



City and County of Swansea

Notice of Meeting

You are invited to attend a Meeting of the

Planning Committee

At: Council Chamber, Guildhall, Swansea

On: Tuesday, 3 October 2017

Time: 2.00 pm

Chair: Councillor Paul Lloyd

Membership:

Councillors: C Anderson, P M Black, L S Gibbard, M H Jones, M B Lewis, R D Lewis, P B Smith, A H Stevens, D W W Thomas, L J Tyler-Lloyd and T M White

The use of Welsh is welcomed. If you wish to use Welsh please inform us by noon on the working day before the meeting.

Agenda

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| 2 | Disclosures of Personal and Prejudicial Interests.
www.swansea.gov.uk/disclosuresofinterests | |
| 3 | Minutes.
To approve & sign the Minutes of the previous meeting(s) as a correct record. | 1 - 3 |
| 4 | Items for Deferral/Withdrawal. | |
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Next Meeting: Tuesday, 7 November 2017 at 2.00 pm

A handwritten signature in black ink that reads 'Huw Evans'.

Huw Evans
Head of Democratic Services
Tuesday, 26 September 2017

Contact: Democratic Services - 636923

CITY AND COUNTY OF SWANSEA

MINUTES OF THE PLANNING COMMITTEE

HELD AT COUNCIL CHAMBER, GUILDHALL, SWANSEA ON TUESDAY,
5 SEPTEMBER 2017 AT 2.00 PM

PRESENT: Councillor P Lloyd (Chair) Presided

Councillor(s)

P M Black
R D Lewis
D W W Thomas

Councillor(s)

L S Gibbard
P B Smith
L J Tyler-Lloyd

Councillor(s)

M B Lewis
A H Stevens
T M White

Also Present:

Councillor R V Smith

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

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

Councillor D W W Thomas – Agenda Item 7 (Planning Application 2017/1393/S73) – Personal – My sister is a resident at Campion Gardens.

30 **MINUTES.**

RESOLVED that the Minutes of the Planning Committee held on 1 August 2017 be approved as a correct record.

31 **ITEMS FOR DEFERRAL/WITHDRAWAL.**

The following item was deferred by Officers:

Agenda Item 6 - Provisional Tree Preservation Order - TPO629 - Land at 7 Hadland Terrace, West Cross, Swansea.

32 **PROVISIONAL TREE PRESERVATION ORDER - TPO628 - 24 QUARRY ROAD, TREBOETH, SWANSEA.**

The Head of Planning and Regeneration presented a report which sought consideration of the confirmation as a full order, the provisional order TPO 628 at land at 24 Quarry Road, Treboeth.

The representations received regarding the proposal were outlined and detailed in the report.

RESOLVED that the Tree Preservation Order TPO 628: Land at 24 Quarry Road, Treboeth be confirmed.

33 **DETERMINATION OF PLANNING APPLICATIONS UNDER THE TOWN & COUNTRY PLANNING ACT 1990.**

A series of planning applications were presented on behalf of The Head of Planning & City Regeneration.

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

RESOLVED

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

(Item 1) Planning Application 2017/1067/FUL – 13A Balaclave Street, St Thomas, Swansea

#(Item 2) Planning Application 2016/0354/FUL – Sunnybank, Reynoldston, Swansea

A visual presentation was provided.

#(Item 3) Planning Application 2017/0425/FUL – The Pines, Oxwich, Swansea

A visual presentation was provided.

(Item 4) Planning Application 2017/1434/S73 – Champion Gardens Retirement Village, Clyne Common, Mayals, Swansea

(Item 5) Planning Application 2017/1434/S73 – Birch Court, 44 Sway Road, Morriston, Swansea

34 **2013/0617 - LAND SOUTH OF GLEBE ROAD, LOUGHOR, SWANSEA.**

The Team Leader on behalf of the Head of Planning & City Regeneration presented a report which outlined the previous decision of the Committee regarding the granting of residential development at the above location subject to a Section 106 agreement, the details of which were detailed in the report.

Copies of the original planning committee report were appended for information.

Section 1.7 of the report (page 59) refers to the Planning Committee report and Action Sheet of the 4th April 2017 being attached as Appendix B. However, these documents had erroneously not been attached as an appendix to the item report. Copies of these documents were circulated to members of the Planning Committee prior to the commencement of the meeting.

Report updated as follows:

The final line of section 3.1 of the report (page 60) should be amended to read as follows;

“And in accordance with the conditions set out in Appendix A, with the exception of Condition 3, which should be amended to make reference to the amended site plan submitted as part of this application (Drwg No 1107-TP01 Rev B – Existing Site Plan, received 21st July 2017).”

A late letter of objection has also been received from a resident living on Glebe Road) objecting to the application on the following summarised grounds: Glebe Road cannot support the additional traffic that will be generated by the proposed development. There already is insufficient parking for residents of Glebe Road and the road is already dangerous. The additional traffic generated by the proposal will make the area surrounding the entrance to the site a danger to local residents.

A visual presentation was provided.

Councillor R V Smith (Local Member) addressed the Committee and spoke in support of the application subject to the terms of the Section 106 agreement not being amended from those contained in the original approval.

RESOLVED that the application be **APPROVED** subject to a SECTION 106 agreement to provide:

- 15% of affordable housing (AH) on the site; comprising a 50/50 mix of 2 and 3 bedroom properties provided at 42% ACG, of social rented tenure and DQR compliant. The design and specification of the AH should be of equivalent quality to those used in the Open Market Units;
- an education contribution of £100, 000;
- a highways contribution of £92,100;
- 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;
- Monitoring fees shall be paid in accordance with the requirements of the Council's adopted SPG entitled "Planning Obligations" (2010).

The meeting ended at 2.32 pm

CHAIR

Agenda Item 5



Report of the Head of Planning and City Regeneration

Planning Committee - 3 October 2017

Provisional Tree Preservation Order TPO 629

Land at: 7 Hadland Terrace, West Cross, Swansea, SA3 5TT (2017)

To consider the confirmation, as a full Order, of the provisional Tree Preservation Order 629: Land at: 7 Hadland Terrace, West Cross, Swansea, SA3 5TT. (2017).

Recommendation:

That the Tree Preservation Order: Land at: 7 Hadland Terrace, West Cross, Swansea, be confirmed

For Decision

1. Introduction

1.1 The provisional Order was served on 30th March 2017

2. Objections and Representations

2.1 One letter expressing objections have been received within the minimum required consultation period. No letters of support have been received.

2.2 Mr Summers of 47, Westcross Avenue objects to the tree on his neighbouring property being protected for the following reasons:

1. The tree has a lack of amenity value:

- *“Visibility by the public from public place : This is limited as the tree is landlocked and really only visible by neighbours”*
- *“Size and form: Not a tree of attractive appearance.”*
- *“Future potential as an amenity: Limited”*
- *“Rarity, cultural or historic value: None”*
- *“Contribution to ,and relationship with, the landscape: Little”*

2. *“There is another tree about 4 feet away which I believe is a sycamore which is a similar size in girth and height to the ash, if this is not considered to be suitable for a TPO why is the ash being singled out.”*

3. *“The tree overhangs my property and constantly drops debris onto the roof of my outbuilding, I would like to be able to lop the branches overhanging my property without the need to apply for permission so as to improve the*

amenity to my property and family. Whilst I agree with the use of TPO's to protect the landscape and visibly attractive trees, I really don't think that a TPO is suitable in this case and would ask that you do not confirm the order."

3 Appraisal

3.1 Lack of amenity value.

- Visibility by the public from a public place: This is limited as the tree is landlocked and really only visible by neighbours. The tree is clearly visible from Woodburn Drive, Hadland Terrace, Bude Haven Terrace, Riversdale Road and the wider surrounding area. This is shown in the photographs below indicated by the applied arrow.



View 1: TPO 629 T1, Viewed from Woodburn Drive



View 2: TPO 629 T1, Viewed from Woodburn Drive



View 3: TPO 629 T1, Viewed from Hadland Terrace



View 4: TPO 629 T1, Viewed from Bude Haven Terrace



View 5: TPO 629 T1, Viewed from Bude Haven Terrace



View 6: TPO 629 T1, Viewed from Riversdale Road



Views of TPO 629 T1 in immediate area, shown in photographs above.

- ***Size and form: Not a tree of attractive appearance.*** The tree has a well-balanced broadly symmetrical canopy which is typical of the species. The tree has not undergone disfiguring pruning like the adjacent protected tree. For these reasons the tree is considered to have an attractive form.
- ***Future potential as an amenity: Limited.*** The tree already has amenity value and apart from the possibility of future ill health there is little to suggest that this will change in the future.

- Rarity, cultural or historic value: None. Agreed, at present the tree is not rare and it does not have cultural or historic value.
- Contribution to, and relationship with, the landscape: Little. The tree contributes to the wider landscape as it is a mature tree that provides structure and form in the mainly urban environment.

3.2 Adjacent sycamore. There is not a similarly sized sycamore close to the protected ash. The ash is twin stemmed and there is a second protected ash tree close by at 17 Woodburn Drive.

3.3 Overhanging branches. Mr. Summers complains that the tree drops debris on his outbuilding. There will inevitably be some minor dead twigs and leaves that fall on to the said outbuilding; however, these are natural processes that cannot be fully eliminated with any amount of pruning. Since the Order was made no application has been made to prune the overhanging branches which would alleviate some of the problem. A tree works application is relatively easy to complete and is free of charge; therefore I do not see that applying to do work is a great imposition.

3.4 In summary the tree has demonstrable amenity value and pruning work can be applied for which is likely to be approved if reasonable.

4. Recommendation

It is recommended that the Tree Preservation Order: Land at: 7 Hadland Terrace, West Cross, Swansea, SA3 5TT. (2017); TPO 629 be confirmed without amendment.

Contact Officer: Alan Webster
Extension No: 5724
Date of Production: 23rd August 2017

CITY AND COUNTY OF SWANSEA
DINAS A SIR ABERTAWE

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

DATE: 3RD OCTOBER 2017

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

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

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



TWO STAGE VOTING

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

The first vote is taken on the officer recommendation.

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

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

Where the officer recommendation is for “refusal” and Members resolve not to accept this recommendation, appropriate conditions should then be debated and confirmed by means of a second vote. For reasons of probity, Member should also confirm reasons for approval which should also be lawful in planning terms. Officers will advise accordingly but will recommend deferral if more time is required to consider what conditions/obligations are required or if he/she considers a site visit should be held. If the application departs from the adopted development plan it (other than a number of policies listed on pages 77 and 78 of the Constitution) will need to be reported to Council and this report will include any appropriate conditions/obligations.

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

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

CONTENTS

ITEM	APP. NO.	SITE LOCATION	OFFICER REC.
1	2017/0925/RES	Land Off Lon Masarn, Cefn Coed Hospital, Waunarwydd Road, Cockett, Swansea, SA2 0GH Residential development (up to 73 dwellings) approval of reserved matters (details of access, appearance, landscaping, layout and scale) and discharge of condition 14 (detailed surface water drainage strategy), condition 17 (landscaping scheme), condition 31 (enclosure details), condition 34 (road layout and longitudinal road sections), and condition 36 (site levels) pursuant to outline planning permission 2014/0969 granted 18th August 2015)	APPROVE
2	2017/0373/FUL	Former Greyhound Stadium , Ystrad Road, Fforestfach, Swansea, SA5 4NE Retention of use of site for waste reclamation, recycling and self storage units for a temporary period of ten years	APPROVE
3	2017/1384/S73	Lidl Uk Gmbh , Sway Road, Morryston, Swansea, SA6 6JA Variation of conditions 2 and 10 of planning permission 2016/1312 granted 12th December 2016 to alter the design of the store including a reduction in height and amend the car park layout and the removal of the need for condition 7 relating to the required provision of an additional disabled person's parking space.	APPROVE
4	2017/1699/FUL	1306 Carmarthen Road, Fforestfach, Swansea, SA5 4BP Single storey rear extension	APPROVE
5	2017/1849/FUL	95 Pontardulais Road, Gorseinon, Swansea, SA4 4FQ Incorporation of land into residential curtilage and 1.8m fence	APPROVE
6	2017/1231/FUL	Fforest Mill Garden Centre, Pontardulais Road, Cadle, Swansea, SA5 4BA Redevelopment of the site to provide a drive-thru restaurant (Class A3) with associated car parking, access, landscaping and ancillary works	APPROVE

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 1 (CONT'D)

APPLICATION NO:

2017/0925/RES

UDP - EV2 - Siting

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).

UDP - EV3 - Accessibility

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)

UDP - EV33 - Sewage Disposal

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)

UDP - EV34 - Protection of Controlled Waters

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)

UDP - AS1 - New Development Proposals

Accessibility - Criteria for assessing location of new development. (City & County of Swansea Unitary Development Plan 2008).

UDP - AS2 - Design and Layout

Accessibility - Criteria for assessing design and layout of new development. (City & County of Swansea Unitary Development Plan 2008)

UDP - AS4 - Public Access Routes

Accessibility - Creation and improvement of public rights of way. (City & County of Swansea Unitary Development Plan 2008)

UDP - AS5 - Walking and Cycling

Accessibility - Assessment of pedestrian and cyclist access in new development. (City & County of Swansea Unitary Development Plan 2008)

UDP - AS6 - Parking/Accessibility

Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)

UDP - AS10 - Traffic Management and Highway Safety

Accessibility - Incorporation of appropriate traffic management measures in new developments. (City & County of Swansea Unitary Development Plan 2008)

UDP - HC14 - Cefn Coed Hospital

Re-development of the Cefn Coed Hospital site for a mix of health care and residential use will be supported subject to compliance with a defined list of criteria including design, landscape, retention and enhancement of landscape features, adequate access and parking. (City & County of Swansea Unitary Development Plan 2008)

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 1 (CONT'D)

APPLICATION NO:

2017/0925/RES

UDP - EV35 - Surface Water Run-Off

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)

UDP - HC3 - Affordable Housing

Provision of affordable housing in areas where a demonstrable lack of affordable housing exists. (City & County of Swansea Unitary Development Plan 2008)

UDP - HC17 - Planning Obligations

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)

SITE HISTORY

App Number	Proposal	Status	Decision Date
2017/0061/PRE	PRE-APP Residential development	POSP RE	30.03.2017
2017/1807/FUL	Incorporation of land into the rear gardens of plot 1 and plots 3-29, and a section of footpath link, associated with the development of the adjacent site for 73 dwellings consented by outline permission ref. 2014/0969 granted on 18th August 2015	PCO	
2017/1894/DOC	Discharge of conditions: 26 (Construction Site Management Plan), 27 (Future management and maintenance of streets), 41 (Pollution prevention management plan), 42 (Site waste management plan), and 43 (Construction pollution Management Plan), of planning permission 2014/0969 granted 18th August 2015	PCO	

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 1 (CONT'D)		APPLICATION NO:	2017/0925/RES
2016/1586	Discharge of condition 13 (drainage strategy) of planning permission 2014/0969 granted 18th August 2015	APP	03.10.2016
2016/0025	Discharge of condition 19 (site contamination) of planning permission 2014/0969 granted 18th August 2015	NOBJ	26.01.2016
2015/1763	Discharge of condition 6 (Japanese Knotweed) of planning permission 2014/0969 granted 18th August 2015	NOBJ	16.09.2015
2015/1726	Discharge of condition 7 (written scheme of investigation for Archaeological Monitoring) of planning permission 2014/0969 granted 18th August 2015	PCO	
2015/1725	Discharge of condition 16 (reptile mitigation scheme) of planning permission 2014/0969 granted 18th August 2015	NOBJ	02.10.2015
2014/0969	Residential development (up to 73 dwellings) (outline)	S106	18.08.2015

RESPONSE TO CONSULTATIONS

The application was advertised by way of a number of site notices and 71 nearby properties were directly consulted

TEN LETTERS OF OBJECTION, four letters of 'comment' and a PETITION of 'representation' containing 8 signatures have been received which raise the following concerns / comments:

- o We like the proposed landscaping scheme which includes tree planting, naturalistic planting and wildflower grassland to enhance the area and encourage wildlife.
- o We are still concerned as to how runoff will be managed during the building stage once the vegetation has been cleared and before the proposed drainage is in place.

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 1 (CONT'D)

APPLICATION NO:

2017/0925/RES

- o The sharp and narrow bend at the top of Lôn Masarn remains a problem - it does not allow the passing of larger vehicles such as vans, lorries or building machinery with cars.
- o We hope that the Planning Committee will visit the site.
- o I have a strong reservation as to the entrance of the site. Lon Masarn is already a very dangerous and exceptionally busy road.
- o Drainage concerns need to be addressed regarding Surface Water Drainage via soakaway.
- o The building of 9 dwellings off Llwyn Mawr, we think the volume of traffic in Lon Masarn will increase even more due to constraints on parking for parents of children attending Sketty Primary School.
- o It does not look like anywhere near enough parking spaces have been allowed to accommodate houses with several vehicles - the development will spill over into the surrounding areas which are already at capacity.
- o Proximity of main surface water drain to electricity substation - could be at risk from flooding.
- o Safety issue relating to the junction with Tycoch Road, where the visibility for most cars exiting Lon Masarn is somewhat restricted.
- o Plot 29 who will be directly behind our property shows a window that would look directly over the rear of our property.
- o It is unclear whether our shared boundary wall is intended to be changed in any way? And the screening in its current format in our opinion will leave our property and other on Lon Mefus vulnerable given there will be a public footpath passing along our rear boundary.
- o The initial traffic survey was conducted whilst the school was closed.
- o Residents in Lon Mefus have not been consulted - concerns regarding the soakaway and potential for overflow into their gardens
- o The school is oversubscribed where will a potential 140 children go to school.
- o Impact of surface water run-off via the soakaway into Cockett Valley
- o There are no parking spaces for visitors within the site.
- o The proposed pavement on the north side of Lon Masarn stops just short of the right angled bend about which there is much concern. It appears that there will be pavement only on the southern side of the bend. I had thought that a continuous pavement was to be in place before the development could be occupied.

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 1 (CONT'D)

APPLICATION NO:

2017/0925/RES

- o Also ,Bellway cannot be serious in suggesting the placement of tactile paving slabs in the situations indicated on their plan. This would encourage pedestrians to cross at the blind bend where they cannot see traffic approaching from both directions.
- o I have doubts about the position of the LAP

Natural Resources Wales - No Objection

Dwr Cymru / Welsh Water - No objection

Highway Observations

The site benefits from outline consent for residential development with access conditioned off Lon Masarn. That application was supported by a Transport Statement and this showed that it was considered that the site could be accommodated in terms of vehicular movements. There was a section 106 agreement attached to the application which included a sum £12,000 for the purpose of undertaking local highway improvements (prior to beneficial use commencing).

The site layout shows a single point of access directly off Lon Masarn as previously agreed. New footways have been included and these will need to be constructed under a Section 278 Agreement with the Highways Authority.

The internal road layout look acceptable in terms of safety but in terms of adoption then we would not wish to consider any of the home zones nor shared surfaces nor Private drives. The central part is suitable for adoption (between plots 4 and 22, and 50 to 54) but the rest of the site is not and such will need to be maintained by a private management company. Notwithstanding this in terms of safety the layout is adequate and whilst swept path analysis has not been provided as the geometry is acceptable then it is likely that that emergency and refuse vehicles will be able to enter and leave the site in an appropriate manner. Autotrack runs have been included to demonstrate that emergency vehicles can access turn and leave in a forward gear albeit that some of the movements are very tight. The main access has been laid out with a minimum carriageway of 5.5m with footway provision also being included. For this level of development a travel plan will also be required to be submitted (can be secured by condition).

The levels of parking seem to be acceptable at two/three spaces per dwelling. Where garages are included then their permitted development rights will need to be removed to maintain the parking provision. Visitor parking has not been included but given the internal road layout it is likely that some informal parking could be accommodated on street if required. The site is well located in terms of local amenities and proximity to regular public transport routes.

The provision of cycle/pedestrian links through the site will help with the permeability of the site and accessibility to local amenities and public transport routes.

I do not consider that the proposed development will give rise to any highway safety concerns, and it can be adequately catered for using the existing highway infrastructure subject to the comments already made during the outline application stage, and the payment of the section 106 contribution. .

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 1 (CONT'D)

APPLICATION NO:

2017/0925/RES

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

- o The parking areas as indicated being laid out in accordance with the approved plans and maintained as such in perpetuity.
- o 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].
- o No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.
- o I recommend therefore that if consent is granted, that the applicant be required to submit a Travel Plan for approval within 12 months of consent and that the Travel Plan be implemented prior to the beneficial use of the building commencing.
- o The new footways along Lon Masarn being constructed at the applicants expense under a Section 278 Agreement with the Highway Authority.
- o Permitted development rights being removed with respect to the garages.
- o The front boundary walls of all plots that have a boundary with any of the access roads/shared surfaces/private drives/or home zones shall maintain it at a maximum height of 1m in the interests of visibility.

Drainage Observations

Initial Comments

We have reviewed the submitted dwg 3771-SK150 Rev A to support the reserved matters application, however we are unable to approve the details as no supporting information has been submitted i.e. performance calculations, half drain down time, confirmation of final contributing areas etc. The proposals also need to look back at the previous agreed drainage principles and test results and clarify how they have been brought forward into this final design. There also does not appear to be any sort of land drainage network proposed on the site. We also seek clarity on who would be responsible for the adoption, management and maintenance of the infiltration structure as at present it is not a role that the Authority would be seeking to take on.

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 1 (CONT'D)

APPLICATION NO:

2017/0925/RES

Further Drainage Comments

We have reviewed the additional information which has raised some additional queries.

1. Dwg 3771-110 Rev E refers to Tuboside dwgs for further detail, could these be provided? Ideally this should show depth of installation in relation to the previously agreed test results.
2. Dwg 3771-110 Rev E does not appear to show the surface water laterals for each plot.
3. The pipe sizes on dwg 3771-110 Rev E do not appear to entirely correlate to the pipe sizes in Microdrainage calcs i.e. dwg 3771-110 Rev E has 525mm while in the calcs the pipe is 600mm.
4. The Microdrainage calcs indicate that there is a hydraulic control at MH17 in the form of a weir, we require the details of this and its location on the network as it does not appear to be on dwg 3771-110 Rev E.
5. The Microdrainage calcs indicate an impermeable area of 1.316ha while the report itself indicates an area of approximately 1.596ha, could the design impermeable area be confirmed.
6. Has exceedance flows/volumes been considered as part of the design i.e. flow paths, approximate depths, receptors, consequences of failure etc. it should be shown that existing land and property will be unaffected as a result of the development.
7. How is it intended that maintenance will be undertaken on the Land drain highlighted in green on the northern edge bearing in mind no chambers appear to be shown.
8. No details of the outlet for the land drain have been shown, currently it shows as terminating in one plot which is likely to have the effect of creating an informal soakaway.
9. What is the intention for the adoption, management and maintenance of the overall surface water scheme as at present it is not a role the Authority is looking to take on.

It may be helpful if once the amendments have been made the Microdrainage model is provided to the Authority for review and our records.

Final Drainage Comments

Based on the further details submitted, there are no drainage objections to this application. Condition 14 can be discharged

Housing Enabling Observation

Housing Service is in agreement with the proposed affordable housing provision on site at Land off Lon Masarn, 15 Intermediate Units and 7 Social Rented Units, 10 x 2 bedroom houses and 12 x 3 bedroom houses all to DQR standard. I have discussed the siting of the units with the RSL who they will be transferred to and they are happy with the location.

Landscape Observations

The landscape plan includes the planting layout providing detail on positions and numbers of the plants. It also gives a suitable specification for planting. The choice of species is suitable. For these reasons, the information is suitable to discharge the condition (17 of outline consent)

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 1 (CONT'D)

APPLICATION NO:

2017/0925/RES

APPRAISAL

This application seeks approval for the 'reserved matters' details (access, appearance, landscaping, layout and scale) for up to 73 dwellings pursuant to Outline Planning Permission 2014/0969 granted on 18th August 2015.

This application also includes details in relation to the following conditions of the outline consent: 14 (detailed surface water drainage strategy), 17 (landscaping scheme), 31 (enclosure details), 34 (road layout and longitudinal road sections), and 36 (site levels).

The application is being reported to Committee for decision as the proposal is a Major development. The application has also been 'called-in' and a site visit requested by Councillor Cheryl Philpott.

The following conditions of the Outline permission have already been discharged:

2015/1763: Condition 6 - Japanese Knotweed (fully discharged 14/09/15)

2015/1726: Condition 7 - Archaeology monitoring (partially discharged 20/10/15)

2015/1586: Condition 13 - Drainage Strategy (strategic site wide surface water drainage) (fully discharged 30/09/16)

2015/1725: Condition 16 - Reptile Mitigation Strategy (fully discharged 23/19/15)

2016/0025: Condition 19 - Site Contamination (fully discharged 26/01/16)

In addition to this Reserved Matters application, separate, but associated applications have been submitted for the following:

- o 2017/1807/FUL - Incorporation of land into the rear gardens of plot 1 and plots 3-29, and a section of footpath link, associated with the development of the adjacent site for 73 dwellings consented by outline permission ref. 2014/0969 granted on 18th August 2015.

This application relates to a small strip of land on the northern and eastern boundary of the site which sits outside the boundary of the original outline permission. This application is pending consideration.

- o 2017/1894/DOC - Discharge of conditions: 26 (Construction Site Management Plan), 27 (Future management and maintenance of streets), 41 (Pollution prevention management plan), 42 (Site waste management plan), and 43 (Construction pollution Management Plan), of planning permission 2014/0969 granted 18th August 2015. This application is pending consideration

The site is located within the larger allocated housing site Policy HC1 (128) - Cefn Coed Hospital. The site is approximately 3.16ha in size, is currently undeveloped and slopes downwards from Cefn Coed Hospital towards Lon Masarn. The site is bound to the north by the hospital buildings, to the east by Cockett Valley, to the south by houses in Lon Masarn and Lon Mefus and to the west by houses in Maes y Gryffydd Road.

The site is accessed from Lon Masarn which is a residential street leading from Tycoch Road. There is a sharp bend at the top of Lon Masarn adjacent to the southern boundary of the site.

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The applicant has recently undertaken Japanese Knot weed eradication on the site in accordance with the details approved via the 'discharge of condition' of condition 6 of the outline consent (reference 2015/1763 granted on 14th September 2015).

Much of the vegetation and non-protected trees have also been removed from the site.

Main Issues

The main issues for consideration with regard to this application relate to the acceptability of residential development on this site in terms of the impacts of the development on the character and appearance of the area, residential amenity impacts on neighbouring occupiers, the impact of the development on access, parking and highway safety, and impacts on environmental interests with regard to the provisions of policies EV1, EV2, EV3, EV33, EV34, EV35, HC1, HC3, HC14 HC17, AS1, AS2, AS4, AS5, AS6 and AS10 of the Unitary Development Plan 2008 (UDP), the Supplementary Planning Guidance (SPG) - Places to Live: Residential Design Guide. There are no overriding issues for consideration under the provisions of the Human Rights Act.

Outline planning permission has already been granted for the development of the site for up to 73 dwellings (reference 2014/0969). As part of that permission, as Section 106 was signed which included:

- o An Education Contribution of £206,358
- o 30% on site affordable housing provision.
- o A Highways contribution of £12,000 towards junction improvements.
- o Management Plan for future maintenance and management of the Local Area of Play (LAP)
- o Management and Monitoring fee for the S106 - this will be based on either 20% of the application fee (£1,764) or 2% of the value of the obligation of the S106 agreement (whichever is the greater and subject to a minimum charge of £150).

