



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, 1 October 2019

Time: 2.00 pm

Chair: Councillor Paul Lloyd

Membership:

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

Agenda

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Huw Evans
Head of Democratic Services
Tuesday, 24 September 2019

Contact: Democratic Services - 636923

Agenda Item 3



City and County of Swansea

Minutes of the **Planning Committee**

Council Chamber - Guildhall, Swansea

Tuesday, 3 September 2019 at 2.00 pm

Present: Councillor P Lloyd (Chair) Presided

Councillor(s)

C Anderson
L S Gibbard
R D Lewis
T M White

Councillor(s)

P M Black
S M Jones
P B Smith
L J Tyler-Lloyd

Councillor(s)

W Evans
M B Lewis
D W W Thomas

Officer(s)

Gareth Borsden
Matthew Bowyer
Ian Davies
Sally-Ann Evans
Tom Evans
Dave Owen
Amanda Pugh
Ryan Thomas

Democratic Services Officer
Principal Telematics Engineer
Area Team Leader
Senior Lawyer
Principal Planning Officer (Policy)
Principal Planning Officer
Senior Engineer
Planning Control Manager

Apologies for Absence

None

19 Disclosures of Personal and Prejudicial Interests.

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

Councillors C Anderson, M B Lewis, P Lloyd & T M White – Personal – Item 4(2019/0069/FUL) – Members of the Port Health Authority.

20 Minutes.

Resolved that the Minutes of the Planning Committee held on 6 August 2019 be approved and signed as a correct record.

21 Items for Deferral/Withdrawal.

None.

22 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.

Resolved that

- (1) the undermentioned planning applications **Be Approved** subject to the conditions in the report:

(Item 1) – Planning Application – 2019/1557/FUL - Conversion of dwelling into 2 flats with external alterations at 90 Eaton Road, Brynhyfryd, Swansea

A visual presentation was provided.

Noel West (objector) addressed the Committee.

(Item 2) – Planning Application – 2019/1138/FUL - Construction of new 2.5 form entry Welsh medium primary school incorporating Flying Start facility including playing fields, MUGA, car parking/drop-off facilities, and alterations to the existing traffic arrangements and circulation at the wider Ysgol Gyfun Gymraeg Bryn Tawe School and Community Leisure site, Penlan, Swansea at Land Adjacent To Ysgol Gyfun Gymraeg Bryn Tawe, Heol Gwyrosydd, Penlan, Swansea

A visual presentation was provided.

(Item 3) – Planning Application – 2019/1635/FUL - Change of use from A1 (retail) to motor vehicles sales (Sui Generis) with associated external alterations and modification of Section 106 relating to planning permission 92/0865 dated 12th January 1993 to allow for the sale of motor vehicles and ancillary goods at Unit 23 Samlet Road, Swansea Enterprise Park, Swansea

A visual presentation was provided.

Approved subject to the modification and/or discharge of the legal agreement attached to planning permission 92/0865 to allow for motor vehicle sales.

(Item 4) – Planning Application – 2019/0069/FUL - Retention and completion of detached building for aquaculture uses with associated portacabin and enclosure to house generator at Plot On, Queens Dock, Swansea

A visual presentation was provided.

(Item 5) – Planning Application – 2019/1543/S73 - Residential development comprising 91 units in 1 no. freestanding 4 storey block with Class A3 (food and drink) unit at ground floor and 1 no. part 5 storey, part 6 storey, part 7 storey, part 8 storey, part 9 storey, part 11 storey block, with basement car parking, landscaping and infrastructure requirements - Section 73 application to vary condition 1 of planning permission 2006/0499 granted 10th September 2006 in relation to the construction of an additional basement (2 levels), revised parking layout and provision of battery storage units (including access area) at Plot B3 Riverside Wharf, Swansea Waterfront, Swansea

A visual presentation was provided.

23 Draft Supplementary Planning Guidance: Houses in Multiple Occupation and Purpose Built Student Accommodation.

The Head of Planning & City Regeneration presented a report which sought to provide Members with an overview of draft Supplementary Planning Guidance (SPG) relating to Houses in Multiple Occupation (HMO) and Purpose Built Student Accommodation (PBSA), and sought authorisation to undertake public consultation on the draft document.

The background overview, planning context, summary of the main proposals for changes to SPG for both HMOs and PBSA, the consultation process and the next steps to be taken were all outlined in detail to Committee.

Councillor C E Lloyd (St Thomas Ward Member) spoke in support of the proposals.

Resolved that the SPG as outlined at Appendix A to the report be approved for the purpose of consultation.

24 Planning Application Ref: 2018/1014/FUL - Construction of 20 no. detached dwellings, garages and associated access and landscaping works and demolition of 188 St. Teilo Street, Pontarddulais.

The Head of Planning & City Regeneration presented a report which sought authorisation to amend the proposed requirements of section 106 agreement of the town and country planning act 1990 (as amended) to remove the affordable housing contribution.

The background issues and history relating to the application were outlined and detailed, in particular the discussions with the applicant and subsequent viability appraisal submitted since the application was considered by Committee in March 2019 which indicates that the inclusion of the affordable housing would be excessive for the site.

Officers having considered the viability appraisal and taking into account all the circumstances of the case agree that the requirement to provide affordable housing should be removed from the proposed legal agreement.

Resolved that the planning application be approved subject to the

conditions outlined in the previous report and either:

- the applicant entering into a S106 agreement (planning obligation) to provide the combined Highways and Education contributions of £124,776 only in the following timescales:
 - Sale of 6th unit - £45,000
 - Sale of 12th Unit - £45,000
 - Sale of 18th unit - £34,776; or
- the applicant submitting an Unilateral Undertaking to secure these contributions.

The meeting ended at 3.20 pm

Chair

Agenda Item 5

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: 1st Octobe 2019

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 Llangyfelach Llansamlet Mawr Morryston 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, Members 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 page 83 of Part 3 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	2019/1617/FUL	141 Western Street, Sandfields, Swansea, SA1 3JY Change of use from 3 bedroom residential (Class C3) to 4 bedroom HMO (Class C4)	Approve
2	2019/1683/FUL	18 Parc Wern Road, Sketty, Swansea, SA2 0SE Change of use from residential (Class C3) to a 6 person 6 bed HMO (Class C4)	Approve
3	2019/1729/RES	Land South Of Glebe Road, Loughor, Swansea, SA4 6SR Reserved Matters - details of the appearance - pursuant to Outline Planning Permission 2013/0617 granted 30th October 2017- Residential development comprising of up to 92 dwellings with associated access, drainage and public open space	Approve

Item 1 (Cont'd)

Application Number:

2019/1617/FUL

LDP - H9 - Housing in Multiple Occupation

Housing in Multiple Occupation - Proposals for the conversion of a dwelling or non-residential property to a House in Multiple Occupation (HMO) will only be permitted where they comply with relevant policy principles.

LDP - T6 - Parking

Parking - proposals must be served by appropriate parking provision, in accordance with maximum parking standards, and consider the requirements for cycles, cars, motorcycles and service vehicles. In those instances where adequate parking cannot be provided on site, or is judged not to be appropriate, the developer will be required to provide a financial contribution towards alternative transport measures where appropriate. The provision of secure cycle parking and associated facilities will be sought in all major development schemes.

Proposals on existing car parks that would reduce parking provision will not be permitted where the loss of the parking facility would result in outcomes specified in the policy.

Site History

App Number	Proposal	Status	Decision Date
2019/1617/FUL	Change of use from 3 bedroom residential (Class C3) to 4 bedroom HMO (Class C4)	PDE	

Procedural Matter

This application is reported to Planning Committee for decision as it is of strategic importance when considering the application of new policy within the Local Development Plan.

Description

Full planning permission is sought for the change of use of a residential dwelling (Class C3) to a 4 bedroom HMO at (Class C4) at 141 Western Street, Swansea.

Plans indicate that the existing 3 bedroom property will be reconfigured through some internal changes to the ground floor only. The existing first floor will remain unchanged and provides 3 bedrooms and a bathroom. There is also an additional attic room providing further shared amenity space/store. During the course of the application, the ground floor plan has been amended to remove the fifth bedroom and retain a shared living room and provide a bedroom to the rear, a separate kitchen and dining room. No external alterations are proposed. Refuse and cycle storage will be provided within the rear courtyard garden area.

Assessment of the immediate area

The character of this area is typically residential in nature with predominantly terraced streets interspersed with some local business uses. The area is also popular for HMO accommodation given the proximity to local education facilities and the City Centre and is located outside of the HMO Management Area.

Item 1 (Cont'd)

Application Number:

2019/1617/FUL

The application property is a terraced house that fronts onto Western Street. There are no off street parking spaces and the nature of the area is, in the main, on-street parking. The application site is within walking distance of the City Centre, with easy access to the central bus station and the train station.

Planning History

There is no recent planning history in relation to this terraced property.

Policy Issues

The Swansea Local Development Plan ('LDP') was adopted 28th February 2019, the policies contained within this will therefore be used in the determination of this application. In the case of this particular proposal, the LDP contains a specific policy relating to HMO applications - H9. It is significant that this policy has been substantively re-cast from the version that was originally drafted in the Deposit Plan and subsequently adopted. This re-write of the policy followed receipt of the Ministers of the Welsh Government (through the Cabinet Secretary for Energy, Planning and Rural Affairs) letter, sent to all Local Authorities in Wales in February 2018. The Ministerial correspondence emphasised that LPAs need to 'Put in place robust local evidenced based policies in their LDP against which planning applications for HMOs can be assessed', and that 'LPAs must not delegate the criteria for decisions on planning applications to SPG'. The LDP Examination Inspectors clearly articulated to the Council, that, in order to reflect the requirements set out by the Welsh Ministers, it was necessary for Policy H 9 of the Deposit LDP to be amended such that it includes a more prescriptive definition of what constitutes 'harmful concentration/intensification', including defining the actual HMO threshold limits within the policy. The policy was amended on that basis and significant additional detail was included with it, setting out the basis upon which such applications are proposed to be considered over the Plan period. The policy has been informed by a detailed evidence review, including a comprehensive programme of stakeholder engagement, undertaken by consultants on behalf of the Council. Having regard to the evidence review and the specific circumstances that apply for Swansea, the adopted Policy H 9 states:

Proposals for the conversion of a dwelling or non-residential property to a House in Multiple Occupation (HMO) will only be permitted where:

- I. Within the HMO Management Area, it would not lead to more than 25% of all residential properties within a 50m radius of the proposal being HMOs;
- II. outside of the HMO Management Area, it would not lead to more than 10% of all residential properties within a 50m radius of the proposal being HMOs;
- III. the development would not result in a Class C3 dwelling being 'sandwiched' between adjoining HMO properties;
- IV. the property is suited for use as a HMO, and will provide satisfactory private amenity space, dedicated areas for refuse storage and appropriate room sizes; and
- V. there would be no unacceptable adverse impacts caused by noise nuisance and general disturbance.

Item 1 (Cont'd)

Application Number:

2019/1617/FUL

HMO proposals within small streets that do not breach the 50m radius maximum threshold will not be supported if the proposal would create a disproportionate over concentration of HMOs within that street.

HMO proposals that would lead to a breach of the maximum thresholds will only be permitted where there are exceptional circumstances or overriding material considerations that demonstrably outweigh any concerns regarding harmful concentration or intensification.

Responses to Consultations

The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) by neighbour notification letters sent to nos. 140, 142 and 146 Western Street on 8th August 2019. A site notice was also posted within the vicinity of the application site on 8th August 2019. No public responses were received as part of the consultation process.

HMO Licensing Team - The property comes under the Housing Act 2004 additional HMO licensing requirements. The owner would require a HMO licence.

Analysis and Recommendation

Key Issues

In view of the above mentioned policy context the key issues to consider in this planning application relate to the principle of the use of the dwellinghouse as a HMO, impact upon the residential amenities of neighbouring occupiers and future occupiers along with parking and highway safety impacts.

Principle of Use

The application property is a terraced, two storey dwelling (with a further room within the roof space), in a densely populated urban area on the fringe of the City Centre, and within easy walking distance of the facilities available in the City Centre. In terms of the principle of use, reference must be made to Policy H 9 of the Local Development Plan and specifically the radius approach contained within this Policy. The application property is located outside the HMO Management Area designated in the Plan and illustrated on the Proposals Map. Policy H 9 states that outside the HMO Management Area a limit of 10% of all residential properties within a 50m radius can be HMOs.

Within a 50m radius of the application property there are 36 residential units and according to records held it appears that 4 properties are existing HMOs (5 including the proposed HMO). On the basis of the above, if the proposed HMO was approved the concentration percentage would be 13.89% within the 50m radius and therefore would be above the 10% threshold. The proposal would therefore fail the harmful concentration /intensification test described in Policy H 9 of the LDP.

However, notwithstanding that the proposal would breach the 10% threshold, Policy H 9 further states:

Item 1 (Cont'd)

Application Number:

2019/1617/FUL

HMO proposals that would lead to a breach of the maximum thresholds will only be permitted where there are exceptional circumstances or overriding material considerations that demonstrably outweigh any concerns regarding harmful concentration or intensification.

Consideration of this aspect of the Policy will rely upon the facts of a specific case and the impacts of the proposal. In this instance whilst it is clearly recognised that there will be a breach of threshold test it is also apparent that the proposal results in the removal of a 'sandwiching' impact. Here the evidence available to the local planning authority demonstrates that No 142 was granted planning permission for a 4 bedroom HMO (Ref:2018/0391/FUL) and is currently used as a HMO (on the HMO public register) whilst No 140 Western Street was granted planning permission for a 4 bedroom HMO on 28th February 2017 (Ref:2016/3350). No. 140 Western Street is not currently on the HMO register, however, the planning permission remains valid and could be implemented at any point up until February 2022.

In support of the proposed change of use to a HMO, the applicant has submitted a statement:

Applicant Supporting Statement:

'I currently live in the property and since the students moved in next door, there have been a lot of late night disturbances, not enough to involve the police but enough to disrupt normal life.

My cousin lived in the property for a short time previously. He works as a personal trainer meaning that he would need to be up early for work, and due to being frequently disrupted late at night decided to move out.

Now that the property the other side of us has also become a HMO, I can only imagine the situation will get worse. For this reason I have decided to try and make our home a HMO and move out as I don't believe a family would want to buy the house and live here or rent it. The property is a terraced house and is sandwiched between two HMOs.'

Officer comment - From discussions with the applicant, this is the long standing family home. The property has not been marketed for sale as the family do not want to sell, but due to noise and disturbance which will be exacerbated when the property next door becomes occupied as a HMO, no member of the family wants to continue living there on a permanent basis

It should be recognised by members that the original inclusion of the 'sandwiching' element of the Policy was included in the Local Development Plan following particular concerns raised during engagement on the previously drafted SPG. The Local Planning Authority recognised that considering the amenity of 'sandwiched' residents was to be a key factor in decision making. In the interests of fairness and consistency it would therefore naturally follow that those properties that are 'trapped' should be allowed to be 'released' thus avoiding future sandwiching from occurring.

On balance of the above issues it is considered here that the circumstances represent an overriding material consideration that demonstrably outweigh concerns regarding harmful concentration or intensification. The basis of this is that if the application is not approved any future residents of the application property will likely have long term negative amenity impacts being sandwiched between two HMOs.

Item 1 (Cont'd)

Application Number:

2019/1617/FUL

This property is already sandwiched between adjoining HMO properties contrary to what criterion iii. of Policy H 9 seeks to avoid and thus the application results in removal of the impact. On this basis the principle of the HMO is considered to be acceptable.

There are further criteria set out in Policy H9 that need to be satisfied for the application to be considered acceptable, the property needs to be suitable for conversion, provide satisfactory amenity space, dedicated areas for refuse storage and appropriate room sizes. Consideration of these impacts is given in the below paragraph.

Residential Amenity

The existing property comprises a two storey dwelling (with a further room within the roof space) which currently has three bedrooms and a bathroom at first floor and one large living room, a dining room and a kitchen to the ground floor.

The proposed first floor retains the three bedrooms and a bathroom. A separate lounge/living room, one bedroom, kitchen and dining room is proposed to the ground floor, to facilitate the change of use into a 4 bedroom HMO. There is private amenity space to the rear, which can accommodate cycle storage and bin storage.

Good planning and design extends to the living conditions of the future residents of the property, regard can therefore be made to the 'Places to Live Residential Design Guide'. Whilst this document provides guidance in relation to large scale housing development it does provide key principles in relation to privacy and amenity and states in relation to the design of rooms, at page 61, that "*homes should have a convenient layout for everyday living with adequate storage and space to move about*". A site visit inside the property has been carried out to assess the level of accommodation provided.

In this proposal, the proposed bedrooms are of adequate size and a separate living room, kitchen and dining room is to be retained. There is a further attic room, which is also available for informal use/storage. There is room in the external rear courtyard to accommodate bin and cycle storage. (The applicant would need to apply for a HMO licence, which is covered under separate legislation).

On this basis, it is considered that acceptable living conditions can be provided for 4 residents accordance with the aims of policies PS1, PS2 and H9 of the Swansea Local Development Plan and the advice contained within the Place to Live Residential Design Guide.

Regard needs to be given to the fact that a small family could occupy the property as a single residential dwelling, which is currently the existing situation. From visiting the property, it is considered that the use of the property as a 4 bedroom HMO would not result in an unacceptable intensification of the use of the building over and above the current residential use.

Parking and Highway Safety

The applicant has indicated a small dedicated area for cycle storage within the rear garden area.

Item 1 (Cont'd)

Application Number:

2019/1617/FUL

The Authority's Parking Standards SPG requires that HMO properties have 3 car parking spaces for up to 6 sharing. The SPG was produced at a time when planning permission was not required for a HMO for up to 6 sharing and it was accepted that the level of use and highway considerations would be akin to that of a C3 dwellinghouse. In terms of the SPG the proposed 4 bedroom HMO would generate a requirement for 3 onsite parking spaces.

The SPG provides worked examples of use of the standards (page 9), however, this does not include reference to HMO proposals other than reference to a conversion of a dwelling into 3 separate flats. In that particular example where the number of parking spaces cannot be provided on site it suggests that 'if possible' spaces should be provided at the rear of the premises and that if the site is too small to provide parking and kerbside parking pressure is not evident then an allowance of on-street parking immediately outside the property may be possible. It also refers to local circumstances dictating the approach to be taken. Whilst having regard to the general advice in relation to conversions into flats the Local Planning Authority must assess the application on the basis of the potential impacts arising from the proposal and whether this would harm highway safety in the area.

The proposal will therefore not impact the availability of parking spaces onsite compared to previously existing conditions. On this basis, along with the fact that the site lies within walking distance of a range of facilities within the City Centre with a frequent bus route, and access to the train station, and provision will be made on site for cycle storage to support sustainability, it is not considered that the application will result in any adverse effects on local car parking and highway safety, that can be demonstrated as so harmful to warrant a recommendation of refusal.

In view of the above, the proposal is not considered to have any greater impact on highway safety or parking over and above the existing extant use of the property as a residential dwelling, and is therefore in compliance with the provisions of Policies PS 2, H 9 and T 6 of the Swansea Local Development Plan and advice contained within the Parking Standards SPG.

Conclusions

In conclusion, it is considered that whilst this particular proposal results in a breach of the threshold set out in Policy H 9 (13.89% within the 50m radius and therefore above the 10% threshold) it will result in removal of a sandwiching impact and potential future amenity impact and thus given the evidence before the LPA including that provided by the applicant is considered to represent an overriding material consideration that demonstrably outweighs concerns regarding harmful concentration or intensification which would be breached by 3.89%. The HMO is considered to be acceptable on other material planning grounds and complies with the principles of policies PS2, H 9 and T6 of the Swansea Local Development Plan.

