timescales in relation to applications subject to S106 Planning Obligations and taking fuller advantage of provisions for the extension of time will help improve performance against this measure.</p>	

Indicator	06. Average time taken to determine "major" applications in days	
"Good"	"Fair"	"Improvement needed"
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority's performance	247
The average time taken to determine major applications was 247 which compares to a Welsh average of 206 days and was heavily influenced by the determination of a number of old and historic applications and timescales for the completion of S106 Planning Obligations.	

Indicator	07. Percentage of all applications determined within time periods required	
"Good"	"Fair"	"Improvement needed"
More than 80% of applications are determined within the statutory time period	Between 60% and 80% of applications are determined within the statutory time period	Less than 60% of applications are determined within the statutory time period

Authority's performance	71
The percentage of all applications determined within 8 weeks was 62.1% and 63.9% during Q 1 and 2 while the service was under interim management arrangements pending restructure which took place in August 2014. Performance against this measure rose to 84.4% in Q3 and 74.7% in Q2 which was well above the respective Welsh average of 73.3% and 70.8%.	
This upward trend in performance has continued throughout 2015/16.	

Indicator	08. Average time taken to determine all applications in days	
"Good"	"Fair"	"Improvement needed"
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority's performance	64
The average time to determine all applications was 64 days which is below the Welsh average of 73 days for the same period. This reflects a focus on determining applications at the earliest possible decision date rather than working towards the 8 week deadline.	

SECTION 3 - QUALITY

Indicator	09. Percentage of Member made decisions against officer advice	
“Good”	“Fair”	“Improvement needed”
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority’s performance	23
<p>The percentage of Member made decisions contrary to officer advice appears high compared to the Welsh average although the way this is measured has changed since the previous year which appeared to represent a percentage of all decisions rather than those decision made by Members.</p> <p>As detailed above the Authority amended its Committee structures and scheme of delegation in January 2015 to broadly align with Welsh Government proposals. This has resulted in an increase in delegation and a reduction in the total number of decisions made contrary to officer advice. This is not, however, reflected in performance in 2014/15 given the transitional measures in place during the last quarter of the last recording year.</p>	

Indicator	10. Percentage of appeals dismissed	
“Good”	“Fair”	“Improvement needed”
More than 66% (two thirds) of planning decisions are successfully defended at appeal	Between 55% and 66% of planning decisions are successfully defended at appeal	Less than 55% of planning decisions are successfully defended at appeal

Authority’s performance	55
<p>The percentage of appeals dismissed was heavily influenced by the number of decisions made contrary to officer advice. Of the 71 appeals that were decided during the year 37 were dismissed and 34 were allowed. Of the 34 appeals that were allowed 15 were determined by Committee and 12 were Member overturns. A performance of 20%.</p>	

Indicator	11. Applications for costs at Section 78 appeal upheld in the reporting period	
“Good”	“Fair”	“Improvement needed”
The authority has not had costs awarded against it at appeal	The authority has had costs awarded against it in one appeal case	The authority has had costs awarded against it in two or more appeal cases

Authority’s performance	0
No comment.	

SECTION 4 – ENGAGEMENT

Indicator	12. Does the local planning authority allow members of the public to address the Planning Committee?	
“Good”		“Improvement needed”
Members of the public are able to address the Planning Committee		Members of the public are not able to address the Planning Committee

Authority’s performance	Yes
No comment.	

Indicator	13. Does the local planning authority have an officer on duty to provide advice to members of the public?	
“Good”		“Improvement needed”
Members of the public can seek advice from a duty planning officer		There is no duty planning officer available

Authority’s performance	Yes
Office cover is provided at all times. The Authority also provide a “Householder Surgery” on a Wednesday afternoon for members of the public only to obtain advice from a professional planning officer so that they are informed before engaging with an architect and/or agent.	

Indicator	14. Does the local planning authority’s web site have an online register of planning applications, which members of the public can access track their progress (and view their content)?	
“Good”	“Fair”	“Improvement needed”
All documents are available online	Only the planning application details are available online, and access to other documents must be sought directly	No planning application information is published online

Authority’s performance	Yes
It is anticipated that the current search engine will be upgraded with enhanced functionality as part of the planned replacement of its current back office system.	

SECTION 5 – ENFORCEMENT

Indicator	15. Percentage of enforcement cases investigated (determined whether a breach of planning control has occurred and, if so, resolved whether or not enforcement action is expedient) within 84 days	
“Good”	“Fair”	“Improvement needed”
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority’s performance	34
<p>There are recognised anomalies in the way this indicator is measured by different Authorities. This matter will be resolved as part of future returns.</p> <p>Enforcement performance has, however, been under significant scrutiny by the Authority and through the Authorities Scrutiny Working Group following the build-up of a significant backlog of enforcement cases as a result of historic under resourcing of the service.</p> <p>Following restructuring in August 2014 additional staff resources have been allocated to the enforcement of planning control resulting in a significant reduction in the backlog of outstanding enforcement cases from in excess of 650 cases in August 2014 to 500 in April 2015. This has had an impact upon the percentage of cases investigated within the required timescales.</p>	

Indicator	16. Average time taken to investigate enforcement cases	
“Good”	“Fair”	“Improvement needed”
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority’s performance	114.5
See comments above.	

Indicator	17. Percentage of enforcement cases where enforcement action is taken or a retrospective application received within 180 days from the start of the case (in those cases where it was expedient to enforce)	
“Good”	“Fair”	“Improvement needed”
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority's performance	53
<p>There are recognised anomalies in the way this indicator is measured by different Authorities. This matter will be resolved as part of future returns.</p> <p>A reduction in the backlog of old and historic enforcement cases has had an impact upon performance when assessed against this measure.</p>	

Indicator	18. Average time taken to take enforcement action	
"Good"	"Fair"	"Improvement needed"
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority's performance	184
See comments above.	