The reserved matters application shows the detailed layout of the site with a new access road into the site being located on Lon Masarn opposite Nos. 75-77 Lon Masarn.

There are 22 affordable units proposed which are shown to be located in two clusters of eleven units (15 intermediate and 7 social rented units), 10 x 2 bedroom houses and 12 x 3 bedroom houses.

Visual Amenity

The proposal has been the subject of significant negotiations via the pre-application process and during the course of the assessment of the reserved matters application to ensure that the density, layout and design of the development has sufficient regard to its location in a visually prominent location on a sloping site.

The proposed development is proposed to be accessed via one point of access on to Lon Masarn. The estate would have one road which would run northwards up the hill towards the northern section of the site and then would split into two roads running east and west, which would then turn southwards to form 3 cul-de-sacs on north south axis.

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A local area of play (LAP) is shown to be located adjacent to the entrance to the development which will be accessible to both the existing residents of the area and the future residents of the application site. A strip of landscaping would demark the southern edge of the proposed development which would run parallel to Lon Masarn. Landscaping is also proposed along the western boundary where the site fronts onto Maes Y Gryffydd Road.

A new footpath is shown to be located on the northern side of Lon Masarn which would link into a footpath / cycle path running parallel with Lon Masarn at a higher level due to the incline of the land. The proposed pedestrian path / cycle way will terminate just south of plot 29 where a gate is proposed to be installed. It is anticipated that this pathway will be extended into the neighbouring development site at some time in the future and will then form a public footpath towards Cockett Valley Woods. The details will be subject to a future planning application as part of the wider strategic site.

All of the open market houses are shown to be detached dwellings, with small front gardens, two car parking spaces and the majority would include either a detached or integral garage.

The affordable units are shown to be one detached unit, 3 terraces of three units and six pairs of semi-detached units and each would have 2 car parking spaces located to the front of the dwellings.

All the proposed houses would be 2 storeys in height and would be finished with either red or buff bricks and grey or red tiles roofs with many of them having bay windows (including the affordable units) and would have stone heads and sills to the windows on the front elevations. The majority of the houses would have small porches over the front doors and all of the corner dwellings would have side windows to add to the visual interest of the estate and to allow for natural surveillance

The boundary treatments would consist of screen walls to all public facing elevations, with a mix of close boarded fences and post and rail fences between the proposed gardens.

A pedestrian link has been included between plots 14 and 15 to allow for future connections to the wider Cefn Coed Hospital site. This is shown to be 4m wide and would be bound by screen walls. In order to allow for natural surveillance of this area, side windows are proposed in plots 14 and 15.

The proposed access appearance, landscaping, layout and scale are considered to be acceptable in terms of their impacts upon the visual appearance of the streetscene and would not cause an unacceptable visual impact in the local area.

The proposal is therefore considered to represent a satisfactory form of development in terms of its impacts upon the character and appearance of the area, and the layout and design of the development would create a good quality and distinctive streetscape and would accord with the provisions of Policies EV1 and EV2 of the UDP and the SPG - Places to Live: Residential Design Guide.

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Residential Amenity

In terms of residential amenity impacts, the majority of the existing residential houses are located on the opposite sides of Lon Masarn and Maes Y Gryffydd Road from the application site, and as such there would be no material residential amenity impacts in terms of overlooking, overbearing or overshadowing impacts on the existing dwellings.

In terms of existing houses in Lon Mefus, no 34 would be closest dwelling to the side elevation of plot 29 in the south eastern corner of the site and would be separated by a distance of 24m from the side elevation of plot 29 and the rear elevation of no. 34 Lon Mefus. Given this distance, it is considered that no unacceptable overbearing or overshadowing impacts would occur on the existing dwelling at no. 34 Lon Mefus. With regard overlooking, there is one window proposed in the side elevation of plot 29 which would serve a landing window. It is noted that the rear boundary of the garden of No 34 would be 7m from the side elevation of plot 29, however as the proposed window in the side of plot 29 would be a landing window (and not a habitable room window), it is considered that no unacceptable overlooking impacts of the rear garden of No 34 would occur. As mentioned above, there would be a separation distance between elevations of 24m which is in excess of the 21m recommended within the SPG - Places to Live: Residential Design Guide.

The layout of the proposed development ensures that all separation distances for back to back relationships accord with (and exceed) the minimum separation distances set out in the SPG - Places to Live: Residential Design Guide, and all of the plots would have a standard 10m separation distance where first floor windows overlook neighbouring private amenity space. All of the plots would have an acceptably sized private rear garden.

In terms of the residential amenity of the existing and future occupiers, the application is considered to be acceptable and would accord with the provisions of Policy EV1 of the UDP and the SPG - Places to Live: Residential Design Guide.

Parking and Access

The site benefits from outline consent for residential development with access conditioned off Lon Masarn. That application was supported by a Transport Statement and this showed that it was considered that the site could be accommodated in terms of vehicular movements. There was a section 106 agreement attached to the application which included a sum £12,000 for the purpose of undertaking local highway improvements.

The site layout shows a single point of access directly off Lon Masarn as previously agreed. New footways have been included and these will be constructed under a Section 278 Agreement with the Highways Authority. It is noted that the proposed pavement to the north side of Lon Masarn is not proposed to connect to the existing pavement to the side of no. 34 Lon Mefus - the developer has stated that *The eastern footway will cross before the bend via a set of drop kerbs and tactile paving (uncontrolled crossing point). The footway will not continue around the bend on the northern side due to land outside of our control, level differences which would result in alterations being required to a neighbour's boundary wall, the sub-standard width of the continuation footway beyond the driveway access to No 34 Lon Mefus.*

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The internal road is considered to be acceptable in terms of its layout and highway safety and is proposed to be managed and maintained by a private management company and therefore will not be adopted by the Highway Authority.

The levels of parking are considered to be acceptable at two/three spaces per dwelling. Visitor parking has not been included but given the internal road layout some informal parking could be accommodated on street if required.

The Head of Transport and Engineering recommended that a number of conditions be added - these conditions were included within the outline planning permission and therefore do not need to be duplicated in the reserved matters permission.

The Head of Transport and Engineering considers that the proposed layout and parking levels are acceptable and would accord with the provisions of Policies EV1, EV2, AS1, AS2, AS4, AS5, AS6, and AS10 of the UDP.

Conditions of the Outline Permission

Drainage

Condition 14 of the outline planning permission stated:

Any reserved matters application shall be accompanied by a detailed surface water strategy for 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 leave 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 development individual phases, and to prevent the increased risk of flooding to third parties

Following a series of negotiations, the submitted Drainage Strategy is considered to be acceptable and therefore the requirements of condition have been met and as such the condition can be 'discharged'.

Landscape

Condition 17 of the outline planning permission stated:

A landscaping scheme for the site shall be submitted as part of the reserved matters, and the scheme as approved shall be carried out within 12 months from the completion or occupation of the development, whichever is sooner.

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The landscaping plan shall provide features to support wildlife - a list of suitable species for planting is included in Appendices B and D of the submitted Ecological Report. Any trees, shrubs or plant material which are part of the scheme, which die, become seriously damaged or diseased within two years of planting shall be replaced by trees or shrubs of a similar size and species to those originally required to be planted.

Reason: In the interests of the visual amenity of the site as a whole, and to accord with Section 197 of the Town and Country Planning Act 1990.

The landscape plan, which includes the planting layout, detail of the positions and numbers of the plants and specification for planting is considered to be acceptable and therefore the requirements of the condition have been met and as such the condition can be discharged.

Enclosures

Condition 31 of the outline planning permission stated:

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

Reason: In the interests of visual amenity and general amenity

The means of enclosing the boundaries of the site and the individual dwellings include 1.8m fair faced brick screen walls to all public facing boundaries and a mix of 1.8m close boarded fencing and 1.2m post and rail fencing for the rear garden areas.

The boundary treatments are considered to be acceptable and therefore the requirements of the condition have been met and as such the condition can be discharged.

Road Layout and Longitudinal Road Sections

Condition 34 of the outline planning permission stated:

Road layout details including longitudinal road sections shall be submitted for the approval of the Local Planning Authority as part of the submission of details.

Reason: To allow the proper consideration of all highway details

The submitted details showing the layout and longitudinal sections are considered to be acceptable and therefore the requirement of the condition have been met and as such the condition can be discharged.

Site levels

Condition 36 of the outline planning permission stated:

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.

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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.

The submitted details showing the levels are considered to be acceptable and therefore the requirement of the condition has been met and as such the condition can be discharged.

Responses to Objections

Issues relating to drainage, traffic, parking provision, committee site visit, access, highway safety, overlooking / loss of privacy, have been addressed in the previous paragraphs.

With regard to the applicant's traffic survey, this was undertaken in 10 July 2012 and this Authority carried out a survey on 18 September 2014. This was undertaken as part of the outline planning application which was granted on 18/08/15. As such it is considered that the current highway conditions in the area have been fully assessed.

With regard to the junction with Tycoch Road, the S106 agreement included a contribution of £12,000 for towards junction improvements.

With regard to the pedestrian crossing on Lon Masarn, this falls outside of the application site and would be subject of a S278 agreement under the Highways Act.

With regard to the electricity substation, this is to be located uphill from the soakaway and therefore will not be at risk from flooding

The shared boundary wall to the rear of the existing houses in Lon Mefus is not proposed to be altered as part of this application.

With regard to the claim that Lon Mefus residents have not been consulted, 71 nearby residents, including nos. 2-34 Lon Mefus were directly consulted on the 4th May 2017, and there were 3 site notices placed close to the site.

With regard to school places, this was also considered as part of the outline planning application, and the S106 agreement included a contribution for Sketty Primary School, YGG Brynymor and YG Y Gwyr totalling £206,358.

With regard to potential soakaway issues into Cockett Valley, the soakaway has been designed following detailed consideration and investigation at all stages. The concern that additional water could be channelled into the Cockett Valley is valid, however it should be highlighted that the hydrogeological studies carried out during the outline stages clearly indicated that the bedding planes tipped northwards away from the valley and the existing housing. It is probable that there will be some lateral water movement with the rock strata, but it must be remembered that the water arising from this development site already contributes naturally to the flows and volumes reaching the valley and the stream the passes through the Gower College, it is not additional water, no hydrological catchments are being changed as a result of the development. As such there will not be any land instability created as a result of the development.

ITEM 1 (CONT'D)

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Conclusion

Having regard to all material planning considerations, including the provisions of the Human Rights Act, the details of the access, appearance, landscaping, layout, scale and conditions 14, 17, 31, 34, and 36 pursuant of outline planning permission 2014/0969 granted on 18th August 2015 for 73 residential units are considered to be acceptable in terms of the impacts upon visual amenity, residential amenity, access, parking & highway safety and drainage and therefore complies with the provisions of policies EV1, EV2, EV3, EV33, EV34, EV35, HC1, HC3, HC14, HC17, AS1, AS2, AS4, AS5, AS6 and AS10 of the Unitary Development Plan 2008, and the Supplementary Planning Guidance (SPG) - Places to Live: Residential Design Guide.

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

RECOMMENDATION

APPROVE subject to the following conditions:

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

3003-000.REV A - SITE LOCATION PLAN; 3003-BAY-FP01 - BAY HOUSE TYPE FLOOR PLANS; 3003-BAY-EL01 - BAY HOUSE TYPE ELEVATIONAL PLANS; 3003-BTD-01 - BOUNDARY TREATMENT DETAILS; 3003-GAR-ELFP01 - GARAGES PLANS & ELEVATIONS (1 OF 2)

3003-GAR-ELFP02 - GARAGES PLANS & ELEVATIONS (2 OF 2); 3003-WAL-EL01 - WALTON HOUSE TYPE ELEVATIONS; 3003-WAL-FP01 - WALTON HOUSE TYPE FLOOR PLANS V2; 3003-WICK-EL01 - WICKFORD HOUSE TYPE ELEVATIONS; 3003-WICK-FP01 - WICKFORD HOUSE TYPE FLOOR PLANS; 3771-SK120A - DRAINAGE STRATEGY PLAN Received on 27th April 2017.

3771-121 - LAND DRAIN DETAIL; 3003-SOME-EL01 REV A - SOMERBY HOUSE ELEVATIONS; 3003-SHIP-FP01 REV A - SHIPTON HOUSE FLOOR PLANS; Received on 23rd June 2017.

3003-SOME-FP01 REV A - SOMERBY HOUSE FLOOR PLANS; 3003-SHIP-EL01 REV A - SHIPTON HOUSE ELEVATIONS; Received 28th June 2017

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403.02 REV A - LANDSCAPE PLANTING PLAN; 3771-111-1E - LONGITUDINAL SECTIONS - SHEET 1 OF 2; 3771-111-2B LONGITUDINAL SECTIONS - SHEET 2 OF 2; 3771-101-3 REV D - VEHICLE SWEPT PATH ANALYSIS FIRE TENDER; 3771-101-2 REV C - VEHICLE SWEPT PATH ANALYSIS PANTECHNICON; 3771-101-1 REV B - VEHICLE SWEPT PATH ANALYSIS REFUSE VEHICLE; 3003.421-EL02 REV A - PLOTS 39-40 ELEVATIONS; 3003-WILC-FP01 REVB - WILCOTT HOUSE TYPE FLOOR PLANS; 3003-WILC-EL01 REV B - WILCOTT HOUSE TYPE ELEVATION; 3003-PP-01 REV E - PARKING PLAN; 3003-ML-01 REV B - MATERIALS LAYOUT; 3003-BTP-01 REV F - BOUNDARY TREATMENT PLAN; 3003-AHP-01 REV E - AFFORDABLE HOUSING LOCATION PLAN; 3003-531.EL01 REV C - PLOTS 66-67, 34-35, 68-69 ELEVATIONS; 3003-531-FP02 REV D - PLOTS 36-38 FLOOR PLANS; 3003-531-FP01 REV C - PLOTS 34-34, 66-67, 68-69 FLOOR PLANS; 3003-531-EL03-FP03 REVB - PLOT 65 PLANS; 3003-531-EL02 REVD - PLOTS 36-38 ELEVATIONS; 3003-421.EL04 - PLOTS 43-44 ELEVATIONS; 3003-421-FP04 REV A - PLOTS 43-44 FLOOR PLANS; 3003-421-FP03 REVA - PLOTS 41-42 FLOOR PLANS; 3003-421-FP02 REV A - PLOTS 39-40 FLOOR PLANS; 3003-421-EL03 REVA - PLOTS 41-42 ELEVATIONS; 3003-241.531-FP02 REV D - PLOTS 24-26 FLOOR PLANS; 3003-241.531-FP01 REV C - PLOTS 27-29 FLOOR PLANS; 3003-241.531-EL02 REV F - PLOTS 24-26 TERRACE HOUSE TYPE ELEVATIONS; 3003-241.531-EL01 REV D - PLOTS 27-29 ELEVATIONS; 3003-101 REV I - PLANNING LAYOUT (COLOUR); 3003-100 REV H - PLANNING LAYOUT; Received 3rd August 2017

3771-110 REV J - ENGINEERING LAYOUT received 18th August 2017

3771-115 REV D - MANHOLE SCHEDULES received 22nd August 2017

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

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: HC1, EV1, EV2, EV3, EV33, EV34, AS1, AS2, AS4, AS5, AS6, AS10, HC14, EV35, HC3, HC17.
- 3 Dwr Cymru / Welsh Water advise you to note the following:
 - (i) Foul flows from the proposed development shall connect to the 150mm public combined sewer at manhole SS62934703 on Lon Masarn as shown on the statutory sewer plan. Reason: - To prevent hydraulic overloading of the public combined system, to protect the health and safety of the existing residents and ensure no detriment to the environment.

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ITEM 1 (CONT'D)

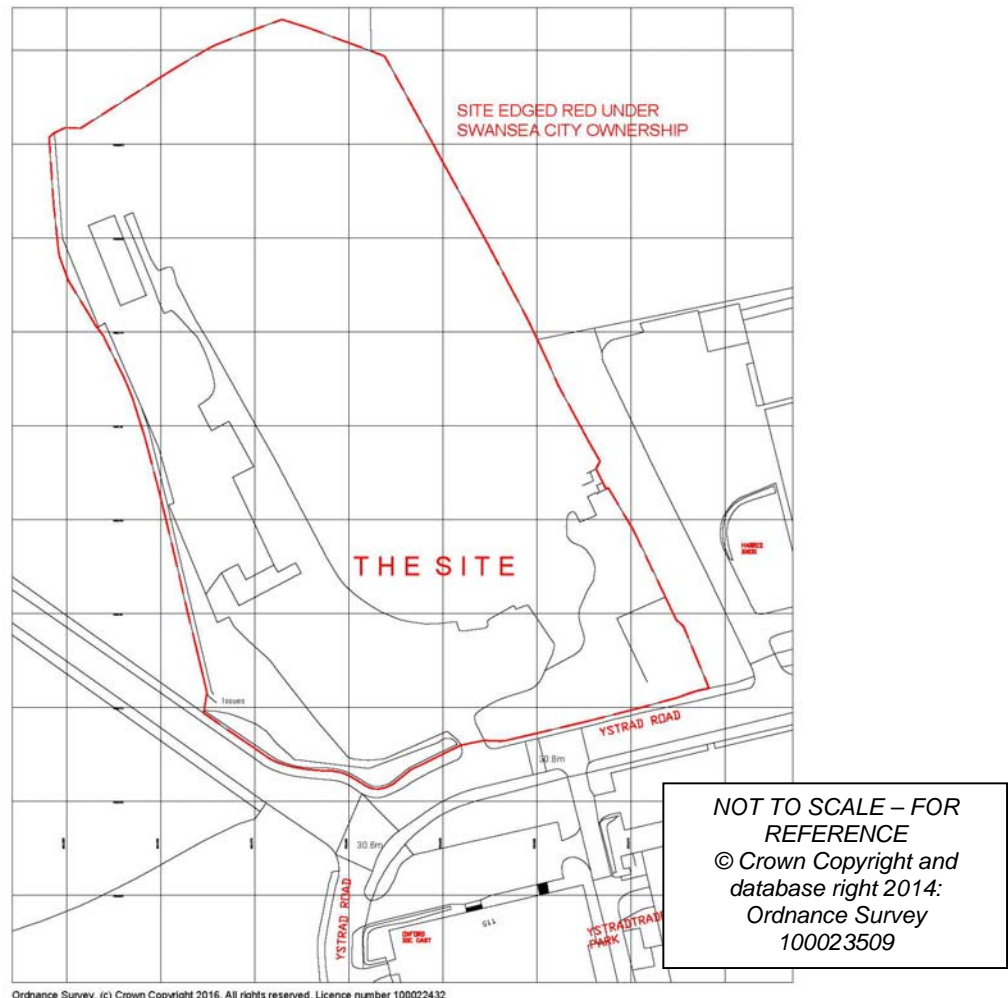
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- (ii) The proposed development site is crossed by a public sewer with the approximate position being marked on the Statutory Public Sewer Record. The position shall be accurately located and marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer. Reason: To protect the integrity of the public sewer and avoid damage thereto, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment
-

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ITEM 2 APPLICATION NO: 2017/0373/FUL
WARD: Cockett - Area 2
Location: Former Greyhound Stadium , Ystrad Road, Fforestfach, Swansea, SA5 4NE
Proposal: Retention of use of site for waste reclamation, recycling and self storage units for a temporary period of ten years
Applicant: Stacey Norman Stenor Limited



BACKGROUND INFORMATION

POLICIES

UDP - EV1 - Design

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

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ITEM 2 (CONT'D)

APPLICATION NO:

2017/0373/FUL

UDP - EV2 - Siting

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).

UDP - EV3 - Accessibility

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)

UDP - EV30 - Trees, Woodland and Hedgerow Protection

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)

UDP - EV34 - Protection of Controlled Waters

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)

UDP - EV35 - Surface Water Run-Off

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)

UDP - EV33 - Sewage Disposal

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)

UDP - EV40 - Air, Noise and Light Pollution

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)

UDP - EC3 - Established Industrial and Commercial Areas

Improvement and enhancement of the established industrial and commercial areas will be encouraged where appropriate through building enhancement, environmental improvement, infrastructure works, development opportunities and targeted business support. (City & County of Swansea Unitary Development Plan 2008)

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ITEM 2 (CONT'D)

APPLICATION NO:

2017/0373/FUL

UDP - R6 - Secondary / Recycled Aggregates

Proposals to develop secondary aggregate resources or recycling centres for construction and demolition waste will be supported subject to compliance with specified criteria. (City & County of Swansea Unitary Development Plan 2008)

UDP - R12 - Waste Management

Proposals for the development of waste management facilities involving the transfer, treatment, re-use, recycling, in-vessel composting, energy recovery from waste or open composting in farm locations will be assessed against regional and local requirements. Proposals will be permitted within areas designated for B2 industrial use or having the benefit of lawful B2 use provided that there are no significant adverse affects and subject to compliance with specified criteria. (City & County of Swansea Unitary Development Plan 2008)

UDP - AS2 - Design and Layout

Accessibility - Criteria for assessing design and layout of new development. (City & County of Swansea Unitary Development Plan 2008)

UDP - AS6 - Parking/Accessibility

Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App Number	Proposal	Status	Decision Date
2017/0373/FUL	Retention of use of site for waste reclamation, recycling and self storage units for a temporary period of ten years	PDE	
2017/1880/TPO	To lop trees covered by TPO 637	APP	20.09.2017

RESPONSE TO CONSULTATIONS

One neighbouring property was directly consulted and the application was advertised via a number of site notices.

THREE letters of OBECTION have been received which raise the following concerns:

- o It would cause a greater volume of traffic, noise pollution, dust and also there is a weight restriction on parts of Ystrad Road. It would also cause a smell.
- o The works being carried out create an unacceptable noise adding to an already busy area. Also the vehicles are using an incorrect route in and out of the site adding to the traffic problems in the area and breaking highway laws.

Dwr Cymru / Welsh water (DCWW) - No objection subject to conditions

ITEM 2 (CONT'D)

APPLICATION NO:

2017/0373/FUL

Natural Resources Wales (NRW)

Initial Comments

We recommend that you should only grant planning permission for the scheme if the following conditions are included, to address significant concerns that we have identified. Provided these conditions are attached to any permission your Authority is minded to approve, we would not object to the scheme. For your information the applicants have a Waste Permit from us for the operation of waste reclamation and recycling facilities.

Site Drainage - This applicant proposes to dispose of surface water to an existing watercourse. The Design and Access and Planning Statement lists suspended solids release into the surface water and the nearby stream in its environmental risk assessment. Therefore, we recommend that a condition be applied to ensure the applicant submits a pollution prevention strategy, which details how the applicant plans to prevent pollution from the site entering the surface water drains and the watercourse during normal operations and adverse weather conditions, for the construction phase and for the lifetime of operations at the site. We also advise that you liaise with the Lead Local Flood Authority who should be able to provide advice on surface water disposal.

Foul Drainage -

There is no information on foul drainage disposal, from our records the site lies within the catchment of the Gowerton public sewer and as such we request that the applicant contacts Welsh Water to confirm that there is sufficient hydraulic and biological capacity available in the system to accommodate the additional flows. Please note we would not support any proposal to utilise a private system within a sewered area. To ensure that a satisfactory means of foul drainage is implemented we request that the following condition is included in any permission granted.

Condition: The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved. Reasons To protect water quality.

Further NRW Comments

Foul Drainage - We note the applicant proposes to utilise a septic tank for disposal of foul drainage, however there is no evidence to suggest that the applicant has contacted Welsh Water to confirm whether connection can be made to the Gowerton public foul sewer as advised in our previous letter. Please note we would not support any proposal to utilise a private system within a sewered area and it is unlikely that an environmental permit would be issued if the site lies within 30m of a main sewer.

To ensure that a satisfactory means of foul drainage is implemented we request that the following condition is included in any permission granted.

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ITEM 2 (CONT'D)

APPLICATION NO:

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Condition - The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved. Reason: To protect water quality

Site Drainage - No information has been received regarding pollution prevention, we therefore reiterate our previous comments and recommend that a condition be applied to ensure the applicant submits a pollution prevention strategy, which details how the applicant plans to prevent pollution from the site entering the surface water drains and the watercourse during normal operations and adverse weather conditions, for the construction phase and for the lifetime of operations at the site.

More further NRW Comments

We recommend that you should only grant planning permission if you attach the following condition. This condition would address significant concerns that we have identified and we would not object provided you attach them to the planning permission.

Pollution Prevention: We would request that the developer produce a method statement detailing all necessary pollution prevention measures, which details how the applicant plans to prevent pollution from the site entering the surface water drains and the watercourse during normal operations and adverse weather conditions, for the construction phase and for the lifetime of operations at the site.

Condition - No development approved by this permission shall be commenced until a Method Statement detailing all necessary pollution prevention measures for the development is submitted to and approved in writing by the Local Planning Authority.

Reason: To protect water quality and prevent any potential deterioration in Water Framework Directive Classification.

Silt protection: Please note the biggest risk in this case would be from silt run off. Silt protection must be in place before any of the land is stripped to prevent any suspended solids entering the River Lliw. We also advise that you liaise with the Lead Local Flood Authority who should be able to provide advice on surface water disposal.

Final NRW Comments

We have no objection to the proposal, but do wish to make the following comments.

Environmental Permitting (England and Wales) Regulations 2010 (as amended)

The operation is authorised by a Standard Rules Permit, EPR/AB3392HL which was issued in January 2017. The operator will have to comply with the relevant standard rules including:

- o Managing and operating the activities in accordance with written management system that identifies and minimises risks of pollution.
- o Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. Any surface water discharges from the site must be clean and not cause pollution. Surface water from dirty working areas must be dealt with appropriately

ITEM 2 (CONT'D)

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Foul drainage: 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 (Carmarthen Bay and Estuaries) SAC. As such, a Memorandum of Understanding (MOU) has been prepared to enable development in this area to go forward. Protection of the water environment is a material planning consideration and your Authority must be satisfied that the proposed method of foul and surface water drainage from the proposal will not cause any detriment to water quality. Our preferred and the most sustainable method of foul water disposal is connection to the main sewerage system.

Head of Transportation and Engineering

Initial Comments

There is insufficient information supplied to enable a formal highway assessment of this planning application. In the absence of a Transport Statement then I am unable to support this planning application as it has not been demonstrated that the trips arising from the proposed use would not have a detrimental impact on the Strategic Highway Network.

Final Highway Comments

A Transport Statement was requested to quantify the likely levels of movements in order to assess the impact on trip generation and parking. During this process it came to light that there was a self-storage element contained within proposed development and this was included in the revised description.

The proposed development includes the storage and reclamation of controlled waste comprising inert wastes (soils, hard core and concrete) as well as a 600 square metre self-storage facility. The historic use of the site was as a greyhound racing stadium but that use has ceased some time ago (circa 2009). The site is bounded by Ystrad Road to the south, an industrial unit to the east and agricultural land to the west and north. Access to the site is directly off Ystrad Road. The site is located within an industrial estate with easy access to the M4 at junction 47 Penllergaer.

The site is accessible by walking, cycling and public transport. The majority of roads on the estate have footway provision and are lit. There is bus provision running every 30 minutes in close proximity to the site.

The roads in the area are wide as you would expect on an industrial estate and a 30mph zone is in force. Pedestrian crossings are evident and there is pedestrian provision at the signalized junction of Ystrad Road/Carmarthen Road. Car Parking within the estate is in the main unrestricted. The accident figures within the industrial estate for the years 2012-2016 inclusive show a total of 21 casualties from 10 separate accidents, three of which were serious, with zero fatalities. There were no accidents recorded in and around the proposed site. It is therefore considered that there are no inherent safety issues associated with the existing road layout. The site is being leased for a five year period to Stenor Limited from the Council.