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 decision, 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.

Item 1 (Cont'd)

Application Number:

2019/1617/FUL

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:
Existing and Proposed Floor Plans (Amended) Received on 30th August 2019, Site Location Plan and Block Plan Received on 12 July 2019.
Reason: For the avoidance of doubt and to ensure compliance with the approved plans.
- 3 The use of the property as a HMO shall be limited to a maximum of 4 persons at any one time occupying the property in accordance with the internal layout indicated on the approved floor plans received 30th August 2019.
Reason: In order to restrict the use of the property to that applied for, in order to safeguard the amenities of neighbouring occupiers and the amenities of future occupiers of the HMO and to provide for suitable levels of internal space to serve the occupiers.
- 4 Notwithstanding the submitted details, prior to the first occupation of the development hereby approved, details of facilities for the secure and undercover storage of a minimum of four bicycles and refuse storage shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the beneficial use of the development and shall thereafter be retained and not used for any other purpose.
Reason: In the interests of sustainability and to encourage alternative forms of transport and to safeguard the visual amenity of the locality and the residential amenities of future occupiers.
- 5 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking or re-enacting that order with or without modification), no extensions shall be erected to the property without the benefit of planning permission.
Reason: In order to restrict the use of the property in order to safeguard the amenities of neighbouring occupiers and the amenities of future occupiers of the HMO to provide for suitable levels of internal space to serve the occupiers

Informatives

- 1 The development plan covering the City and County of Swansea is the Swansea Local Development Plan. The following policies were relevant to the consideration of the application: PS1, PS2, H9 and T6.
- 2 PLANS
Existing and Proposed Floor Plans (Amended) Received on 30th August 2019, Site Location Plan and Block Plan Received on 12 July 2019.

Item 2

Application Number:

2019/1683/FUL

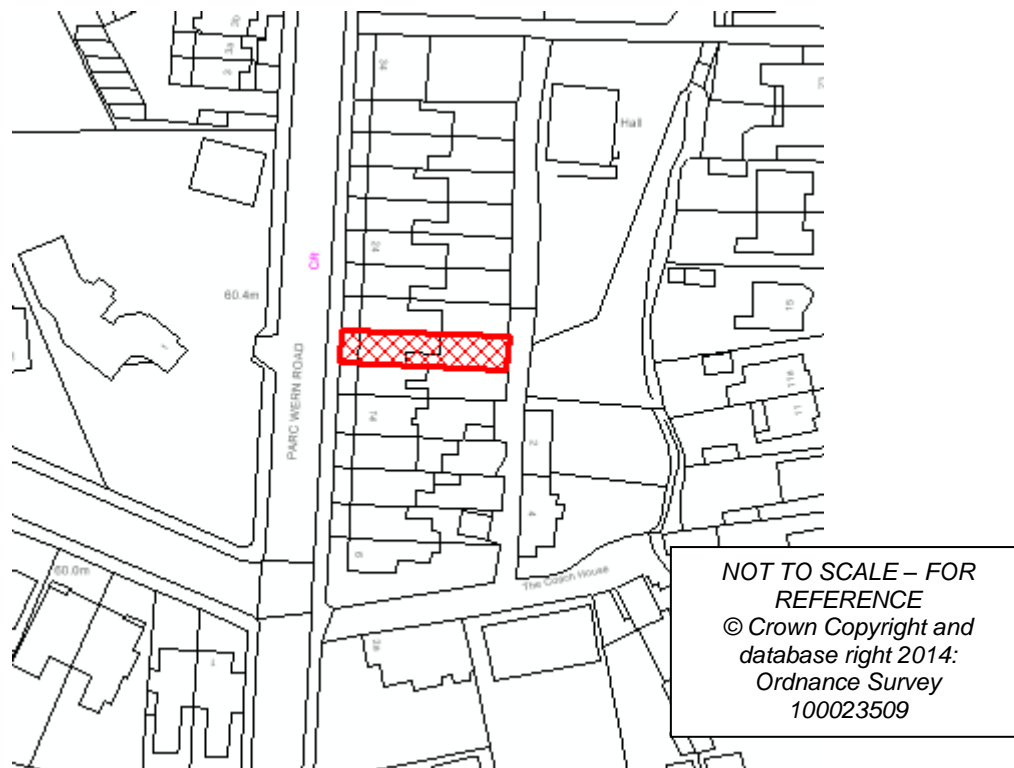
Ward:

Uplands - Bay Area

Location: 18 Parc Wern Road, Sketty, Swansea, SA2 0SE

Proposal: Change of use from residential (Class C3) to a 6 person 6 bed HMO (Class C4)

Applicant: Mr Richard Ramage



Background Information

Policies

LDP - PS2 - Placemaking and Place Management

Placemaking and Place Management - development should enhance the quality of places and spaces and should accord with relevant placemaking principles.

LDP - H9 - Housing in Multiple Occupation

Housing in Multiple Occupation - Proposals for the conversion of a dwelling or non-residential property to a House in Multiple Occupation (HMO) will only be permitted where they comply with relevant policy principles.

Item 2 (Cont'd)

Application Number:

2019/1683/FUL

LDP - T6 - Parking

Parking - proposals must be served by appropriate parking provision, in accordance with maximum parking standards, and consider the requirements for cycles, cars, motorcycles and service vehicles. In those instances where adequate parking cannot be provided on site, or is judged not to be appropriate, the developer will be required to provide a financial contribution towards alternative transport measures where appropriate. The provision of secure cycle parking and associated facilities will be sought in all major development schemes.

Proposals on existing car parks that would reduce parking provision will not be permitted where the loss of the parking facility would result in outcomes specified in the policy.

Site History

App Number	Proposal	Status	Decision Date
2019/1683/FUL	Change of use from residential (Class C3) to a 6 person 6 bed HMO (Class C4)	PDE	

Procedural Matter

This application is reported to Planning Committee for decision as it has been called in for determination by Councillor Irene Mann and has met the threshold set out in the Council's constitution.

Description

Full planning permission is sought for the change of use of a residential dwelling (Class C3) to a HMO (Class C4) for 6 people at No.18 Parc Wern Road, Sketty.

Plans indicate that the existing property contains 4 bedrooms, including two in the roofspace, a lounge, dining room, kitchen, study and two bathrooms. The proposal will see the lounge and dining room converted to bedrooms and the first floor study converted to a lounge.

The site currently contains a mid-terraced split-level dwelling with a garage to the rear lower ground floor, accessed via the rear lane. No bike or bin storage is proposed.

Assessment of the immediate area

The property forms part of a long street comprised of a mixture of modestly sized and large detached, semi-detached and terraced dwellings, and a purpose built block of flats. The application property is a two storey mid-terraced dwelling with a two storey rear extension.

Planning History

There is no relevant planning history for the property.

Item 2 (Cont'd)

Application Number:

2019/1683/FUL

Policy Issues

The Swansea Local Development Plan ('LDP' 2010 - 2025) was adopted 28th February 2019, the policies contained within this will therefore be used in the determination of this application. In the case of this particular proposal, the LDP contains a specific policy relating to HMO applications - H9. It is significant that this policy has been substantively re-cast from the version that was originally drafted in the Deposit Plan and subsequently adopted. This re-write of the policy followed receipt of the Ministers of the Welsh Government (through the Cabinet Secretary for Energy, Planning and Rural Affairs) letter, sent to all Local Authorities in Wales in February 2018. The Ministerial correspondence emphasised that LPAs need to 'Put in place robust local evidenced based policies in their LDP against which planning applications for HMOs can be assessed', and that 'LPAs must not delegate the criteria for decisions on planning applications to SPG'. The LDP Examination Inspectors clearly articulated to the Council, that, in order to reflect the requirements set out by the Welsh Ministers, it was necessary for Policy H 9 of the Deposit LDP to be amended such that it includes a more prescriptive definition of what constitutes 'harmful concentration/intensification', including defining the actual HMO threshold limits within the policy. The policy was amended on that basis and significant additional detail was included with it, setting out the basis upon which such applications are proposed to be considered over the Plan period. The policy has been informed by a detailed evidence review, including a comprehensive programme of stakeholder engagement, undertaken by consultants on behalf of the Council. Having regard to the evidence review and the specific circumstances that apply for Swansea, the adopted Policy H 9 states:

Proposals for the conversion of a dwelling or non-residential property to a House in Multiple Occupation (HMO) will only be permitted where:

- I. Within the HMO Management Area, it would not lead to more than 25% of all residential properties within a 50m radius of the proposal being HMOs;
- II. outside of the HMO Management Area, it would not lead to more than 10% of all residential properties within a 50m radius of the proposal being HMOs;
- III. the development would not result in a Class C3 dwelling being 'sandwiched' between adjoining HMO properties;
- IV. the property is suited for use as a HMO, and will provide satisfactory private amenity space, dedicated areas for refuse storage and appropriate room sizes; and
- V. there would be no unacceptable adverse impacts caused by noise nuisance and general disturbance.

HMO proposals within small streets that do not breach the 50m radius maximum threshold will not be supported if the proposal would create a disproportionate over concentration of HMOs within that street.

HMO proposals that would lead to a breach of the maximum thresholds will only be permitted where there are exceptional circumstances or overriding material considerations that demonstrably outweigh any concerns regarding harmful concentration or intensification.

Item 2 (Cont'd)

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2019/1683/FUL

Responses to Consultations

The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) by neighbour notification letters sent to Nos.16 and 20 Parc Wern Road on 25th July 2019. A site notice was also posted within the vicinity of the application site on 25th July 2019.

7 letters of objection have been received, the contents of which are summarised below:

- Potential that the property would not be managed properly as the owner does not live local.
- Negative impact on social cohesion.
- Anti-social behaviour.
- Noise disturbance.
- Lack of parking.
- Rubbish and litter
- Approval would set a precedent

Two petitions of objection were received, both containing the same reasons, one containing 56 and the other containing 6 signatures. The wording of the petition is given below:

"We the undersigned object to the above planning application on the grounds that we believe that this application will lead to a loss of amenity to neighbouring residents, parking problems and an unwelcome increase in concentration of HMOs in the Uplands community. We also wish the Council to re explore the concept of a 5% cap in the area of Uplands ward outside the management zone which was rejected by all but 2 members of the planning committee on 4th July 2017. We iterate our concerns that policy H9 has just moved the HMO issue to other areas of the Uplands ward rather than solving it as promised."

HMO Licensing Team

As the proposal relates to a three storey HMO with six residents, the applicant, if successful, will need to apply for a Mandatory HMO licence.

Analysis and Recommendation

Key Issues

In view of the above mentioned policy context the key issues to consider in this planning application relate to the principle of the use of the dwellinghouse as a HMO, impact upon the residential amenities of neighbouring occupiers and future occupiers along with parking and highway safety impacts.

Principle of Use

The application property is a mid-terraced, two storey dwelling along Parc Wern Terrace which is situated in the local ward of Uplands.

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In terms of the principle of use, reference must be made to Policy H 9 of the Local Development Plan and specifically the radius approach contained within this Policy. Policy H 9 states that outside the HMO Management Area a limit of 10% of all residential properties within a 50m radius can be HMOs. Within a 50m radius of the application property there are no existing HMOs or extant planning permissions for HMO conversions. It is noted that it is possible for lawful HMO properties to be present if they were converted prior to February 2016 and may not appear either on the register or Authority planning records. However the Authority has received no information identifying unregistered HMOs and therefore has no evidence to suggest that all current lawful HMOs have not been included in the calculations.

If the proposed HMO was approved the concentration percentage would be 4.76%, within the maximum allowed limit. The proposal would therefore pass the harmful concentration/intensification test described in Policy H 9 of the LDP. There are further criteria set out in Policy H9 that need to be satisfied for the application to be considered acceptable, the property needs to be suitable for conversion, provide satisfactory amenity space, dedicated areas for refuse storage and appropriate room sizes. The proposal must also have no unacceptable adverse impacts caused by noise and general disturbance.

Visual Amenity

The application does not include any external changes and therefore it is not considered that the proposal would have any unacceptable impacts on the character of the local area.

Residential Amenity

The existing property comprises of 4 bedrooms and is split level presenting two storeys to the street and three storeys to the rear. The proposal will involve reconfiguration to allow for two additional bedrooms, increasing the total to 6 bedrooms albeit with a change in use from a dwellinghouse into a HMO.

Clearly the proposal will result in additional levels of activity in the property and the wider area, however, it cannot be regarded that this in itself would have a significant effect upon residential amenity of neighbouring occupiers. The property would no doubt attract additional visits to and from the premises being occupied by more people but it would be difficult to argue that this in itself would be harmful.

The proposal does not include any external alterations and therefore there is not considered to be any unacceptable impacts in regards to increased overbearing or overshadowing. In terms of overlooking it is noted that there is a terrace to the rear first floor level, however given that this is already in place this will not result in any increased harmful impacts.

In regard to the amenity of future occupants it is noted that the proposal would result in the removal of two internal amenity areas which are the dining room and lounge. However the proposal does include the conversion of the existing first floor study to a lounge and the retention of the kitchen area. It is noted that the attic room labelled 'bed 4' would have a smaller amount of useable area given the roof slope and is served by a roof light only, however of relevance here is that this is an existing bedroom and there are no alterations to the existing dimensions or situation.

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On balance therefore the proposed bedroom sizes are considered acceptable and the building as a whole would provide a suitable amount of shared amenity space for future occupants.

It is noted that there are no bin storage facilities provided, however there is suitable space to the rear of the garden. The provision of adequate bin storage facilities will therefore be required by condition.

Parking and Highway Safety

The Authority's Car Parking Standards advises that HMO's for up to 6 bedrooms have the same requirement for car parking spaces as C3 dwellinghouses. Individual dwellinghouses require for 1 space per bedroom up to a maximum of 3. The proposed HMO would therefore generate the same level of parking demand as the existing dwelling and there is no change proposed to the number of spaces on site. Furthermore the application site is in a fairly sustainable location in walking distance of both the Sketty and Uplands District Centre's and major bus routes.

The application does not include any provision for bike storage within the curtilage of the site. It is considered that proposals such as this should provide adequate, covered and secure bike storage facilities for individual occupants to encourage sustainable modes of transport. There is sufficient space to the rear garden to provide facilities and this will be secured by condition. Therefore the proposal is considered to have an acceptable impact on highway safety, subject to condition.

Other Planning Matters

Taking account of the scale and design of the proposed property it is not considered that the dwelling should be allowed to retain permitted development rights under Parts A, B or C. It is considered that future extensions to the property should be controlled to ensure that they do not result in undue harm to visual or residential amenities.

Response to Objectors

The objections in regard to social cohesion, anti-social behaviour, noise disturbance, neighbouring amenity and parking have been addressed above. In regard to increased rubbish and litter within the local area, there is no evidence here to suggest that occupants of the proposed HMO would cause a greater amount than that of other residents. Furthermore the application will be conditioned to provide adequate bin storage facilities. There is no evidence to suggest that the landlord will not properly manage the property and in any event this is not a material planning consideration. It is not considered that approval of this application would result in a precedent and any future HMO applications to neighbouring properties would need to comply with relevant LDP Policies including the percentage concentrations in Policy H9.

In regard to the petition request that the 10% concentration as set out in Policy H9 be reduced to 5%, this is not considered to be a material consideration in the determination of this application. The LDP is an up-to-date plan, being newly-adopted and having only relatively recently been subject to independent scrutiny via the LDP examination process and found to be soundly-based and consistent with national planning policy principles.

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It is evident to note that policy H 9 including the set threshold and the evidence base supporting it was the subject of detailed scrutiny, and that the policy was the subject of such refinement as was found necessary to ensure its soundness, as part of the examination process. In any event it is pointed out that that approval of this application would result in less than 5% concentration in the defined radius.

Conclusions

It can be concluded here that the proposal represents an acceptable form of development. The principle of providing a HMO in this location is acceptable, the proposed change of use will provide acceptable living conditions for the future occupiers and an acceptable impact on highway safety, subject to conditions. Therefore it is considered that the development is compliant with the requirements of Policies PS2, H9 and T6 of the Swansea Local Development Plan and advice provided within the Places to Live Residential Design Guide SPG (2014) and Parking Standards SPG (2012).

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 principles 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.
- 2 The development shall be carried out in accordance with the following approved plans and documents: Site location plan, block plan, proposed layout, garage existing/proposed, top floor existing and proposed received on 18th July 2019.
Reason: For the avoidance of doubt and to ensure compliance with the approved plans.
- 3 Details of facilities for the secure and undercover storage of six cycles and storage of refuse shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the beneficial use of the development and shall thereafter be retained for the approved use and not used for any other purpose.
Reason: In the interests of providing facilities for sustainable transport and general amenity.

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- 4 Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no extensions shall be erected to the property without the benefit of planning permission.
Reason: To protect the amenities of neighbouring properties and the visual amenity of the approved dwelling.

Informatives

- 1 The development plan covering the City and County of Swansea is the Swansea Local Development Plan. The following policies were relevant to the consideration of the application Policies PS2, H9 and T6
- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
-

Item 3

Application Number:

2019/1729/RES

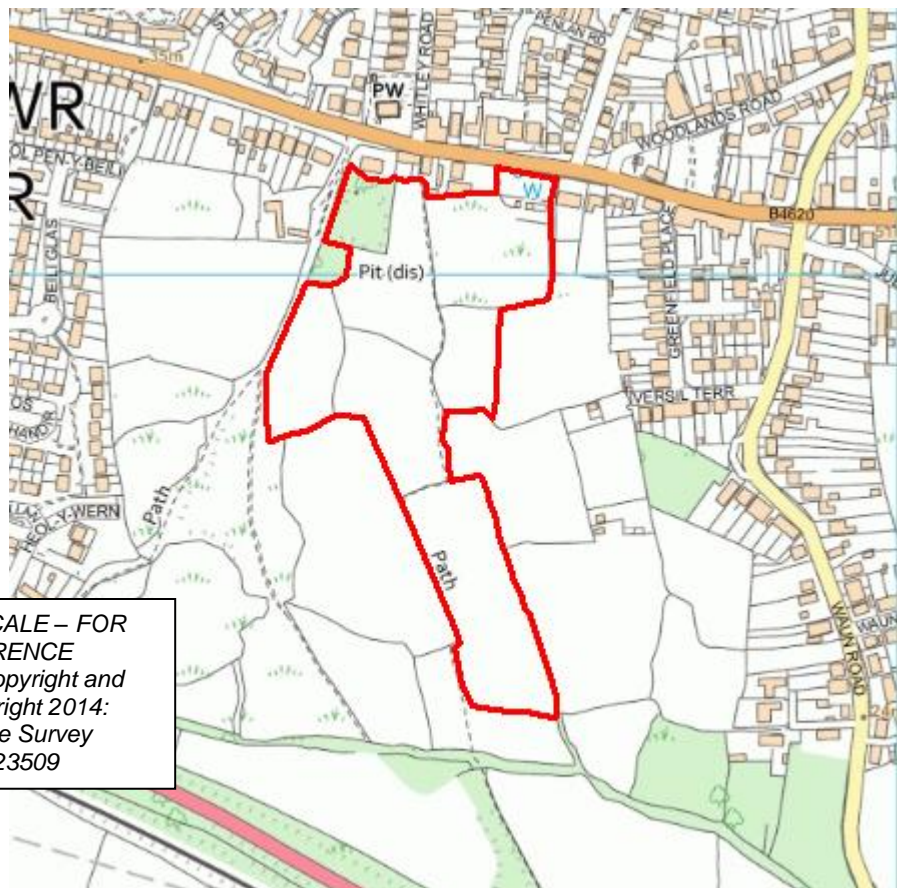
Ward:

Upper Loughor - Area 2

Location: Land South Of Glebe Road, Loughor, Swansea, SA4 6SR

Proposal: Reserved Matters - details of the appearance - pursuant to Outline Planning Permission 2013/0617 granted 30th October 2017- Residential development comprising of up to 92 dwellings with associated access, drainage and public open space

Applicant: Mr Cai Parry Barratt David Wilson Homes South Wales Ltd



Background Information

Policies

LDP - PS2 - Placemaking and Place Management

Placemaking and Place Management - development should enhance the quality of places and spaces and should accord with relevant placemaking principles.