The proposed reclamation station will consist of :

- o Waste delivery area
- o Waste storage area

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- o Variety of reclamation plant
- o Other small plant
- o Portacabin to act as the site control office

The proposed layout includes a self-storage facility which is indicated as being arranged as a series of shipping containers double stacked for security. Access to the site is as existing and the necessary visibility splays are indicated. A swept path analysis has been provided to show that the access can accommodate a 20t tipper lorry, there is ample space within the site for vehicles to turn. There is a parking area for staff included together with a site office. Parking for visitors to the self-storage facility is also available. The method statement advises that a delivery routing strategy will be implemented to reduce down the impact of Heavy Goods Vehicles on the Highway Network. The route to be followed is that already signposted namely from the A483 Carmarthen Road, turning into Kingsway, continuing onto Bruce Road and north onto Ystrad Road then into the site. The site is gated but it is stated that during opening hours the gates will remain open so there should not be any impact or obstruction caused to traffic on Ystrad Road. The expected trip levels have been derived from a combination of site specific experience (for the waste element from other sites run by Stenor) and the TRICS Database for the self-storage element. In terms of vehicle movements the waste recycling trips are expected to be variable but in the region of 60 trips per day (which equates to 6 per hour on a ten hour day). For the self-storage element a total of seven sites were selected and the daily trips were seen to be in the region of 20 trips (with a peak time of between 2 and 3 pm when three vehicles would be expected to arrive/depart).

In summary the proposed development is likely to generate six HGV movements per hour and a small number of car trips (for the self-storage element). It is considered that these levels of movements can be accommodated within the existing highway infrastructure without any detriment.

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

1. Delivery vehicles following the prescribed route to the M4 (in the interest of highway safety and residential amenity)
2. The gates are to open inwards only, and to be kept open at all times during the hours of operation, in the interests of highway safety.
3. The parking areas as indicated to be laid out in accordance with the approved plans and maintained for parking purposes only thereafter.
4. The provision of adequate wheel washing facilities within the site to ensure that the highway network is kept free of debris and dirt.

Drainage Officer

Initial Comments

The application form indicates the discharge to the adjacent watercourse however no information has been provided with respect to discharge rates, what, if any attenuation is required and what pollution prevention measures will be put in place as part of a Drainage Strategy appropriate to the scale and nature of the development.

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Final Drainage Comments

No objection as the site is covered by an Environmental Permit issued by NRW which covers the control of surface water discharges from the site.

Tree Officer

Initial Comments

The site is bordered by a group of mature trees along its eastern boundary. These trees are not protected by a TPO or Conservation Area status, however under Section 197 of the Town and Country Planning Act 1990 it is the LPA's duty to ensure, whenever it is appropriate, that in granting planning permission for any development, adequate provision is made, by the imposition of conditions, for the preservation of trees that contribute to amenity. The proposed earth bank appears to be close to the trees and could have a negative effect on them by changing hydrology and compacting / suffocating the soil. These changes to the soil will reduce the ability of roots to function correctly leading to the premature decline of the trees. If the trees are required for screening it should be noted that ash are a constituent part of the group and may be lost in the short term due to ash die back disease. The current proposals are at present not acceptable. The applicant needs to demonstrate with a tree survey and arboricultural impact assessment in accordance with BS5837:2012 that the earth bank will not have a detrimental effect on the trees. If the current layout is too close to the trees then a solution will be to give more separation between the two.

Further tree comments

The provided report is at times contradictory, omits information to check its validity and does not fully address the issues. Construction is shown near to trees T1 and T2 but these trees are shown (and in the case of T2 discussed) to be retained. From the photographs tree T2 perhaps should be category U. The survey data classifies several trees as 'veteran'; although this is not an age class within BS5837 it is useful to know. The author has concluded that the RPA of veteran trees should be reduced when the opposite is true due to their sensitivity to root damage. This is reflected in our SPG and other guidance on veteran trees. RPA's of veteran trees should be considered as 15 times the stem diameter of the tree. The veteran trees are categorised as C3 - *Trees with no material conservation or other cultural value*. In my opinion large veteran trees like this have significant conservation merit. The survey data is incomplete, the stem diameters of the trees are not provided to allow verification of the RPAs. The author also does not indicate what method was used for calculating the RPAs. The author also suggests that the bund should be outside of the canopy spreads of the trees; this is not the case on the diagram supplied in the report. The arboricultural method statement (AMS) is general, not site specific and incorrect when assessing the risk to the trees. For the scheme to be acceptable the bund needs to be moved further away from the trees and either a more suitable AMS and tree protection plan provided or conditioned.

Final Tree Officer Comments

The trees along the boundary are now covered with a Tree Preservation Order (TPO). The revised layout showing the bund moved away from the trees is a better layout and is acceptable. Please add a condition for tree protection fencing during construction.

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Pollution Control Officer

No objection subject to conditions relating to the hours of operation, noise and dust plan as stated within the Design and Access statement.

APPRAISAL

Full planning permission is sought for the retention of the use of the site for waste reclamation, recycling and self-storage units for a temporary period of ten years.

The application is reported to the Planning Committee for determination as the proposal is for a waste reclamation and recycling centre and the application site exceeds 2 hectares in size.

The proposed development involves the storage and reclamation of controlled waste comprising of inert wastes (soil, hard-core and concrete). The operation already has the benefit of an Environmental Permit issued by NRW (reference EPR/AB3392HL issued January 2017). No hazardous waste or biodegradable waste will be accepted at the site and it is anticipated that little, or no residual waste will be generated that will need to go to landfill. The waste operations follow the definition of a waste transfer and recycling station.

The operational hours will be Mon to Fri: 07.30 - 18.00hrs, Saturday: 07.30 - 14.00hrs, and not at all on Sundays and Bank Holidays.

The proposal also includes a number of self-storage units which the applicant has advised will operate on a 'by appointment' system.

The site operator will be Stenor (currently operating from Kings Dock) and they will be responsible for the manning and operation of the site.

The site is located on Ystrad Road and was formerly used as a greyhound track which closed in 2009. The site is situated within the Swansea West industrial estate and is bound to the rear by agricultural land. It is bound to the east by a line of protected trees which separates the site from the adjacent Harris Brothers tyre centre. To the west, the site is bound by Titanium Road which leads to further industrial sites. Opposite the site, on the other side of Ystrad Road, are commercial and industrial buildings.

The nearest residential dwellings are located approximately 150m to the north-east of the site in Denver Road. The residential area containing Dale Close, Fox Grove, and Mynydd Bach Y Glo are located over 350m to the south west of the site.

The site has a frontage to Ystrad Road which measures approximately 90m which is bound by a 2.1m high palisade fence and the entrance gates to the site. A 5m high bund will be formed inside part of the eastern boundary of the site. The existing fencing and protected trees along this boundary will remain in situ. The bund will accommodate approximately 170 solar PV panels along its length.

The reclamation station will comprise of a waste delivery area, waste storage area, a crusher and a screener. A temporary 'portacabin' will be placed on site to act as the site control office.

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The south-east sector of the site would comprise the self storage area and features a mix of 12m and 6m long containers which would be double stacked - these would be operated as 'self-storage' units on an appointment only basis, and would also have 3 dedicated car parking spaces (1 for staff and 2 for the public). A further 3 car parking spaces will be provided for the staff of the waste reclamation and recycling centre. A 5 bay, single storey, mono-pitched portal frame structure is proposed to be located approx. 30m from the front boundary (behind the storage containers) which house the soil drying area. A weighbridge will be located 10m from the entrance gates.

Main Issues

The main issues for consideration relate to the acceptability of the use of the site as a waste reclamation and recycling centre and self storage facility, the impacts upon visual amenity, residential amenity, parking and highway safety, trees and environmental impacts, with regard to the provisions of policies EV1, EV2, EV3, EV30, EV33, EV34, EV35, EV40, EC3, R6, R12, AS2 and AS6 of the City and County of Swansea Unitary Development Plan 2008 (UDP). There are no overriding issues with regard to the Human Rights Act.

The application falls within an existing established industrial area and would create a new business opportunity for an existing company operating in the Swansea area.

Policy EC3 supports new business uses within established industrial and commercial areas which contribute to the provision of employment development.

Policy R12 states that proposals for the development of waste management facilities involving the transfer, treatment, re-use, recycling, in-vessel composting, energy recovery from waste or open composting in farm locations will be assessed against regional and local requirements. Proposals will be permitted within areas designated for B2 industrial use or having the benefit of lawful B2 use provided that there are no significant adverse effects in relation a defined list of criteria.

With regard to the use, scale and location of the proposed development, the site falls within an established industrial area and is of a moderate scale in term of its operation. It is therefore considered that the principle of the use of the site for a waste reclamation and recycling centre and self-storage facility is acceptable in this location. It is not considered that the proposal raises any unacceptable concerns relating to public safety.

Visual Amenity

In terms of visual impact, the proposal, by its very nature, is considered to be unsightly. The site is currently bound to the road frontage by a 2.1m high palisade fence, which is a common style of fencing within industrial areas. The proposed storage containers would be located towards the front of the site and would be double stacked. This would act a 'screen' when viewed from the street and would help to mitigate the unsightly view of the waste reclamation and recycling operation from the public realm. The existing trees and vegetation on the two side boundaries and the rear boundary would remain, which would help screen the unsightly parts of the site from the wider area.

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In summary, it is considered that the development - given the context of the site - would not cause a detrimental impact upon the visual amenities of the area.

Residential Amenity

In terms of impacts upon the amenity of residential dwellings, the site is located within an existing industrial estate, and the nearest existing residential properties are located in Denver Road, approximately 150m to the north-east of the site. The residential area containing Dale Close, Fox Grove, and Mynydd Bach Y Glo are located over 350m to the south-west of the site. Given these separation distances and due to the setting/backdrop of the existing industrial estate, it is not considered that the proposals would unacceptably impact on the amenities of occupiers of those properties.

Transport and Highways

A Transport Statement was submitted to quantify the likely levels of movements in order to assess the impact on trip generation and parking. The proposed development is likely to generate six HGV movements per hour and a small number of car trips (for the self-storage element). It is considered that these levels of movements can be accommodated within the existing highway infrastructure without any detriment. The Head of Transportation and Engineering has accordingly offered no highway objection to the proposal.

The conditions required by the Head of Transportation and Engineering will be incorporated on any planning permission granted, with the exception of the 'delivery vehicles routing' condition which will not be used, as advice contained within Welsh Government Circular 016/2014 (the Use of Planning Conditions for Development Management) states that planning conditions are not an appropriate means of controlling the right of passage over public highways and can be very difficult to enforce. The circular goes on to advise that "where it is essential to prevent traffic from using particular routes, the correct mechanism for doing so is an Order under the Traffic Management Act 2004."

Trees

Initially, the application showed the proposed bund to be within the root protection area of the existing trees which separate the site from the adjacent Harris Bros Tyre Centre. This was not considered to be acceptable due to the potential harmful impacts that could be caused to the trees. Accordingly, the applicant agreed to move the bund away from the trees, and as such, the trees will not be harmfully affected by this proposal. During the assessment of the impacts on the trees, it was considered prudent to place a Tree Preservation Order on the existing trees as they are considered have high amenity value and provide attractive screening within the industrial estate. The Tree Preservation Order is now in place.

Environmental Impacts

Natural Resources Wales have confirmed that the applicant has an Environmental Permit for waste reclamation and recycling of inert wastes at the site and raises no environmental concerns about this activity continuing in compliance with the permit. No objection has been received from the Head of Pollution Control.

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Accordingly, it is not considered necessary to consider these matters further as no issues have been raised which would conflict with UDP Policy EV40 (air and light pollution) or UDP Policy R12(vi).

With regard to noise, although objections have been raised, given the surrounding industrial/commercial operations and the other noise sources in the locality, it is not considered that the use would cause unacceptable levels of noise pollution. If any unacceptable noise levels do occur, then this would be controlled via the Control of Pollution Act 1974.

With regard to drainage, the applicant has confirmed that they will not install a cesspool for foul sewerage (as initially indicated) due to the concerns raised by NRW.

With regard to surface water and potential pollution of surrounding watercourses, NRW have confirmed that these matters are covered via the Environmental Permit which has already been granted to the applicant. These matters do not therefore need to be controlled by planning conditions.

Duration of Planning Permission

The applicant has requested that planning permission be granted for a period of 10 years. However, given that the proposal is considered to be acceptable in planning terms, it is not considered necessary to impose a condition that requires the cessation of the proposal after a period of 10 years.

Response to Letters of Objection

The various points of objection have been addressed above in the various sub-sections of this report.

Conclusion

Having regard to all material planning considerations, including the provisions of the Human Rights Act, the application for the use of the site for waste reclamation, recycling and self-storage units is considered to be acceptable in terms of the acceptability of the use in this location, impacts upon visual amenity, residential amenity, parking and highway safety, trees and environmental impacts, and as such is considered to comply with the provisions of policies EV1, EV2, EV3, EV30, EV33, EV34, EV35, EV40, EC3, R6, R12, AS2 and AS6 of the Unitary Development Plan 2008 (UDP).

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

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RECOMMENDATION

APPROVE subject to the following conditions:

- 1 The development shall be carried out in accordance with the following approved plans and documents:
HD0_1902 02A - Site Location Plan and 15/9/3/Titan Rev A - Weighbridge details, received 11th May 2017. HD1902-01 Rev A - Proposed Storage Units, received 25th May 2017. HD1902-03 Rev D - Proposed Site Layout Plan, received 11th August 2017

Reason: For the avoidance of doubt and to ensure compliance with the approved plans.
- 2 The waste reclamation and recycling elements of the uses hereby approved shall not be operated outside the hours of 0730 - 1800hrs Monday to Friday and 0730 - 1400hrs on Saturdays. The waste reclamation and recycling elements shall not operate at all on Sundays and Bank Holidays.
Reason: To protect the amenities of the occupiers of nearby dwelling houses.
- 3 The mitigation measures relating to the control of mud and debris contained within Section 6.2 of the Design, Access and Planning Statement, submitted as part of this application, shall be employed at all times during the operation of the use hereby approved.

Prior to any vehicle leaving the site, the vehicle shall be inspected by a site operative to establish that it is free from excessive dirt, mud or other debris. If the vehicle is not free from any of these, it shall be cleansed in accordance with the details contained within Section 6.2 of the Design, Access and Planning Statement, prior to leaving the site.

Reason: In the interests of highway safety and the general amenity of the area.
- 4 The mitigation measures relating to the control of dust, fibres and particulates contained within Section 8.2 of the Design, Access and Planning Statement, submitted as part of this application, shall be employed at all times during the operation of the use hereby approved.
Reason: In the interests of the general amenity of the area.
- 5 The mitigation measures relating to the control of noise contained within Section 8.5 of the Design, Access and Planning Statement, submitted as part of this application, shall be employed at all times during the operation of the use hereby approved.
Reason: In the interests of the general amenity of the area.
- 6 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
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.

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- 7 The entrance gates shall open inwards only, and shall be kept open at all times during the hours of operation of the use hereby approved.
Reason: In the interests of highway safety.
- 8 The parking spaces shown in the drawings hereby approved shall be laid out and made available for vehicular parking before the self-storage containers are brought into beneficial use and shall be made available for such purposes at all times thereafter.
Reason: In the interests of highway safety.
- 9 All of the protected trees located adjacent to the eastern boundary of the site and/or any trees whose canopies overhang the eastern boundary of the site shall be protected by fencing, the location and type of which shall be submitted to and approved in writing by the Local Planning Authority before the works relating to the creation of the proposed bund commence on site. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials relating to the creation of the bund are brought onto the site. The approved fencing shall be maintained in situ until all of the equipment, machinery and surplus materials relating to the creation of the bund have been removed from the site. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the prior written consent of the Local Planning Authority.
Reason: To prevent detrimental impact to trees, hedges and other landscape features which contribute to the amenity, landscape and biodiversity of the site and surrounding area.

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: EV1, EV2, EV3, EV30, EV33, EV34, EV35, EV40, EC3, R6, R12, AS2 and AS6.
 - 3 The proposed development is crossed by a 12 inch distribution watermain Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site. If you have any queries please contact 0800 917 2652 or via email at developer.services@dwrcymru.com
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ITEM 3

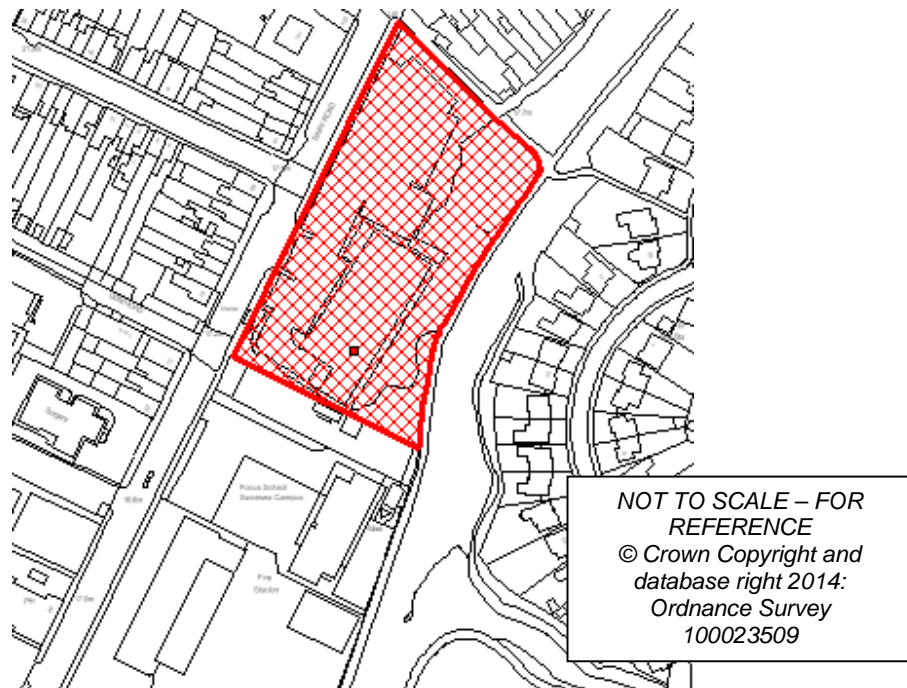
APPLICATION NO: 2017/1384/S73

WARD: Morriston - Area 1

Location: Lidl Uk Gmbh , Sway Road, Morriston, Swansea, SA6 6JA

Proposal: Variation of conditions 2 and 10 of planning permission 2016/1312 granted 12th December 2016 to alter the design of the store including a reduction in height and amend the car park layout and the removal of the need for condition 7 relating to the required provision of an additional disabled person's parking space.

Applicant: Mr Christopher Jenkins Lidl UK GmbH



BACKGROUND INFORMATION

POLICIES

UDP - EV1 - Design

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

UDP - EV2 - Siting

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).

UDP - EV3 - Accessibility

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)

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UDP - EC9 - Out of Centre Retailing

Retail development at out of centre locations will be restricted. (City & County of Swansea Unitary Development Plan 2008)

UDP - AS2 - Design and Layout

Accessibility - Criteria for assessing design and layout of new development. (City & County of Swansea Unitary Development Plan 2008)

UDP - AS6 - Parking/Accessibility

Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)

UDP - EV30 - Trees, Woodland and Hedgerow Protection

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)

UDP - EV40 - Air, Noise and Light Pollution

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)

UDP - EC4 - New Retail Development

All new retail development will be assessed against need and other specific criteria. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App Number	Proposal	Status	Decision Date
2017/1384/S73	Variation of conditions 2 and 10 of planning permission 2016/1312 granted 12th December 2016 to alter the design of the store including a reduction in height and amend the car park layout and the removal of the need for condition 7 relating to the required provision of an additional disabled person's parking space.	PDE	
2016/1654	One internally illuminated pylon sign	APP	20.10.2016

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ITEM 3 (CONT'D)		APPLICATION NO:	2017/1384/S73
2016/1312	Demolition of existing store and construction of a replacement foodstore (1,424m ² sales area) with associated access, servicing and parking	APP	12.12.2016
2012/0131	One non-illuminated freestanding advertisement hoarding	REF	20.03.2012
2011/1152	One non illuminated wall mounted sign	APP	10.10.2011
2007/2273	One non-illuminated wall mounted hoarding sign and one non-illuminated freestanding hoarding sign	REF	22.11.2007

RESPONSE TO CONSULTATIONS

Highway Authority: support the highway comments submitted with the original application that 7 disabled parking spaces should be provided to meet with adopted standards.

ONE LETTER OF OBJECTION has been received, which is as follows:

I question the applicant's maths. The Parking Guidelines require a MINIMUM of 6% of total parking spaces be Blue Badge spaces. 108 spaces are to be provided, 6% of 108 gives 6.48. As .48 of a bay is obviously not practicable. We are asking for 7 spaces to be provided not the 6 proposed.

APPRAISAL

This application is reported to Committee as the amount of floorspace to be created by the development exceeds the threshold of 2000 square metres for applications to be reported to committee.

Background

Planning permission 2013/0824 was approved on 12th December 2016 for the "Demolition of existing store and construction of a replacement foodstore (1,424m² sales area) with associated access, servicing and parking". This current application seeks to vary conditions 02 and 10 and to remove condition 07 of this planning permission.

Condition 02 states:

The development shall be carried out in accordance with the following approved plans and documents: 001 Site location plan, 006 rev B proposed ground floor plan, 007 rev B proposed first floor plan, 008 rev B proposed elevations received 4th July 2016, 1214 005 rev J amended site plan, 2016/29 rev D amended landscape layout plan received 13th October 2016.

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ITEM 3 (CONT'D)

APPLICATION NO:

2017/1384/S73

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

Condition 07 states:

Notwithstanding the plans hereby approved and prior to the commencement of works, an amended car parking layout including details of the location of one additional disabled parking space within the site shall be submitted to and approved in writing by the Local Planning Authority. The car park shall be laid out in accordance with the approved details before the use of the development hereby approved commences and retained as such at all times.

Reason: To ensure adequate off street parking is provided in the interest of highway safety.

Condition 10 states:

The gross retail floorspace hereby permitted shall not exceed 1424 square metres of which 285 square metres only may be used for the display and sale of comparison goods.

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

The Current Proposal

The changes involve the construction of a shallower pitch roof store (where the overall height is reduced) instead of the sloping roof previously approved, changes to fenestration, change in car parking layout and installation of the store's external plant area at roof level. There are also internal changes proposed. These changes are more than could be considered as a non-material amendment to the original planning permission but they are not considered to be visually unacceptable in the context of the street scene. As these changes are considered acceptable, the variation of condition 2, which will involve the substitution of the previously approved plans and documents with the current plans and documents, is considered acceptable.

In terms of condition, 7, the condition was attached to the original planning permission to ensure disabled parking spaces to be provided at the site met adopted standards. This application seeks to remove that condition. The plans submitted with the application originally showed 6 disabled parking spaces were to be provided. However, following comments from the Highway Authority which indicated that seven disabled parking spaces were required, an amended plan has been submitted which indicates the provision of 7 spaces. This is considered acceptable and also addresses the comments from the objector.

As the amended car parking layout shows that 7 disabled spaces are proposed, the condition is not considered necessary and the removal of this condition is considered acceptable. The new layout plan will be included in the list of approved plans identified in condition 02 and a condition attached to the planning permission requiring the parking layout to be provided before the use commences and retained for the duration of the use..

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ITEM 3 (CONT'D)

APPLICATION NO:

2017/1384/S73

In terms of condition 10, the amount of floorspace identified for sales in the condition (1424 square metres) reflected the amount of sales floor space proposed in the original application. Due to the amendments to the layout proposed in this application, the amount of sales floorspace is reduced to 1325 square metres. The minor reduction in retail floorspace would not impact upon the viability and vitality of the nearby Morriston District Centre over and above the originally approved scheme and as such the variation of this condition is also considered acceptable.

In determining a Section 73 application, the Local Planning Authority has to decide whether to re-impose any conditions attached to the original planning permission. In this case, it is necessary to attach conditions relating to drainage to ensure adverse impact on the environment and local residents, the means of enclosure of part the site to ensure no adverse impact on visual amenity and restrictions on the occupier of the site and on sub division of the unit to protect the vitality and viability of existing shopping centres.

Conclusion

Consideration has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WCFG Act"). In reaching this recommendation due regard has been given to the ways of working set out at section 5 of the WCFG Act and it is considered that this recommendation is consistent with the sustainable development principle as required by section 8 of the WCFG Act.

In conclusion and having regard to all material considerations, the changes proposed are considered to be an acceptable form of development at this location that complies with the overall requirements of Policies EV1, EV2, AS6, EV3, EV4, EC9, AS2, EV30, EV40 of the City and County of Swansea's 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 development shall be carried out in accordance with the following approved plans and documents: 001 Site location plan received 22nd June 2017, 5796-BRA-010100 REF 3 amended site layout and parking; 5796-BRA-010101 REV 2 amended store plan; 5796-BRA-010102 REV 2 amended roof plan; 5796-BRA-020003 REV 2 amended elevations; 2016/.29 Rev E amended landscape proposals plan, received 22nd August 2017.
Reason: For the avoidance of doubt and to ensure compliance with the approved plans.

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 3 (CONT'D)

APPLICATION NO:

2017/1384/S73

- 3 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
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.
- 4 Prior to the first beneficial occupation of the new store hereby approved and notwithstanding the details shown on the approved plans, details of an amended boundary treatment to be erected from points A- C as shown on plan no. 2016/.29 Rev E shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed as approved before the development hereby approved is commenced and retained as such for the duration of the use.
Reason: In the interest of maintaining a satisfactory scheme of landscaping and to protect the visual amenity of the area.
- 5 The landscaping scheme hereby approved shall be completed in accordance with the approved details in the first planting season after the completion of the development or the first beneficial use of the development commencing, 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.
Reason: In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value.
- 6 The use of the development hereby approved shall not commence until space has been laid out within the site in accordance with the approved site layout - drawing no 5796-BRA-010100 REF 3 for cars to be parked, for the loading and unloading of delivery vehicles and for vehicles to turn so that they may enter and leave the site in forward gear. That space shall thereafter be kept available for these purposes for the duration of the use hereby approved
Reason: To enable vehicles to enter or leave the premises with a minimum of interference to the free flow of through traffic, and to reduce the likelihood of obstruction and danger to road users when vehicles are accessing the site.
- 7 The building hereby approved shall only be occupied by a Limited Assortment Discounter retailer.
Reason: To ensure the development does not have an adverse impact on the vitality and viability of existing shopping centres.
- 8 The gross retail floorspace hereby permitted shall not exceed 1325m² square metres of which 285 square metres only may be used for the display and sale of comparison goods.
Reason: To ensure the development does not have an adverse impact on the vitality and viability of existing shopping centres.

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 3 (CONT'D)

APPLICATION NO:

2017/1384/S73

- 9 The retail unit hereby permitted shall not be sub-divided to form more than one retail unit.
Reason: To ensure the development does not have an adverse impact on the vitality and viability of existing shopping centres.