Planning Committee – 1st October 2019

Item 3 (Cont'd)	Application Number:	2019/1729/RES	
Site History App Number	Proposal	Status	Decision Date
2017/0934/DOC	Discharge of condition 4 of Planning Permission 2015/1934 granted 13th November 2015	APP	20.06.2017
2017/0938/DOC	Discharge of condition 4 of Planning Permission 2015/1934 granted 13th November 2015	WDN	02.05.2017
2017/1002/FUL	Retention and completion of two storey side/rear extension with rear balcony and replacement side/rear conservatory	APP	20.09.2017
2018/0930/RES	Reserved Matters - details of the access - pursuant to outline planning permission 2013/0617 granted 30th October 2017 for Residential development comprising of up to 92 dwellings with associated access, drainage and public open space.	APP	05.09.2018
2018/1537/RES	Residential development comprising of up to 92 dwellings with associated access, drainage and public open space (Details of access, appearance, landscaping, layout and scale) pursuant to Planning Permission 2013/0617 granted 30th October 2017.	APP	06.12.2018
2018/1571/DOC	Discharge of conditions 5 (Japanese Knotweed), 11 (Construction Pollution Management Plan), 14 (Retention and Protection of Trees), 15 (tree protection) 19 (Maintenance of the Surface Water System), 24 (Levels) and 26 (Future Management and Maintenance of the Proposed Streets) of planning permission 2013/0617 granted 30th October 2017	APP	21.05.2019

Planning Committee – 1st October 2019

Item 3 (Cont'd)	Application Number:	2019/1729/RES
2018/2278/FUL	Incorporation of land into residential curtilage and retention and completion of single storey rear extension to form a plant room, removal of railings and increase in height of enclosure around existing rear balcony and addition of second floor window to West elevation and rear boundary wall	APP 28.12.2018
2018/2285/DOC	Discharge of condition 18 (drainage) of Planning Permission 2013/0617 granted 30th October 2018	APP 19.03.2019
2018/2599/DOC	Discharge of conditions 6 (land contamination) and 13 (intrusive investigation) of Planning Permission 2013/0617 granted 30th October 2017	APP 16.09.2019
2019/0173/FUL	Erection of electrical substation associated with residential development approved via reserved matters approval ref: 2018/1537/RES	APP 01.05.2019
2019/1173/NMA	Non-Material Amendment to Planning Permission 2018/1537/RES granted 6th December 2018 to use Ibstock Atlas Smooth Red bricks in lieu of the previously approved bricks	APP 21.06.2019
2019/1729/RES	Reserved Matters - details of the appearance - pursuant to Outline Planning Permission 2013/0617 granted 30th October 2017- Residential development comprising of up to 92 dwellings with associated access, drainage and public open space	PDE
2016/1644	Non-Material Amendment to Planning Permission 2015/1934 granted 13th November 2015 to square of the sun lounge and replace the roof with a pitched roof	APP 06.09.2016
2015/1934	Two storey side extension and rear conservatory	APP 13.11.2015

Planning Committee – 1st October 2019

Item 3 (Cont'd)	Application Number:		2019/1729/RES
2015/0088	Two storey side extension and single storey rear extension	REF	16.03.2015
2014/1506	Two storey side extension and single storey rear extension	REF	08.12.2014

RESPONSE TO CONSULTATIONS

The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) by neighbour notification letters sent to adjacent neighbours on 14th August 2019, and the application was advertised on site.

No responses have been received.

Placemaking and Heritage Officer Observations

The above Reserved Matters application seeks approval for the appearance of the dwellings on the approved residential development at this site. A previous Reserved Matters application was submitted and approved for 'Appearance' on this scheme under application ref: 2018/1537/RES.

This application seeks some minor amendments to this approved Reserved Matters application to change several of the roofs of the proposed house from gabled to hipped.

All of the proposed dwellings on the site are to be finished in red brick with matching slate coloured roofs and as such there is a strong sense of unity through the materiality of the dwellings as well as the inclusion of gable features to a number of these. The proposals to alter some of the house type roof forms from gabled to hipped is considered acceptable, to introduce some appropriate variety into the scheme and this approach would also reflect the variety found in the wider established area.

APPRAISAL

The application seeks approval for one of the 'reserved matters' (appearance) relating to Outline Planning Permission 2013/0617, granted on the 30th October 2017 for 92 dwellings.

The 'appearance' reserved matter has previously been approved under application 2018/1537/RES on 6th December 2018. This application seeks some minor amendments to this approved Reserved Matters application to change several of the roofs of the houses from gabled to hipped.

This reserved matters application is being reported to Committee for determination as it relates to a development of 92 dwellings.

The site is located centrally within the urban settlement of Loughor and will be accessed via one vehicle access point from Glebe Road. The northern site boundary backs onto houses and a petrol station, the western boundary is heavily wooded and runs along a public footpath, the eastern boundary abuts an area of open land and the southern boundary adjoins an area of green wedge.

Item 3 (Cont'd)

Application Number:

2019/1729/RES

The application site extends to five fields, four of which benefit from a land allocation for housing development, the fifth is not allocated and lies within the adjoining green wedge and will be used to provide an attenuation pond and wetland habitat for the development.

Moriah Chapel, the adjacent School building and the railings, are all Grade II listed with separate records (LB 479/479/480) and face Glebe Road directly opposite the site. They are constructed of local pennant stone with slate roofs and are largely unaltered and provide a heritage anchor to an area otherwise lacking in features of interest. Much of the significance of these buildings lies in the connection to Evan Roberts and the Welsh Revival in the early 1900's, and for this reason the Chapel attracts many visitors.

The 3.81 hectare site is irregular in shape and falls steadily downwards in a southerly direction providing vistas out from the site to the hillsides on the opposite side of the estuary. As the land slopes down from Loughor, it meets the railway line and A484 bypass at the bottom of the valley where the Afon Lliw River flows out to the Loughor Estuary to the west.

The patchwork of fields which make up the site is defined by well-established trees and hedgerows which are in themselves a significant constraint. A group Tree Preservation Order has been placed on a number of hedgerows and trees that cross the site.

A former mine shaft sits in the North West corner of the site and no development is intended within this area.

The site is allocated as a housing site under Policy H 1 (32) of the Swansea Local Development Plan 2019 (LDP).

Main Issues

The main issue for consideration with regard to this application relate to the acceptability of the proposed changes to the appearance of the dwelling houses with regard to the visual amenity of the area having regard to the provisions of Policy PS 2 of the Local Development Plan 2019 and the Council's Places to Live: Residential Design Guide. There are no overriding issues for considerations under the provisions of the Human Rights Act.

Visual Amenity

A reserved matters application (2018/1537/RES) was approved on the 6th December 2018 for the 92 dwellings to be constructed on the site.

This application seeks to change several of the previously approved houses so that they feature a hipped roof instead of a gabled roof. This change relates to 52 of the dwellings. Some other very minor amendments are also sought which relate to changes to window detailing and door surrounds.

All of the proposed dwellings on the site are to be finished in red brick with matching slate coloured roofs and as such, there is a strong sense of unity through the materiality of the dwellings as well as the inclusion of gable features to a number of the dwellings.

Item 3 (Cont'd)

Application Number:

2019/1729/RES

The proposals for consideration under this application proposed to alter a number of the roof forms from pitched roofs to hipped roofs.

The application is considered to be acceptable as it will introduce visual variety into the development, and this approach would also reflect the variety of roof types found in the wider established area of Loughor.

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 design of the development would create a good quality and distinctive streetscape and would accord with the provisions of Policy PS 2 of the Local Development Plan Policies and the Places to Live: Residential Design Guide.

Residential Amenity

The proposed changes from gabled roofs to hipped roofs on a number of the dwellings are not considered to have an unacceptable impact upon the residential amenity of the existing and future occupiers of the area. As such, the application is considered to be acceptable in this regard.

Conclusion

Having regard to all material planning considerations, including the provisions of the Human Rights Act, the proposed revised details are considered to be acceptable and comply with Policy PS 2 of the Local Development Plan 2019 and the 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 condition;

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

P18-0751 04-7	SITE LAYOUT
P18-0751 06-6	MATERIALS
P18-0751 13-6	INDICATIVE STREET SCENES
P18-0751 3.1 REV 6	HEMSWORTH (AS) - 1152 SQFT
P18-0751 3.2 REV 6	HEMSWORTH (OPP) - 1152 SQFT
P18-0751 3.3 REV 6	ALDERNEY (AS) - 1225 SQFT
P18-0751 3.4 REV 6	ALDERNEY (OPP) - 1225 SQFT

Item 3 (Cont'd)

Application Number:

2019/1729/RES

P18-0751 3.5 REV 6	MAIDSTONE (AS) - 830 SQFT
P18-0751 3.6 REV 6	MAIDSTONE (OPP) - 830 SQFT
P18-0751 3.7 REV 6	MAIDSTONE (AS) - 830 SQFT
P18-0751 3.8 REV 6	MAIDSTONE (OPP) - 830 SQFT
P18-0751 3.9 REV 6	RADLEIGH (AS) - 1317 SQFT
P18-0751 3.10 REV 6	RADLEIGH (OPP) - 1317 SQFT
P18-0751 3.11 REV 6	ANDOVER (AS) - 998 SQFT
P18-0751 3.12 REV 6	ANDOVER (OPP) - 998 SQFT
P18-0751 3.13 REV 6	THORNTON (AS) - 1200 SQFT
P18-0751 3.14 REV 6	THORNTON (OPP) - 1200 SQFT
P18-0751 3.15 REV 6	MORESBY (AS) - 854 SQFT
P18-0751 3.16 REV 6	MORESBY (OPP) - 854 SQFT
P18-0751 3.17 REV 6	MORESBY (AS) - 854 SQFT
P18-0751 3.18 REV 6	MORESBY (OPP) - 854 SQFT
P18-0751 3.19 REV 6	CHESTER (AS) - 1032 SQFT
P18-0751 3.20 REV 6	CHESTER (OPP) - 1032 SQFT
P18-0751 3.21 REV 6	BUCHANON (AS) - 875 SQFT
P18-0751 3.22 REV 6	LARCH (AS) - 980 SQFT
P18-0751 3.23 REV 6	LARCH (OPP) - 980 SQFT
P18-0751 3.24 REV 6	OLIVE (AS) - 870 SQFT
P18-0751 3.25 REV 6	OLIVE (OPP) - 870 SQFT
P18-0751 3.26 REV 6	BEECH (AS) - 980 SQFT
P18-0751 3.27 REV 6	GARAGES

Received on the 8th August 2019

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 Swansea Local Development Plan. The following policies were relevant to the consideration of the application: PS 2.
 - 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
 - 3 You are advised to comply with the conditions in outline planning permission 2013/0617 granted on the 30th October 2017.
-

Agenda Item 6

Electoral Division:
Kingsbridge

Report of the Head of Planning & City Regeneration

Planning Committee - 1 October 2019

Land North of Garden Village Swansea - Planning Application 2016/1478

Hybrid planning application (with all matters reserved apart from strategic access) for residential-led mixed use development, to be developed in phases, including: preparatory works as necessary including earthworks/regrading of site levels; up to 750 residential units (use Class C3, including affordable homes); provision of 1 no. Primary school; circa 280m² - 370m² of flexible A1-A3 / D1 floorspace; open space including parks; natural and semi natural green space; amenity green spaces; facilities for children and young people; outdoor sports provision including playing pitches; associated services, infrastructure and engineering works including new vehicular accesses, improvement works to the existing highway network, new roads, footpaths/cycleways; landscaping works (including sustainable drainage systems), ecological mitigation works and ancillary works.

1.0 Background

- 1.1 This application was reported to the Planning Committee on the 3rd April 2018 with the recommendation that planning permission be approved subject to 51 conditions and subject to the applicant entering a Section 106 Planning Agreement (S106) which included the following obligation:

New School

Either;

The provision and completion of the (ready for use) 2.5 form entry school (to include fixed furniture and equipment and electrical and mechanical fit out, including ICT infrastructure) by the developer (together with the associated playing fields, external open space and boundary treatment etc) and its delivery/conveyance to the Council, together with the construction of the school drop off / pick up area and associated access road, prior to the occupation of the 301st residential unit;

or

A payment of £9,981,415 to the Council for the Council to construct the 2.5 form entry school, (together with the associated playing fields, external open space and boundary treatment etc) together with the conveyance of the land required to build the school. A payment of £266,503 would be required prior to any works commencing on site, whilst the remaining balance of £9,714,912 would be required prior to the occupation of the 201st residential unit. The developer to construct the school drop off / pick up area and associated access road, prior to the occupation of the 301st residential unit.

A copy of the report to Planning Committee is attached as Appendix A

- 1.2 The Planning Committee resolved to accept the recommendation. The applicant has not yet entered into the S106 agreement and consequently the planning permission has not been granted
- 1.3 The applicant now contends that the proposed development of 750 dwellings does not generate the need for a 2.5 form entry school, and that the Council's S106 requirements insofar as they relate to educational are therefore not compliant with the Planning Obligation Circular 13/97 and Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) .
- 1.4 The applicant has also requested a number of changes to the trigger points of three of the originally recommended planning conditions.

2.0 Main Issues

- 2.1 The applicant has referenced Para B12 of Annex B of the Welsh Government Circular 13/97 – Planning Obligations which states “*Developer should not be expected to pay for facilities which are needed solely in order to resolve existing deficiencies not should attempts be made to extract excessive contributions to infrastructure costs from developers.*”
- 2.2 In addition, Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) state that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is :
 1. necessary to make the development acceptable in planning terms;
 2. directly related to the development; and
 3. fairly and reasonably related in scale and kind to the development
- 2.3 The applicant contends that a development of 750 houses only generates a yield of 233 pupils of primary school age, whereas a standard 2.5 form entry school would provide capacity for 525 pupils, and that as such, it is clear that the development does not itself generate the need for a 2.5 entry primary school.
- 2.4 As such, the Education contribution has been reviewed in the light of the above. It is accepted and concluded that the education obligation should be amended. It has been agreed by the Council's Education Department and the developer that a financial contribution be made, together with the provision of the land on which the school will be constructed. The Council will then be able to utilise the financial contribution to support the construction of a 2.5 form entry school on the land. The Council will seek the balance of the required funding from Welsh Government as part of the 21st Century Schools Programme. This may be subject to a statutory consultation.
- 2.5 The following calculations are based on the figures previously provided by the education department and the adopted SPG – Planning Obligations, and is

based on the provision of 750 residential units, and the capacity in the local schools which is forecast to exist in 2023.

- 2.6 The figures also include 'indexation' as the SPG figures were based on 2006/2007 figures. The indexation rates are based on the April 2019 Retail Price Index (RPI)

Primary: 233 pupils (minus 15 capacity in 2023) = **218 pupils**
@ £10,372 + 4,296 indexation = **£3,197,624**

Secondary: 165 pupils (minus 75 capacity in 2023) = **90 pupils**
@ £15,848 + 6,564 indexation = **£2,017,080**

Post 16: 30 pupils @ £17,013 + 7,047 in 2023) = **£721,800**

Total = £5,936,504

- 2.7 Notwithstanding the figure of £5,926,504 above, the viability work previously undertaken in respect of the proposed development assessed the developer contribution (based on the Planning Obligations SPG rates at 2006/7) of the school at £5.5 million, and as such, in order to maintain the agreed levels of affordable housing and other required S106 contributions, then it is considered that it is acceptable to require a £5.5m financial contribution towards the provision of a 2.5 form entry school on the site.

- 2.8 The revised S106 education obligation is therefore recommended as:

A payment of £5.5m to the Council for the Council to construct the 2.5 form entry school (together with the associated playing fields, external open space, and boundary treatment etc) together with delivery of the land required to build the school. A payment of £266,503 would be required prior to any works commencing on site, whilst the remaining balance of £5,233,497 would be required to be paid prior to the occupation of the 201st residential unit. The developer to construct the school drop off / pick up area and associated access road, prior to the occupation of the 301st residential unit.

- 2.9 With regard to the changes to the trigger points of the three conditions, the applicant has requested that the conditions be amended as described in the following paragraphs. It is considered that the changes requested are acceptable and are compliant with the six tests of the Welsh Government Circular 16/2014, namely: (i) necessary; (ii) relevant to planning; (iii) relevant to the development to be permitted; (iv) enforceable; (v) precise; and (vi) reasonable in all other respects.

The changes to the three conditions are in bold;

Condition 1

Prior to the commencement of development on site (**other than the strategic access road from Hospital Road**), a phasing plan relating to the proposed development and the application site shall be submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include details of the phasing of the following:

- a) each and every development parcel
- b) site accesses
- c) school and associated drop off area
- d) bus route and public transport stops
- e) strategic foul and surface water features and SUDS
- f) all open spaces, community infrastructure and other publicly accessible areas.

The development shall be carried out in accordance with the approved phasing plan.

Reason: To ensure there is a clear framework for both the progression of the development and for the submission of reserved matters applications so that the development is carried out in a comprehensive, sustainable and coherent manner.

It is considered that the above change to the condition is acceptable and would meet the tests of the condition circular.

Condition 25

With the exception of the works to deliver the strategic access road hereby approved, prior to the commencement of development on site, details of the following air quality assessment shall be submitted to and approved in writing by the Local Planning Authority: the applicant shall conduct, and provide the results of an air quality assessment of the potential impact of the proposed development, within the development site and upon the surrounding local area. The assessment should pay particular attention to the 1 hour NO₂ objective and NO₂ annual mean objective within the National Air Quality Strategy and Air Quality (Wales) Regulations 2000 as amended by the Air Quality (Amendment) (Wales) Regulations 2002. In addition the assessment should also pay particular attention to the PM₁₀ objectives set in regulation (24 hour mean objective of 50µg/m³ - 35 exceedances' and the annual mean objective of 40µg/m³ to be achieved by the 31/4/2004 and maintained thereafter). Also, an indication of the particles (PM 2.5) Exposure Reduction objective (contained within the Air Quality strategy 2007) of 25µg/m³ should be made

Reason: To provide the Local Planning Authority with information relating to the impact of the development of air quality within the site and the locality.

It is considered that the above change to the condition is acceptable and would meet the tests of the condition circular.

Condition 29

With the exception of the works to deliver the strategic access road hereby approved no development works within each phase of the development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within that

phase of development, has been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: To ensure that the development is provided with satisfactorily maintained and managed streets.

It is considered that the above changes to these conditions are acceptable and would meet the tests of the condition circular.

3.0 Recommendation

- 3.1 It is recommended that the following revised S106 Heads of Terms be accepted and approved by the Planning Committee, together with the revisions to Conditions 1,25 and 29 (as set out below). For the avoidance of doubt, the other 48 planning conditions remain unchanged.