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, EC4, EC9, AS2, AS6, EV30, EV40
- 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 The proposed development site is crossed by a 600mm public combined sewer overflow with the approximate position being marked on the Statutory Public Sewer Record. To protect the integrity of the public sewer and avoid damage thereto protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, the position shall be accurately located marked out on site before works commence and no operational development shall be carried out within 3 metres either side of the centreline of the public sewer.
- 5 The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication, Sewers for Adoption 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com
- 7 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.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

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ITEM 3 (CONT'D)

APPLICATION NO:

2017/1384/S73

- 8 The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of 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. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.
 - 9 The developer is advised that no development shall take place until a site notice has been displayed in accordance with the form set out in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or any order revoking or re-enacting that order. The site notice shall be displayed at all times when development is being carried out.
 - 10 The developer is advised that no development shall take place until the developer has notified the Local Planning Authority of the initiation of development. Such notification shall be in accordance with the form set out in Schedule 5A of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or any order revoking or re-enacting that order.
-

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 4

APPLICATION NO:

2017/1699/FUL

WARD:

Cockett - Area 2

Location:

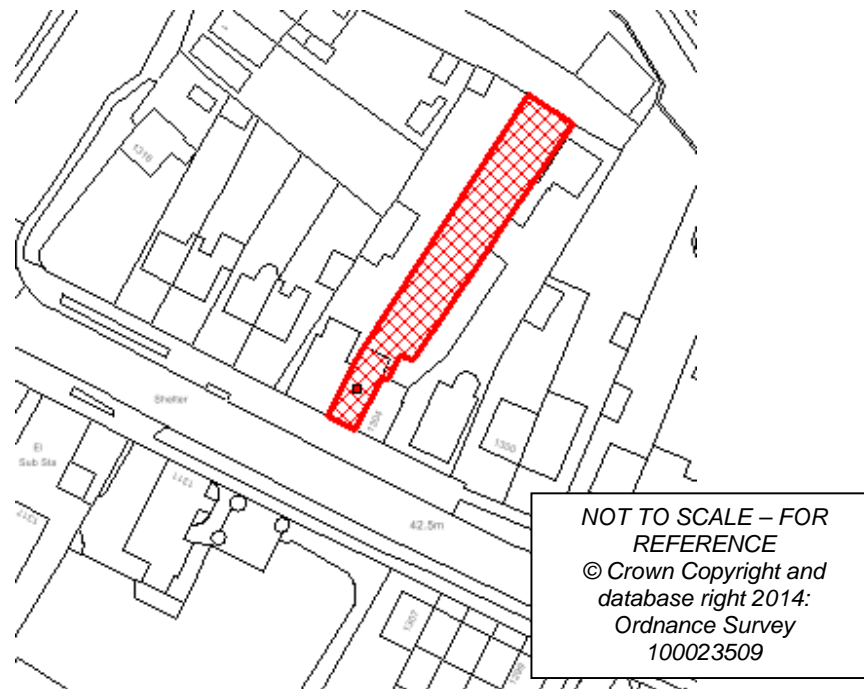
1306 Carmarthen Road, Fforestfach, Swansea, SA5 4BP

Proposal:

Single storey rear extension

Applicant:

Mr & Mrs DK & APW Phillips



BACKGROUND INFORMATION

POLICIES

UDP - EV1 - Design

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

UDP - HC7 - Residential Extensions and Alterations

Proposals for extensions and alterations to existing residential dwellings will be assessed in terms of; relationship to the existing dwelling, impact on the character and appearance of the streetscene, effect on neighbouring properties, and impact on car parking. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App Number	Proposal	Status	Decision Date
2017/1699/FUL	Single storey rear extension	PDE	

ITEM 4 (CONT'D)

APPLICATION NO:

2017/1699/FUL

INTRODUCTION

This application is reported to Committee for decision as the owner of the site is a member of staff working within the Council's Planning Department.

RESPONSE TO PUBLICITY EXERCISE

The application was publicised by sending individual letters to the occupiers of the five properties adjoining the site. No letters of objection have been received to this publicity exercise.

APPRAISAL

This planning application relates to a traditional mid-terraced dwelling which currently features an existing two storey flat roof rear extension, single storey flat roof rear extension and rear single storey canopy. The existing extensions project approximately 3.3m from the original main rear wall of the dwelling, with the canopy structure projecting approximately a further 2.5m from the extension.

The application seeks full planning permission for the construction of a single storey rear extension, which will require the removal of the existing rear canopy structure. The extension will essentially be split into two distinct parts, with a flat roof section projecting from the existing single storey rear extension and a mono-pitched section projecting from the existing two storey extension.

The extension is approximately 4.7m wide, which is approximately 0.4m short of the 5.1m width of the original dwelling (and the width of the existing extensions). The mono-pitched roof section of the proposal will have an eaves height of approximately 2.5m and a maximum height of 3.6m. The flat roof section of the proposal will have an eaves height of approximately 2.4m and a maximum height of 2.5m; the eaves and maximum height of the flat roof extension will be approximately 0.1 lower than the respective heights of the existing flat roof rear extension from which it will project. The proposed extension will project approximately 3m from the rear elevation of the existing extensions.

The primary issues for consideration with regard to this application relate to the impact of the proposal upon visual and residential amenity having regard to the provisions of Policies HC7 and EV1 of the City and County of Swansea Unitary Development Plan and the Supplementary Planning Guidance document entitled A Design Guide for Householder Development. There are in this case considered to be no additional issues arising from the provisions of the Human Rights Act.

The proposed extension, given its siting to the rear elevation of the application building would not be visible from public vantage points. The combined projection of the existing and proposed extensions would be approximately 6.3m at ground floor level. Whilst the projection represents a significant increase on the original ground floor footprint of the dwelling, it is within the 7.3m limit set by the Council's Design Guide for single storey rear extensions to traditional terraced properties.

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 4 (CONT'D)

APPLICATION NO:

2017/1699/FUL

Whilst the flat roof element of the extensions is not desirable, it would nevertheless be in-keeping with the flat-roofed design of the existing single storey rear extension and would not be visible from the wider area. The remaining part of the extension utilises a conventional mono-pitched roof which is considered acceptable, as is the use of external finishes that match those of the host building. It is therefore considered that the scale, design and appearance of the proposal would both be in-keeping with the character and appearance of the existing dwelling and area in which it is sited.

In terms of its impact on the residential amenity of neighbouring occupiers, the proposed extension, given its overall scale and general design is not considered to have any negative overbearing or overlooking impacts on neighbouring occupiers.

It is acknowledged that the rear extension will breach the 45 degree rule from the ground floor rear windows of both No.1304 and No.1308 Carmarthen Road. The rear window of No.1308 is obscurely glazed and does not serve a habitable space and therefore any overshadowing impact on this window is considered acceptable.

The window of No.1304 serves a kitchen. It is noted however that the proposed extension is sited to the north-west of this window and is of a relative small scale. Taking account of the orientation of the extension relative to the neighbouring window and the fact that the extension is within the limits of the Authority's Design Guide, it is not considered that there would be any unacceptable overshadowing impacts. It is also noted that no objections have been received from neighbouring occupiers.

The proposal is not considered to increase the demand for on-site car parking, as there is no increase in habitable bedrooms. The proposals do not result in the loss of any existing parking spaces. Therefore there are no highway safety impacts to consider.

In conclusion, having regard to all material considerations including the Human Rights Act, the proposal is considered to represent an acceptable form of development which complies with current development plan Policies HC7 and EV1 of the City and County of Swansea Unitary Development Plan 2008 and the Supplementary Planning Guidance document entitled A Design Guide for Householder Development.

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

RECOMMENDATION

APPROVE subject to the 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.

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 4 (CONT'D)

APPLICATION NO:

2017/1699/FUL

- 2 The development shall be carried out in accordance with the following approved plans and documents: 1306SA5-1 - Location Plan, Block Plan, Floor Plans and Elevations, received on 27th July 2017.
Reason: For the avoidance of doubt and to ensure compliance with the approved plans.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: Policies EV1 and HC7.
- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
-

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 5

APPLICATION NO:

2017/1849/FUL

WARD:

Gorseinon - Area 1

Location:

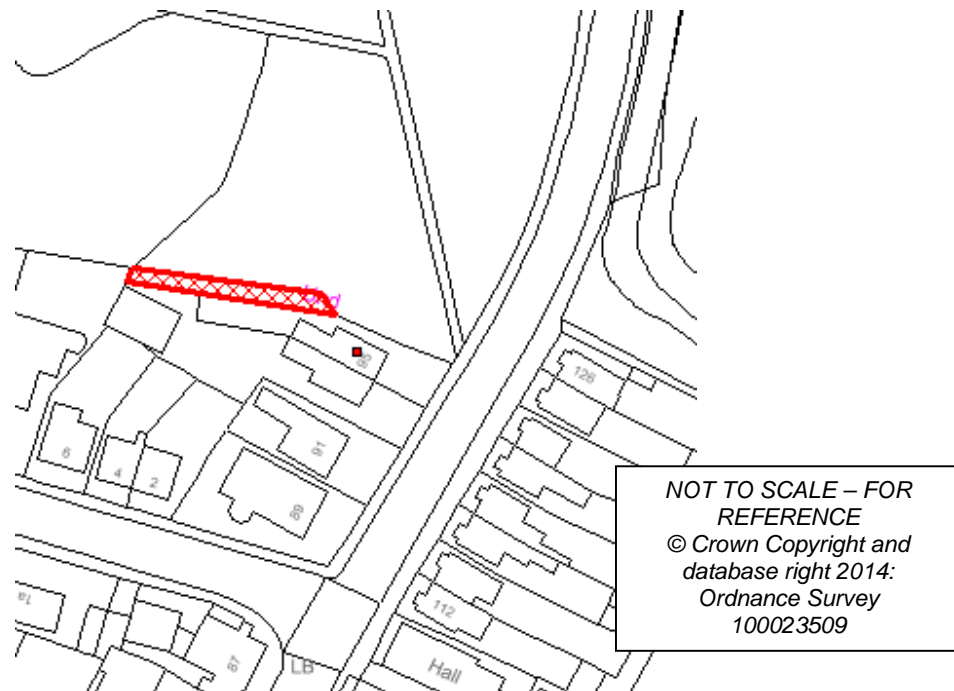
95 Pontardulais Road, Gorseinon, Swansea, SA4 4FQ

Proposal:

Incorporation of land into residential curtilage and 1.8m fence

Applicant:

Mrs Caroline Gregg



BACKGROUND INFORMATION

POLICIES

UDP - HC7 - Residential Extensions and Alterations

Proposals for extensions and alterations to existing residential dwellings will be assessed in terms of; relationship to the existing dwelling, impact on the character and appearance of the streetscene, effect on neighbouring properties, and impact on car parking. (City & County of Swansea Unitary Development Plan 2008)

UDP - EV1 - Design

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

UDP - HC23 - Community Recreation Land

Development proposals that involve the loss of land for community recreation purposes will only be permitted where they comply with a defined set of criteria. (City & County of Swansea Unitary Development Plan 2008)

UDP - EV2 - Siting

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).

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 5 (CONT'D)

APPLICATION NO:

2017/1849/FUL

SITE HISTORY

App Number	Proposal	Status	Decision Date
2017/1849/FUL	Incorporation of land into residential curtilage and 1.8m fence	PDE	

RESPONSE TO CONSULTATIONS

The application was advertised on site and ONE neighbouring property was consulted. There was NO response.

Gorseinon Town Council - No objection

APPRAISAL

This application is reported to Committee for decision in accordance with paragraph 1.19.6 of the Council Constitution as the applicant is an Officer employed within the Planning & City Regeneration Department.

Full planning permission is sought for the incorporation of land into the residential curtilage of No. 95 Pontarddulais Road, Gorseinon. The narrow strip of land (measuring approx. 2m in width by 20m in depth) forms part of an area of open scrub land incorporating a number of trees separating the residential curtilage from the grounds of Penyrheol Comprehensive School and Leisure Centre. The proposal would see the land form part of the rear garden curtilage of the application property, enclosed by a 1.8m close board timber fence. There is a footpath that diagonally cuts across the area of open ground from the back edge of the pavement adjacent to No. 95 providing pedestrian access to the school grounds although given the set back of the application site from the roadway this will not be affected.

Main Issues

The main issues in the consideration of this application relate to the impact of the proposed development on residential and visual amenity, having regard to Policies EV1 and HC7 of the City and County of Swansea Unitary Development Plan (UDP). Regard is also made to Policy HC23 of the UDP, as the application involves a change of use of recreational land to residential.

In relation to the proposed change of use of a small parcel of recreational land to residential use Policy HC23 states that development proposals that involve the loss of land for community recreation purposes, whether in public or private ownership, will only be considered favourably where:

- (i) Facilities can best be retained and enhanced through the development of a small part of the site, or
- (ii) Alternative provision of equivalent community benefit is made available, or
- (iii) There is an excess of provision in the area, or
- (iv) A wider community benefit arises, or
- (v) The existing and potential recreational or amenity or natural heritage or historic environment value of the land is maintained.

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 5 (CONT'D)

APPLICATION NO:

2017/1849/FUL

Given the nature of the site, together with its relatively small scale and the fact that the site is deemed surplus to Council requirements, in this instance, the principle of this use is considered appropriate given its context in compliance with HC23 of the Swansea UDP. The wider area of open ground/Community recreation land will not be affected by the loss of this small area of land and it is considered that the existing and potential recreational or amenity or natural heritage or historic environment value of the land is maintained. .

Visual and Residential Amenity

The existing site forms part of an open area of land on the approach to the grounds of the Penyrheol School. The trees are not subject of any TPOs. Given the limited size of the site, and its set back from the main road it is not considered the proposal would have an unacceptable impact upon the character and appearance of the street-scene or the surrounding area. Furthermore it will not result in an unacceptable impact upon the residential amenities of the occupiers of the neighbouring properties in compliance with Policies EV1 and EV2 of the City and County of Swansea Unitary Development Plan.

Access and Highway Safety

No highway consultation has been undertaken as the proposal is not considered to give rise to access or highway safety issues.

Conclusion

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

Having regard to all material planning considerations, including the Human Rights Act, the proposal is considered to represent an acceptable form of development, complying with the criteria of Policies EV1, HC7 and HC23 of the City and County of Swansea Unitary Development Plan 2008 and the guidance contained in the Supplementary Planning Guidance Document entitled 'A Design Guide for Householder Development' (2008).

RECOMMENDATION

APPROVE subject to the following conditions:

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

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 5 (CONT'D)

APPLICATION NO:

2017/1849/FUL

2 The development shall be carried out in accordance with the following approved plans and documents: site location plan, block plan, fence details, fence location plan received on 22nd August 2017.

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

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, HC7, HC23.

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 applicant is advised that the change of use of the land, as approved, does not constitute a formal exchange of the land ownership details and will need to formally resolve the exchange of land ownership as a separate issue.

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 is 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.

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 6

APPLICATION NO:

2017/1231/FUL

WARD:

Cockett - Area 2

Location:

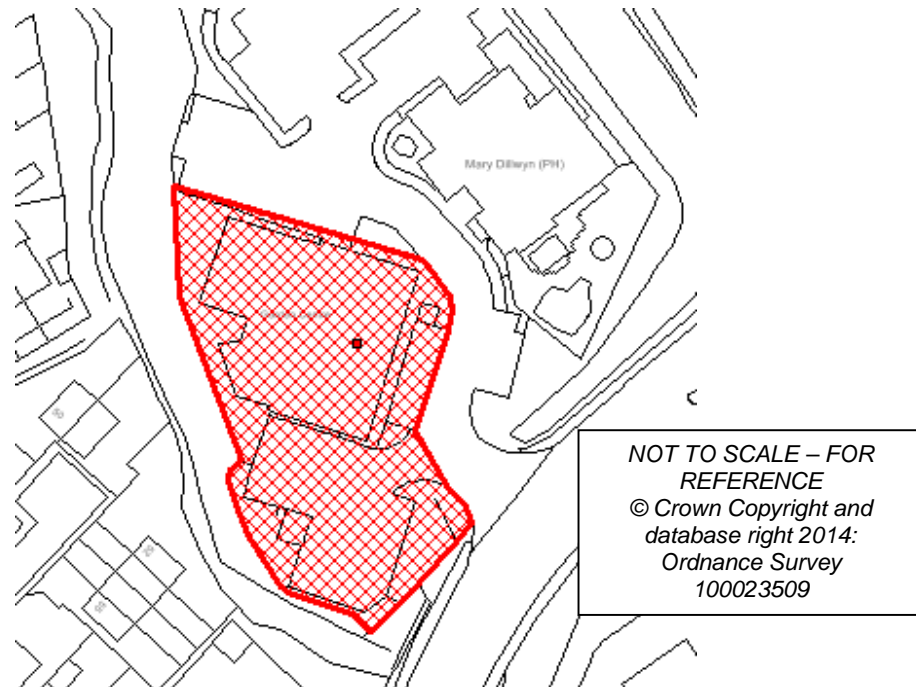
Fforest Mill Garden Centre, Pontardulais Road, Cadle, Swansea, SA5 4BA

Proposal:

Redevelopment of the site to provide a drive-thru restaurant (Class A3) with associated car parking, access, landscaping and ancillary works

Applicant:

Mr John Peach Kentucky Fried Chicken (Great Britain) Limited



BACKGROUND INFORMATION

POLICIES

UDP - EV1 - Design

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

UDP - EV2 - Siting

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).

UDP - EV3 - Accessibility

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)

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 6 (CONT'D)

APPLICATION NO:

2017/1231/FUL

UDP - EV33 - Sewage Disposal

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)

UDP - EV34 - Protection of Controlled Waters

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)

UDP - EV35 - Surface Water Run-Off

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)

UDP - EV40 - Air, Noise and Light Pollution

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)

UDP - HC18 - Leisure Facilities and Areas

New leisure facilities will be permitted at suitable locations within the urban area subject to compliance with a defined list of criteria including proven need, no harm being caused to vitality and viability of city centre and district shopping centres, passing the sequential test, acceptable access and car parking, and capacity of the local highway network. (City & County of Swansea Unitary Development Plan 2008)

UDP - AS1 - New Development Proposals

Accessibility - Criteria for assessing location of new development. (City & County of Swansea Unitary Development Plan 2008).

UDP - AS2 - Design and Layout

Accessibility - Criteria for assessing design and layout of new development. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App Number	Proposal	Status	Decision Date
2017/1231/FUL	Redevelopment of the site to provide a drive-thru restaurant (Class A3) with associated car parking, access, landscaping and ancillary works	PDE	

ITEM 6 (CONT'D)

APPLICATION NO:

2017/1231/FUL

RESPONSE TO PUBLICITY/CONSULTATION

Neighbours: The application was publicised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) by the display of site notices within the vicinity of the site

EIGHTY-SIX LETTERS OF OBJECTION have been received in response to this publicity exercise, which are summarised as follows:

1. Undue noise and fumes in an area which already suffers from traffic congestion;
2. Parking availability would be overburdened (the application makes provision for 14 spaces but a busy sit-down restaurant as well as drive-thru would require many more);
3. Additional traffic to be generated by a busy facility in operation between 10am and 10pm in one of the busiest shopping areas in Wales;
4. There is a heavy build-up of traffic in the area currently and there is no measures in place to realistically ease the additional pressures this would cause;
5. Facility not needed (there are 3 KFCs within a short drive of the proposed site - Morfa, Uplands and Asda/Morganite);
6. Increase in litter;
7. Proximity to residential estates;
8. Noise and pollution to surrounding area;
9. Health issues;
10. Fast food developments like this often attract boy racers and youths to spend large amounts of time meeting in the car parks, and from past experience, it is loud and very antisocial. As this development shows that the car park and the drive through will back onto our residential area, I feel it will affect our living conditions;
11. Bad smells from the restaurant;
12. Vermin from the restaurant waste;
13. Impact on the Mary Dillwyn pub & restaurant;
14. The development would bring down the calibre of the area and a high possibility of lowering house prices in the vicinity;
15. There are protected bat colonies around the existing garden centre that could be driven away by the opening of this restaurant;

PLANNING COMMITTEE – 3RD OCTOBER 2017

ITEM 6 (CONT'D)

APPLICATION NO:

2017/1231/FUL

16. Local businesses should be ousted in favour of a national fast food chain. It will be an absolute disgrace to see this great garden centre replaced with yet another rubbish fast food outlet. There are far too many of them already. It's no wonder Wales has such an obesity epidemic;
17. A good community hub or play area would be more beneficial. New housing sites are built and no facilities offered outside of the home. Existing services are limited within the area;
18. If this proposal goes ahead our community charges should be reduced;
19. It will be directly behind my family home. Why can it not go in the retail park away from the residential area?
20. The drive through will cause car fumes and noise pollution:
21. The premises would be open 24/7;
22. I'm concerned about the noise and light pollution that will be created. The tree line is not sufficient to block this out to overlooking properties;
23. Loss of an independent business;
24. Breach of Human Rights under Article 8, which states that a person has the substantive right to respect for their private and family life. Private and family life therefore encompasses not only the family home, but also the surroundings. The proposed development is in the immediate vicinity of residential homes;
25. Does the planning and design ensure that the extent of the proposed development and the existing residential buildings are not overshadowed and in the direct line of artificial / neon lighting emitted from the proposed development?
26. The proximity of this business to one of Swansea's great triumph's, Penllergaer Valley Woods. This has traditionally been one of Swansea's 'green lungs'. Encroaching developments to this wonderful site can only have a detrimental effect to a jewel in Swansea's crown
27. I do not feel the survey for this development has gone out into the community. This development will have an impact on everybody who lives in the Cockett ward and beyond;
28. The pavement outside the proposed development is currently difficult to cross due to the access of the Mary Dillwyn. This proposal will make things worse;
29. This proposed development is far too close to the existing Gelli Rhedyn Apartments and even closer to some houses in the close;
30. What infrastructure would be in place as the drain capacity for the garden centre would not suffice?

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31. The lane widening after the Mary Dilwyn Public House has had an insignificant effect on reducing traffic congestion. The yellow box junctions at the junction of Fford Cynore and Gelli Rhedyn are ineffective as they are constantly blocked with traffic causing great difficulty in getting in or out of the estate at Gelli Rhedyn; and
32. Impact on transport system.

SIX LETTERS OF SUPPORT were received (although only two letters outlined reasons for support) which are summarised below:

1. It would be good to have something close to the retail park in Fforestfach other than the Mary Dillwyn pub; and
2. I think it will be fitting with area. Morfa have a fast food outlet so why not Fforestfach?

Head of Transportation and Engineering

The following self-explanatory comments have been made by the Head of Transportation and Engineering.

1. Introduction

A Transport Assessment has been provided by Peter Evans partnership on behalf of KFC submitted by their agents Savills to support the planning application for a drive through Restaurant.

The application site is a parcel of land located off the B4260 Ffordd Cynore in the Fforestfach area of Swansea. The site is currently used as a garden centre with associated parking. Part of the site has already been developed to provide a public house, The Mary Dillwyn. The site is in close proximity to the Pontarddulais Road retail development which includes a Tesco superstore and petrol filling station and a large number of retail units with associated car parking.

The site is bounded by a residential area to the west, the B4260 to the south east, a Marstons public house (The Mary Dillwyn) to the north east and additional parking for both the public house and the garden centre directly the north.

Ffordd Cynore also provides access to two housing states plus provides a link from Pontarddulais Road through to Carmarthen Road. The site is located approximately 2.5km from junction 47 of the M4, accessed via the A483 Swansea Road and the A483 Carmarthen Road. Many of the local junctions are roundabouts designed for commercial HGV vehicles. Ffordd Cynore is lit and has adequate pedestrian access in the form of footways surrounding the site.

There is an on road cycle networks that runs within 500m of the site. The site has access to a frequent bus service running along Pontarddulais Road which is located within the 400m recommended limit as set out in the Institution of Highways and Transportation (IHT) Document Public Transport in Development. There is also access to services on Ffordd Cynore and Carmarthen Road. Pedestrians are well catered for with dropped kerbs, formal lit footways and tactile paving together with pedestrian refuges on the spilt crossings.

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The access to the site will utilize an existing access (in the form of a priority junction) which will be shared with the existing access for the Mary Dillwyn Public House.

The application site is currently used as a garden centre with associated car park. There is a café contained within the garden centre also.

2. The Transport Assessment.

The transport consultants approached CCS highways in March 2016 with a view to scoping out the junctions to be tested. The main issues to be considered were the impact of the additional traffic movements on the efficiency of the existing junctions, which at times are already over capacity.

The junctions that were requested to be analysed were:

- o The Ffordd Cynore/A483 Pontarddulais Road/Pentregethin Road crossroads.
- o The Ffordd Cynore/Tesco access/Gelli Rhedyn Crossroads.
- o Site access onto Ffordd Cynore.

The Transport Assessment (TA) document that was submitted was not accepted as being a true representation of on-site conditions and the conclusion reached by the transport consultants that the proposed development would not exacerbate existing congestion was disputed. The primary concern raised was how the site access interacted with both of the existing signalised junctions as the existing queues were present beyond the site access at each of the junctions, thus the road link was full. A request was made to re-run the model linking the two existing junctions. This was duly submitted and the capacity freed up as a result of the remodelling at each relevant junction was sufficient to accommodate the proposed development within the existing infrastructure. In linking the two junctions within the model on-site changes would be necessary in terms of infrastructure and hardware/software upgrades. The cost of these works is estimated to be £35,000. The comments made in this report from herein relate to the revised transport model which linked the two junctions.

The Peter Evans Partnership subsequently issued a transport modelling note which outlined the current situation, namely that the existing junctions did not operate satisfactorily as they are run on a vehicle actuation system and are not linked, and as such vehicles currently experience queuing and delays at peak times. The Fforestfach and Tesco crossroads currently run independently from each other. The Fforestfach junction runs on a 160 second cycle and the Tesco Junction runs on a 180 second cycle. In the revised model, both junctions were run on a 160 second cycle.

Base traffic flows were taken from a survey in 2016 and these compared favourably with an additional ATC (Automatic traffic count) in July 2017. The flows in 2017 showed a marginal decrease compared to the levels in 2016 but for the sake of a robust assessment the 2016 figures were used. The linked model was run with existing flows to provide a validation exercise to ensure that the model accurately represented on site conditions/congestion.

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The Peak hours were identified as;

Friday 1600 to 1700hrs at both cross roads
 1630 to 1730hrs at the Garden Centre Access

Saturday 1230 to 1330hrs at Pontarddulais Rd / Pentregethin Rd.
 1245 to 1345hrs at Ffordd Cynore / Tesco.
 1300 to 1400hrs at the garden centre access.

In terms of trip generation, the National Database TRICS has been used to assess likely trip numbers for both the existing and proposed uses. However it was agreed that the pattern of movements associated with the KFC drive through was significantly different in nature to other drive-thru units. The TRICS database was interrogated for both the existing and proposed site uses. It was thought that the database did not contain a representative sample for a KFC restaurant which typically has a different trip profile than other fast food outlets. Due to this, other KFC restaurants were investigated and the existing site at Andover was chosen as being a similar size to that proposed, and in a similar location, and therefore would replicate best the levels of expected movements at the Fforestmill site. In addition, customer survey data from the restaurant in Andover, plus sites in Plymouth and Cardiff were utilized to evidence likely levels of linked trips (those already on the road network).

Based on this the following assumptions have been made:

- o 25% passing on A483 (with 60% of these from the South)
- o 10% diverting from local roads
- o 15% linked with the retail park to the South
- o 10% linked with the retail park to the East
- o 40% new trips to the network.

Based on the available data this is thought to be a reasonable assumption. This figure is comparable with other similar consented schemes in and around Swansea.

In summary the trips were derived as;

Friday road network peak hour (1600 -1700hrs) - 39 arrivals and 35 departures - two way 74
Friday KFC peak (1800-1900hrs) - 73 arrivals and 71 departures - two way 144
Saturday KFC peak hour (1230 -1330hrs) - 70 arrivals and 74 departures - two way 144

In the above figures, no account has been taken of the existing garden centre use nor the amount of linked and pass-by trips which reduce the overall impact of new trips on the highway.