Revised S106 Planning Obligation

Affordable Housing

20% Affordable housing (AH) on the site; comprising 50% social rent (at 42% ACG) and 50% intermediate (at 70% ACG) and DQR compliant. The AH shall comprise a mix of 2 and 3 bedroom dwellings. The design and specification of the AH shall be of an equivalent quality to those used in the Open Market Units. The AH shall be dispersed across the site in clusters and 20% shall be delivered within each phase of the development.

Local Highway Improvements Works

*** J47 (M4) – contribution to the installation of the MOVA to be made on the occupation of the first dwelling. (£100,000).**

*** A484 / B4560 Swansea interchange (Day's Roundabout) – existing roundabout enlarged, wider flare lanes and the two western approaches increased from two lanes to three lanes each. The access from Day's (eastern approach) increased from one lane to two lanes. Payment to be triggered on the occupation of the 100th residential unit (£334,688).**

*** A4240 / Hospital Road Interchange (Gorseinon Rd / Hospital Road) – the existing 2 mini roundabouts will become one small roundabout with access to 3M (UK) becoming a priority junction. Payment to be triggered on the occupation of the 50th residential unit (£134,297).**

*** B4560 / Hospital Road Interchange (Swansea Road / Hospital Road) – the signalisation of the junction with a pedestrian phase across both Hospital Road and Swansea Road. Payment to be triggered on the occupation of the 300th residential unit (£214,453).**

New School

A payment of £5.5m to the Council for the Council to construct the 2.5 form entry school (together with the associated playing fields, external open space, and boundary treatment etc) together with delivery of the land required to build the school. A payment of £266,503 would be required prior to any works commencing on site, whilst the remaining balance of £5,233,497 would be required to be paid prior to the occupation of the 201st residential unit. The developer to construct the school drop off / pick up area and associated access road, prior to the occupation of the 301st residential unit.

Cycle Path

Contribution of £100,000 towards the extension of the existing Kingsbridge Link cycle path across Stafford Common to Gowerton Railway station, to be paid prior to the occupation of the 351st dwelling.

Local Enhancement Works

Scheme of enhancement works for Railway Terrace (shared surface, planting and new fencing) - £197,210 to be paid prior to the occupation of the 351st dwelling. Improvements to the existing footpath between Clos Bryngwyn and Clos Llandyfan (widening and resurfacing) £50,000 to be paid on the prior to the occupation of the 351st dwelling.

Management Plans

Unless offered for adoption by the Council (with an appropriate commuted sum agreed with the Council's Parks Dept), the Management Plans for the future maintenance of the retained woodland and ecologically sensitive areas, proposed parks, open spaces, LEAPS, NEAPS, MUGA and SUDs ponds, to be submitted prior to the commencement of the phase of works within which the relevant area is contained.

Bus Service

A subsidy payment of £101,000 per year for the provision of a public bus service to go through the site for 2 years, or up to the year following the creation of a through bus route, whichever is the sooner. £202,000 to be paid (following the occupation of the 75th dwelling).

Council's Monitoring Fee

A Monitoring fee of £11,340 (based on 20% of the application fee, as the 2% fee of the overall cost of the obligation would be unreasonably and prohibitively large). The fee to be paid prior to the commencement of works on site.

Legal Fees

The Council's legal fees of £3,000 relating to the preparation of the S106 agreement.

Revised Conditions:

Condition 1

Prior to the commencement of development on site (other than the strategic access road from Hospital Road) , a phasing plan relating to the proposed development and the application site shall be submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include details of the phasing of the following:

- a) each and every development parcel
- b) site accesses
- c) school and associated drop off area
- d) bus route and public transport stops
- e) strategic foul and surface water features and SUDS
- f) all open spaces, community infrastructure and other publicly accessible areas.

The development shall be carried out in accordance with the approved phasing plan.

Reason: To ensure there is a clear framework for both the progression of the development and for the submission of reserved matters applications so that the development is carried out in a comprehensive, sustainable and coherent manner.

Condition 25

With the exception of the works to deliver the strategic access road hereby approved, prior to the commencement of development on site, details of the following air quality assessment shall be submitted to and approved in writing by the Local Planning Authority : the applicant shall conduct, and provide the results of an air quality assessment of the potential impact of the proposed development, within the development site and upon the surrounding local area. The assessment should pay particular attention to the 1 hour NO₂ objective and NO₂ annual mean objective within the National Air Quality Strategy and Air Quality (Wales) Regulations 2000 as amended by the Air Quality (Amendment) (Wales) Regulations 2002. In addition the assessment should also pay particular attention to the PM₁₀ objectives set in regulation (24 hour mean objective of 50µg/m³ - 35 exceedances' and the annual mean objective of 40µg/m³ to be achieved by the 31/4/2004 and maintained thereafter). Also, an indication of the particles (PM 2.5) Exposure Reduction objective (contained within the Air Quality strategy 2007) of 25µg/m³ should be made

Reason: To provide the Local Planning Authority with information relating to the impact of the development of air quality within the site and the locality.

Condition 29

With the exception of the works to deliver the strategic access road hereby approved no development works within each phase of the development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within that phase of development, has been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details

until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: To ensure that the development is provided with satisfactorily maintained and managed streets.

BACKGROUND PAPERS

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

The following documents were used in the preparation of this report:

Application file, together with the files and documents referred to in the background information section of the appended Planning Committee report.

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)

UDP - EV20 - New Dwellings in the Countryside

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

UDP - EV22 - Countryside General Policy

The countryside throughout the County will be conserved and enhanced for the sake of its natural heritage, natural resources, historic and cultural environment and agricultural and recreational value through:

- i) The control of development, and
 - ii) Practical management and improvement measures.
- (City & County of Swansea Unitary Development Plan 2008)

UDP - EV23 - Green Wedges

Within green wedges development will only be permitted if it maintains the openness and character of the green wedge and does not contribute to the coalescence of settlements or adversely affect the setting of the urban area. (City & County of Swansea Unitary Development Plan 2008)

UDP - EV24 - Greenspace System

Within the greenspace system, consisting of wildlife reservoirs, green corridors, pocket sites and riparian corridors, the natural heritage and historic environment will be conserved and enhanced. (City & County of Swansea Unitary Development Plan 2008)

UDP - EV28 - Sites of Local Importance

Within locally designated areas the natural heritage will be preserved and enhanced wherever possible. (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 - 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 - EV38 - Contaminated Land

Development proposals on land where there is a risk from contamination or landfill gas will not be permitted unless it can be demonstrated to the satisfaction of the Council, that measures can be taken to satisfactorily overcome any danger to life, health, property, controlled waters, or the natural and historic environment. (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 - EV41 - Hazardous Installations / Consultation Zones

The development of hazardous installations that would cause significant safety or health risk or adversely affect the natural heritage and historic environment will not be permitted. (City & County of Swansea Unitary Development Plan 2008)

UDP - EC6 - Local Shopping Centres and Neighbourhood Facilities

The provision of appropriate small-scale local shopping and neighbourhood facilities will be encouraged within local shopping centres and areas of acknowledged deficiency in order to meet local need. (City & County of Swansea Unitary Development Plan 2008)

UDP - EC13 - Agricultural Land

Development that would result in the loss of the best and most versatile agricultural land will not normally be permitted. (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 - HC15 - Community and Health Facilities

Proposals for new and improved local community and health facilities will be supported subject to compliance with a defined list of criteria including access ability, significant impact on amenity, significant effect on natural heritage and historic environment and impact on adjacent road network. (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)

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 - HC24 - Play Areas/Public Open Space

Provision of public open space within new residential developments. (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 - 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 - EV5 - Art in the Environment

The provision of public art in new developments and refurbishment schemes will be supported. (City & County of Swansea Unitary Development Plan 2008)

Site History **App Number**

Proposal

Status

Decision Date

2016/1478

Hybrid planning application (with all matters reserved apart from strategic access) for residential-led mixed use development, to be developed in phases, including: preparatory works as necessary including earthworks/regrading of site levels; up to 750 residential units (use Class C3, including affordable homes); provision of 1 no. Primary school; circa 280m² - 370m² of flexible A1-A3 / D1 floorspace; open space including parks; natural and semi natural green space; amenity green spaces; facilities for children and young people; outdoor sports provision including playing pitches; associated services, infrastructure and engineering works including new vehicular accesses, improvement works to the existing highway network, new roads, footpaths/cycleways; landscaping works (including sustainable drainage systems), ecological mitigation works and ancillary works.

PDE

RESPONSES TO PUBLICITY EXERCISE

Initial Public Consultation

One Hundred and seventy five (175) local residents were directly consulted when the application was registered in August 2016. The application was advertised by way of 5 site notes and a press notice as a ul “departure application”

EIGHTY ONE (81) LETTERS OF OBJECTION were received. The concerns raised are summarised below:

- * The original drawings indicated that there were to be no properties within the proposed parkland area which are to the rear of my garden. This would now appear to have changed with a line of houses at the base of one of the fields.
- * I will lose visual amenity and my privacy will be adversely affected.
- * I will also suffer noise interference and light deprivation.
- * At present there is flooding within the locality and additional properties will only add to this issue.
- * The proposal is a very large development which will have a massive impact on the existing local community.
- * Concerns about road congestion and access to local amenities.
- * It seems to me to be simply too large for the current infrastructure to accommodate and building a school on the site will not resolve wider issues.
- * I also have concerns about the preservation of ancient woodland and the natural environment once the principle of large scale planning on this site is established.
- * Having attempted to read the 22 pages of the transport assessment, I can see nothing to alleviate the congestion problems that we currently have in the vicinity, particularly at peak times where traffic can be at a standstill, let alone any plan to negate the effects of the traffic that would be generated by some 750 extra homes.
- * A development of this size will destroy farm and common land that acts as a buffer between Garden Village, Gorseinon and Penllergaer, all but creating one urban sprawl where once we had what was effectively a green-belt.
- * We hear much about increased flooding and the cost of flood defences on the news, yet developers seem unbowed in their desire to concrete over land that acts as a natural rainwater soakaway.
- * Traffic congestion to Garden Village and the local community can be severe with road delays at peak times. The development would see increased volumes of vehicles impacting on air quality and even longer tailbacks.
- * The proposed new secondary vehicle access onto Swansea Road is of concern for road traffic safety, being along an already busy road, at the brow of a hill with limited vision, with the potential of turning into a "rat run" to the proposed primary school, which is just an accident waiting to happen.
- * Single road access to the new development will have a severe impact on the development's residents with regard to ingress/egress to the primary school. This in turn will result in parents trying alternative access i.e. the roads in Garden Village, as parking and drop off points.
- * Local facilities in Garden Village are lacking and the additional houses will increase the pressure on the local doctors surgeries, chemists & dentists to support such a proposed increase.
- * House building in the Gorseinon & Garden Village area will further increase the risk of pollution in the Burry Inlet (a Special Protection Area, a Special Area of Conservation and a RAMSAR site). Effluent increase will add to the yield capacity of the Gowerton treatment works. Although Welsh Water have been allowed a relaxation of the 10 spills criteria to 22 spills, the extra increase in effluent will increase the demand on the facility.
- * The size of the development will impact adversely on many aspects of the surrounding area; local infrastructure, demands on NHS, dental practices and doctors' surgeries. Also, whilst a large Primary School is being built what about Secondary and Further Education provision?
- * Concerns that the water treatment works in Gowerton will not be able to cope if all these developments go ahead.
- * Traffic increased on roads that cannot accommodate emergency vehicles.
- * The fact that a green field site is being built on instead of brown field or regeneration of other areas is a cause for concern.

- * What guarantees have we got those only 150 houses will use the Swansea Road access point? If a bus can travel all around the site then any vehicle can access Swansea Road.
- * Has this been thought through properly or are problems being glossed over?
- * The traffic in the area is bad enough now. I have been told that one of the ways of helping the flow of traffic will be a roundabout by my property. It is difficult enough to access the property now at peak times, I wonder if this roundabout will make it even more difficult.
- * I am against the access road on to Swansea Road as it is I have to time when I leave my home because I have to reverse out. So I do not go out at peak times. I have to choose my times carefully. As a result of this, I also rely on the bus service if I go to Swansea or Llanelli. If the bus stop is moved I will have problems with that. If the bus service is diverted into the proposed site does that mean we will lose our current bus stop?
- * I have grave concerns about flooding if building goes ahead on this site which currently acts as drainage. My property is called Winterbrook and in the winter the brook becomes a torrent. My main concern is that if the work is not done properly that in the winter the force of water could wash away the banks.
- * How will the emergency services access the site with all the new proposed traffic uses for the site? We were initially told by Persimmon that the Swansea Road access would be for emergency services only. Now it is 150 units, drop off zone to the school, proposed bus route and pedestrians and cyclists. If there is need for the emergency services during a peak period and when buses are accessing the site how will they get in or out?
- * Loss of agricultural land - With the amount of brown field sites available in Swansea I think it's very sad and greedy that developers are allowed to turn to green belt farmland rather than be given brown field sites that are currently sat empty ready to be developed.
- * The proposal runs contrary to Local Development Planning - preferred strategy, and will result in the merger of distinct communities.
- * The infrastructure, road network in the Gorseinon area including Kingsbridge and Upper Loughor is failing to meet current traffic demands.
- * Your consultants Corun Transport and Highway Engineering have modelled the road infrastructure and concluded that traffic projected to 2025 is likely to exceed capacity at the following junctions. 1, 2 (pm peak), 4 (am peak), 4b, 6, 7, 8, 9, 10 (pm peak), 14 (pm peak), 15. There does not appear to be any indication as to how these problems are to be resolved.
- * There is flooding within the locality. My house is sited on ground lower than the proposed development, my garden and the surrounding area get severely water saturated during long periods of rain. I feel that building on the proposed green field site will take away the already inadequate drainage, increasing the likelihood of flooding to my property.
- * Garden Village is a VILLAGE, the proposed development will ruin the character of the existing village, and from looking at the plans it will almost double the size of the existing village.
- * There is a cemetery in Garden Village. I would strongly suggest that next time there is a large funeral a planning inspector should attend to see the congestion that this causes. The cemetery has no parking facilities therefore people attending have to park on the residential streets of the village, this causes severe congestion turning the whole village into a single file road system, and I feel that if this development takes place the cemetery will need to close as the infrastructure will not cope.
- * I would like to see some green space in the area to protect wildlife and protected species.
- * The bridge at the bottom of garden village (by the playing fields) I believe has a weight restriction of 7.5t. Why are heavy lorries and fully laden school buses being allowed to use that bridge into and out of garden village when clearly they or some of them are well over 7.5t. Again it is a serious safety issue.
- * I do not think that a development of the size proposed is sustainable for the future especially as there have been two recent residential areas built off Loughor Road near Kingsbridge. The

increase in population will place significant strain on local services, highways and schools with the increased traffic reducing air quality.

* I am also concerned about the lack of employment available in Swansea to the potential residents.

* Access points off Swansea Road, Ffordd Talfan, Myrtle Road and any other roads within the village into the proposed development will add extra noise and air pollution. There will be a huge increase in the amount of traffic entering the village and surrounding areas, which will impact upon the quality of life for existing garden village residents.

* Surface water caused by heavy rain runs like a river down the hills in Garden Village, in particular Swansea, Road, and Ffordd Talfan and St Paul's Terrace. The increase in pavements, tarmac roads and the removal of natural ground will prevent rain/flood water from draining away. The risk of flooding from surface water will increase.

* Loss of Green Wedge - CCS should be aware and follow the guidelines as set out by PPW with regard to the designation and sustainability of green wedges namely; Access to open countryside, Outdoor sport and recreation, Maintaining landscape and wildlife interest, Help to mitigate the effects of urban heat islands. PPW records that there is a presumption against inappropriate development and advises that Local Planning Authorities should attach substantial weight to any harmful impact which a development would have on a green wedge. Green wedge policies should be reviewed as part of the development plan review process.

* Coalescence: PPW sets out the purpose of underpinning the designation of the green wedge as to prevent the coalescence of large towns and villages with other settlements, to assist in safeguarding the countryside from encroachment and to protect the setting of an urban area. I believe that the proposed development ignores all of the above facts and all guidelines as set out in PPW and Garden Village will lose its identity.

* The proposed development would have an adverse effect on the residential amenity of myself and neighbours by reason of noise, disturbance, overlooking, loss of privacy and overshadowing.

* I have grave concerns about the impact the proposed development would have on the stability of local properties and surroundings including my own property as the land is sloping and already has an excess of surface water run-off and limited drainage.

* There is a gentleman's agreement between the occupiers of house number 12 Swansea Road SA4 4HE, Mr and Mrs Anthony, and the late Tom Edwards who lived at house number 10 Swansea Road SA4 4HE about a piece of land that runs alongside number 12 and is enclosed by hedge rows and has become a part of number 12 garden. Number 12 offered to pay rent for this land over 35 years ago but Mr Edwards declined any payment. Number 12 has maintained the upkeep of the land. There has been no access over this land by any occupants of number 10 for over 35 years. Right of ownership should have ended for number 10 so how can this be sold by them for development for access?

* The new primary school proposed to be built will only serve to accommodate the children from the new development, with no benefit at all to children from existing properties. So why use this to justify building a new housing estate when it has no benefit to existing families.

* About 25-30 years ago there were proposals to build houses on these fields, but this was turned down by the Welsh Government.

* Big concerns about old mining shafts and existing fields soak up a lot of excess water. What happens once there are no more fields to do this?

* To have an access to the proposed school from drop off points in Myrtle Road and Swansea Road will simply add to an already clogged road system. In addition, the idea of having a drop off point for young children on the brow of the hill on Swansea Road is inherently dangerous to the children as well as other road users.

- * The site in question forms part of the LDP consultation process. This consultation process has not yet been completed. As it has not yet been completed, it is supposedly not yet certain that the site in question will form part of the LDP. Or do you know something different?
- * This application is not speculative and strongly suggests the Local Authority already have decided the site in question will form part of the LDP irrespective of the local opposition arising from the "consultation." As the LDP process is not yet concluded, Persimmon's application should be rejected as it is circumventing the LDP consultation and decision making procedure.
- * Loss of natural beauty and enjoyment of the fresh air and wildlife on the doorstep. This will particularly be detrimental to the wellbeing of the elderly and mentally impaired that can only access such space by walking short distances or by using mobility aids.
- * The building of properties on the surrounding countryside may have an adverse effect to sales of property in Garden Village and cause values to drop leaving many owners with negative equity, and/or having to stay put in an area they no longer enjoy.
- * The current public transport is also overstretched and quite often buses are too full to stop and I have to wait for the next one.
- * Swansea's common land is a finite resource and an important wildlife habitat.
- * Large housing developments that offer no mention of improvements or enhancements to the local community services will have an adverse effect on the existing inhabitants of that local community.
- * Village life epitomises community spirit and large plantation style development without a proportionate community services uplift must be seen as a commercial venture and not to the benefit of all that live, work and reside in the local area.
- * I am deeply concerned that Persimmon have complete disregard in their proposal to acquire this common land and destroy ancient woodland that has existed for centuries. It is habitat that is irreplaceable. There are many species of trees, protected and endangered wildlife including Dormice and Bats that live there and many other species of birds and wildlife.
- * This application is to enable Persimmon to destroy this common land and replace it with a road. How on earth can this be approved? It cannot be allowed to proceed. T
- * heir offer of a compromise area of scrub land is an insult, this is not acceptable how can this compare with the land they want to acquire and decimate.