The garden centre peak times did not coincide with the KFC peak times but for completeness are reported as follows;

KFC Saturday peak (1230-1330hrs) - 22 arrivals
Garden Centre Saturday peak (1400-1500hrs) - 25 arrivals.

Traffic capacity testing was undertaken on the A483 / Pentregethin Road junction, Ffordd / Cynore / Tesco Access junction and the site access.

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Base models were validated against on street observations and are seen to be correct. PRCs are negative in the Friday and Saturday Road Peak hours which is to be expected. (PRC is the Practical Reserve Capacity - a negative reserve capacity indicates a junction is above its maximum theoretical capacity)

Alterations to road markings and the application of linked MOVA (Microprocessor Optimised Vehicle Actuation) have been proposed as potential mitigation measures necessary to make the linked junctions operate successfully. The costs of doing this has been estimated at £35,000, which the applicant will have to pay for in order to allow the site to be developed out, as per the submitted plans. The mitigation proposals involve wirelessly linking the junctions. This will be done by mounting Wifi aerials at each site, which will allow each site to relay information to the other in order to maintain coordination.

The analysis has been re-run for the amended layouts, and with the junctions running the same cycle times (this will mimic the effect of linking the junctions, although still does not fully replicate the effect of MOVA operation which increases capacity at individual junctions by 15%).

In all subsequent scenarios following the works, the PRC is predicted to be positive, with reduced queues on all approaches.

It is thought that the proposed mitigation (in addition to allowing the network in the area to cope with the additional generated traffic) will offer a real benefit in terms of increasing capacity and reducing queues for all users.

3. Accident data

The record of personal injury accidents in the area reveals from 2010 to 2015 showed 11 slight accidents were recorded in the area reviewed. Seven of which took place in the Carmarthen Road/Ffordd Cynore crossroads. None were recorded at the site access or Fforestfach Retail park access. It is reasonable therefore to assume that there are no inherent problems with the highway layout in the vicinity.

4. Parking

Parking is in excess of our adopted parking standards (based on site specific needs) and indicates 30 car parking spaces. In addition there is overspill parking available in the Mary Dillwyn Public House should this be necessary, but it is unlikely to be called into use. The application form details cycle parking as being proposed at four stands (8 cycles) and this is in line with CCS standards and should encourage non-car usage. The 'drive through' lane allows adequate queuing for about 6 vehicles which is likely to be sufficient to not cause obstruction within the car park itself or out onto Ffordd Cynore. Swept paths have also been provided to show that a minibus and a large 4 x 4 can use the drive through lanes.

5. Servicing

Autotrack has been provided demonstrating that delivery vehicles (10.7m articulated truck) can safely access and serve and leave the site in a forward gear by using the drive through lane. Servicing is undertaken at fixed times outside the busy period. Servicing takes place three to five times a week. An articulated lorry or large rigid lorry will be used to service this KFC.

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Servicing will take place in the service bay and using part of the customer car park which will be cordoned off to prevent any conflict. Swept paths analysis has been shown that a vehicle can enter, turn and leave the site in a forward gear.

6. Conclusions

It is considered that the existing strategic highway network can accommodate the trips generated by this development without any highway safety issues arising (subject to the works to the junction that have been agreed in principle at a cost to the Developer (£35,000.)) As such the development can be accommodated without detriment to the surrounding retail sites. The trips generated by the proposal can be accommodated within the existing strategic highway network without detriment being caused. On that basis there is no justifiable reason to not support the application subject to the works as agreed being undertaken prior to any works commencing on site.

The pedestrian facilities, cycle provision and proximity to bus services mean that the site is likely to appeal to visitors utilizing a number of different modes of transport. Whilst it is a drive through restaurant, there are alternative forms of transport provision available apart from a car to visit the site. The location of the site allows linked trips with the adjacent Fforestfach Retail Park and Pontarddulais Road Retail Park. The site is therefore well located to reduce additional new trips onto the network. The level of parking proposed (car and cycle) is sufficient to accommodate the likely customer numbers. The site can be adequately serviced by articulated and rigid HGV's.

Subject to the improvement works to the junctions the traffic generated by the development will have no material impact on the local road network and the linking of the junctions should result in a noticeable benefit to all users.

7. Recommendations

There is no objection to the proposal subject to:-

- a) The development not coming into beneficial use until the car park and drive through have been completed in accordance with the approved plans, and maintained as such in perpetuity.
- b) An appropriate signage scheme to direct vehicles around the site has been implemented in accordance with details to be submitted for the approval to the LPA.
- c) The disabled parking provision to be laid out to the current British Standard.
- d) The cycle parking shall be implemented in accordance with details as indicated on drawing 000/2016/G121
- e) No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;

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- vi) measures to control the emission of dust and dirt during demolition and construction; and
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- f) The linking of the two existing crossroad junctions in accordance with details to be submitted for approval to the LPA (under a Section 106 agreement for the sum of £35,000 to be paid and the works implemented) prior to any works commencing on site-reducing down the congestion during the construction process and beyond

Pollution Control (Noise)

No objection subject to conditions in respect of fixed plant noise, acoustic fencing, delivery hours and introduction of a barrier.

Pollution Control (Air)

Having been through the updated Air Quality Assessment (rev 1.4), carried out by Entran Environmental and Transportation, I have no grounds to object to the application.

The modelling work carried out indicates that there will be a 'negligible' impact/change to the existing pollutant concentrations at this site. The Air Quality Objectives are health based concentrations; an Annual Mean concentration of 40ug/m³ and a 1-hour concentration of 200ugm/3; the data put forward in the report and the local data collected over the year's shows that a breach of the objectives is unlikely at this location.

The potential effects of noise from the use of the 'drive-thru' and the cooking 'extraction system' have been addressed by the addition of conditions upon the application. The odour abatement system information supplied as part of the application is in-line with the requirements for an operation of this nature.

Ecology Officer

The preliminary Ecological Appraisal Report (June 2017), undertaken by Wild Wood Ecology Ltd concluded that the buildings have negligible potential for use by bats and there is the potential use of the buildings by nesting birds. The off-site stream to the immediate west of the site feeds into the Carmarthen Bay and Estuary European Marine Sites. The stream corridor is of high value with trees and scrub habitat, and is potentially used by bats and otters.

As bats may be present in this building, please note that 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. If a bat is encountered during demolition/construction, work must cease immediately and Natural Resources Wales informed (01792 634960). In addition, no clearance of trees, shrubs, scrub (including gorse and bramble) or empty buildings should be undertaken during the bird nesting season, March to August.

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The building is in a location where there is good foraging available for bats, and also suitable habitat for otters. The Garden Centre has three Sites of Importance for Nature Conservation nearby (SINC references 205, 207 and 212). The ecological report does not refer to these, but full details of the important species and habitat features of the sites are attached.

Drainage

No objection subject to conditions in respect of satisfactory means of drainage.

APPRAISAL

This application has been called in to Committee for decision at the request of Councillor Wendy Lewis and has met the threshold set out in the Council's Constitution for 'Councillor Call in' due to the receipt of over 20 letters of objection (86 letters of objection received) from different people at different addresses.

Full planning permission is sought for the redevelopment of Fforest Mill Garden Centre for a single storey restaurant/takeaway and a drive-through lane (Class A3) with associated car parking, access, landscaping and ancillary works. It is intended that the unit be occupied by Kentucky Fried Chicken (KFC).

The application site is situated on the junction of Pontarddulais Road (A483) and Ffordd Cynore, opposite Fforestfach Retail Park and currently comprises a single storey retail outlet operating as a garden centre. The site is bound to the north by the Mary Dilwyn Public House and associated car parking, to the west by residential development and to the south by Ffordd Cynore.

It is proposed to demolish the existing single storey garden centre building on the site in order to facilitate the new development. The new building would be sited within the footprint of the existing garden centre building within the northern sector of the site with a drive-through lane adjacent to the north and western boundaries. The single storey building would measure a maximum of 29.5 metres in width and 13.5 metres in depth and have a maximum height of 6 metres. The existing access/egress to the site would be utilised which was upgraded as part of the adjacent Mary Dillwyn Public House development. 31 car parking spaces would be provided including 2 no. disabled and 2 no. grill bays. The proposed opening hours of the restaurant unit and drive-through facility would be between 10.30am to 23.00pm Sunday to Thursday, and until midnight on Friday and Saturday.

Main Issues

The main issues for consideration during the determination of this application relate to the principle of this form of development at this location, the impact of the proposal upon the visual amenity of the area and wider street-scene, the residential amenities of the neighbouring properties, ecology of the site, drainage and highway safety, having regard to the provisions of the City and County of Swansea Unitary Development Plan 2008 and the Supplementary Planning Guidance document entitled 'District Centres, Local Centres and Community Facilities.'

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Principle of Development

The site is identified as 'white land' under the provisions of the proposals map of the Unitary Development Plan, lying outside the adjacent Parc Fforestfach District Centre. Whilst it is acknowledged that the site is on the edge of the District Centre and Policy EC5 of the UDP supports development and uses which maintain or improve the range and quality of shopping facilities within District Centres, this Policy would not be considered to be strictly relevant to the determination of this planning application as the site falls outside of the District Centre. Policy HC18 of the UDP focuses on new leisure facilities such as this outside District Centres within the urban area. This policy states that the development of new leisure facilities will be permitted provided that:

- (i) Outside existing centres the need for the facility is assessed and justified,
- (ii) The proposal either singularly or cumulatively with existing or approved developments does not undermine the vitality and viability of the City Centre and District Shopping Centre,
- (iii) A sequential evaluation indicates that there are no more suitable alternative sites, with priority given to the City Centre, District Shopping Centres and Edge of Centre sites,
- (iv) There is an acceptable means of access (including public transport, walking and cycling) and an appropriate level of parking and
- (v) The highway network is capable of accommodating the traffic generated by the proposal without a significant effect on traffic

The site is situated on the edge of Parc Fforestfach, a modern district centre which comprises approximately 15 retail units together with Tesco Extra and caters primarily for car borne shoppers. Whilst Parc Fforestfach features a number of small A3 units (Café Nero and Costa Coffee) and some ancillary A3 elements within the (Tesco) supermarket, it is considered that the proposed use of the site as a restaurant and drive-through, in addition to the Mary Dillwyn Public House would complement the retail offer and would not undermine the vitality and viability of the District Shopping Centre and the City Centre. The proposed development is not likely to draw shoppers from the City Centre but would merely support the adjacent shopping centre and provide local residents with a local alternative local facility which may reduce the need for car borne traffic.

Sequential Test

In accordance with UDP Policy HC18, the applicant has conducted a sequential evaluation in order to ascertain whether there are any alternative sites within or on the edge of the District Centre which could accommodate the proposal. The applicant has identified 5 potential sites and assessed them against availability and suitability. The sites identified included:

1. Tesco Extra Superstore / Parc Fforestfach Car Park (within District Centre)
2. Tesco PFS / ARC Car Wash Site (within District Centre)
3. Land South of Dunelm, Pontardulais Road (edge-of-centre)
4. 'City Plumbers' Site, Pontardulais Road (edge-of-centre)
5. Former Walkers Crisps Factory (occupied by Inca Creative), Pontardulais Road (edge-of-centre)

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Availability

In terms of availability, the applicant only considered sites which were available or were likely to become available within a reasonable period of time (with specific reference to the potential for acquisition, i.e. sites that have recently or currently marketed). All sites other than the proposed site were discounted on availability grounds.

Suitability

The minimum site size requirement for the drive-through model is approximately 0.3ha. Other factors that could make sites unsuitable could include unsatisfactory proximity to residential or other sensitive uses (i.e. directly adjacent), unsatisfactory access arrangements, landscape or heritage / conservation issues, flooding and sites without direct or with restricted vehicular access. Whilst it is evident from the sequential assessment that some of the sites may be suitable for the proposed development within or on the edge of the District Centre, it is noted that such sites are not available to acquire.

Conclusion

The sequential assessment has concluded that the two sites located within the District Centre are not available for the proposed development. In such circumstances, TAN 4 (Retail and Commercial Development) advises that edge-of-centre locations should be considered with preference given to brownfield sites (previously developed land) that are or well connected to the existing centre and accessible by a variety of means of transport. The other three assessed are edge of centre sites, but have been dismissed as they are not currently available or comprise a greenfield site. In summary, the conclusions of the sequential assessment are accepted. In terms of the proposal, the application site is within the urban area, is previously developed land under the definition of Planning Policy Wales (Edition 9, November 2016) is situated at an edge of centre location and on a main bus route.

Therefore it is concluded that the applicant has adequately demonstrated that there are no suitable alternative sites within or at the edge of the District Centre in accordance with criteria (iii) of the policy HC18 of the Swansea Unitary Development Plan. In respect of the remaining criteria contained within policy HC18, given the floor area of the proposed development (less than 2500sqm gross), there is no requirement to assess the need for the development (as set by TAN 4). Notwithstanding this, the applicant has advised that the decision by KFC to develop a new restaurant in this location is a reflection of market demand and need for the proposed development which is argued justifies the proposal in accordance with Criteria (i) of UDP Policy HC18 is therefore met. Whilst it is considered that the justification and assessment of the need for the facility provided by the application is thin, neither is there any evidence to suggest that the need for the proposal is not justified.

Criteria (ii) of UDP Policy HC18 requires that the proposal does not either singularly or cumulatively with existing or approved development, undermine the vitality and viability of the City Centre and District Shopping Centres. In this instance, the proposed development would provide surrounding residents and visitors with a community facility and would complement the adjacent District Centre as a Class A3 food and drink use and would not undermine its vitality or viability and that of the City Centre. Criteria (iv) and (v) will be addressed later in the highways section of the report.

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It is also important to note that the proposal will involve the removal of an A1 (retail) use from an edge of centre location, which is supported.

Therefore, this edge of centre location is considered acceptable to accommodate the proposal in this instance and the principle of development is considered appropriate in compliance with the provisions of criteria i, ii, and iii of Policy HC18.

Visual Amenity

In respect of visual amenity, the proposed development would comprise the demolition of the existing single storey garden centre building and the construction of a modern purpose built restaurant for KFC. The external materials comprise a differing palette of cladding systems to include timber and stone effect for the walls and full height glazed windows with capping to match the cladding on the roof. The fenestration details including service windows and reveals would be red in colour to reflect KFC's corporate image. Signage is proposed which is subject to a separate application for advertisement consent (planning application number 2017/1232/ADV). The proposal also incorporates elements of landscaping and lighting.

The proposed development is considered appropriate in the local context of the adjacent recently constructed Mary Dillwyn Public House and Fforestfach Retail Park opposite. Therefore the proposed scheme is considered to respect the visual amenities of the area, in compliance with the provisions of UDP Policies EV1 and EV2.

Residential Amenity

The amenity impacts of the proposal are one of the key concerns for the nearby residents. When assessing the impact of development proposal on amenity and in order to consider potentially refusing an application the Local Planning Authority must identify and evidence significant demonstrable harm from the proposals over and above the prevailing site circumstances and the current actual and potential impact of the existing use.

The scale, height, massing of the proposed building and the intervening separation distances from the adjacent residential development and first floor managers accommodation at the Mary Dillwyn Public House would ensure that the proposal would not result in a significant detrimental impact on local amenity in terms of loss of privacy, overshadowing or overbearance in accordance with UDP Policy EV1.

The site has a long established, authorised retail use as a garden centre in addition to the more recent food and drink use associated with the Mary Dillwyn public house.

It is however clear that the proposal would introduce an intensification in activity and vehicle movements compared to the existing garden centre. In light of this it is important to consider the impact on amenity in terms of noise and air pollution. These issues are assessed below.

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Noise Pollution

Despite the relatively low-key activity associated with existing garden centre use, the nearby residential dwellings, some of which lie some 15 - 20 metres from the western boundary of the site, are subject to a degree of background noise emanating from the proximity of both Pontarddulais Road (A483) and Ffordd Cynore.

An Environmental Noise Assessment has been submitted by the applicant. This identifies that noise from the proposed drive-through lane and customer car parking activity would comply with World Health Organisation guidance values and is well below the existing noise climate for operating between 0700 hours and midnight (based on the installation of a 2 metre high acoustic barrier along the western site boundary). The noise assessment goes on to demonstrate that the rating noise level of fixed plant would be designed and controlled so as to not exceed the existing typical background noise climate; 49 dB during the daytime and a rating level of 45 dB at night. Finally it was identified that noise from customer vehicles on the local road network would result in an imperceptible change in road traffic noise and would have no impact on the amenity of the existing residents.

The Council's Pollution Control Division have been consulted and have advised that the submitted Environmental Noise Assessment is satisfactory and have raised no objection to the proposal in respect of noise pollution, subject to the imposition of conditions that relate to; the approval of details to control plant noise, details of the acoustic fencing proposed adjacent to the drive-through lane being provided, hours of delivery being restricted and the introduction of a barrier to prohibit access outside opening hours.

Smells/odours

The applicant has submitted an assessment of the 'Mechanical Ventilation and Environmental Control Equipment' to be used in the proposed development. On the basis of this document, the Council's Environmental Health Officer raised no objection to the proposed development on the grounds of generation of odours. Notwithstanding this, a suitably worded condition is considered necessary to fully control the installation and operation of the ventilation and extraction system serving the proposed building.

Air quality

The applicant has submitted an Air Quality Assessment which was updated during the course of the planning application to fully consider the impact of the proposed drive-through lane on the nearby residential properties. On the basis of this document, the modelling work undertaken identifies that there would be a negligible impact to the existing pollutant concentrations as a result of the proposed development and as such the Council's Environmental Health Officer has raised no objection to the proposed development.

Light Pollution

It is not considered that the light emitted from the proposed building will adversely affect the living conditions of nearby residential occupiers.

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Furthermore, given the positioning of the 2m high acoustic fencing to be erected along the western site boundary, together with the internal layout of the proposal, it is not considered that the light from the headlights of vehicles visiting the site will adversely impact upon nearby residential occupiers. It is again noted that the Pollution Control Division has not raised any concerns to the proposal.

Conclusion

In view of the above evidence submitted, it is considered that the proposed development would not result in significant harm to health or local amenity because of significant impact on air quality, creation of odours, noise or light pollution, in accordance with Policy EV40.

Ecology

The submitted Ecological Appraisal Report concluded that the buildings have negligible potential for use by bats and there is the potential use of the buildings for nesting birds. On the basis of this document, the Council's Ecologist has raised no objection to the redevelopment of the site. An informative will be used to ensure that the developer is aware that no clearance works or demolition works should take place during the bird nesting season.

The Ecologist has noted that there are three SINCs (Sites of Importance for Nature Conservation) within close proximity to the site, although these three SINCs have not been discussed in the Ecological Appraisal Report. The Ecologist has not however sought any information regarding the potential for the development to impact upon these three SINCs, nor have any concerns been raised relating to this. In the absence of any such concerns from the Ecologist, it is not considered that the proposal will adversely affect the three SINCs.

Drainage

The applicant has submitted a Drainage Strategy which was updated during the course of the planning application to reassess the discharge strategy to the adjacent watercourse. On the basis of the updated document, the Council's Drainage Engineer has raised no objection to the proposal, subject to conditions.

Highways

The full response received from the Head of Transportation and Engineering is provided in the 'Response to Consultation' section of the report.

To summarise, it is considered that the existing strategic highway network can accommodate the trips generated by the proposed development without any highway safety issues arising (subject to the works to the junction that have been agreed in principle at a cost to the Developer (£35,000.)) As such, it is considered that the development can be accommodated without detriment to the surrounding retail sites or local residents. The trips generated by the proposal can be accommodated within the existing strategic highway network without detriment being caused.

The means of access serving the site is also considered acceptable as is the internal layout of the proposal.

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The pedestrian facilities, cycle provision and proximity to bus services mean that the site is likely to appeal to visitors utilising a number of different modes of transport. Whilst the proposal includes a 'drive through' facility, there are alternative forms of transport provision available apart from a car to visit the site. The location of the site allows linked trips with the adjacent Fforestfach Retail Park and Pontarddulais Road Retail Park. The site is therefore well located to reduce additional new trips onto the network. The level of parking proposed (car and cycle) is sufficient to accommodate the likely customer numbers. The site can be adequately serviced by articulated and rigid HGV's. Subject to the improvement works to the junctions, the traffic generated by the development will have no material impact on the local road network.

The Head of Transportation and Engineering has advised that the improvement works to the two junctions near the site entrance, by means of 'linking' the junctions by means of MOVA (Microprocessor Optimised Vehicular Actuation) to improve co-ordination between them, in order to reduce queues, should result in a noticeable benefit to all users.

Response to Consultation

It is acknowledged that there has been a significant level of objection to the proposed development from local residents. Concerns raised in respect to the principle of development, noise, odours, light pollution, air pollution, highways, impact of residential amenity, ecology and drainage have been addressed in the earlier sections of the report.

In respect of antisocial behaviour, whilst it is acknowledged that the proposed use may attract younger people (and the associated noise and disturbance and vehicle movements) the Pollution Control Division has considered this issue and has not objected to the proposed development on such grounds. The Pollution Control Division has however requested the imposition of a condition that requires that a barrier be introduced within the site, so that once the premises is closed and the barrier utilised, vehicles cannot access the proposed car park. Any anti-social behaviour during the premises' operating hours will need to be managed and controlled by the site operator.

In respect of the concerns raised with regard to litter, whilst it is inevitable that people sometimes discard packaging, bins would be provided to serve the restaurant. KFC have also advised that they operate a litter-picking policy which should reduce the likelihood of any nuisance caused by litter dropped by customers. This should also reduce the likelihood of vermin being attracted to the site.

Concern has been expressed that the proposed development would encourage unhealthy eating. Ultimately it is a lifestyle decision for the individual and the Council's planning policies do not provide a basis for refusing planning permission on such grounds.

Finally, in respect of comments made with regard to competition between retailers, impact on surrounding house values and reduction in Council Tax, these issues are not material planning considerations.

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CONCLUSION

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

It is considered that the applicant has demonstrated to the satisfaction of this Authority that there is a need for this sort of facility at this location, the use would complement and not compete and undermine the vitality and viability of the adjacent District Shopping Centre and that through a sequential test it has been demonstrated that there is not a more suitable alternative site for this scheme. Furthermore the scheme is considered to respect the visual amenities of the area and would not result in significant harm to residential amenities of the neighbouring properties or local ecology. The proposal is also considered acceptable in highway terms. The scheme is therefore considered to comply with the provisions of Policies EV1, EV2, EV3, HC18, AS1, AS2, EV33, EV34, EV35 and EV40 of the UDP.

RECOMMENDATION:

APPROVE, subject to the following conditions and the applicant entering into a S106 Planning Obligation in respect of:

- * **A highways contribution of £35,000 (to be used to carry out works to 'link' the two junctions near the site entrance in order to improve their co-ordination with one another)**
- * **Payment of the Council's legal fees (£800.00) for the drafting of the S106 agreement.**

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 and Existing Site Plan (0000/2016/G120), Acoustic Fence Details (0000/2016/G128), Proposed Shell Plan (0000/2016/G129 Rev A) and Proposed Roof Plan (0000/2016/G130 Rev A) received 5th June 2017. Proposed External Elevations (0000/2016/G211 Rev H) received 12th June 2017. Proposed Site Signage Plan (0000/2016/G123 Rev L) and Sectional Elevation (0000/2016/G127 Rev E), received 31st July 2017. Proposed Site Plan (0000/2016/G121 Rev B) and Site Landscaping (0000/2016/G126, Rev J), received 25th September 2017.

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

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- 3 No development shall commence until samples of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.
Reason: To ensure a proper standard of development and appearance in the interests of conserving the amenities and architectural character of the area.
- 4 Customers are not permitted on the premises outside the hours of 1030 to 2300hrs Sundays to Thursdays and 1030 to 2400hrs Fridays and Saturdays.
Reason: To protect the amenities of the occupiers of nearby dwelling houses.
- 5 Prior to the restaurant hereby approved being brought into beneficial use, the car parking areas and drive-through lane shall be laid out and completed in accordance with the approved plans, and shall be maintained as such and made available for such purposes at all times thereafter during the lifetime of the development.
Reason: In the interests of highway safety.
- 6 Prior to the restaurant hereby approved being brought into beneficial use, the cycle parking facilities shall be provided in accordance with the approved plans, and shall be made available for such purposes at all times thereafter during the lifetime of the development.
Reason: In order to ensure that cycle parking is made available in the interests of sustainability.
- 7 Prior to the restaurant hereby approved being brought into beneficial use, a signage scheme to direct vehicles within the site, shall be implemented in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The signage scheme shall be maintained as approved during the lifetime of the development.
Reason: In the interests of highway safety.
- 8 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.
- 9 The proposed development shall not discharge to the adjacent watercourse at a rate greater than 4.75l/s.
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.

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- 10 The rating level of the sound emitted from the proposed development shall not exceed 49 DBA between 0700 and 2300hrs and 45 dBA at all other times. The sound levels shall be determined by measurement or calculations at the nearest noise sensitive premises in Gelli Rhedyn. The measurements and assessment shall be made according to BS 4142:2014.

No fixed plant and/or machinery shall come into operation until details of these together with any mitigation measures required to achieve the above noise levels, are submitted to and approved in writing by the Local Planning Authority. Only the approved plant, machinery and mitigation measures shall be utilised thereafter.

Reason: In the interests of residential amenity.

- 11 The 2 metre high acoustic fencing hereby approved shall be erected along the western boundary of the site in accordance with the approved drawings before the restaurant hereby approved is brought into beneficial use. The acoustic fencing shall be retained and maintained in accordance with the approved details at all times thereafter during the lifetime of the development.

Reason: In the interests of residential amenity.

- 12 Deliveries shall not be taken at or dispatched from the site outside the hours of 0700 to 2300hrs on any day.

Reason: To protect the amenities of the occupiers of nearby dwelling houses.

- 13 Prior to the restaurant hereby approved being brought into beneficial use, a vehicle entrance barrier shall be installed within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The barrier shall be maintained in accordance with the approved details at all times thereafter during the lifetime of the development. The barrier shall be utilised (closed) when the premises are closed.

Reason: In the interests of residential amenity.

- 14 Prior to the restaurant hereby approved being brought into beneficial use, the equipment to be used to control the emission of fumes and odour from the premises shall be installed in accordance with the 'Mechanical Ventilation and Environmental Control Equipment' document submitted as part of the planning application. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the approved details/manufacturers specification for the lifetime of the development.

Reason: In the interests of conserving public health and local amenity.

- 15 No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;

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- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during demolition and construction; and
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To reduce the likelihood of obstruction of the highway, danger to road users, to conserve public health and local amenity, to ensure satisfactory standard of sustainable development and in order to ensure a proper standard of development and appearance in the interests of conserving the amenities and architectural character of the area.

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, HC18, AS1, AS2, EV33, EV34, EV35 and EV40 of the Swansea UDP
- 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).
- 5 The Developer must contact the Highway Management Group , The City and County of Swansea , Guildhall Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Team Leader, e-mails to mark.jones@swansea.gov.uk tel. no. 01792 636091.
- 6 The Developer should contact Telematics ,The City and County of Swansea, The Civic Centre , Swansea SA1 3SN to discuss the works required to link the junctions and payment thereof under a section 106 Agreement. Please contact the Team Leader matthew.bowyer@swansea.gov.uk telephone number 0172 636132
- 7 The site does fall within the Gowerton STW catchment and therefore compensatory surface water removal should be considered as it is likely that foul flows to the sewer will increase.

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- 8 Please be aware that under the Flood and Water Management Act 2010 the City and County of Swansea is now classified as the Lead Local Flood Authority (LLFA) and as part of this role is responsible for the regulation of works affecting ordinary watercourses. Our prior written consent for any works affecting any watercourse may be required irrespective of any other permissions given and we encourage early engagement with us to avoid any issues.
- 9 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 is 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.

Agenda Item 7

Report of the Head of Planning and City Regeneration

Planning Committee – 3rd October 2017

PLANNING ANNUAL PERFORMANCE REPORT

1.0 Background

- 1.1 The Annual Performance Report (APR) is seen by Welsh Government as an important mechanism for monitoring Local Planning Authority performance against a key set of National performance indicators and as a means of driving its agenda for modernising the planning system in Wales. It also represents an important tool for benchmarking the performance of Authorities across Wales and importantly must also be seen in the context of Welsh Government proposals to intervene where Local Planning Authorities exhibit consistent underperformance.
- 1.2 This year's draft APR, reviewing performance for the Authority for the period 2016-17, is attached to this report as Annex A, for Member consideration. The APR must be formally submitted to Welsh Government by the end of October 2017.

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 Development Management, Conservation & Design Section was restructured to accommodate budgetary constraints 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 (EDMS). In 2016 the Section also replaced its M3 Northgate back office system with Idox Uniform, refining its business processes further, to provide greater integration with its existing EDMS and improve efficiency.
- 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)'.
- 2.4 The service is currently in the process of implementing its Commissioning Review which has identified further service improvements, cost savings, income generation and efficiency opportunities.

3.0 Performance:

- 3.1 The positive changes introduced in recent years have significantly improved the Authority's development management performance in both qualitative and quantitative terms.
- 3.2 The average time taken to determine all planning applications at 67 days was significantly below the Welsh average of 76 days. The percentage of all applications determined within required timescales also showed a significant improvement increasing from 71% in 2014-15, 84% in 2015-16 and 97% in 2016-17, well above the Welsh average, a top quartile performance and the third highest percentage in Wales.
- 3.3 Significantly, for the delivery of the Council's regeneration agenda, the percentage of all major planning applications determined within required timescales has increased from 6% in 2014-15, which was the lowest performance in Wales, to 36% in 2015-16 and 81% in 2016-17. A performance which is now significantly above the Welsh average of 59%.
- 3.4 Ongoing progress on reducing the backlog of outstanding historic enforcement cases continues, however, to influence performance relating to the speed of resolution of cases.
- 3.5 The percentage of Committee decisions made contrary to officer advice reduced from 23% in 2014-15 to 10% in 2015-16. This has, however, subsequently increased again to 24% in 2016-17 compared to 11% across Wales. This increase was heavily influenced by a single issue, namely, the consideration and refusal by Planning Committee of planning applications relating to small HMO's (Class C4) and purpose built student accommodation. It should be noted, however, that the percentage of 'overturns' as a percentage of all applications determined by the Authority in 2016-17 was comparable with the Welsh average at 0.7%.
- 3.6 The quality of such Committee decisions has, however, also reduced significantly since 2015-16 with 5 of the 6 subsequent appeals made in respect of applications refused contrary to officer advice being allowed at appeal. This has consequently also had an impact upon the Authority's overall appeal performance. A summary of the relevant appeals is provided at Annex B for Member consideration.
- 3.7 Significant progress in LDP preparation has been made over the past year. The Deposit LDP has been written, agreed by Council and consulted upon. The representations received have been assessed, a consultation report is prepared and the Plan submitted for Examination in July 2017. A revised LDP Delivery Agreement has been agreed with Welsh Government and an independent LDP Programme Officer appointed. A Strategic Environment Assessment and a Habitats Regulations Assessment of the Deposit Plan have been undertaken. The Affordable Housing Viability Study in support of the Plan has been updated. An independent study of the viability and deliverability of Strategic Development Areas has also been carried out. Officers from Strategic Planning and Development Management have been provided with viability assessment training and Strategic Site Masterplanning work remains an ongoing series of projects.

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 made significant progress in addressing areas of performance that were in need of improvement, facilitating the Council's regeneration agenda and embracing the Welsh Government's agenda for the modernisation of the planning system in Wales.
- 4.2 Moving forward the Local Planning Authority faces continued budgetary pressures at a time of transformational change for the City and its region and it is inevitable that further difficult decisions will have to be made as part of the ongoing Commissioning Review regarding the Authority's priorities and service levels in the future.

Background papers:

City & County of Swansea APR 2014-15:

<http://democracy.swansea.gov.uk/ieListDocuments.aspx?CId=493&MId=6629&Ver=4&LLL=-1>

<i>Contact Officer:</i>	<i>Ryan Thomas</i>	<i>Extension No:</i>	<i>5731</i>
<i>Date of</i>	<i>27th September 2016</i>	<i>Document Name:</i>	<i>Swansea APR 2015-16</i>
<i>Production:</i>			

PLANNING ANNUAL PERFORMANCE REPORT (APR)

2017-18



Cyngor **Abertawe**
Swansea Council

Swansea Local Planning Authority

PLANNING ANNUAL PERFORMANCE REPORT (APR) – 2016-17

PREFACE

I have the pleasure of introducing the third Annual Performance Report (APR) for Swansea Council's Planning Service. APR's were introduced as part of Welsh Government proposals to modernise the planning system and improve local delivery of planning services. The Council's Planning Service is responsible for protecting the amenity and unique natural and built 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 through having an up to date planning policy framework in place which sets out a clear vision for future growth and development of the area 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 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 principles of the Wellbeing and Future Generations Act. The Planning Service presents the most tangible means of translating the Council's corporate objectives, commitments 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 David Hopkins – Cabinet Member for Commercial Opportunities & Innovation

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. As well as being characterised by a highly developed central area and surrounding settlements, the County benefits from a number of high quality natural environments that are part of its rural hinterland.
- 1.2 Latest population estimates for the County stand at 244,500 (mid-2016, ONS estimates), which represents almost 8% of the total population of Wales with a population density of 644 people per sq. km. The population has been growing by almost 1400 per annum over the past decade which represents a 5.9% increase (13,700) over this period .
- 1.3 Swansea contains around 110,900 dwellings, with 64% of all stock owner-occupied.
- 1.4 The 2014 Welsh Index of Multiple Deprivation identified 12% of Swansea's local areas as falling within the top 10% most deprived in Wales.
- 1.5 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 21,000 full-time students.

1.6 GVA (Gross Value Added) per head in Swansea stands at £18,577, (2015, ONS); 3.2% above the Wales level but 26.7% below the UK average. 74.1% of Swansea's working age residents are economically active and 109,700 in employment (December 2015, ONS), mostly in the service sectors 88.3%), with 28.5% employed in the public sector. 33,400 people commute into Swansea each day (2016, ONS/WG).

1.7 Estimates suggest 4.59 million people visited Swansea Bay in 2016 spending over £400 million (Scarborough Tourism Economic Activity Model).

1.8 Swansea lies at the heart of the Swansea Bay City Region and the nature of future growth and development management will be critical to shaping the regional geographies of South West Wales. In particular, the aspirations for the City Region seek to significantly boost economic investment and activity, with an associated substantial uplift required in development, including housing.

2.0 Planning background, including previous adopted or abandoned development plans.

2.1 The City and County of Swansea Unitary Development Plan (UDP) which was adopted in 2008, covered the period 2001 to 31st December 2016 and is now time expired, but still provides the development plan policy context.

2.2 The replacement Local Development Plan (LDP), currently at Examination 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 (2015) has replaced the community strategy and the plans for community safety; health, social care and wellbeing; and children and young people. The SIP, 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 UDP and emerging LDP also seek to deliver the land use objectives expressed in other Council strategies, plans and programmes. Furthermore the evidence gathered for the LDP, such as household projections, retail impact assessment and strategic transport modelling has been 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 and takes into account the implications of the City Deal for the Swansea Bay City Region

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 City 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. In February 2017, the average house sale price in Swansea was £135,816 - average for Wales £145,293 (Land Registry). Average annual full time earnings are £25,345 (2015) (1.3% below the Wales average). 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 Combined with uncertainty following Brexit, many developers have put schemes on hold and/or scaled down their building activities. In recent years new house build completions remain 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 The County supports an extensive greenspace network, which is vital to economic, environmental and community well-being, and additional green infrastructure is needed to meet national guidance and local requirements for improving accessibility to open space. In particular improvements to linkages between open spaces, public rights of way and key destinations are needed to increase accessibility and promote physical activity.

- 5.4 The County has a proud industrial heritage and a number of historic buildings, such as castles and Scheduled Ancient Monuments. 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.
- 5.5 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 which are generally spread along the main transport corridors into the City. 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. An increasing number of dwellings are being used as holiday homes within Gower which also impacts on the availability of housing to meet affordable and local needs.

7.0 Population change and influence on LDP/forthcoming revisions.

7.1 The County has a population of 244,500 (mid-2016, ONS estimates), - the second highest population of the 22 local authorities in Wales. Official estimates suggest that between 2006 and 2016, Swansea's population increased by 13,700 - an average annual growth of around 1,400 people (0.6%). 106,300 households live in Swansea (2015, WG), with an average household size of approximately 2.23 people (Wales 2.29). 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 78.0 years for males (Wales 78.4) and 82.5 for females (Wales 82.3) (2013-15, ONS). **19.3% of Swansea's population are aged 65 and over (47,200) and 13,100 people are aged 80 and over, (5.3% of the Swansea total).**

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. 36.1% of Swansea's residents (aged 16-64) are qualified to NVQ level 4 (Degree level) and above (December 2016, ONS), slightly above the Wales figure (35.1%).

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:

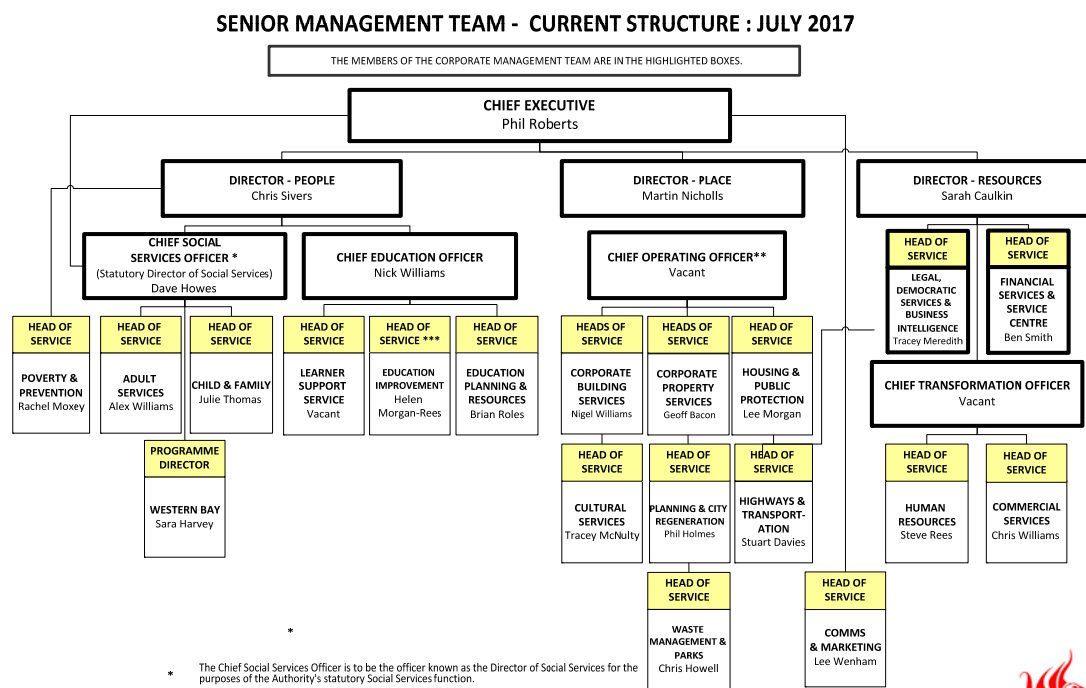
- The link between housing land supply and location and support for local economic growth - the LDP seeks to provide for over 17000 new dwellings and support 14000 new jobs,
- Supply of new house building not keeping pace with demand as the local population grows,
- A shortfall of affordable housing 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,
- Ageing population and lack of suitable alternative accommodation for the elderly,
- Significant variations across the County in terms of social indicators of deprivation, including access to health, education and community facilities and housing quality
- Community cohesion issues in certain wards due to the number of conversions of housing stock to HMOs and the geographical spread,
- Safeguarding communities where Welsh language is an important part of the social fabric

PLANNING SERVICE

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



17th July 2017

City and County of Swansea
Dinas a Sir Abertawe



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 Planning and City Regeneration and Service under a single Head of Service who reports to the Director of Place.

- 8.2 As detailed in Chart 2 below the Planning and City Regeneration Service, itself, is organised into 5 separate service areas namely Development, Conservation and Design, Strategic Planning and Natural 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 Planning and City Regeneration Service for the period 2014/15-2017/18 is £1,190,000. The service as a whole is also currently in the process of implementing the recommendations of a recent Commissioning Review which has identified further service improvements, efficiency opportunities, income generation and cost savings of some £267,000 by 2018/19.

9.2 The Strategic Planning and Natural Environment Section is continuing to undergo a review of its structure in response to these budgetary pressures to meet identified Section budget savings of £90k by year ending 31st March 2018. Over the past year one team leader post and one Sustainable Development officer post have been deleted from the structure, the Nature Conservation, Countryside Access, Gower AONB Teams are in the process of being merged and the Sustainable Development Team has been disbanded with staff moved to the corporate delivery unit. Commercialisation of services within the Landscape Team is anticipated to bring in income of £30k during 17/18 towards the identified savings.

9.3 With a view to meeting this target the Development Management, Conservation & Design Section underwent a significant change process in an attempt to address initial planned budgets savings of in excess of £460,000 over the above period. With a further £97,000 savings identified as part of the Commissioning Review by 2018/19 a review of service levels is proposed and Mobile App technology has been procured to facilitate and maximise the opportunities offered by agile working.

9.4 This includes an ongoing year on year reduction of staff costs in the Development Management, Conservation & Design Section of £230k including, to-date, the loss of a Team Leader post, a senior enforcement officer, 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) in 1st April 2015. Costs associated with the loss of the Planning Improvement Fund grant (£70k) have also been absorbed within the budget.

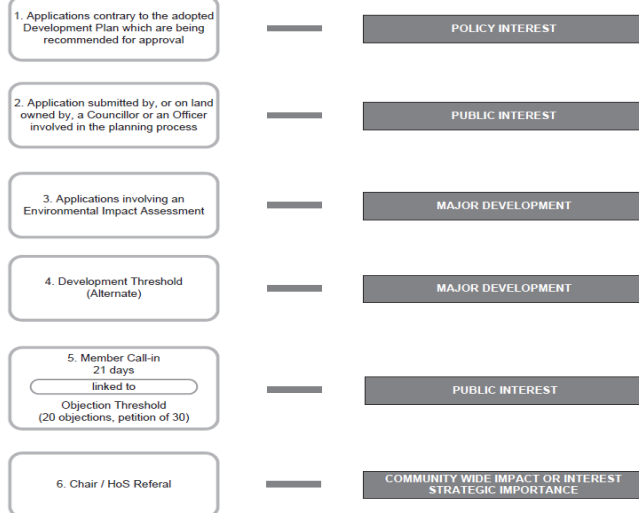
In addition to efficiency savings detailed below, press advertising costs have also been reduced through contract re-negotiation (£25k saving). Two full time Senior Planning Officer posts are currently funded on a part time basis by Planning Performance Agreement.

- 9.5 Within the Development Management, Conservation & Design Section 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 Development Management, Conservation & Design Section 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 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 Team 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, common land, TPO 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.

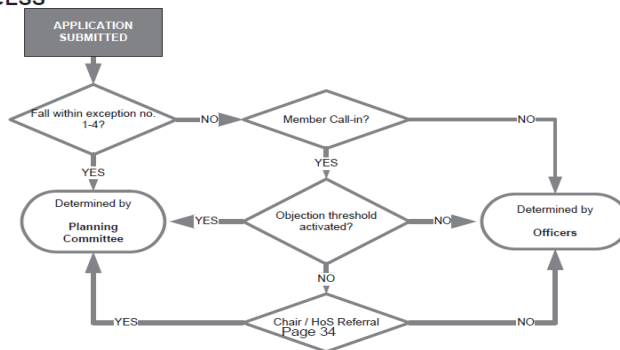
Chart 3 – Scheme of Delegation

Member Call-In linked to objection threshold:

STRUCTURE



PROCESS



- 9.11 The Authority has been working with Neath Port Talbot BC (NPT) following the procurement of the same replacement back office system (Idox Uniform) by both Authorities with shared hosting facilities. Swansea went live with this system in October 2016 providing further opportunities for efficiency savings. Neath Port Talbot are working towards go live within a different timeframe but it is anticipated that this will provide further opportunities for shared working.
- 9.12 With a further £97,000 savings by 2018/19 identified for the Development Management, Conservation & Design Section as part of the Commissioning Review a further review of current development management and enforcement service levels is proposed and Mobile App technology has been procured to facilitate and maximise the opportunities offered by agile working. Opportunities for collaboration on specialist urban design and heritage services are also being developed and the formation of a ‘core’ Land Charges team funded by searches fee income is also proposed to address current inefficiencies and risks to the service.
- 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 Development Management, Conservation & Design and Strategic Planning and Natural Environment service areas input into a range of functions including central administration for the department as a whole, Rights of Way, Sustainability, Ecology and AONB functions and land charges for which fee income is not retained within the service area. Ongoing benchmarking work with the Welsh Local Government Association should assist in establishing a better understanding of the true costs of the planning service in future years.
- 10.2 Whilst the overall budget for the Development Management, Conservation & Design and Strategic Planning and Natural Environment Sections 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	2015/16	2016/17
Target	1,010,000	780,000	639,000	639,000	689,000	787,600	847,600	1,006,600
Actual	870,572	589,069	670,199	908,679	841,171	957,352	906,526	1,085,089

- 10.3 Fee income is retained within the Development Management, Conservation & Design budget which is, however, set demanding fee income targets for each financial year to cover a growing proportion of the costs of the Service. Two full time Senior Planning Officers are also currently funded by Planning Performance Agreement. 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 Development Management, Conservation & Design and the Strategic Planning and Natural Environment is summarised in Chart 4 and 5 below respectively:

Chart 4 – Planning Control Structure

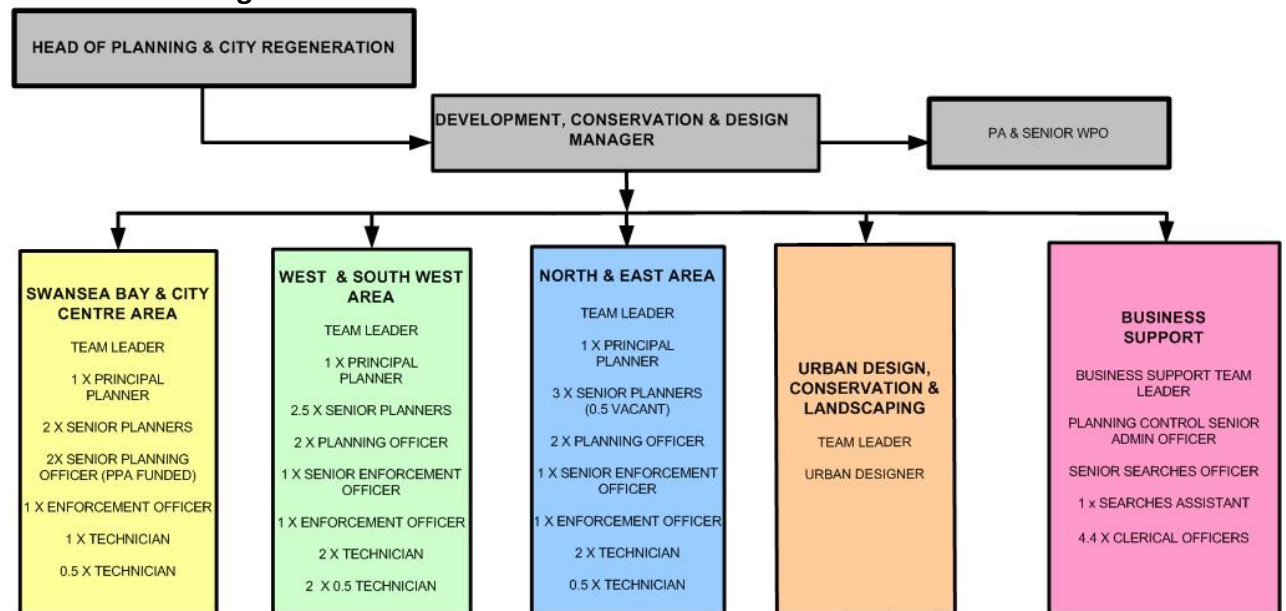
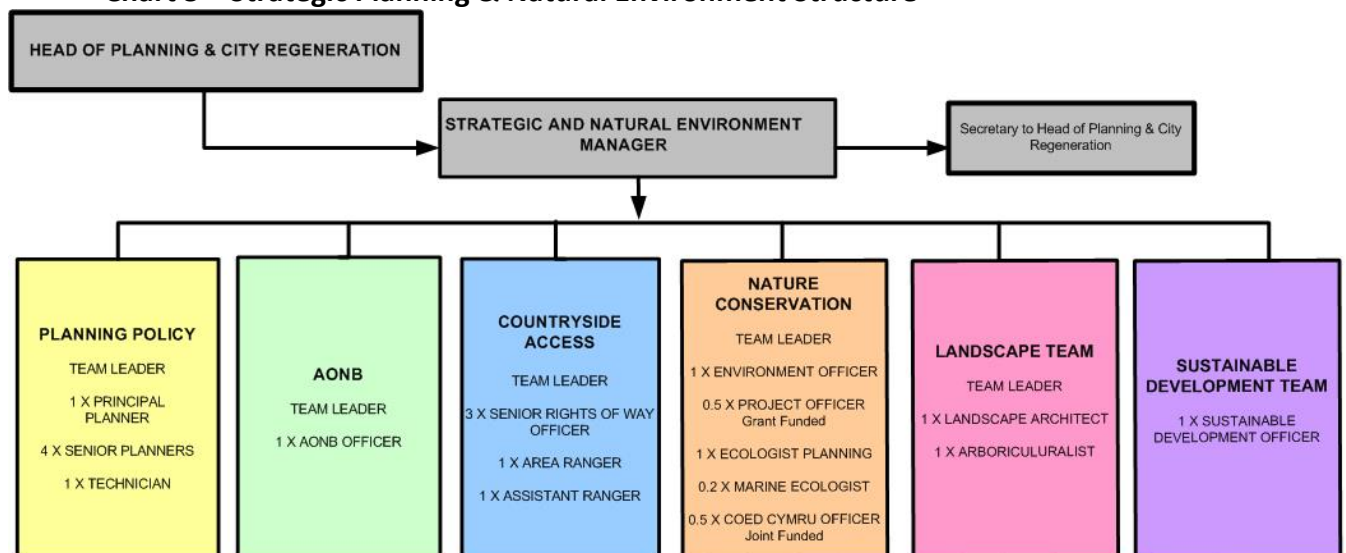


Chart 5 – Strategic Planning & Natural Environment Structure



11.2 In 2016/17 the Development Management, Conservation & Design Section increased its fee income target to absorb a vacancy provision in its budget equivalent to 12.5% of its total staff costs. It currently has one vacant planning officer post but has had a limited turnover of staff and a contraction of the establishment as a result of previous budget savings. A number of staff members are, however, working reduced or family friendly hours. This is reflected in Chart 4 above.

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 a Buildings Conservation Officer post was merged in 2015 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.

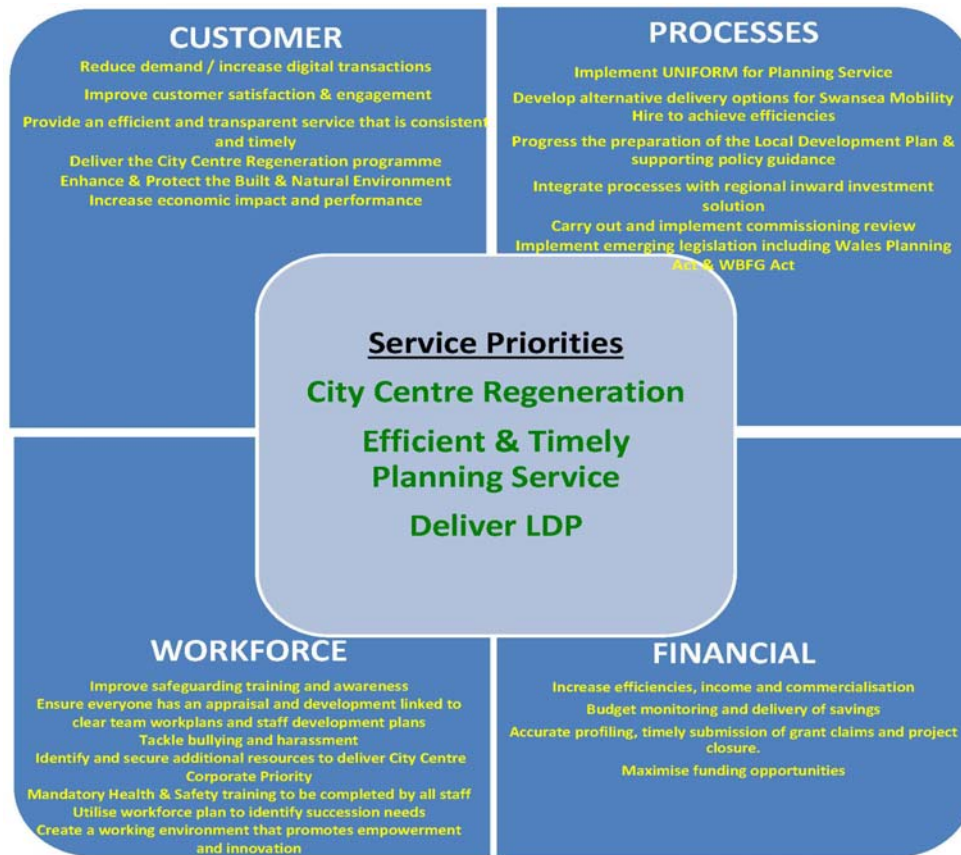
- 11.5 Upskilling and reskilling of staff in this way is an ongoing process but remains a robust mechanism to manage the risk to the Service as ongoing budget cuts bite deeper and harder.

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 1990 in 2016/17 reflecting an upturn in developer interest relative to previous years. The number of planning applications received per case officer (FTE) was 148 per annum in 2015/16. This excludes the provision of pre-application advice, and appeals and input into the change process described above, appeals, enforcement cases, corporate projects and initiative and policy/SPG formulation.
- 12.3 Uncertainty following Brexit appears to have slowed the previous momentum towards the delivery of major schemes including strategic housing sites and purpose built student accommodation resulting in unpredictable workload and making it difficult to predict fee income, allocate the necessary resources and respond quickly to workload pressures.
- 12.4 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. There were 674 outstanding cases being investigated by the Authority in July 2014 which had fallen to below 500 by July 2016.
- 12.5 Significant planning policy pressures include the UDP being time expired; the lack of a five year housing land supply; advancing strategic LDP sites ahead of adoption of the plan; the sufficiency of infrastructure to support projected growth, development site viability/deliverability and City Centre regeneration proposals in support of the City Deal
- 12.6 The UDP has been time expired since 1st January 2017, however it remains the adopted development plan although decision making now has to have regard to the extent to which the plan remains compliant with up to date Welsh Government guidance in Planning Policy Wales, Technical Advice Notes and any other relevant guidance. Coupled with a housing land supply shortage, this has resulted in some speculative planning applications being prepared/ submitted for housing developments on currently unallocated (in either UDP or LDP) greenfield land outside settlement boundaries. To attempt to address this, a guidance note for developers on 'departure' applications was approved by the Authority in November 2015. It 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 proposals that deliver very high proportions of affordable housing. This has resulted in five LDP site applications being submitted to date, two of which relate to Strategic Sites, which will need to be determined as departures to the extant Plan. In total, these departure applications propose the delivery of circa 3000 new homes.