Bryon Davies – former MP

I write to object to the above application for the following reasons:

On the 10th November 2016 a report was submitted to the Planning Committee, as the Council were unable to meet its statutory requirement, to maintain a minimum 5 year supply of housing land. Officers sought and got the approval of Elected Members to publish a Guidance Note for Developers, as the emerging Swansea Local Development Plan (LDP) would not be adopted before the latter months of 2017. The site is a 'departure' application.

This report clearly states that "The Planning Authority considers it inappropriate for the Council to determine any planning application for housing developments on a proposed LDP site that represents a departure to the UDP prior to public consultation on the Deposit LDP being concluded."

This site is a departure from the UDP. The draft LDP has not been concluded.

This report also states that "...where the Planning Authority recommends approval for a significant residential development (defined as 150+ dwellings), prior to formal adoption of the LDP, the application will be referred to the Welsh Government..."

The Guidance states that “Outline applications are not considered acceptable, as without full and detailed information being provided for the initial phase of housing being proposed it will prove difficult for the Council to be satisfied that the proposal represents an appropriate, sustainable, viable and deliverable form of development”.

This site has been submitted as “Outline” only. How can a determination be made as to its appropriateness, sustainability, viability and deliverability without full and detailed information?

This application should be judged against the UDP policies.

The developers reference to traffic congestion is far too simplistic. Throughout the LDP Draft Deposit Plan, Swansea Council states that developers would need to consider any changes to the highway infrastructure that go beyond the Plan site. This application does not address the overall traffic issues beyond its boundary.

In the submission to the LDP consultation, I challenge the soundness of the Arup Associations report on traffic due to out-of-date information. A full Traffic Impact Survey is required.

Gorseinon Town Council

Following discussion, Members objected to the access point for the development off Hospital road, in view of the resulting loss of Common Land and mature woodland. There were alternative access points along hospital road where no woodland would be affected. It was considered that in view of the scale of housing proposed, inadequate highway improvements to the surrounding highway infrastructure had been shown in areas where inevitable congestion would result off site. The development was on green wedge open land not allocated for development in the current UDP and was considered premature, in view of the fact that the emerging LDP had not been formally tested at Inquiry and adopted. It was felt that to consider the whole principle of development by incrementally examining only the access point was inappropriate as community benefit via section 106 agreements were not possible at this stage. Whilst the proposed school was noted, there was concern expressed about the impact upon the overloaded doctors surgeries in the area at present, which a development of this size would worsen.

Llwchwr Town Council

The Council proposes to object to the application.

The current application constitutes a departure from the existing Unitary Development Plan and as such should be refused. The Council has objected to this proposal under the Deposit Local Development Plan. The basis of the objection is as follow (summarised):

* Housing is shown as being located on land adjacent to Clos Bryngwyn and area 3 on the plan and not on the land further north (7 on the plan), though it is still stated as being capable of use for low density housing. Most people on first sight would assume it is green space. The original layout should be restored to provide a buffer between the existing development and that proposed by the plan.

* The Council also raises concern about the inadequate road infrastructure to cope with the additional traffic generated by this and other developments. The proposals do not adequately address this issue it adds or enhances roundabouts which will not cope with existing, let alone

additional levels of traffic. The amended proposal does not meet the requirements of Test 2 of the Tests of Soundness and in failing Test 2 it will also fail Test 3.

* There does not seem to be any thought given to the level of waste which will be generated by the number of houses being proposed on this and the other strategic sites let alone the smaller developments and candidate sites. The nearest disposal works in Gowerton is unlikely to cope with present levels and discharges into the Loughor Estuary.

* None of the strategic sites have any regard to health service such as doctors, dentists and other health care officials.

* The site makes provision for primary education but there is no provision for secondary education. There are currently two secondary schools – Penyheol and Gowerton, but their catchment areas will have 1000 houses in Penllergaer, 800 in Garden Village and various other small sites nearby. No provision would seem to have been made to cope with what will be a greater demand for places.

* There is a mixed development site on Land North of Waunarlyydd / Fforestfach part to which is in the Llchwyr area. There are approximately 800 houses proposed for this site which is shown on the plan as being built in the vicinity of Llewitha and extending to the Llanelli Link Road to the north. The issues outlined above would also apply to this development. As such the proposal does not meet the Test of Soundness (test 2) and by failing 2 will not successfully make test 3

* Further to the north again there is a strategic site planned for Penllergaer which would further exacerbate the above issues. Linked to this development is a proposal to build a road which would come down through the Waunarlyydd site, though it is not clear where the traffic is to go at the end of the road. What is clear is that another substantial development is proposed around the site of Cefn Coed Hospital (500 houses) which already has access to Ystrad Road which is where the road from Penllergaer would seem to end.

Councillor Will Evans (Ward Councillor – Kingsbridge)

1. The Site Application is a Departure from the existing Urban Development Plan and breaches numerous Planning Policies e.g.: EV21 and EV23.
2. The site is in the open countryside, on a greenfield site that forms the 'Green Wedge', which maintains the rural environment and protects it from sporadic development and prevents encroachment of the urban area.
3. Lack of capacity at Gowerton Sewerage Treatment works and the likely harmful effects on the environment and the Loughor Estuary.
4. The adverse effects of extra traffic in the Kingsbridge and Gorseinon areas, which will exacerbate existing problems caused by sheer volume traffic.
5. Traffic safety concerns at the new proposed 'Secondary Site Access Road' forming a junction with Swansea Road and the direct impact on traffic flow movements on this busy main road.
6. The lack of provision for necessary health facilities within the plan.

I formally object to the proposed pedestrian access off Ffordd Talfan, Garden Village, which extends into the new housing development. The reason for my objection is due to the perceived large scale traffic issues caused by indiscriminate parking and obstruction of vehicles in and around the Myrtle Road, Ffordd Talfan and Llys Aneirin area, which will lead to regular complaints. This will arise when school children are dropped off or picked up at this location, rather than using the designated 'Drop Off' point at the proposed entrance off Swansea Road or the main access route at Hospital Road.

Local residents at Garden Village would be expected to use the official School access points, as pupils from this area already have to commute to both Pontybrenin Primary Schools situated in Kingsbridge.

The existing and long-standing parking problems around both Pontybrenin Schools are horrendous, and generate regular complaints from local residents to the Police, Local Authority and myself. Traffic Enforcement is totally ineffective and the Police are reluctant to respond to motor vehicles obstructing pavements, driveways and road junctions on a daily basis. I am therefore seeking to avoid a similar situation arising in Garden Village.

Ty'r Felin Doctors Surgery

Please refer to the attached supporting document which constitutes our objection to the Local Development Plan, the content of which remains pertinent to this objection of planning proposal in the Garden Village area.

Presently Ty'r Felin surgery would be the logical choice for provision of Primary Healthcare Services to any new area of housing in the Garden Village area. However, Ty'r Felin is already running at full capacity with a patient population of just under 11,000. Ty'r Felin surgery is running at capacity in all aspects of primary care provision. This includes availability of doctor and nurse appointments, and most significantly physical space in terms of consultation rooms. Over the past 5 years our list size has increased from 9,500 to just under 11,000, and this increase of just 1,500 patients has required a huge effort on our behalf to meet increasing demand.

The planning proposal outlines approximately 750 residential units which we extrapolate has 1800 residents/ potential new patients for this surgery. This figure along with substantial other strategic and non-strategic developments in the locality would place impossible demands on current GP services. The planning proposal for land north of Garden Village does not provide any outline for Primary Health Care facilities. It does not meet the recommendation of Strategic Policy SP9: Providing Homes and Community Facilities, which states "Improved and more accessible community, education and health facilities to meet the needs of new development schemes and to overcome existing deficiencies will be favoured." Ty'r Felin partnership currently leases the premises from a private landlord with 8 years remaining on the current lease agreement. We are fast outgrowing these existing premises and would be open to expand our ability to provide primary care to the local population. Ideally, the partnership feels this would be best served by a new fit-for-purpose Primary Health Care Facility in the locality. The partnership is not looking to develop a branch surgery. In summary, the partnership in Ty'r Felin surgery does not object in principle to development of new housing in Garden Village but local GP Services would only survive if there was adequate investment in place. Currently the proposal does not include any mention of expanded health facilities.

Objection to Local Development Plan

This is a formal objection to the Local Development Plan (LDP) on behalf of the GP Partnership at Ty'r Felin Surgery at Gorseinon, Swansea. Whilst the Partnership does not object in principle to the development of new housing in this area of Swansea, it is very significantly concerned by the absolute lack of consideration towards primary care services in this proposal. General Practice is currently facing unprecedented challenges in workload and patient satisfaction. This is evidenced by recent press briefings by both the British Medical Association (BMA) and the Royal College of General Practitioners (RCGP) which highlight the following stark statistics:

- Significant increases in NHS activity over the past 10 - 20 years
- 90% of all contacts with the NHS occur in General Practice
- 370 million GP consultations are undertaken every year in the NHS (2015)
- The average member of the public sees a GP six times a year – double the number of visits from the previous decade
- GPs are facing rising patient demand, particularly from an ageing population with complex health conditions
- 18 million people in the UK are estimated to suffer from a chronic condition, the majority being managed in the community by GPs
- By 2011 the number of people aged over 65 had reached 10.5 million and is predicted to reach 15.8 million by 2031

Ty'r Felin Surgery is currently running at full capacity with a patient population of just under 11,000. We are running at capacity in all aspects of primary care provision. This includes availability of doctor and nurse appointments, and most significantly physical space in terms of consultation rooms. Over the past 5 years our list size has increased from 9,500 to just under 11,000, and this increase of just 1,500 patients has required a huge effort on our behalf to meet increasing demand. The LDP for North West Swansea is extensive, both in terms of strategic and non-strategic developments, and totals in the order of 4,500 potential new homes in this area in the coming years. Based on an average UK household number of 2.4, one can extrapolate a figure of over 10,000 new residents in this area of Swansea. Our current practice boundaries would encompass the entire Garden Village, Penllergaer and Pontarddulais proposed developments. This new population may well choose Ty'r Felin as their GP surgery owing to geography, the location of other local surgeries, and these other surgeries currently having operational difficulties (namely, recruitment and retention of GP staff). Clearly the numbers do not add up and we would have no capacity whatsoever to deal with this massive increase in the local population. We recently attended one of the Local Development Plan meetings to have a constructive discussion with available parties, and we were able to informally express our concerns. ABMU Health Board have also been made aware of our concerns but we have been instructed, at the present time, that there is absolutely no financial support for the development of primary care services in this area of Swansea. We understand that there has been previous discussion with the Health Board and the Planning Department of Swansea City Council without a satisfactory outcome.

In summary, we wish to formally object to these planning proposals on the simple grounds that no consideration has been afforded to primary care services within this area. The impact of this development on existing General Practice services without pre-planned adequate support would be disastrous.

Second Public Reconsultation

Amended Plans were received which showed changes to the masterplan layout as follows:

- * The removal of a section of houses to the rear of Clos Bryngwyn,
- * The retention of more of the existing hedgerows and trees.
- * The removal of the footpath from the school drop off to Ffordd Talfan

The application was re-advertised by way of 5 site notices.

TWO FURTHER LETTERS OF OBJECTION were received. The concerns raised are summarised below:

* Having reviewed the revised plans submitted, my objections dated 24 and 25 August 2016 stand. These changes have done nothing to address the concerns of local residents. This development must not proceed.

* The damage done to the environment, and social wellbeing and mental health of the existing residents, fall in house process, increased demand on doctor surgery, schools, public services. It is just a way for Swansea Council to raise funds through the community charge. Mad that the planners in the Council have let the application by Persimmon get this far. What about building 750 homes on old Velindre works first.

Final Public Consultation

All previous residents and all objectors were directly re-consulted in January 2018 following the receipt of an amended Master Plan, amended Parameters Plan and amended DAS. The application was also re-advertised by way of 5 site notices.

The main changes to the application detail are as follows:

* Slight alteration of the location of the SUDS ponds (the western one has been moved slightly eastwards to avoid being in the flood Zone and the eastern one is divided into two and the location readjusted to avoid the removal of the retained hedgerow / trees);

* More detailed information regarding the layout, the positions of new trees, changes to layout to include more connectivity and legibility, and more detail 'test' layouts to demonstrate that the site can be developed in compliance with the 'placemaking' policies and the residential design guide;

* More information in the form of additional parameters plans;

* Increase in size of the 'flexible A1-A3 / D1 floorspace' to allow for it to be used for additional medical services if required.

ELEVEN FURTHER LETTERS OF OBJECTIONS were received. The concerns raised are summarised below:

* This area is already at a standstill in the rush hour.

* Added noise.

* More pollution.

* Parking problems on a busy route.

* This is a natural flood plain.

* This land is contaminated land with Japanese Knotweed.

* The site is a green open space site and should be left as such. We have already had at least 4 major housing sites built (off Loughor Road) within 1.5 miles of Garden Village on green open space, with planning submitted for additional housing sites. The wildlife and their habitat are being destroyed. With the main access road into this proposed development cutting through ancient woodlands.

* Access points off Swansea Road, Ffordd Talfan, Myrtle Road and any other roads within the village into the proposed development will add extra noise and air pollution. Traffic leaving and entering Garden Village has increased significantly since this proposal was first submitted a few years ago. Traffic is queuing to leave the village at 7.30 am every weekday morning. This development will further increase vehicle traffic and additional unwanted congestion, which will impact upon the quality of life for existing Garden Village residents.

* The infrastructure of the village and surrounding areas can no longer cope with the current volume of traffic. Traffic at peak times makes it difficult for residents to enter or leave the village. The current proposal of over 750 houses will mean an extra 750 vehicles on the road and

probably double that or more as most homes have 2 vehicles per household. Other traffic hotspots out of the Garden Village area such as the Swansea Sound Roundabout, Victoria Road Gowerton, Penllergaer and Ystrad Road will also be hugely affected due to the increase in traffic volume, causing longer delays, more air and noise pollution.

* The sewerage treatment works at Gowerton are already under strain. How will these cope? The River Loughor and its feeding rivers will be at risk of overspill and pollution.

* The local GP surgeries are already oversubscribed with the amount of patients registered with them. To make an appointment with a surgery to see a doctor has become extremely difficult. This development does not include a new surgery or even dental practice which will again add further pressure to our local GP surgeries and other primary care services.

* Surface water caused by heavy rain runs like a river down the hills in Garden Village, in particular Swansea, Road, Ffordd Talfan and St Paul's Terrace. The increase in pavements, tarmac roads and the removal of natural ground will prevent rain/flood water from draining away. The risk of flooding from surface water will be greatly increased.

* The Emergency services are already under strain due to financial restraints, cut-backs, an increase in the population and lack of personnel numbers. They are currently struggling to hit "targets" and response times due to these factors. An increase in housing developments means a further increase in people living within their area. This development too will have a knock on affect for these services - their shift numbers will not be increased due to this development should it go ahead.

* Schools: All primary schools in the area are now bursting at the seams with the number of pupils in attendance. This in turn has had a knock on effect in years to follow with the Comprehensive schools. Both the schools and teachers are struggling to cope with the amount of children in the school plus the increased class sizes. With this development, extra children will again put further strain on the local schools, despite a new one being built, and will again increase class sizes. In every likelihood should this new school be built, then one of the older local schools will be shut and the pupils transferred to this newer school.

* Garden Village will lose its identity and status as a "Village," should the development go ahead. 25 years ago we chose to live here because it was a village on the edge of a town, surrounded with green open space. In my younger years we walked on a daily basis through the fields that are earmarked for development unchallenged. 5 years ago barbed wire fencing was erected, preventing access to walk through the fields. This development will change the character and infrastructure of the village, reducing the quality of life for us living in Garden Village.

* I feel just as strongly as I did before, that these proposals will have a disastrous effect on Garden Village and daily life for its current inhabitants.

* I have looked carefully at the plans and cannot find any details on the proposed secondary access road between Nos. 10 and 12 Swansea Road. This proposed road will be coming onto a road that is already heavily congested at peak times and now I see that there is a proposed bus link that will be going right through the estate. I have been assured that the proposed access road can only serve 150 houses and that access will be limited to that number of houses but if a bus can have access through the site what will stop any other traffic from travelling through. How will the bus get through the bollards that I was told would be there to restrict traffic? I was originally told at a meeting that the access road on Hospital Road could deal with all the traffic from the proposed site but now a bus route is being suggested despite the fact that we have an excellent bus service already in Garden Village. I would really like to know what is the plan for this proposed access road which if it goes ahead will be coming out on to the brow of a hill.

* Also it is proposed that it will be the access road for a drop off point for the school, so there will be quite a lot of traffic using it, not just 150 households and a bus route. I am assuming that there will be a variety of pedestrianised paths so that children can walk to school and access the school from a number of directions. Also I can see no evidence of road improvements that I was

told will be done to Swansea Road so that the flow of traffic will be eased and allow safe access in and out of the proposed site. Whilst there is a lot of information regarding the Hospital Road access lay-out there is nothing for the proposed access road onto Swansea Road. Where is the information on this? I think traffic pollution and noise is going to be a major issue for residents. It is bad enough now and will only get worse if this goes ahead.

* The amendments that have been made to the planning application 2016/1478 do not address the objections I made to the initial plan on the 10th of August 2016 and as such, these objections still stand.

* Furthermore, the plan to build a primary school shows how much the increase in population will impact the area. Using Government projections, one can estimate around 160 primary pupils with a further 75 secondary places needed to be found at local comprehensive schools.

* Swansea Council must also consider how many extra cars can be expected to come with 750 residential units. Our roads are already congested, with Gorseinon particularly affected during rush-hour and the school-run.

* As the status of this planning application is listed as awaiting decision, why have the developers already started preparatory work such as site access from Hospital Road?

* Perhaps they know something that we, the local residents, do not. I suspect that permission will be granted, as it always is, and the problems and strain on services will be something to be endured as Councillors kick these issues into the long grass.

* The latest masterplan has totally ignored an exclusion area around the Roman remains found on site.

* The proposed SUDS are so close to the school drop-off point they could be a health and safety risk – children are always drawn to water.

* A drop-off point is fine but how will collection work with many frantic parents blocking the road.

* The 3.5 storey flats to be built in site without wheelchair access.

* Where are the single or bungalow type properties to cater for disabled residents who may wish to live here.

Llwchwr Town Council

The Town Council has no objection to make in relation to the amended plans. It would still wish to maintain its objections to the original application.

RESPONSES TO CONSULTATION EXERCISE

Natural Resources Wales (NRW)

NRW Initial Comments

Thank you for consulting Cyfoeth Naturiol Cymru / Natural Resources Wales about the above proposal, which we received on 2 August 2016. We also note the additional information (hydrologic modelling data) provided via email on the 14 August 2016, and the updated Ecological Note, which was provided on 31 August 2016.

We have significant concerns regarding the proposal as submitted and consider that there is currently insufficient information to assess the possible impact on dormice, a European protected species, potential landscape impacts, mitigation measures and further details in relation to the FCA / Hydraulic Modelling. We require this additional information before we can provide your Authority with detailed comments on the application.

Ecology and Protected Species

NRW welcome the submission of the following documents:

- * 'Bryngwyn Fields, Kingsbridge. Ecological Appraisal Report', by The Environmental Dimension Partnership Ltd, dated July 2016 Report Reference EDP2688_05c.
- * 'Bryngwyn Fields, Kingsbridge. Ecological Update Note August 2016', by The Environmental Dimension Partnership Ltd, dated August 2016 Reference C_EDP2688_08.
- * 'G1331 – Bryngwyn Fields. Stage 4 Masterplan' by CWA, dated May 2016 revision B.
- * 'Main Access Roundabout and Internal Access Road Design Preliminary Layout' by Corun Associates Ltd, dated June 2016, Drawing No. GA01.
- * 'Bryngwyn Fields Kingsbridge. Green Infrastructure Strategy' by The Environmental Dimension Partnership Ltd, Report Reference GI_edp2688_28c.
- * 'Design and Access Statement. Bryngwyn Fields, Kingsbridge' by CWArchitects.

We note from the above ecological appraisal report, and as you are aware, evidence of the presence of dormice was recorded on site. In addition, twelve mature trees have been identified with moderate potential for use by roosting bats.

Dormice

We understand from the dormouse survey report that there will be a loss of existing suitable dormouse habitat on site as a result of the proposals. Although the report outlines principles for mitigating the potential impacts of the scheme on dormice, they are presented with insufficient detail to be able to determine that there will be no detriment to the maintenance of the favourable conservation status of dormice as a result of the proposals.

As no detailed mitigation proposals have been provided which: set out the replacement of, retention of, and long term management of, habitats used by dormice on site we are unable to provide your Authority with further comments at this stage. We advise that your Authority must be in receipt of the following information prior to determination:

- * A comprehensive mitigation strategy for dormice, setting out the impacts of the scheme and how these will be mitigated or compensated for, including areas to be retained, replaced, enhanced for dormice (as appropriate); measures to minimise the impact of any development on dormice and; proposals to maintain connectivity within and to the wider landscape including the proposed road crossing.
- * Detailed architectural drawings of the site annotated with the proposed dormouse mitigation.

In developing the mitigation plan/strategy we advise that consideration is given to the impacts of any proposed site access, i.e. what habitat is currently in these locations, how wide any breaches will be, how much habitat (hedge/scrub) will be lost, the impacts as a result of these breaches, and subsequently how this loss/impacts will be mitigated for and how connectivity will be maintained. The planting of semi-mature / mature trees and scrub needs to be considered in order to maintain arboreal connectivity across any breaches.

In addition, the mitigation plan/strategy will also need to demonstrate how connectivity across the site as a whole will be maintained, including from loss of connectivity as a result of the proposed access road; how disturbance from public access will be dealt with and minimised; how the existing and newly created habitat will be safeguarded, managed and maintained in the future, who will maintain responsibility for it and if required, sustained financially.

The masterplan for the site will need to include a key and be annotated to show exactly where any buffer planting areas are proposed; the lengths and widths of these 'buffers'; the proximity of mitigation planting to the development plots; or the length and width of planting within any public open space. We also advise that any mitigation areas remain outside the curtilage of any properties and clearly marked as such.

Finally, we would wish to see the principles of a lighting strategy provided. We seek assurances that site lighting requirements have been considered at the earliest stages to avoid conflict with highway and health and safety requirements.

Bats

We note from Section 5.48 of the Ecological Appraisal Report that twelve trees were assessed as having moderate potential to support roosting bats, five of which will be impacted upon by the development and proposed access road.

We welcome the recommendations made within the above report in relation to bats and note the five mature trees likely to be impacted by the scheme with medium potential to support bats will be re-surveyed immediately prior to any tree felling works.

Please note, should surveys prior to any tree felling confirm the presence of roosting bats, a derogation licence from NRW would be required. Suitable mitigation measures should be appropriate to the species concerned, proportionate to the impact of the works and in addition to any enhancement measures already agreed by your Authority.

Legislation and Policy

As you are aware dormice and all species of British bats are European Protected Species, protected by The Conservation of Habitats and Species Regulations 2010.

Where a European Protected Species is present and a development proposal is likely to contravene the protection afforded to these species, development may only proceed under a licence issued by Natural Resources Wales (NRW), having satisfied three requirements set out in the legislation. One of these requires that the development authorised will *'not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status (FCS) in their natural range.'*

These requirements are translated into planning policy through Planning Policy Wales (PPW) January 2016, sections 5.5.11 and 5.5.12, and Technical Advice Note (TAN) 5, Nature Conservation and Planning September 2009. The planning authority should take them into account when considering development proposals where a European protected species is present.

Ancient Semi-Natural Woodland

The proposals in their current form require removal of an area of Ancient Semi-Natural Woodland (ASNW) to facilitate access to the site. The importance of Ancient Woodlands is recognised in Welsh Government policy; Woodlands for Wales (Welsh Government's Strategy for Woodlands and Trees) and Planning Policy Wales (Section 5.2.9) states that: *'Ancient and*

semi-natural woodlands are irreplaceable habitats of high biodiversity value which should be protected from development that would result in significant damage.'

We advise that your Authority will need to consider the impacts on Ancient Semi-Natural Woodland (ASNW) as part of the proposals and the justifications provided for any losses.

Landscape

We welcome the information provided in the document entitled; *'Bryngwyn Fields, Kingsbridge – Landscape and Visual Impact Assessment (Report Ref: EDP2688_07b)'*, dated July 2016, by The Environmental Dimension Partnership Ltd. NRW's advice relates to potential impacts on the Gower AONB and landscape and visual impacts.

Gower AONB

The proposed site lies approximately 5km from the boundary of the Gower AONB at Fairwood Common. Whilst visual impacts are likely to be limited, an area of high ground within the site has potential visibility, if built over. Therefore, we recommend that the LVIA should cover potential impacts on the AONB for completeness.

Landscape & Visual Impact

Whilst the overall principles of the development as referred to in the LVIA and Masterplan are acceptable, the lack of supporting evidence and detail does not give confidence that the proposal would align with the proposed policies in the Draft LDP with regard to landscape and green infrastructure or that a reserved matters application would deliver the principles set out in the outline application. We recommend that your Authority seeks further information as follows:

* The ZTV is limited in extent and does not include many views from high ground to the south (i.e. - land to the south of Gowerton at 2.5km - 3km which includes a number of public footpaths). Visual impact from such areas should be considered, as part of the site is elevated and potentially visible. The LVIA considers that building on the high part of the site is not a concern, although less dense development with more trees would be considered. Potential impacts of this area do not appear to have been thoroughly considered or evidence included.

* The LVIA refers to the retention of the majority of woodland and hedgerows and the creation of buffers to the Ancient and Semi-natural woodland areas. However, the Arboricultural Report (Report Ref: T_EDP2688_03c), indicates that there would be considerable tree and hedgerow loss across the site. Although the hedgerows to be removed are described as 'gappy' and in poor condition, we consider that the masterplan does not include sufficient information on the proposed planting to mitigate or compensate for the impacts of the development on trees and hedgerows.

* The layout of housing fronting onto hedgerows and open space and the creation of a new park are supported and require a mechanism to ensure these principles are carried through to any reserved matters application. The area of housing located on marshy grassland to the north-west appears unrelated to the development as a whole and should perhaps be reconsidered or further justification should be provided.

* NRW consider that the landscape and visual impacts have been underestimated to an extent and impacts on the site itself are likely to be greater, particularly with regard to the loss of trees,

hedgerows and broadleaved woodland, including an area of Ancient woodland to make way for the access road. In addition, the remaining broadleaved woodland would be fragmented by the access road. The proposal is likely to be in conflict with Policy E11 of the LDP. Therefore, we consider that detailed and specific information of the new planting and future management needs to be provided in order to inform your Authority's decision.

* We consider that the Green Infrastructure Strategy provides little detail of how green infrastructure would be conserved and enhanced, as required by policy. Footpaths and small amenity grassland areas are indicated on the masterplan adjacent to the woodland and fields to the north. In addition, informal access to all these areas may be in conflict with ecological aims, though these are not set out. The open spaces through the housing areas do not appear to be particularly well connected by planting or other green infrastructure.

* The LVIA states there are no cumulative effects, however NRW are aware of a number of other proposed urban extensions, which could have an urbanising effect on this part of the County; including at Penllergaer (SDC), North of Waunarlwydd/Fforest Fach (SDH), which may also be visible from sites like Carn Goch. Therefore, consideration of cumulative effects should be included in the LVIA.

NRW recommends that your Authority requires further information, including a Strategic Landscape Parameters Plan, which includes detailed green infrastructure proposals and detailed section examples (e.g. of buffer areas and 'hop over' to Hospital road access). As previously highlighted in previous sections, a Landscape and Ecological Management Plan for the whole site should also be provided. Both documents should be agreed with NRW and your Authority and should form the basis of conditions on the outline application.

Flood Risk

We note the provision of the document entitled; '*Bryngwyn Fields: Flood Consequences Assessment (V 2.0)*', dated June 2016, by JBA Consulting Ltd.

We consider that the FCA reflects the results from the hydraulic model. The report indicates that the new residential development is outside the flood risk for the 0.1% annual probability of flooding scenario.

However, an embankment between cross sections LLIW01_1153 and LLIW01_1046 has not been included within the model. As this is a NRW Flood Alleviation Scheme earth embankment, a breach scenario consideration would be required as part of a TAN15 assessment.

Additionally, we would require blockage scenarios to be undertaken on the A4240 Gorseinon Road Bridge, again in accordance with TAN15 requirements. We would also recommend 25% and 80% blockage scenarios be tested and that the model be run in the latest version of TuFLOW.

Without the breach scenario and blockage assessments, the results of the model cannot fully satisfy the requirements of an FCA in accordance with TAN15. Until these matters are addressed we are unable advise your Authority further.

NRW would be happy to provide more detailed comments to the applicant and their consultant, should this be considered useful.

Hydraulic Modelling

The 100 year design flood flow, as contained within the FCA (V 2.0), dated June 2016, is considered not suitable for modelling.

An email from JBA Consulting, dated 24th August 2016, stated that 'I have tested the events with a 10% increase in flows to represent the intervening flow area for both the 100CC (100year +climate change) and 1000 year events. Although the flood envelope increases slightly, the impact on the proposed site is negligible due to the large changes in elevation as you move east from the site's boundary.'

Given the concerns our Flood Risk Analysis team have with the modelling, it would be appropriate for any changes to the model to also include the hydrology for the correct location. The growth curve factors, proposed by JBA Consulting would be appropriate to use, which will allow for a quick adjustment to their design flood flows.

Foul Water Disposal and Memorandum of Understanding

As your Authority is aware, since 2007, issues have come to light regarding the foul and surface water drainage networks in this area. This has resulted in additional pollution and nutrient loading spilling into the Loughor WFD water body. 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.

We strongly recommend that your Authority consult with Dwr Cymru/Welsh Water (DCWW) to ensure hydraulic capacity exists at the treatment works to accommodate the flows from this development, without causing pollution.

We would also remind your Authority that to accord with the terms and content of the agreed MOU, foul connections should only be allowed when compensatory surface water removal or suitable improvement scheme has been implemented within the same catchment.

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

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

With regard to surface water disposal, it is imperative that no surface water is allowed to enter the sewerage infrastructure. This is in order to avoid hydraulic overloading of the sewerage system.

We also recommend that your Authority's Drainage Engineers are also consulted in relation to the surface water proposals. This is in order to ensure there is no connection of surface water to the main sewerage system.

NRW Further Comments

Following the receipt of a revised Masterplan and other associated drawings (referred to below), NRW were re-consulted and offered the following comments.

We have significant concerns regarding the proposal as submitted and consider that there is currently insufficient information to assess the possible impact on dormice, a European protected species, potential landscape impacts, mitigation measures and further details in relation to the FCA / Hydraulic Modelling. We require this additional information before we can provide your Authority with detailed comments on the application.

NRW note the submission of two new documents:

'Garden Village: PH Masterplan (Drawing No. PHMP01),' dated 24 March 2017, by Persimmon Homes.

"Garden Village: Street Hierarchy, Boulevard / Spine Street, Secondary Street, Lanes Private Drives, School Vista, Crescent Vista, Garden Square, Park Area and School Vista – Drawings.

Ecology and Protected Species

Having reviewed the drawings listed above, NRW are unable to offer any further comments in relation to ecology and protected species and would refer you Authority to our previous response of 13th September 2016. We have received no further information with regards to a dormouse mitigation strategy, nor has any clear detail or explanation of any proposed 'buffers zones' been incorporated into the updated masterplan or other drawings.

Landscape

We note that the revised masterplan shows that additional housing now connects the area located on marshy grassland (at the west of the site), with the main part of the housing development, which would overlook the public access route. We also note that larger open space areas are re-located to the east of the scheme.

No explanation has been provided for these changes, and we also query whether the number of units and quantity of open space remains as previously outlined? We refer your Authority to our previous comments in relation to landscape.

In addition, we also refer you to our previous statements in relation to: Flood Risk, Hydraulic Modelling, Foul Water Disposal and Ancient Woodland.

NRW Additional Further Comments

Following the receipt of an 'Outline Dormouse Mitigation Strategy' and additional hydraulic modelling information, NRW were re-consulted and provided the following comments.

We continue to have significant concerns regarding the proposal as submitted and consider that there is currently insufficient information to assess the possible impact on dormice, a European protected species, potential landscape impacts and proposed mitigation measures. We require this additional information before we can provide your Authority with further comments. We would be happy to review our position on receipt of this information / clarification.

We note that this is an outline application and are confident that a number of issues could be resolved via the implementation of appropriate planning conditions. However, we require the following matters in relation to EPS species and landscape to be addressed and resolved, prior to the determination of any planning permission.

Ecology and Protected Species

We note the submission of the document entitled; 'Outline Dormouse Mitigation Strategy (Report Ref: EDP2688_13)', dated August 2017 and prepared by The Environmental Dimension Partnership Ltd.

We note the total area of suitable dormouse habitat to be lost through the proposed scheme is 21,965 m² and new planting will total 32,750 m². However, 'Plan EDP 4: Habitat Calculations' drawing reference EDP2688/49c in the above report outlines the replacement planting, but with some areas isolated inside the proposed areas for development.

We advise that all habitat being provided as mitigation for dormouse, translocated or new planting, is located across the north-west to the north-east of the site to insure strong connectivity for the species across the site, and away from the footprint of the proposed developed areas.

In addition, and as per our previous response dated 2nd May 2017 - no clear details of the proposed 'buffers zones' have been provided, including but not limited to their size and nature, nor have these details been incorporated into the submitted information or onto the master plan.

Any buffer to be created between the retained habitat and the development needs to be in addition to the mitigation for the loss of suitable dormouse habitat on site and be robust enough to protect the retained habitat from the pressures of the proposed development.

Landscape

We note that the revised masterplan shows that additional housing now connects the area located on marshy grassland (at the west of the site), with the main part of the housing development, which would overlook the public access route. We also note that larger open space areas are re-located to the east of the scheme.

No explanation or clarification has been provided for these changes, and we also query whether the number of units and quantity of open space remains as previously outlined? Therefore, we refer your Authority and the applicant to our previous comments in relation to landscape.

Flood Risk & Hydraulic Modelling

We welcome the submission of the document entitled; 'Note to File: Additional modelling and responses to NRW comments (JBA Project Code: 2015s3664 Bryngwyn Fields FCA)', by JBA Consulting, which we received on the 6 September 2017.

We also welcome the provision of the Hydraulic Modelling files, the complete set of which we received on 22 September 2017.

Having reviewed the modelling data provided, we can confirm that this is now acceptable to support the Flood Consequences Assessment (FCA) and are satisfied with the assumptions made within the FCA.

The FCA states that all new properties are outside the 0.1% Annual probability of flooding (APF) event and that there is no increased flood risk elsewhere. We agree that the conclusions of the FCA are acceptable. Therefore, we have no adverse comment to make in relation to Flood Risk at the site.

NRW Final Comments

Following the receipt of a revised 'Outline Dormouse Mitigation Strategy', revised DAS, revised drawings and revised 'Ancient Woodland Mitigation Strategy', NRW were re-consulted and provided the following comments.

We have significant concerns with the proposed development as submitted. We recommend that you should only grant planning permission if you attach appropriately worded conditions requiring the submission, and implementation, of a revised Dormouse Mitigation Strategy to any planning permission your Authority is minded to grant.

We also advise that conditions requiring implementation in accordance with the: 'Updated Ancient Woodland Mitigation Strategy (including Annex EDP4)', the amended 'Parameters Plans', and other documents, including; the 'Design and Access Statement', 'Parameter Plan: Open Space Treatment', 'Landscape and Ecological Management Plan' should also be added to any permission, your Authority may be minded to grant.

We would object if the consent does not include the conditions listed in this response.

Ecology and Protected Species

We welcome the submission of the document entitled: 'Bryngwyn Fields, Kingsbridge. Outline Dormouse Mitigation Strategy. Report Reference: EDP2688_13c' dated 22 November 2017, prepared by The Environmental Dimension Partnership, which has been amended following advice from NRW.

Whilst we have no objection to the development in principle, the proposal has the potential to impact on the existing hedgerows and woodland habitats supporting dormice, as well as weakening connectivity to the wider landscape. Therefore, we advise that in order to minimise the impacts of the scheme on existing dormouse habitat and to maintain connectivity to the wider landscape, the following proposed dormouse mitigation measures are secured. We consider that in this instance it should be possible to address them via the application of appropriate conditions and/or planning obligations attached to any permission.

Details of the financial measures to secure ongoing management and monitoring provisions, as detailed below;

* Details of management and monitoring of ecological areas and green corridors;

* Details and assurances should be provided by the applicant that an appropriately skilled body will be employed to implement the management provisions.

* The preparation and submission of a revised dormouse mitigation strategy which builds upon the outline dormouse mitigation strategy referred to above. Scheme to be implemented as agreed. The scheme to include, but not exclusively;

i. the timing and phasing of implementation of ecological mitigation

ii. Information setting out the extent of and the spatial distribution of habitats to be lost, and those to be enhanced or created in mitigation, including appropriately scaled and annotated drawings. (Currently little information is provided on the areas proposed as new tree and scrub planting shown on EDP 4: Habitat Calculations within the outline dormouse mitigation strategy)

iii. The preparation of a method statement to detail how protected species will be conserved during the site clearance works, including details, timing and duration of the works, action to be taken in the event a protected species is found

iv. The location, form and extent of 'buffers' to be retained and/or newly planted/translocated material, including measures to safeguard habitats from the proposed development. Whilst we welcome the wider buffers of c30m in width, we note that some of these areas are less than 5m in width. We advise that vegetated buffers are a minimum of 5m wide at any one point and that the width of the buffers for the whole scheme is detailed on appropriate drawings.

* The provision of an amended indicative masterplan which includes any revisions to the site layout and is annotated to show; the proximity and extent of existing and retained habitats to the development plots, the inclusion of vegetated buffers to the retained habitats, the inclusion of any areas proposed for new planting and which demonstrates that the mitigation areas fall outside the curtilage of the individual plots.

* The preparation and submission of a long-term Habitat Management Plan (HMP), to ensure the favourable management of mitigation habitats on site. The plan should include (but not exclusively) a description of habitats to be managed and their desired condition, the nature of management operations required to deliver and maintain the desired condition; appropriate scheduling and timing of activities; proposals for on-going review of management and remedial action to be undertaken where problems are identified by the protected species monitoring scheme. The scheme to be implemented as agreed.

* The preparation and submission of a monitoring scheme for protected species. Monitoring should include the protected species themselves and the establishment of newly planted and managed habitats, and the use of such habitats. Should the monitoring show a decline in population or distribution, remedial measures to be agreed in writing and implemented to the satisfaction of your Authority.