- 12.7 Most of the Strategic Sites will deliver wider physical infrastructure improvements and a range of uses to complement the proposed new homes, including schools, commercial facilities and community uses. Significant resources have been committed to working with site promoters to ensure that such sites are comprehensively and appropriately master-planned. However there may be some gaps in infrastructure provision, particularly in relation to highways improvements that may need to be funded by other means. However research undertaken to date indicates that CIL is unlikely to be a viable mechanism for delivering these additional works.
- 12.8 During 2016/17 2 housing sites were completed. A copy of the Council's S106 Completions Report for 2015-16 and 2016-17 is attached as Appendix C for information.
- 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 Over the past year the Deposit LDP has been consulted upon and a further review of evidence has been carried out in order to 'sense check' against the latest data and analysis and to provide sufficient confidence that the overall level of economic and housing growth allowed for in the Plan is appropriate. An independent assessment of the viability and deliverability of all LDP Strategic Sites has also been carried out.
- 13.2 In July 2017 Council approved the submission of the Plan and all relevant supporting documentation to the Planning Inspectorate for Examination. The Examination is due to be held late 2017/early 2018.
- 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 There are around 1,600 licensed HMOs in the County. However, many HMOs do not require licensing since only Mandatory Licensing applies in most Wards. Welsh Government research has estimated there could be as many as 2,700 HMOs in the County. Most are located in Uplands and Castle Wards, close to the Universities and leisure, retail and employment opportunities in the City Centre, Uplands and Brynmill. Very high HMO concentrations have been recorded in many parts of these Wards. Research has suggested that around two-in-three licensed HMOs are occupied by full-time students, but HMOs also provide an important source of flexible and affordable tenancies for other people.
- 14.2 Research has highlighted that Uplands and Castle experience significant community cohesion issues due to harmful HMO concentrations similar to problems identified in some other towns and cities. St Thomas Ward has also been highlighted as a concern due to the new Higher Education developments in the Fabian Way Corridor running through it. However, there is a lack of comprehensive up to date information available on the number and distribution of HMOs in this Ward as only Mandatory Licensing can currently be enforced.
- 14.3 Consequently the Council commissioned consultants to prepare SPG to assist with the determination of planning applications regarding purpose built student residential accommodation and Houses in Multiple Occupation (HMOs) (whether occupied by students or other occupiers). The SPG provided an evidence based definition of harmful concentration or intensification, how it should be calculated and the geographical areas within which policy ought to be applied.

- 14.4 The intention of the SPG was to help ensure that student needs are met as far as possible by modern purpose built and managed schemes with the space and facilities more suited to students' needs in appropriate Central Area locations with good access to services, facilities and public transport to University buildings.
- 14.5 Following public consultation the SPG was not accepted by Planning Committee in July 2017 and a revised document is being prepared which re-examines threshold limits. Further consultation is due to be carried out early next year and adoption is anticipated Spring 2018.
- 14.6 The Development Management, Conservation & Design Section has procured the Idox Mobile App Planning Application and Enforcement systems. This technology will allow officers to remotely access plans and update data held in the Uniform back office systems facilitate agile and home working and more efficient site inspections.
- 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 In the absence of any Planning Performance Agreement responding to the discharge of requirements associated with the Swansea Bay Tidal Lagoon NSIP application continues to have an impact upon resources dedicated to planning application within the Bay Area Team.
- 15.2 Two strategic housing sites have progressed to application stage in advance of the adoption of the Local Development Plan.
- 15.3 Amendments to the Town and Country Planning Use Classes Order 1987 in February 2016 to introduce Class C4: Houses in Multiple Occupation has significantly increased delegated, Committee and appeal workload and, in the absence of related policy guidance, generated significant political issues in the run up to the Local Government Elections in May 2017.
- 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 priorities and objectives for the Planning and City Regeneration Service in the diagram below:



16.2 Objectives, outcomes, performance measures, targets and actual outcomes for Planning Control and Strategic Planning & Environment are detailed below:

Strategic Objective	Outcome	Performance indicator	Target	Result	Trend	Explanation
Reduce demand Increase Digital Transactions	Customers will be enabled to serve themselves wherever possible. A fundamental shift in customer contact to 'digital by default' will have occurred	% Channel shift in planning applications from paper to digital via Planning Portal	50% of apps made on line	55%	Upwards	The percentage of application submitted via the planning portal has increased to 55%. As part of implementing its Commissioning Review the Authority will carry out further engagement with agents to encourage on-line submission in an agreed format to improve the quality of submissions and facilitate the speed of validation.
Improve Customer satisfaction	There is measurably improved customer experience / satisfaction when dealing with the Council	EC1 - % of applicants satisfied or very satisfied with the Planning Applications Service	90%	89%	Upwards	Customer satisfaction was marginally below target with 11 out of 102 respondents being dissatisfied with the service. Main concerns were related to officer contact, the planning and consultation process. As part of implementing its Commissioning Review the Authority will carry out further engagement with agents to encourage increased use of the pre-application advice service.

Improve Customer satisfaction	There is measurably improved customer experience / satisfaction when dealing with the Council	EP28 - The percentage of all planning applications determined within 8 weeks	80%	86%	Upwards	There has been improvement in performance when measured against this target with 97% of applications also being determined within agreed timescales.
Creating Vibrant & Viable City & Economy	Deliver City Centre Regeneration	Secure planning consent for the redevelopment of St David's.	Apr-17	June-17		The planning application submission was delayed but was determined within the agreed timescales specified in Planning Performance Agreement.
Increase income and commercialisation	New income streams and opportunities are identified leading to increased income.	% of total service budget coming from income	50%	60%		60% of the total Development Management, Conservation & Design Budget was derived from fee income. This budget includes the costs of non-application related and non-statutory elements of the service.
Adopt Local Development Plan	Up to date Planning Policy	Submit the Deposit LDP for examination by Planning Inspectorate.	Dec-16	Aug-17		Following consultation on the Deposit Plan it was deemed appropriate to review the LDP evidence base to consider the potential impact on projected levels of economic and housing growth following changes in economic circumstances at national and international level prior to submission of the Plan for examination.

Creating Vibrant & Viable City & Economy	Economic Impact	Determine planning applications and develop supplementary planning guidance for strategic housing and mixed development sites.	Mar-17	Ongoing		Masterplanning (SPG) of all strategic housing and mixed development sites (Strategic Development Areas – SDAs) is an ongoing process alongside the adoption of the LDP. Two planning applications for SDAs have been submitted to date.
Creating Vibrant & Viable City & Economy	Increased Tourism Activity & Spend	Adopt supplementary planning guidance related to holiday accommodation opportunities	Mar-17	N/A		This objective was dropped as it was no longer deemed a priority in favour of a revised objective in relation to the preparation of SPG for HMOs and purpose built student accommodation. Draft SPG was prepared and consulted upon but rejected by Planning Committee and revised guidance is now expected to be completed by Mar 2018
Improve Customer Satisfaction	More efficient handling of planning applications	Implement UNIFORM for Planning Service	Mar-17	Oct-17		A replacement back office system (Uniform) was successfully introduced with limited disruption or negative impact upon performance levels during implementation phase.

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 UDP is time-expired and will remain so until the replacement LDP is adopted. The LDP is with the Planning Inspectorate for Examination. This timeline is not within the Council's control and the earliest the LDP could potentially be adopted is mid-2018.
- 17.2 It is not possible to recover a position where the LDP is being progressed more than 18 months later than the dates specified in the original Delivery Agreement. It is however being progressed in accordance with the most recent Delivery Agreement which is considered a more relevant measure as it is the latest DA that will be considered by the Inspectorate at Examination.
- 17.3 The housing land supply remains around 3 years, however negotiations with developers in accordance with the Council's agreed strategy for advancing planning applications on LDP Strategic Development Areas has resulted in the submission of a number of schemes potentially providing land for an additional 3000 dwellings. Further 'departure' applications are anticipated during the coming year, which will provide further opportunity to meet the housing land supply requirement going forward.
- 17.4 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.
- 17.5 In this respect the percentage of Member made decisions contrary to officer advice has reduced from 23% in 2014-15 to 10% in 2015-16 equating to 0.3% of all planning application decisions being made against officer advice compared to 0.6% across Wales. In 2016-17, however, this increased to 24% equating to 0.7% of all planning application decisions being made against officer advice and comparable with the Welsh average of 0.7% across. The increase in overturns was, however, heavily influenced by a single issue, namely the introduction of the new C4 Use Class for houses in multiple occupation and the determination of such applications by Planning Committee following a "call in" which accounted for 9 of the 14 applications determined contrary to officer advice during this period.
- 17.6 The quality of such Committee decisions has, however, also reduced significantly since 2015-16 with 5 of the 6 subsequent appeals made in respect of applications refused contrary to officer advice being allowed at appeal.
- 17.7 In response to this issue regular feedback is provided at Planning Committee on the outcome of appeals for decisions made by Planning Committee. The adoption of SPG on HMO's and purpose built student accommodation will, it is anticipated, also provide clear guidance and improve the quality of decision making in this respect. Committee performance will continue to be monitored on a quarterly basis and further support and training provided to Members as necessary.
- 17.8 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 function.

- 17.9 Following restructuring in August 2014 additional staff resources were 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 had an impact upon the percentage of cases resolved within the required timescales. The loss of a Senior Enforcement Officer post in February 2016, however, subsequently had some impact upon the enforcement function.
- 17.10 The reported enforcement performance, however, has been negatively influenced by reporting issues following the introduction of the replacement Uniform back office system which has affected the quality of historic data. In subsequent years this will not, however, represent an issue and a more accurate picture of enforcement performance when measured against the new Welsh Government Performance Framework enforcement indicators can be reported.
- 17.11 The enforcement process and procedures will also be subject to further review following the procurement of the Idox Mobile App which will facilitate agile and remote working. This, it is anticipated, will provide more efficient and responsive performance at the investigation stage.
- 17.12 Moving forward, as part of the recommendations of the current Commissioning Review, difficult decisions will again have to be made regarding Service priorities to accommodate budget savings, with improvement measured against the existing suite of measures and PI's.

18.0 WHAT SERVICE USERS THINK

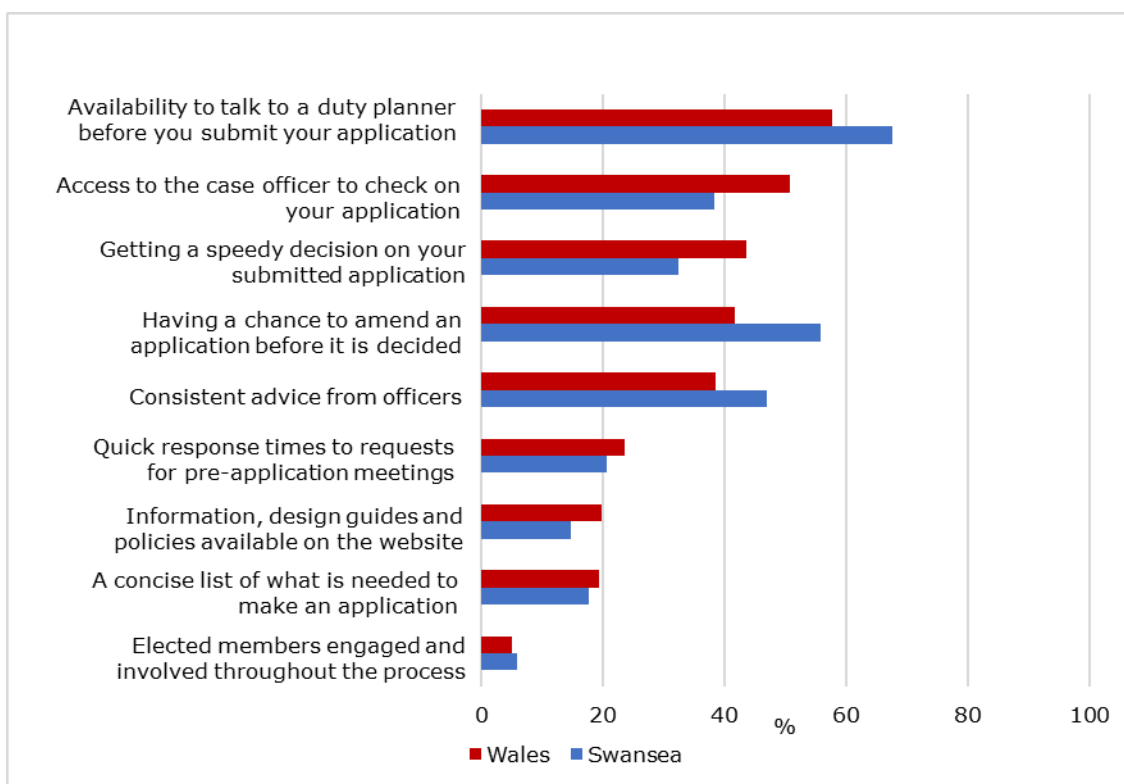
- 18.1 In 2016-17 we conducted a customer satisfaction survey aimed at assessing the views of people that had received a planning application decision during the year.
- 18.2 The survey was sent to 468 people, 8% of whom submitted a whole or partial response. The majority of responses (44%) were from members of the public. 21% of respondents had their most recent planning application refused.
- 18.3 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.
- 18.4 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: Percentage of respondents who agreed with each statement, 2016-17

Percentage of respondents who agreed that:	%	
	Swansea LPA	Wales
The LPA enforces its planning rules fairly and consistently	50	52
The LPA gave good advice to help them make a successful application	63	62
The LPA gives help throughout, including with conditions	44	52
The LPA responded promptly when they had questions	66	61
They were listened to about their application	55	59
They were kept informed about their application	61	51
They were satisfied overall with how the LPA handled their application	56	61

18.5 We also asked respondents to select three planning service characteristics from a list that they thought would most help them achieve successful developments. Figure 1 shows the percentage of respondents that chose each characteristic as one of their three selections. For us, 'the availability to talk to a duty planner before submitting an application' was the most popular choice.

Figure 1: Characteristics of a good planning service, Swansea LPA, 2016-17



18.6 Comments received include:

- “I was very satisfied with my discussions with all involved, between the officers and the website it made the whole process transparent and removed any "grey" areas. The speed of the response to all my concerns was excellent and help alleviate any anxieties regarding the issue.”

- “It is important that there are clear criteria available to all explaining what is necessary to gain planning permission. Where clear criteria do not exist, it is possible that decisions become 'political' and are not decided fairly.”
- “The process was quite easy and was well managed.”

19.0 OUR PERFORMANCE 2016-17

19.1 This section details our performance in 2016-17. 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.

19.2 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

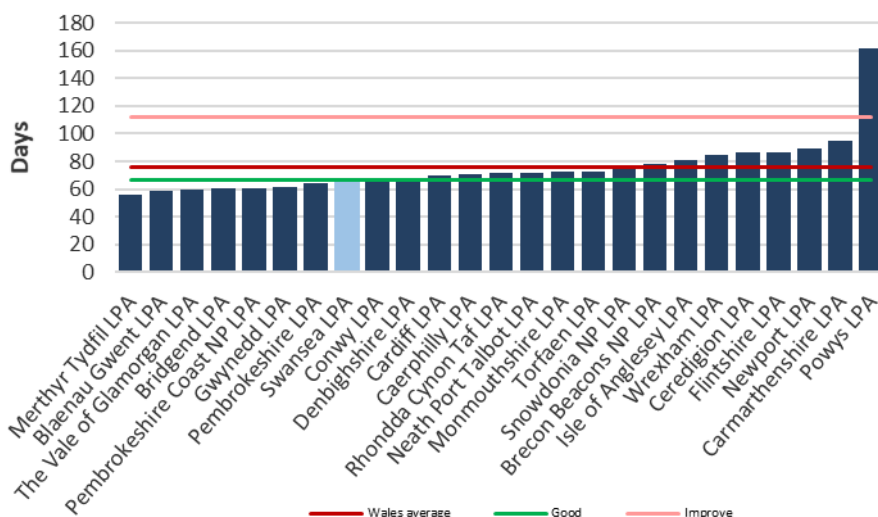
19.3 As at 31 March 2017, we were one of 22 LPAs that had a current development plan in place. We are currently working towards adopting our LDP/updating our LDP. So far, we are 44 months behind the dates specified in the original Delivery Agreement.

19.4 During the APR period we had 3 years of housing land supply identified, making us one of 19 Welsh LPAs without the required 5 years supply.

Efficiency

19.5 In 2016-17 we determined 1870 planning applications, each taking, on average, 67 days (10 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.

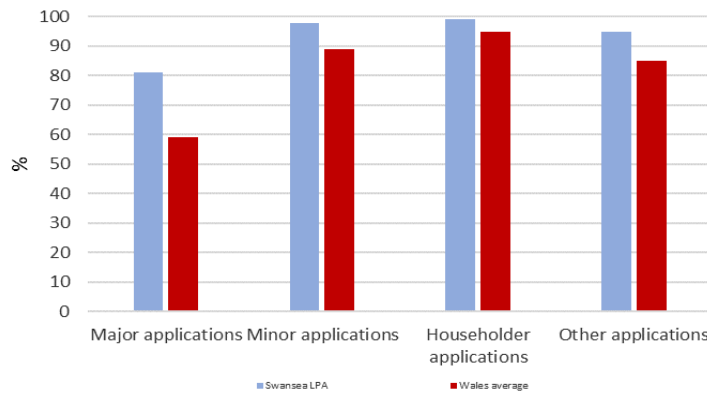
Figure 2: Average time taken (days) to determine applications, 2016-17



19.6 97% of all planning applications were determined within the required timescales. This was the third highest percentage in Wales and we were one of 20 LPAs that had reached the 80% target.

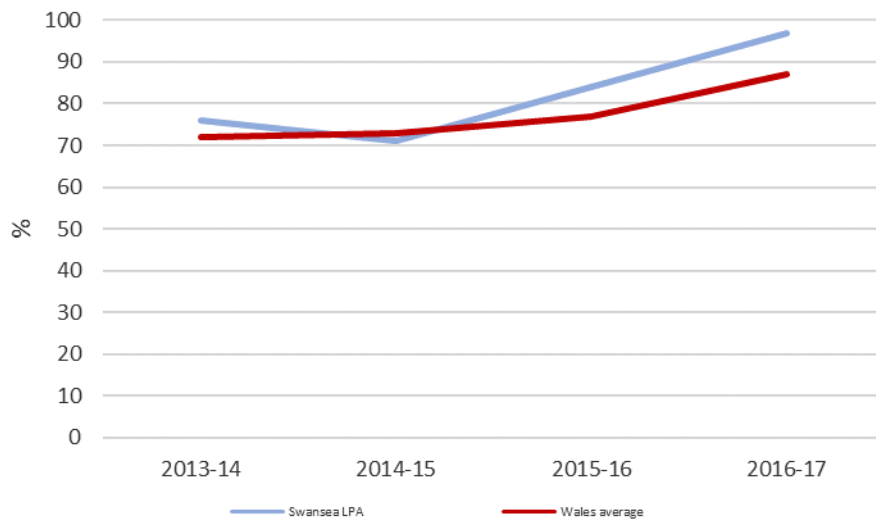
19.7 Figure 3 shows the percentage of planning applications determined within the required timescales across the four main types of application for our LPA and Wales. It shows that we determined 99% of householder applications within the required timescales.

Figure 3: Percentage of planning applications determined within the required timescales, by type, 2016-17



19.8 Between 2015-16 and 2016-17, as Figure 4 shows, the percentage of planning applications we determined within the required timescales increased from 84%. Wales also saw an increase this year.

Figure 4: Percentage of planning applications determined within the required timescales



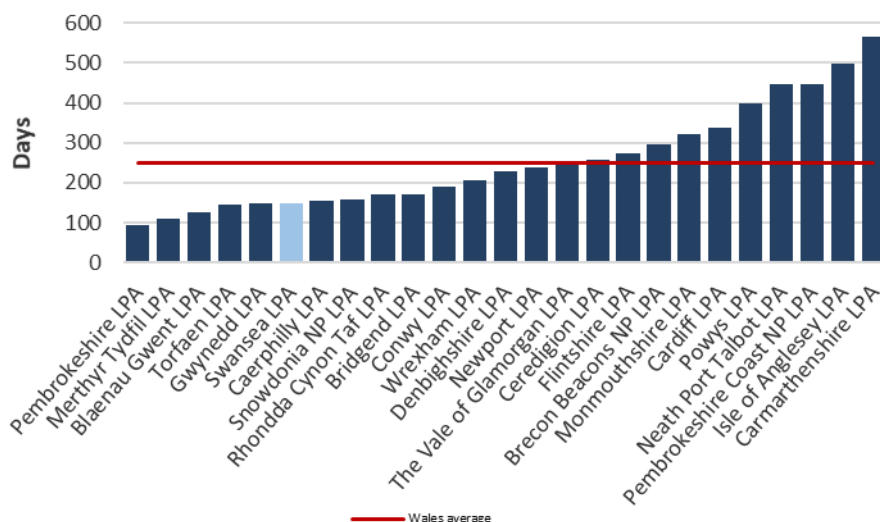
19.9 Over the same period:

- The number of applications we received increased; and
- The number of applications we determined increased.

Major applications

19.10 We determined 47 major planning applications in 2016-17, none of which were subject to an EIA. Each application took, on average, 148 days (21 weeks) to determine. As Figure 5 shows, this was shorter than the Wales average of 250 days (36 weeks).

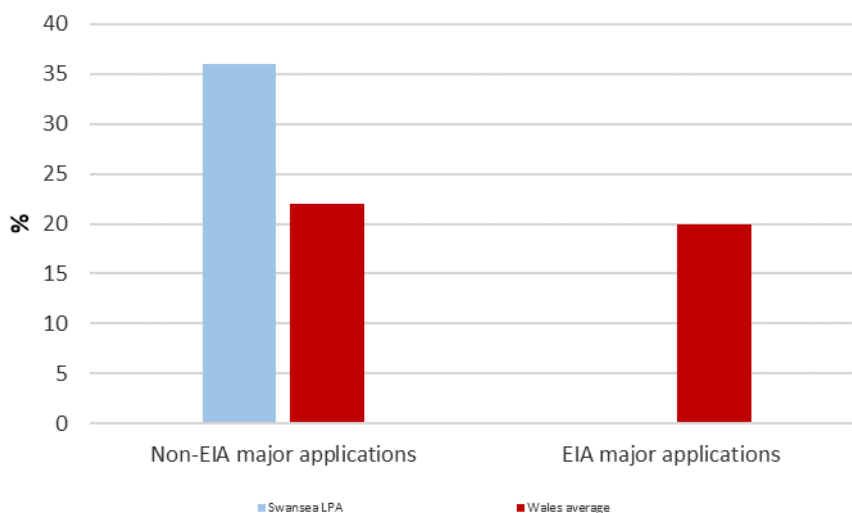
Figure 5: Average time (days) taken to determine a major application, 2016-17



19.11 81% of these major applications were determined within the agreed timescales, compared to 59% across Wales.

19.12 Figure 6 shows the percentage of major applications determined within the required timescales by the type of major application. 36% of our 'standard' major applications i.e. those not requiring an EIA, were determined within the statutory 8 week deadline.

Figure 6: Percentage of Major applications determined within the statutory timescales during the year, by type, 2016-17

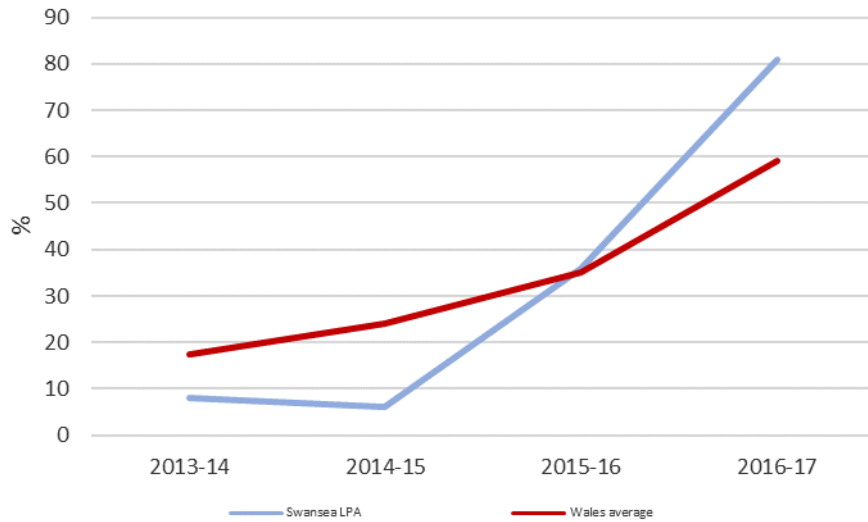


19.13 In addition we determined 81% of major applications that were subject to a PPA in the agreed timescales during the year.

19.14 Since 2015-16 the percentage of major applications determined within the required timescales had increased from 36%. Similarly, the number of major applications determined increased while the number of applications subject to an EIA determined during the year stayed the same.

19.15 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



19.16 Over the same period:

- The percentage of minor applications determined within the required timescales increased from 86% to 98%;
- The percentage of householder applications determined within the required timescales increased from 95% to 99%; and
- The percentage of other applications determined within required timescales increased from 84% to 95%.

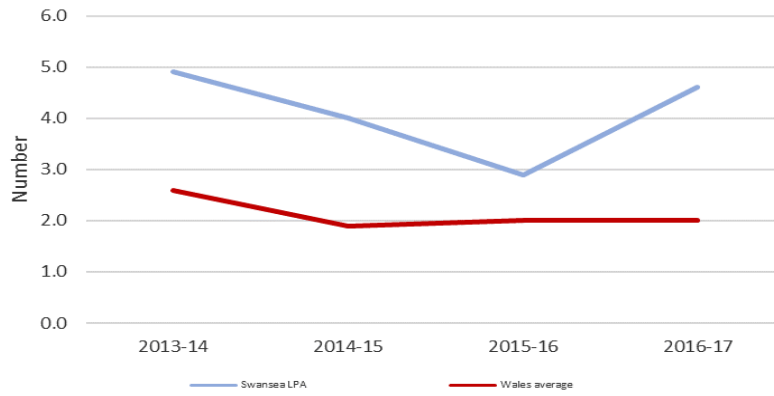
Quality

19.17 In 2016-17, our Planning Committee made 54 planning application decisions during the year, which equated to 3% of all planning applications determined. Across Wales 6% of all planning application decisions were made by planning committee.

19.18 24% of these member-made decisions went against officer advice. This compared to 11% of member-made decisions across Wales. This equated to 0.7% of all planning application decisions going against officer advice; 0.7% across Wales.

19.19 In 2016-17 we received 92 appeals against our planning decisions, which equated to 4.6 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 2015-16 and how this compares to Wales.