* The preparation and submission of a lighting scheme, consistent with the requirements of the protected species on site. This scheme should include details of the siting and type of lighting to be used, drawings setting out light spillage in key areas for wildlife and any operational measures necessary to ensure wildlife corridors/mitigation habitats including the wildlife crossing on the access road are not illuminated. The scheme should address the construction and operational phase; and include remedial action to be undertaken where problems are identified by the monitoring scheme. The scheme to be implemented as agreed.

We also advise that the applicant seeks European Protected Species licences from Natural Resources Wales under Regulation 55(2)e of The Conservation of Habitats and Species Regulations 2017 before any works on site commence that may impact upon a European protected species. Please note that the granting of planning permission does not negate the need to obtain a licence.

Legislation and Policy

As you are aware, European Protected Species (EPS) are protected by The Conservation of Habitats and Species Regulations 2017. Regulation 9 of the Conservation of Habitats and Species Regulations 2017 requires public bodies in exercise of their functions, to have regard to and, in respect of enactments relating to nature conservation to secure compliance with the requirements of the 1992 'Habitats' Directive (92/43/EEC).

Where an EPS such as bats are present, and a development proposal is likely to contravene the protection afforded to it, a development may only proceed under a licence issued by Natural Resources Wales as the appropriate authority responsible for issuing licences under Section 55 of the above Regulations. This licence can only be issued for the purposes of: 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature, and beneficial consequences of primary importance for the environment.'

Furthermore, the licence can only be issued by NRW on condition that there is 'no satisfactory alternative', and that; 'the development will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.'

These requirements are translated into planning policy through Planning Policy Wales (PPW) January 2016, sections 5.5.11 and 5.5.12, and Technical Advice Note (TAN) 5, Nature Conservation and Planning September 2009. To avoid developments with planning permission subsequently not being granted derogations in relation to European protected species, as advised in PPW, your Authority should therefore ensure the three tests for derogation are satisfied when considering development proposals where a European protected species is present.

Landscape

We note the submission of the revised document entitled; 'Design and Access Statement: Bryngwyn Fields, Kingsbridge – Prepared for Persimmon Homes West Wales', by Geraint John Planning Ltd. Along with the numerous amended Parameter Plans and Street Hierarchy Plans.

Whilst we remain concerned regarding the loss of broadleaved woodland (including Ancient Semi Natural Woodland), trees and hedgerows, we note that compensation is provided for in the updated plans and reports. Buffer habitat areas are provided for and open spaces have the potential for improved linkages with retained woodlands and hedgerows.

Nevertheless, we recommend that approval should only be granted subject to conditions requiring implementation in accordance with the amended Parameters Plans, and other documents, including; the 'Design and Access Statement', 'Parameter Plan: Open Space Treatment', 'Landscape and Ecological Management Plan' and 'Updated Ancient Woodland Strategy, including Annex EDP4.'

Regarding the 'Parameter Plan: Open Space Treatment', we would draw to your attention that the 'Area afforded protection of TPO 642/2017' overlaps with the 'Areas of woodland/hedgerow loss.' We assume that only the TPO elements are to be retained in these areas and recommend that your Authority may wish to ensure that this is clarified on the drawing.

Ancient Semi-Natural Woodland

We also note the submission of the updated document entitled; 'Bryngwyn Fields, Kingsbridge: Ancient Woodland Mitigation Strategy (edp2688_14a_080218)', by The Environmental Dimension Partnership Ltd.

In relation to the updated Ancient Woodland Strategy, we would query the use of Sycamore and Sweet Chestnut in the mix along the access road and wildlife link (Tables EDP 6.1 & 6.2). Sycamore (in particular) has the potential to be invasive in the adjacent areas of woodland. Therefore, we advise that the final species mix is discussed and agreed with your Authority's Planning Ecologist, in conjunction with the NRW Species Team.

We also advise your Authority should ensure that the Dormouse Mitigation is reflected in all the appropriate plans and reports, including the Ancient Woodland Mitigation Strategy, Green Infrastructure Strategy and any related plans.

Flood Risk & Hydraulic Modelling

As previously stated we welcome the submission of the document entitled; 'Note to File: Additional modelling and responses to NRW comments (JBA Project Code: 2015s3664 Bryngwyn Fields FCA)', by JBA Consulting and the provision of the associated Hydraulic Modelling files.

Having reviewed the modelling data provided, we can confirm that this is now acceptable to support the Flood Consequences Assessment (FCA) and are satisfied with the assumptions made within the FCA.

The FCA states that all new properties are outside the 0.1% Annual probability of flooding (APF) event and that any there is no increased flood risk elsewhere. We agree that the conclusions of the FCA are acceptable. Therefore, we have no adverse comment to make in relation to Flood Risk at the site.

Pollution Prevention

The biggest risk in relation to pollution occurs during construction and we would remind the applicant/developer that the responsibility for preventing pollution rests with those in control on the site. Works should therefore be carefully planned, so that contaminated water cannot run uncontrolled into any watercourses.

As best practice, we would advise the applicant/developer to produce a detailed site-specific Construction Environment Management Plan (CEMP), with particular reference given to the protection of the surrounding land & water environments.

We advise that the following condition is included on any permission your Authority may be minded to grant.

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

Reason: Prevention of pollution to controlled waters and the wider environment.

As a minimum we recommend the plan should include:

- * Identification of surrounding watercourses and potential pollution pathways from the construction site to those watercourses.
- * How each of those watercourses and pathways will be protected from site run off.
- * How the water quality of the watercourses will be monitored and recorded.
- * What the construction company intends to do with surface water runoff from the site during the construction phase. Please note that it is not acceptable for ANY pollution (e.g. sediment/silt/oils/chemicals/cement etc.) to enter the surrounding watercourses.
- * storage facilities for all fuels, oils and chemicals
- * Construction compounds, car parks, offices, etc.
- * measures for dealing with dust
- * measures for dealing with any contaminated material (demolition waste or excavated waste)
- * identification of any buried services, such as foul sewers, so that they are protected
- * Details of emergency contacts, for example Natural Resources Wales' Pollution Hotline.

Any drains laid must also be protected in a way that prevents dirty water from the construction site entering them.

Waste Management

Given the nature and scale of this development, your Authority may also wish to consider that a Site Waste Management Plan (SWMP) is produced. Completion of a SWMP will help the developer / contractor manage waste materials efficiently, reduce the amount of waste materials produced and potentially save money.

We acknowledge that a SWMP may be something best undertaken by the contractor employed to undertake the project. Furthermore, we note that these documents are often 'live' and as such may be best undertaken post permission.

For further guidance in respect of pollution prevention, we would refer the applicant/developer to our website at: www.naturalresourceswales.gov.uk / www.cyfoethnaturiolcymru.gov.uk.

We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance. The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

We refer your Authority to our previous responses for our comments in relation to: Foul Water Disposal, Surface Water Disposal and the Memorandum of Understanding (MoU).

Welsh Water / Dwr Cymru

We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Sewerage

We have considered the impact of the foul flows generated by the proposed development upon the local public sewerage system and concluded that it is unlikely that sufficient capacity exists to accommodate the development without causing detriment to the existing services we provide to our customers, or in regard to the protection of the environment. We have been liaising with the developer of the proposed site and can confirm that we have provided them with a quotation to carry out a Hydraulic Modelling Assessment (HMA) on the public sewerage system. A HMA will establish if a point of adequacy exists within the network to accommodate foul flows from the development and if not what improvements will be required.

We would therefore request that the following conditions are included within the planning consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Conditions

No building shall be occupied until a point of connection on the public sewerage system as has been identified by a hydraulic modelling assessment, which shall be first submitted to and approved by the local planning authority. Thereafter the connection shall be made in accordance with the recommended connection option following the implementation of any necessary improvements to the sewerage system, as may be identified by the hydraulic modelling assessment.

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.

In addition to the above, this proposed development is located in an area which has the potential to discharge into national and international designated waters. The Loughor Estuary forms part of the Carmarthen Bay & Estuaries European Marine Site which is the collective name for three European 'Natura 2000' designated areas, namely Carmarthen Bay & Estuaries Special Area of Conservation, Carmarthen Bay Special Protection Area and Burry Inlet Special Protection Area. A key fundamental issue associated with any proposed development(s) located on both the Carmarthenshire and Swansea side of the Estuary is the potential impact of any revised or additional water discharges, either foul or surface water, will have on the local drainage systems and ultimately the designated waters. Dwr Cymru Welsh Water is contributing towards improving the water quality in the Estuary by undertaking key infrastructure improvements at its Northumberland Avenue and Llanant Waste Water Treatment Works which are designed to improve arrangements for dealing with surface water, provide ultra violet treatment and phosphate removal.

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

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

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

The proposed development site is crossed by a number of public sewers with the approximate position being marked on the attached Statutory Public Sewer Record. The positions 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 each of the public sewers.

Reason: 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

Sewage Treatment

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

Water Supply

In order to establish what would be required to serve the site with an adequate water supply, it will be necessary for the developer to fund the undertaking of a hydraulic modelling assessment on the water supply network. For you to obtain a quotation for the hydraulic modelling assessment, we will require a deposit of ?250. This fee is non-refundable, however, if the developer wishes to proceed with the Assessment the £250 will be deducted from the final modelling costs. Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

Coal Authority

The Coal Authority has no objection to the proposed development subject to the imposition of a condition or conditions to secure the details given below.

The Coal Authority Response: Material Consideration

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that there are four mine entries and their resultant zones of influence on the application site. There are also coal outcrops crossing the site which may have been subject to historic unrecorded workings at shallow depth.

The planning application is supported by a Desk Study Report, dated July 2015 and prepared by Integral Geotechnique. This report has been informed by a range of sources of information including; historic maps, BGS maps and a Coal Mining Report.

Having reviewed the available coal mining and geological information the Desk Study Report concludes that there is a potential risk to the development from past coal mining activity. The report therefore recommends that intrusive site investigations are carried out on site to locate and assess the condition of the mine entries on the site and the risk posed from shallow coal mine workings. The findings of these intrusive site investigations should inform the layout of the development to ensure that adequate separation is provided between the mine entries and any buildings proposed. The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with our adopted policy:

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

The Coal Authority considers that due consideration should also be afforded to the potential risk posed by mine gas to the proposed development.

The Coal Authority notes that the applicant has also submitted a Mineral Safeguarding Assessment and has concluded that prior extraction of coal would be economically unviable in this case.

The Coal Authority Recommendation to the LPA

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

The Coal Authority recommends that the LPA impose a Planning Condition should planning permission be granted for the proposed development requiring these site investigation works prior to commencement of development.

In the event that the site investigations confirm the need for remedial works to treat the mine entries and areas of shallow mine workings to ensure the safety and stability of the proposed development, this should also be conditioned to ensure that any remedial works identified by the site investigation are undertaken prior to commencement of the development.

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

- * The submission of a scheme of intrusive site investigations for the mine entries for approval;
- * The submission of a scheme of intrusive site investigations for the shallow coal workings for approval;
- * The undertaking of both of those schemes of intrusive site investigations;
- * As part of the reserved matters application the submission of a report of findings arising from both of the intrusive site investigations;
- * As part of the reserved matters application the submission of a layout plan which identifies appropriate zones of influence for the mine entries on site, and the definition of suitable 'no-build' zones;
- * As part of the reserved matters application the submission of a scheme of treatment for the mine entries on site for approval;

* As part of the reserved matters application the submission of a scheme of remedial works for the shallow coal workings for approval; and

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

* Implementation of those remedial works.

Wales and West Utilities

We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of General Conditions for your guidance. This plan shows only those pipes owned by Wales & West Utilities in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GT's and also privately owned pipes may be present in this area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty and the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Wales & West Utilities, its agents or servants for any error or omission.

Wales & West Utilities have no objections to these proposals, however our apparatus may be at risk during construction works and should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversion works be required these will be fully chargeable.

Wales & West Utilities apparatus may be directly affected by these proposals and the information you have provided has been forwarded to Asset Management for their comments. If Wales & West are affected an Engineer will then contact you direct. Please note this is in regard only to those pipes owned by Wales & West Utilities in its role as a licensed Gas Transporter (GT). Gas pipes owned by other GT's and also privately owned may be present in this area and information with regards to such pipes should be obtained from the owners.

Glamorgan Gwent Archaeological Trust (GGAT)

GGAT Initial Comments

Thank you for consulting us about this application; consequently we have consulted the detailed information contained on your website and can confirm that the proposal has an archaeological restraint.

An Archaeology and Heritage Assessment undertaken by EDP (Report no. EDP2688_06b) has been submitted in support of the application. This has collated and assessed the known archaeological resource in the area, which includes the remains of Penyfode Fach Farm. Whilst no designated sites are within the proposed development, several structures dating to the Roman period (including two Scheduled sites, Mynydd Carn Goch Roman earthworks (GM269) and the Roman Practice Camp on Stafford Common (GM502)) are located in the vicinity and, as the report indicates, there is the potential for Roman material to be located in the application area. Furthermore, Penyfode Fach Farm is depicted on the Loughor Tithe map of 1839 and it is possible it has earlier origins. As such the Farm will require suitable mitigation measures.

We note that in section 5.4 the report indicates that due to the lack of previous investigation of the site, it is possible that currently unknown sites of archaeological interest may be located within the application area. It recommends that further investigation would be required, via a

geophysical survey in the first instance. However, it should be noted that, dependent on the results of the survey, additional archaeological work, such as evaluation trenching, may be required. Such an approach is entirely appropriate and we concur with the recommended mitigation measures. Indeed, archaeological evaluation of the site was recommended in our response to the LDP consultation (KB0007) for Land North of Garden Village (SD B).

It is therefore our opinion in our role as the professionally retained archaeological advisors to your Members that the applicant should be requested to commission suitable archaeological evaluation work, specifically a geophysical survey in the first instance, potentially followed by an archaeological field evaluation.

Consequently, as the impact of the development on the archaeological resource will be a material consideration in the determination of the current planning application this should be deferred until a report on the evaluation has been submitted to your Members.

All archaeological work must meet the Standard and follow the Guidance of the Chartered Institute for Archaeologists (CIfA) and it is our policy to recommend that it is undertaken by a Registered Organisation or a MCIfA level Member within CIfA (www.archaeologists.net/ro and www.archaeologists.net/codes/ifa).

GGAT Final Comments

A Mitigation Strategy for Archaeological Investigation was submitted and GGAT were re-consulted.

The final response from GGAT is: Many thanks for the attached strategy, which is appropriate, should you be minded to grant consent at this stage. If so, we would recommend a condition citing the specific strategy document, something similar to the model condition 24 given in Welsh Government Circular 016/2014:

No development shall take place until the applicant, or their agents or successors in title, has secured implementation of a programme of archaeological work in accordance with that outlined in "Land North of Garden Village Swansea (Bryngwyn Fields, Kingsbridge): Mitigation Strategy for Archaeological Investigation" (Rubicon Heritage Report no. GVSE16, dated November 2017).

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

We also recommend that a note should be attached to the planning consent explaining that:

The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.

CADW

The proposed development is located within the vicinity of the scheduled monuments known as Garn Goch Round Barrow (GM199) and Mynydd Carn-Goch Roman Earthworks (GM269). The application area is located some 260m west of scheduled monument Garn Goch Round Barrow (GM199), however due to intervening buildings the nearest point of the proposed development, which may be visible from the monument, is some 360m to the southwest. The monument comprises the remains of an earthen built round barrow, which probably date to the Bronze Age (c. 2300 - 800 BC).

Prehistoric funerary monuments were often sited in locations that allowed intervisibility with other funerary monument, natural features, such as springs and settlement sites. In this case, the visual focus may have been eastward towards 2 springs and also the north west where the resulting stream flowed. Longer views to unidentified sites could be possible to the north, east and south, but views to the west are blocked by higher ground. As such the proposed development is located to the west which is not thought to be a significant view and intervening vegetation is likely to heavily screen or block views for the proposed development.

As such there will be no impact on the setting of scheduled monument Garn Goch Round Barrow (GM199). Scheduled monument Mynydd Carn-Goch (GM269) Roman Earthworks are located some 400m southeast of the application area. The monument comprises the remains of two Roman practice camps, dating to the Roman period (AD 74-410). The camps were probably not located in a particularly defensive position or to control a specific route but were sited on unproductive land to allow training to take place. Even if the view towards the proposed development was a significant one, the position of Pen-y-Waun Farm and the extant vegetation will block or heavily screen it. Consequently the proposed development will not have an impact on the setting of scheduled monument Mynydd Carn-Goch Roman Earthworks (GM269).

Council's Head of Engineering and Transportation

Initial Highway Officer Comments

Before coming to any conclusions on the above proposal, it is necessary to seek clarification on actual extents of mitigation at key junctions. Clearly some junctions identified will need to be wholly funded by the developer with other junctions gaining a contribution towards improvement.

The applicant will need to be aware that the following is expected;

* Specific details are required of Public Transport, Pedestrian and Cycle improvements referred to in Section 9 of the TA. Additionally, the level of contribution towards improvement for:

J47 (M4)

J2 A484/A483

* It is expected that the development will need to fund improvements to:

J4a/4b – Hospital Rd/Gorseinon Rd

J15 – Hospital Rd/Swansea Rd

J1 A484/Swansea Rd

* Specific mitigation details will need to include the extent of works, level of funding and time scales for delivery with trigger points as proposed by the developer.

* I would wish to point out that the signal timings for Junction 5 (Dillwyn Road/Phoenix Way/Gorseinon Rd) are incorrect and need to be reviewed and amended.

* Whilst junctions such as Junction 7 (Penllergaer roundabout) are shown to be over capacity currently and it is expected that a possible LDP site nearby may be the more appropriate means of securing improvements, the applicant needs to consider a mechanism should that development not go ahead and the need for additional works to be funded by this development become necessary.

I trust the applicant can be advised of the foregoing requirements in order that appropriate amendments can be made to the Transport Assessment and submitted for further consideration.

Final Highway Officer Comments

Traffic Impact Assessment Report

Corun Consulting have carried out a traffic impact assessment on the effect of building a new 750 unit strategic housing site located immediately to the North of Garden Village. The scope of the document was agreed with Swansea Council and involved the testing of 15 junctions.

The site is to be accessed via a new access from Hospital Road and also a limited part of the development from Swansea Road.

The Traffic Assessment compiled in August 2016 has examined the highway effects of the proposed development, and how this would impact on junctions in the area. A mitigation statement was submitted in November 2016 and this was followed by a Transport Note in May 2017 following concerns that the trips generated had been overestimated at certain junctions.

To accurately assess the impact of the proposed development on the existing junction analysis was carried out using the computer modelling programs:

- * Picady for priority junctions
- * Arcady for roundabouts.
- * Linsig for signalised junctions.

Modelled are scenarios for 2014, 2025 and 2025 + development traffic

Base Flows

The base flows are taken from classified turning counts which were undertaken between 2009 and 2014. These have been factored to provide a common base year of 2014.

Trip Generation

The development site consists of 2 main traffic generators, the residential development and a new primary school.

Estimated flows for the proposed residential development have been forecast using the TRICS database. This is a nationally accepted database providing information relating to the total number of multi-modal trips generated by development.

Sites in Greater London, and those in town centres and edge of town have been excluded, this is seen to be representative and correct.

This shows a total of 786 and 746 person trips in the AM and PM peak hours respectively with a modal split of 56% using private cars.

A significant proportion of trips, particularly in the AM peak are connected with education, the provision of a new primary school within the site should mean the TRICS database has overestimated the trip rate. The analysis provided should therefore be considered to be worst case.

Both base flows, and generated trips have been checked against the CCS strategic transport model, and are thought to be over that which we predict.