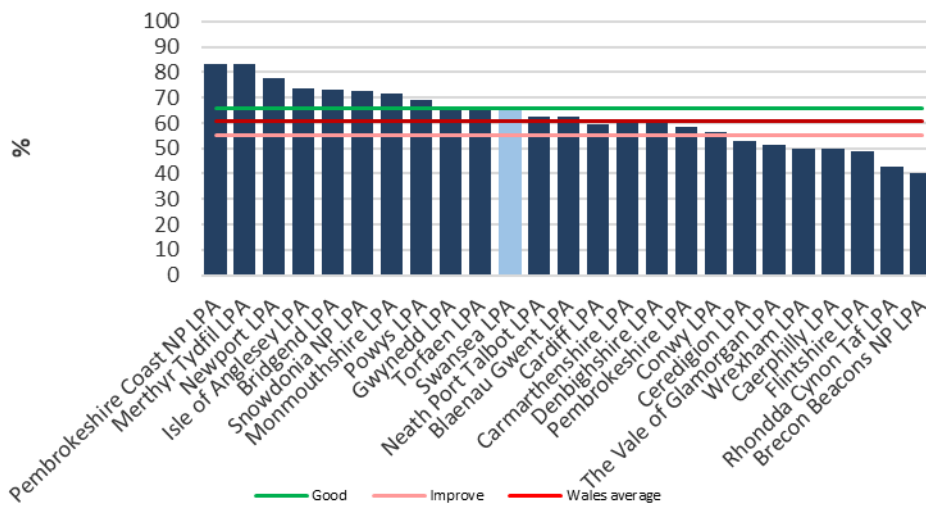
Figure 8: Number of appeals received per 100 planning applications



19.20 In 2016-17 we approved 84% of planning applications. This compares to 91% across Wales.

19.21 Of the 80 appeals that were decided during the year, 65% were dismissed. As Figure 9 shows, this was higher than the percentage of appeals dismissed across Wales as a whole, but was below the 66% target.

Figure 9: Percentage of appeals dismissed, 2016-17



19.22 During 2016-17 we had no applications for costs at a section 78 appeal upheld.

Engagement

19.23 We are:

- one of 24 LPAs that allowed members of the public to address the Planning Committee; and
- one of 20 LPAs that had an online register of planning applications.

19.24 As Table 2 shows, 63% of respondents to our 2016-17 customer satisfaction survey agreed that the LPA gave good advice to help them make a successful application.

Table 2: Feedback from our 2016-17 customer satisfaction survey

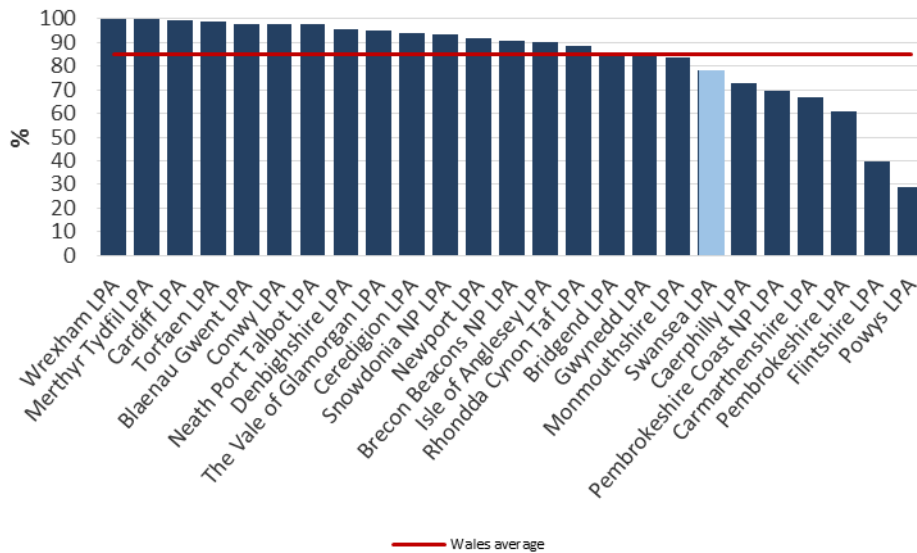
Percentage of respondents who agreed that:	%	
	Swansea LPA	Wales
The LPA gave good advice to help them make a successful application	63	62
They were listened to about their application	55	59

Enforcement

19.25 In 2016-17 we investigated 134 enforcement cases. We took, on average, 72 days to investigate each enforcement case.

19.26 We investigated 78% of these enforcement cases within 84 days. Across Wales 85% were investigated within 84 days. Figure 10 shows the percentage of enforcement cases that were investigated within 84 days across all Welsh LPAs.

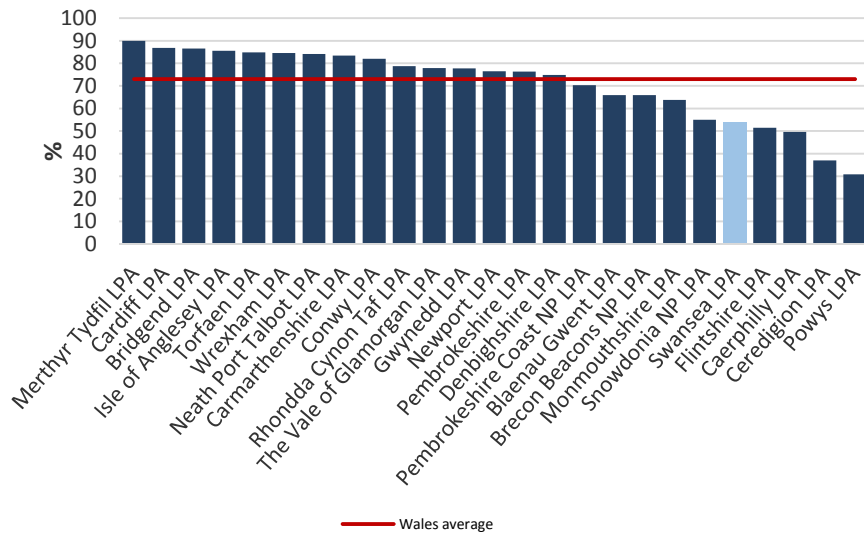
Figure 10: Percentage of enforcement cases investigated within 84 days, 2016-17



19.27 Over the same period, we resolved 97 enforcement cases, taking, on average, 280 days to resolve each case.

19.28 54% of this enforcement action was taken within 180 days from the start of the case. As Figure 11 shows this was the fifth lowest percentage in Wales but a 12% improvement on performance for 2015-16.

Figure 11: Percentage of enforcement cases resolved in 180 days, 2016-17



ANNEX A - PERFORMANCE FRAMEWORK

OVERVIEW

MEASURE	GOOD	FAIR	IMPROVE	WALES AVERAGE	Swansea LPA LAST YEAR	Swansea LPA THIS YEAR
Plan making						
Is there a current Development Plan in place that is within the plan period?	Yes		No	Yes	Yes	Yes
LDP preparation deviation from the dates specified in the original Delivery Agreement, in months	<12	13-17	18+	58	36	44
Annual Monitoring Reports produced following LDP adoption	Yes		No	Yes	N/A	N/A
The local planning authority's current housing land supply in years	>5		<5	2.9	3	2.8 (provisional)
Efficiency						
Percentage of "major" applications determined within time periods required	Not set	Not set	Not set	59	36	81
Average time taken to determine "major" applications in days	Not set	Not set	Not set	250	197	148

MEASURE	GOOD	FAIR	IMPROVE
Percentage of all applications determined within time periods required	>80	60.1-79.9	<60
Average time taken to determine all applications in days	<67	67-111	112+
Quality			
Percentage of Member made decisions against officer advice	<5	5.1-8.9	9+
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
87	84	97
76	61	67
11	10	24
61	55	65
0	0	0
Yes	Yes	Yes
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
85	32	78
74	171	72
73	42	54
201	272	280

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/No
Good/Improvement Needed : The Unitary Development Plan expired on 31 st December 2016 Therefore the indicator changed for the last quarter of 16/17 from ‘good’ to ‘improvement needed’. This position will not change until the replacement LDP is adopted at earliest mid-2018.	

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	36
Improvement Needed : The LDP is being prepared in accordance with the latest Delivery Agreement which was reviewed in July 2017.	

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
N/A	

Indicator	04. The local planning authority's current housing land supply in years	
"Good"		"Improvement needed"
The authority has a housing land supply of more than 5 years		The authority has a housing land supply of less than 5 years

Authority's performance	2.8 (provisional)
Improvement Needed: The Council has brought forward sites identified in the Deposit LDP to increase the housing land supply, including sites that represent a departure to the adopted UDP policy framework which will not prejudice the Council's future growth strategy.	
The Swansea JHLAS Group has not yet agreed the land supply figure for 2016/17.	

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	81
Good : Since 2014-15 the percentage of all major planning applications determined within required timescales has increased from 6% in 2014-15, which was the lowest performance in Wales, to 36% in 2015-16 and 81% in 2016-17 which is well above the Welsh average of 59%.	

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	148
Good : Each major application took, on average, 148 days (21 weeks) to determine. This was significantly shorter than the Wales average of 250 days (35 weeks) and represents an improvement on the performance in 2015-16 which was 197 days.	

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	97
Good : The percentage of all applications determined within required timescales showed a significant improvement increasing from 71% in 2014-15 to 84% in 2015-16 and 97% in 2016-17 and well above the Welsh average of 87%.	

Indicator	08. Average time taken to determine all applications in days	
"Good"	"Fair"	"Improvement needed"
Less than 67 days	Between 67 and 111 days	112 days or more

Authority's performance	67
Good : In 2016-17 we determined 1870 planning applications, each taking, on average, 67 days (10 weeks) to determine. This compares to an average of 76 days (11 weeks) across Wales.	

SECTION 3 - QUALITY

Indicator	09. Percentage of Member made decisions against officer advice	
"Good"	"Fair"	"Improvement needed"
Less than 5% of decisions	Between 5% and 9% of decisions	9% or more of decisions

Authority's performance	24
Improvement Needed: 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.	
The percentage of Member made decisions contrary to officer advice had reduced from 23% in 2014-15 to 10% in 2015-16 equating to 0.3% of all planning application decisions being made against officer advice compared to 0.6% across Wales.	
In 2016-17, however, this increased to 24% equating to 0.7% of all planning application decisions being made against officer advice and comparable with the Welsh average of 0.7% across. The increase in overturns was, however, heavily influenced by a single issue, namely the introduction of the new C4 Use Class for houses in multiple occupation which accounted for 9 of the 14 applications determined contrary to officer advice during this period.	

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	65
<p>Fair: Of the 80 appeals that were decided during the year, 65% were dismissed. As Figure 9 shows, this was higher than the percentage of appeals dismissed across Wales as a whole.</p> <p>This appeal performance, however, is influenced by the number of applications refused by Planning Committee contrary to officer advice which were subsequently allowed at appeal.</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
Good : No comment required.	

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
Good : No comment required.	

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
Good : 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
Good : No comment required.	

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	78
No target set: There has been a significant improvement in performance when measured against this indicator with the percentage of enforcement cases investigated within 84 days increasing from 32% in 2015-16 to 78% in 2016-17.	
The reported enforcement performance, however, has been influenced by reporting issues following the introduction of the replacement Uniform back office system which has affected the quality of historic data. Moving forward this will not, however, represent an issue and a more accurate picture of enforcement performance will be reported in subsequent years.	

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	72
<p>No target set: There has been a significant improvement in performance when measured against this indicator with the average time taken to an enforcement case falling from 171 days in 2015-16 to 72 days in 2016-17.</p> <p>The reported enforcement performance, however, has been influenced by reporting issues following the introduction of the replacement Uniform back office system which has affected the quality of historic data. Moving forward this will not, however, represent an issue and a more accurate picture of enforcement performance will be reported in subsequent years.</p>	

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	54
<p>No target set: Ongoing progress on reducing the backlog of outstanding historic enforcement cases continues to influence performance relating to the speed of resolution, however, there has been an improvement in performance when measured against this indicator with the percentage of enforcement cases resolved within 180 days increasing from 42% in 2015-16 to 52% in 2016-17.</p> <p>The reported enforcement performance, however, has been influenced by reporting issues following the introduction of the replacement Uniform back office system which has affected the quality of historic data. Moving forward this will not, however, represent an issue and a more accurate picture of enforcement performance will be reported in subsequent years.</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	280
<p>No target set: Ongoing progress on reducing the backlog of outstanding historic enforcement cases continues to influence performance relating to the speed of resolution with the average time taken to take enforcement action increasing marginally from 272 days in 2015-16 to 280 days in 2016-17.</p> <p>The reported enforcement performance, however, has been influenced by reporting issues following the introduction of the replacement Uniform back office system which has affected the quality of historic data. Moving forward this will not, however, represent an issue and a more accurate picture of enforcement performance will be reported in subsequent years.</p>	

SECTION 6 – SUSTAINABLE DEVELOPMENT INDICATORS

The purpose of the Sustainable Development Indicators is to measure the contribution the planning system makes to sustainable development in Wales.

The Sustainable Development Indicators will be used to measure the progress against national planning sustainability objectives, set out in Planning Policy Wales, and can be used to demonstrate to our stakeholders the role and scope of the planning system in delivering wider objectives. The information will also be useful to local planning authorities to understand more about the outcomes of the planning system and help inform future decisions.

Authority's returns	<i>[How complete were your responses?]</i>
<ul style="list-style-type: none">• <i>[What are the reasons for missing data?]</i>• <i>[What actions are being taken to provide full returns?]</i>• <i>[When will complete data returns be provided?]</i>	

Indicator	SD1. The floorspace (square metres) granted and refused planning permission for new economic development on allocated employment sites during the year.
------------------	--

Granted (square metres)	
Authority's data	0

Refused (square metres)	
Authority's data	0

None

Indicator	SD2. Planning permission granted for renewable and low carbon energy development during the year.
------------------	--

Granted permission (number of applications)	
--	--

Authority's data	1
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Granted permission (MW energy generation)	
--	--

Authority's data	4
-------------------------	---

None

Indicator	SD3. The number of dwellings granted planning permission during the year.
------------------	--

Market housing (number of units)	
Authority's data	301

Affordable housing (number of units)	
Authority's data	156

The final figures still need to be agreed by the Swansea JHLAS Group

Indicator	SD4. Planning permission granted and refused for development in C1 and C2 floodplain areas during the year.
------------------	--

Number of residential units (and also hectares of non-residential units) that DID NOT meet all TAN 15 tests which were GRANTED permission	
Authority's data	0

Number of residential units (and also hectares of non-residential units) that did not meet all TAN 15 tests which were REFUSED permission on flood risk grounds	
Authority's data	0

Number of residential units (and also hectares of non-residential units) that MET all TAN 15 tests which were GRANTED permission	
Authority's data	0

None	
------	--

Indicator	SD5. The area of land (ha) granted planning permission for new development on previously developed land and greenfield land during the year.
------------------	---

Previously developed land (hectares)	
Authority's data	6

Greenfield land (hectares)	
Authority's data	1

None

Indicator	SD6. The area of public open space (ha) that would be lost and gained as a result of development granted planning permission during the quarter.
------------------	---

Open space lost (hectares)	
Authority's data	1

Open space gained (hectares)	
Authority's data	0

None

Indicator	SD7. The total financial contributions (£) agreed from new development granted planning permission during the quarter for the provision of community infrastructure.
------------------	---

Gained via Section 106 agreements (£)	
Authority's data	0

Gained via Community Infrastructure Levy (£)	
Authority's data	0

None

ANNEX B

1. Planning Application: 2014/1906

Location: 31 Hebron Road And Land Opposite 59-63 Hebron Road, Clydach, Swansea

Proposal: Change of use of public house (Class A3) to an 8 bed care home (Class C2), demolition of part of building at land opposite 59-63 Hebron Road and creation of separate car parking area to be used in association with the care home

Appeal Decision: Appeal Dismissed

Summary:

The main issues for consideration with this application were the impacts of the development on the character and appearance of the area, the impacts on the living conditions of neighbouring occupiers, the impacts on parking and highway safety, and the impacts on flooding. This application was reported to Committee with a recommendation of approval as it was considered that on balance, the scheme was appropriate in terms of its impacts on the character and appearance of the area, its impacts on residential amenity and its impacts on parking, highway safety and ecology. Furthermore, subject to conditions the development was considered to be acceptable in terms of the consequences of flooding at the site.

Committee did not accept the recommendation and refused the planning application 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.

An appeal was submitted against this refusal and was considered by way of a hearing. Prior to the hearing, Committee considered a further report in relation to reason 1 and resolved to withdraw the reason for refusal. The Inspector considered the main issues to be the effect of the proposal on highway safety with particular regard to parking provision and visibility; and whether the proposal represents an acceptable form of development having regard to its flood zone location and the provisions of national policy.

In reaching her decision, the Inspector considered that sufficient parking could be provided on land opposite 59-63 Hebron Road to serve the development which would reduce pressure on existing parking on nearby streets. However, it was considered that the visibility splay for vehicles leaving the site would be substandard and be detrimental to highway safety.

In terms of flood risk, the Inspector concluded that the development would result in the provision of a highly vulnerable development within a C2 zone. It has not been demonstrated that the potential consequences of a flooding event would be appropriately managed. As such the proposal would fail to accord with national policy in this regard.

The appeal was dismissed.

2. Planning Application: 2015/1498

Location: The Boat Yard, Adjacent To Fishmarket Quay, Trawler Road, Maritime Quarter, Swansea.

Proposal: Construction of a four / three storey block containing 50 residential apartments (Class C3) and 1 no. ground floor retail unit (Class A1) with associated undercroft car parking (outline - including details of access, appearance, layout and scale)

Appeal Decision: Appeal Allowed

Summary

The main issues for consideration related to whether the proposed development at this location, having regard to the prevailing Development Plan Policies, is an acceptable form of development in urban design terms, the impact upon the residential amenities of existing local residents, the impact upon future occupiers having regard to the existing noise environment generated by business operations within the Marina, and the traffic and highway implications of the development.

Committee did not accept the recommendation of approval and refused the planning application 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

In considering the appeal, the Inspector considered the main issues to be whether the proposed development would provide acceptable living conditions for future occupiers in terms of noise, odour and air pollution, with regard to its location in proximity to existing businesses and the effect of the proposed development on the operations of existing businesses.

The Inspector considered that there was no technical evidence to demonstrate that there would be an unacceptable noise impact from the development and conditions could be attached to any planning permission granted to ensure an adequate level of protection against noise for future residents. He further concluded that future residents would be unlikely to be unduly affected by odours from existing businesses.

In terms of the impact of the development on existing businesses in the area, the Inspector concluded that bearing in mind his conclusions on reasons 1, it follows that the proposed development would be unlikely to result in any material nuisance complaints from future occupiers which could in turn unduly impact on the operation of those businesses.

The appeal was allowed.

3. Planning Application: 2015/1529

Location: Lletyr Morfil Farm, Felindre, Swansea

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

Appeal Decision: Appeal Allowed

Summary

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 and the need for renewable energy.

This application was reported to Committee with a recommendation of approval as it was considered that on balance, the scheme was appropriate in terms of its scale and design and would not cause unacceptable loss of amenity to neighbouring properties or surrounding land. There would not be significantly adverse visual impact on landscapes, open spaces and the general locality from the site and there would be no significantly adverse or detrimental impact on the ecology, habitats or highway safety.

Committee did not accept the recommendation and refused the planning application for the following reason:

1. The cumulative effects of the proposed development, when viewed in relation to existing infrastructure and solar farms within the area, is considered to have a significant adverse visual impact on the countryside which is not outweighed by the need to provide renewable energy. The development is therefore contrary to Policies EV1, EV21 and R11 of the City and County of Swansea Unitary Development Plan (2008).

The Inspector considered that the main issues in this case are the visual impact of the proposed development, particularly its cumulative impact in relation to existing infrastructure and other solar farms in the area, and the renewable energy benefits of the scheme. He concluded that the proposed development would not have a significant effect on the visual amenity or character of the countryside, even when the cumulative effects are taken into account, and that it would bring useful renewable energy benefits. These benefits substantially outweigh any limited harm caused by the development.

The appeal was allowed.

4. Planning Application: 2016/0873

Location: 8 Alexandra Terrace, Brynmill, Swansea

Proposal: Change of use from residential (Class C3) to HMO for up to six people (Class C4)

Appeal Decision: Appeal Allowed

Summary

The main issues for consideration during the determination of this application related to the principle of this form of use at this location and the resultant impact of the use upon the residential amenities of the area and highway safety. It was considered that there was no evidence to suggest that the use of this property as a HMO would result in a harmful concentration of HMOs within this area. Furthermore the proposal would not have a harmful impact upon the visual amenities of the area, the residential amenities of neighbouring properties and highway safety. The application was recommended for approval.

Committee did not accept this recommendation and refused the application for the following reason:

1. The proposal, in combination with existing Houses in Multiple Occupation (HMOs) within Alexandra Terrace will result in a harmful concentration and intensification of HMOs in the street and wider area. This cumulative impact will result in damage to the character of the area and social cohesion with higher levels of transient residents and fewer long term households and established families. Such impact will lead in the long term to communities which are not balanced and self-sustaining. As a result the proposal is contrary to Policy HC5 criterion (ii) of the Swansea Unitary

Development Plan (2008) and the National Policy aims set out in Planning Policy Wales (Edition 8 January 2016) of creating sustainable and inclusive mixed communities.

2. Insufficient information has been provided to demonstrate that additional off-street car parking provision can be provided within the site curtilage to serve the use of the property as a HMO. Accordingly the proposal, for up to 6 residents, would increase the demand for on-street parking in an already congested area and as such would be detrimental to the existing residents / car owners and the free flow of traffic, contrary to the requirements of Policy HC5 criterion (iv) and Policy AS6 of the Swansea Unitary Development Plan (2008).

The Inspector acknowledged the transient nature of multiple occupancy dwellings and noted the evidence submitted in relation to age and economic profiles and household tenure. However, she considered that there was no detailed evidence before her to demonstrate that the resulting property would be occupied by students or that its change of use would materially alter existing social structures and patterns. Notwithstanding this, she considered that the proposed use clearly served to meet a particular housing need and the surrounding area offers a broad mix of uses. For these reasons it was not considered that the appeal proposal would run counter to the objectives of securing a sustainable mixed use community.

In terms of highway safety, the Inspector considered that the area is well served by facilities and services and incorporates good access to public transport links. She also noted that 8 Alexandra Terrace was originally a six bedroom family home and would have had similar parking demands. Moreover, the Council operates a residential permit zone in the area which could be utilised to minimise such problems for those residents that are reliant on the use of a private car.

The Inspector found nothing of substance to indicate that planning permission should be withheld in this case and the appeal was allowed.

5. Planning Application: 2016/1268

Location: Former Century Works, Frederick Place, Llansamlet

Proposal: Retention and completion of side extension and alterations to roof

Appeal Decision: Appeal Allowed

The main issues for consideration with this application were the impact of the proposal on visual and residential amenity, noise pollution and highway safety. This application was reported to Committee with a recommendation of approval as it was considered that the scheme was appropriate in terms of its scale and design and would not cause unacceptable loss of amenity to neighbouring properties, there would not be a significant adverse visual impact or a detrimental impact on highway safety.

Committee did not accept the recommendation and refused the planning application for the following reasons:

1. The proposal, by virtue of its scale, massing and design in close proximity to the rear of properties on Peniel Green Road would have a significant detrimental impact on the residential amenity of the occupiers of the those properties. The proposal is therefore contrary to Policies EV1 and EC3 of the Adopted City and County of Swansea Unitary Development Plan (2008).

2 The proposal, by virtue of its scale and design would have a detrimental impact on the character of the host building and the surrounding area, to the detriment of the visual amenities of the area. The proposal is therefore contrary to Policies EV1 and EC3 of the Adopted City and County of Swansea Unitary Development Plan (2008).

In reaching his decision, the Inspector concluded that the distances between the development and nearby residential buildings was sufficient to avoid significant overbearing impacts and conditions could be attached to the planning permission to mitigate any potential harm. Furthermore, the Inspector considered that the design of the extension reflected the form of older structures on the appeal site and the architectural styles of the immediate locality, representing an improvement as a whole.

The appeal was allowed.

6. Planning Application: 2016/1316

Location: 105 Rhyddings Terrace, Brynmill, Swansea

Proposal: Retention of change of use from a 4 bedroom dwelling (Class C3) to a 5 bedroom HMO Use (Class C4) and alterations carried out to bay window and first floor windows in front elevation.

Appeal Decision: Appeal Allowed

Summary

The main issues for consideration during the determination of this application relate to the principle of this form of use at this location and the resultant impact of the use and the development upon the visual amenities of the area, the residential amenities of the neighbouring properties and highway safety.

It was considered that there was no evidence to suggest that the use of this property as HMO would result in a harmful concentration of HMOs within this area. Furthermore the proposal would have an acceptable impact upon the visual amenities of the area, the residential amenities of neighbouring properties and highway safety. Accordingly the application was recommended for approval.

Committee did not accept the recommendation and refused the planning application for the following reasons:

1. The proposal, in combination with existing Houses in Multiple Occupation (HMOs) within Rhyddings Terrace will result in a harmful concentration and intensification of

HMOs in the street and wider area. This cumulative impact will result in damage to the character of the area and social cohesion with higher levels of transient residents and fewer long term households and established families. Such impact will lead in the long term to communities which are not balanced and self-sustaining. As a result the proposal is contrary to Policy HC5 criterion (ii) of the Swansea Unitary Development Plan (2008) and the National Policy aims set out in Planning Policy Wales (Edition 8 January 2016) of creating sustainable and inclusive mixed communities.

The Inspector concluded that there was limited evidence before him to indicate that the appeal development, specifically, has a significant or detrimental effect on the sustainability of the local community. He further concluded that there was little evidence before him to demonstrate that the use of the property as an HMO, rather than a C3 dwelling, would in itself result in levels of noise, disturbance or antisocial behaviour that would harm the living conditions of those living nearby. He found that the development did not unacceptably harm the character and appearance of the property or immediate area and that the appeal development would contribute to meeting the housing needs of the city.

The appeal was allowed.

**S106 COMPLETIONS REPORT
SEPTEMBER 2017**

Sites Completed in 2015-16 JHLAS Study (April 1st 2015-March 31st 2016)

Site name	Planning application ref	Total dwellings	Total contribution	Beneficiaries	Conditions	Monies paid	Date paid
South of Loughor Road (Kingsbridge Fields), Corseinion Page 138	2012/0044	111	£60,000	HIGHWAYS	£30k + Indexation on Commencement	£30K	23/09/13
						£628.00 indexation	10/12/13
					£30K on Occupation of 30th Unit +Indexation	£30K	06/01/15
						£930.00 indexation	03/08/14

Sites Completed in 2016-17 JHLAS Study (April 1st 2016-March 31st 2017)

Site name	Planning application ref	Total dwellings	Total contribution	Beneficiaries	Conditions	Monies paid	Date paid
LAND SOUTH OF FORMER CAE DUKE COLLIERY, DOUGHOR Page 139	2013/0261	106	£91,832	EDUCATION	£45,916 +indexation on commencement of construction of first market unit	£45,916	15/02/15
					£45,916 +indexation on occupation of 25th market unit. Indexation	£45,916	14/12/15
			£73,882	HIGHWAYS	contribution + indexation prior to commencement	£73,882	09/09/14
						£1,830 indexation	18/01/16
COPPER QUARTER, THE RIVERBANK, PENTRECHWYTH	2016/0326	563	£135,000	EDUCATION	£135k within 14 days of the implementation date	£135,000	31/05/07