Junctions Tested

1. A484/B4620 Swansea Rd RAB
2. A483/A484 Cadle RAB
3. Hospital Rd / Phoenix Way
4. Hospital Rd / Gorseinon Rd / Pleasant Rd
5. Phoenix Way / Gorseinon Rd
6. Llewellyn Rd / Gorseinon Rd
7. A48 / A4240 Gorseinon Rd RAB
8. M4 junction 47
9. A484/A4240 Victoria Rd RAB
10. B4620 Swansea Rd RAB
11. A483 / Parc Penllergaer
12. Gorseinon Rd / Heol Y Mynydd
13. Swansea Rd / Bryngwyn Rd
14. Swansea Rd / Myrtle Rd
15. Swansea Rd / Hospital Rd

1. A484 / B4620 Swansea Rd Roundabout

Input data - The junction has been modelled using the Arcady computer programme; the geometric input data has been verified and is correct.

Existing Situation - Analysis shows the roundabout currently operates above capacity in the AM and PM peaks: AM peak maximum RFC (ratio of flow to capacity) of 1.08 on Swansea Rd West. This results in a maximum queue of 63 vehicles. PM peak maximum RFC (ratio of flow to capacity) of 1.24 on Swansea Rd East. This results in a maximum queue of 162 vehicles. This corresponds to on-site observations.

2025 base - The roundabout is significantly over capacity in the 2025 base scenario, with significant queues on at least 2 legs in both the AM and PM peak hours.

2025 Base flows including development.

Mitigation - The consultant has submitted proposed mitigation at the roundabout, which will widen the inscribed circle diameter (ICD) from 46 to 52 metres, widen each entry to provide an additional entry lane. The mitigation when modelled provides significant improvement over the 2025 with development scenario. It must be noted that a queue of 332 vehicles is still predicted on Swansea Rd West in the AM peak, this approach remains over capacity; however this is an improvement over the 2025 base scenario.

2. A484 / A483 Cadle Roundabout

Input data - The junction has been modelled using the Arcady computer programme; the geometric input data has been verified and is correct.

Existing Situation - Analysis shows the roundabout currently operates within capacity during both AM and PM peaks although approaching capacity during the PM: This corresponds to on-site observations.

2025 base - The roundabout is significantly over capacity in the 2025 base scenario on the A483 North leg, an RFC of 1.1 with resulting queues of 400 vehicles.

2025 Base flows including development - The overcapacity on the A483 North is slightly worsened; the RFC is 1% worse at 1.11, with predicted queues of 450. The A483 inbound will be over capacity by 2025, this due to background traffic growth. The effect of the proposed development is extremely minor. It should be noted that once RFC exceeds 1 modelled queues will increase exponentially, and modelled output does become unreliable. The proposed link roads to the A484 from Gorseinon Rd and the Alcoa Strategic site will also have a positive effect on trip distribution.

3. Hospital Rd / Phoenix Way

Analysis shows this junction is currently and will remain well within capacity during all modelled scenarios.

4. Hospital Rd / Gorseinon Rd / Pleasant St

Input data - The junctions have been modelled using the Arcady computer programme; the geometric input data has been verified and is correct.

Existing Situation - Analysis shows the junctions exceed capacity during the AM and PM peaks with slight queuing on Gorseinon Rd in both directions. This corresponds to on-site observations.

2025 base - The roundabout is significantly over capacity in the 2025 base scenario on the Gorseinon Rd West leg with a predicted queue of 254 vehicles in the AM and over capacity during the PM peak with a queue of 385 vehicles in the PM peak on Gorseinon Road East.

2025 Base flows including development

Mitigation - It has been proposed to widen the existing roundabout at the Hospital Road junction and increase the length of the 2 lane approaches on Gorseinon Road.

The mini roundabout at the junction of Pleasant Road will be removed and replaced with a priority junction incorporating a ghost island and right turn lane. Analysis of the proposed mitigation shows the new arrangement operates well within capacity during both peak hours.

5. Gorseinon Road / Phoenix Way Traffic Signal Junction

Input Data - The input data is broadly correct; however there is some concern over the signal timings used. The junction has been modelled with a 210 second cycle time resulting in main road green of 120 seconds and a pedestrian stage running every cycle. This is unrepresentative of on-site conditions. This should be modelled with a more realistic cycle time and main road green time, and possibly restrict the peds to every other or even every 3rd cycle.

6. Gorseinon Rd / Llewellyn Rd

Input data - 3 arm mini roundabout, the input geometry has been verified and is correct.

Existing Situation - The roundabout is at capacity during both peak hours with Gorseinon Road West having an RFC of 0.9 with some queuing evident.

2025 base - The roundabout is predicted to be significantly over capacity during 2025 with RFCs on Gorseinon Road of 1.12 and 1.15 in the AM and PM respectively, resulting in significant queuing on Gorseinon Road.

2025 Base plus development - Queue lengths are predicted to be worse in the with development scenario, up to 2x. No mitigation has been offered, only a statement that queues with result in modal shift or change in route choice.

The analysis does not take into account the potential relief road through the Parc Mawr strategic site or the potential for onward connections through the Alcoa site. Interrogation of the strategic model shows that trip diversion will take place through the proposed Parc Mawr site providing relief at this junction.

7. Gorseinon Rd / A48 / Swansea Rd

Input data - 4 arm roundabout, the input geometry has been verified and is correct.

Existing Situation - The existing roundabout is over capacity on the Pontarddulais Road arm during the AM peak, with an RFC of 0.95 and a max Q of 13.2 vehicles. The TA suggests that on-site observations indicate this is an overestimation of the existing queue. CCS monitoring and local knowledge would suggest the contrary to be the case.

2025 base - The roundabout is predicted to be significantly over capacity on the Pontarddulais Road arm and approaching capacity on the Gorseinon Road arm during the AM peak. The PM peak shows a significant over capacity on the A48 (from junction 47).

2025 Base plus development - Over capacity and queue lengths predicted in the 2025 base are predicted to worsen in the with development scenario.

Again no mitigation has been offered, only a statement that queues with result in modal shift or change in route choice. The analysis does not take into account the potential relief road through the Parc Mawr strategic site or the potential for onward connections through the Alcoa site.

8. M4 Junction 47

Input data - The gyratory has been modelled using Linsig. The base model for analysis was provided by CCS and is correct.

Existing Situation - Analysis shows the gyratory operating at capacity during the AM peak, and slightly over capacity during the PM peak, with the A483 from Cadle being 106% saturated with a queue of 91 vehicles

2025 base - The gyratory is forecast to be 20% over capacity in 2025 in both peak hours. The M4 off slips and A483 showing the greatest level of vehicle saturation and consequent queues.

2025 Base plus development - An additional 15% over capacity is predicted due to development flows, this should be treated with some caution, as once a junction is modelled at saturations over 100% results will generally be predicted to be worse than in reality.

Mitigation - The developer has proposed to fund a MOVA upgrade of the 3 signal junctions around the gyratory. This would provide a typical improvement of 20-25% over non-adaptive forms of control. Although adaptive control cannot in itself be explicitly modelled the level of potential improvement, would mitigate against the addition of development traffic, and provide betterment over the steady state.

9. A484 / B4296 Victoria Road Roundabout

Input data - The gyratory has been modelled using Arcady, junction geometry has been verified.

Existing Situation - The A484 West Arm is over capacity during both peak hours, and shows a queue of 27 vehicles, this is consistent with observations.

2025 base - The gyratory is forecast to be significantly over capacity during both AM and PM peak hours, max RFC of 1.36 on A484 W in the AM resulting in a queue of 596 vehicles. Spread over 2 lanes this equates to a max queue length of around 1000m. The PM peak shows an RFC of 1.14 on Victoria Rd South with a max queue of 347 vehicles

2025 Base plus development - The over capacity is marginally worse by 7% in the AM and 5% in the PM on the worst affected arm.

The junction is shown to be over capacity for the future years both with and without development, the effect of the development traffic is minor in comparison to potential background growth. The traffic that is directly attributable to this development is within the normal daily fluctuations of +/- 5%.

10. Victoria Rd / Swansea Rd mini Roundabout

Input data - 3 arm mini roundabout, the input data has been verified and is seen to be correct.

Existing Situation - Analysis shows the roundabout operates within capacity during the AM peak and over capacity during the PM with an RFC of 1.29 and a queue of 241 on the Swansea Road East arm. The developer's observations are that the model is over estimating queues on this leg, CCS observations are consistent with this.

2025 base - Analysis shows the roundabout operates at capacity during the AM peak with a maximum queue of 13 vehicles on Swansea Rd West. In the PM peak the junction will experience significant capacity issues, on the Swansea Road East Arm, with a maximum RFC of 1.69 and a max queue of 543 vehicles.

2025 Base plus development - The PM situation is marginally worse than the without development scenarios. The effect of development traffic is extremely marginal compared to the effect of background traffic growth, nevertheless the area will be susceptible to increased queues in the future.

11. A483 / Home Farm Way

Input data - Isolated 3 arm junction modelled using Linsig; the input data has been verified and is correct.

Existing Situation - The junction operates within capacity during both peak hours. On-site observations would verify the modelled output.

2025 base - The analysis predicts the junction will remain within capacity during both peak hours.

2025 Base plus development - Adding development traffic does cause a slight worsening of performance, however the junction remains within theoretical capacity.

12. Gorseinon Rd / Heol Y Mynydd

Input data - The gyratory has been modelled using Linsig. The data has been verified and is correct.

Existing Situation - The junction operates within capacity during the AM peak and at capacity during the PM with some queuing on all approaches. This has been validated by on street observations.

2025 base - The junction will operate at capacity during the AM peak, and will experience a severe over capacity during the PM peak, with additional queues evident on Gorseinon Rd.

2025 Base plus development - There is little difference between the with and without development scenarios indicating the over capacity is due to growth rather than a direct effect of this development.

13. Swansea Rd / Bryngwyn

The roundabout has been accurately modelled and is shown to be within capacity during all modelled scenarios.

14. Swansea Rd / Myrtle Rd mini Roundabout

Input data - The gyratory has been modelled using Arcady. The base model for analysis has been verified and is correct.

Existing Situation - Analysis shows the roundabout approaching capacity during the PM peak with Swansea Road East showing an RFC of 0.97 and a queue of 21 vehicles.

2025 base - The roundabout will experience capacity problems during the 2025 base scenario with severe queuing on the Swansea Road East arm of 239 vehicles and an RFC of 1.2.

2025 Base plus development - The RFC is 8% worse once the development traffic is added, and the queue increases to 328 vehicles.

15. Hospital Rd / Swansea Rd

Input data - The existing priority junction has been modelled using Picady, the input data is correct

Existing Situation - The existing junction operates well within capacity; this is confirmed by on site observations.

2025 base - The junction will operate slightly above capacity, AM maximum RFC of 1.1 on Hospital Rd with a maximum queue of 36 veh. Similar RFCs and queues are predicted in the PM peak hour.

2025 Base plus development - Adding development traffic results in a significant over capacity on the Hospital Road arm RFC of 1.67 in the AM and 1.86 in the PM with maximum queues on 236 and 330 respectively.

Mitigation - The developer has proposed to convert this junction to signalised operation. This has been retested using Linsig, and has been shown to operate within capacity in all modelled scenarios.

Highway Officer's TIA Conclusions and Recommendations

The developer has proposed mitigation at either end of Hospital Road; both these options mitigate the effect of development traffic, and provide betterment over the existing situation.

Swansea Road will continue to experience significant peak hour flows, these are largely as a result of increased base traffic, and the proposed improvements to the Swansea Road / A484 roundabout would provide enough betterment to result in diversion of trips from Swansea Road to the A484.

The diversion of trips would only be able to be accommodated with some improvement at Swansea Rd / Victoria Rd and Victoria Rd /A484 roundabouts, to further discourage the use of Swansea Road to through traffic.

Gorseinon Road, Penllergaer is also predicted to be above capacity, again predominantly as a result of background traffic, however the introduction of the Parc Mawr link and the outline proposals to signalise the Gorseinon Rd / A48 (Old Inn) roundabout will have a positive effect on this route.

Junction 47 of the M4 is predicted to exceed its capacity in future years, the developer has offered to implement MOVA control at the roundabout. This will offer a significant benefit to all routes from Gorseinon Road which experience peak hour queuing at present.

NOTE: The 2025 flows include traffic from other strategic sites, the potential highway improvement associated with these sites have not been considered.

Connections to the Strategic Highway Network

The junctions tested above include the new vehicular access points into the site which are:

1. Primary site access (off Hospital Road) is 32m ICD 3-arm roundabout - The roundabout was tested for full build out (2025) and also tested assuming all the traffic generated by the site exits using that roundabout. The worst case ratio of flow to capacity (RFC) occurs in the p.m. peak and is 0.41 (maximum desirable is 0.85) so it has been demonstrated that in principle the approved design is capable of accommodating all the traffic without detriment to the free flow of

existing traffic, nor resulting in any queuing. As the roundabout will be affecting the existing Strategic Highway then the detailed design will need to be carried out as part of a Section 278 Agreement with the Highway Authority. Conditions referencing this are contained under the suggested conditions at the end of this report.

2. The secondary access located adjacent 10 and 12 Swansea Road is to be widened to provide a 6.5m carriageway, 2 number 2m footways and a 1m service strip behind the footways. The layout is such that buses can be accommodated within the infrastructure. It has been modelled for the 2025 full build out assuming that 20% of the site will be accessing/egressing using this junction. The Worst case RFC was 0.5 in the p.m. peak with resulting queues of two vehicles. It has been demonstrated that in principle the approved priority junction design is capable of accommodating 20% of all the traffic without detriment to the free flow of existing traffic, nor resulting in any significant queuing. As the priority junction will be affecting the existing Strategic Highway then the detailed design will need to be carried out as part of a Section 278 Agreement with the Highway Authority. Conditions referencing this are contained under the suggested conditions at the end of this report.

In order to restrict the vehicular movements then there will not be a through route for general traffic to the rest of the site, only for public transport which will be controlled by a bus-gate or similar. With regard to concerns at school drop off time then as the application is outline only we are not in a position to comment further. The school will be required to provide adequate facilities in and around its curtilage to cater for the pupils/staff. This will be looked at in detail under the subsequent reserved matters application.

Summary of mitigation measures/contributions agreed

1. £100,000 for works to the junction 47 to upgrade the signal control to MOVA. Suggested time line - prior to occupation of 1st dwelling.

2. Days roundabout enlarged (inscribed diameter from 46-52m), wider flare lanes and the two western approaches increased from two lanes to three lanes each. The access from days is increasing from one to two lanes. Also increase to three circulatory lanes from the current 2. Suggested time line - prior to occupation of 100th dwelling. (Junction 1).

3. Hospital Road/Gorseinon Road arrangement - the existing 2 mini roundabouts will become one small roundabout with access to 3m's becoming a priority junction. Suggested time line prior to occupation of 50th dwelling. (Junctions 4a and 4b)

4. The existing priority junction at Hospital Road/Swansea Road will be signalised. The plans show a pedestrian phase across Hospital Road but for completeness a pedestrian phase will also be required across Swansea Road. This is simply to accommodate with minor improvements being provide. Suggested time line prior to occupation of 300th dwelling. (Junction 15)

Suggested Highway conditions

1. Highways Works carried out in accordance with mitigation measures/contributions as detailed above in phasing as suggested in the previous section. The applicant entering into a Section 106 Agreement to deliver these improvements.

2. 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;
- 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.

3. Parking for all uses to be provided in accordance with the CCS Parking Standards.

4. All off site works to be carried out under a Section 278 Agreement with the Highway Authority.

5. In terms of street hierarchy the main through route should be capable of accommodating a service bus (minimum carriageway width of 6.5m). Without access to public transport then the site is not located in a sustainable location and as such would be contrary to the Active Travel Act and Planning Policy Wales which seeks to reduce reliance on motor vehicles by providing appropriate alternatives.

6. There should also be a shared use link through the site to encourage pedestrians/cycle usage in accordance with the Active Travel Act. The minimum width should be 3m.

7. Within 12 Months of consent, a Travel Plan shall be submitted for approval and the Travel Plan shall be implemented on beneficial use of the development commencing.

8. 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.

9. All front boundaries to be kept below 1m in the interests of visibility.

10. The method of restricting the movement of cars through the site from the Hospital Road roundabout to the Swansea Road priority junction shall be submitted for approval to the LPA. The agreed scheme shall be implemented prior to the 150 house threshold utilizing the Swansea Road point of access being met. The links shall allow for pedestrian, cycle and bus accessibility only.

Council's Drainage Officer

Initial Drainage Officer Comments

Concerns are raised with regard to the following: discharge rates within the Drainage Strategy; the need to undertake an assessment of the route of the offsite water course; more details regarding the SUDS ponds and their relationship to Zone 2 flood zone; urban creep (e.g. extensions and conservatories); adoption issues; and impacts upon the Burry Inlet with regard to details to removed surface water to the combined sewer to free up capacity for the proposed foul flows.

Final Drainage Officer Comments

An updated Drainage Strategy was submitted which addressed the concerns raised above. The Drainage Officer was re-consulted and offered the revised comments.

We have reviewed the revised Drainage Strategy dated 09/09/2016, Revision E and based on that document, no objections are raised and we recommend the following conditions are attached to any permission given.

Suggested drainage Conditions:

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

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

Reason: To ensure a satisfactory and sustainable means of surface water drainage, to prevent the increased risk of flooding and ensure future maintenance of these.

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

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or amending that order), Classes A, B, C, D and E of Schedule 2, part 1 shall not apply.

Reason: To protect the integrity of the chosen surface water management system from additional impermeable areas that the SW system is not designed to accommodate.

Informative - 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.

Council's Tree Officer

Initial Tree Officer Comments

The report provided indicates the amount of trees affected by the indicative layout.

A small area of ancient woodland will be lost (118m²) which is contrary to Policy EV30 and PPW. However the area equates to approximately 1.7% of the ancient woodland on site and is required for access from Swansea Road, it appears that this route is one of the least damaging.

The indicative layout internal to the site requires the removal of trees which conflict with it. Several of these trees are category B trees (BS5837) some of which could be accommodated with slight modifications to the design. Retaining more mature trees within the layout would improve the overall landscape and the sense of place.

The trees that potentially could be incorporated that have been identified for removal include: T2, T4, T104 and T119.

Tree T98 is shown for removal although the layout does not appear to conflict with its retention.

The final layout should look to retain more of the better quality trees and this will be considered when the reserved matters application is received.

Condition 1

No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works shall commence until a scheme for tree protection has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place other than in complete accordance with the approved tree protection scheme, unless otherwise agreed in writing by the Local Planning Authority. The tree protection scheme shall include the following information:

(a) A tree protection plan comprising of a drawing at a scale of not less than 1:500 showing, with a solid line, all trees and other landscape features that are to be retained and, with a dashed or dotted line, those that are to be removed. This drawing shall also show the position of protection zones, fencing and ground protection measures to be established for retained trees.

Where applicable, two lines shall be shown demonstrating the lines of temporary tree protective fencing during the demolition phase and during the construction phase.

(b) A British Standard 5837 Tree Survey schedule with tree reference numbers corresponding with trees on the plan required by section a) of this condition.

(c) The specification for protective fencing and a timetable to show when fencing will be erected and dismantled in relation to the different phases of the development;

(d) Details of mitigation proposals to reduce negative impacts on trees including specifications and method statements for any special engineering solutions required and the provisions to be made for isolating such precautionary areas from general construction activities;

(e) Details of any levels changes within or adjacent to protection zones;

(f) Details of the surface treatment to be applied within protection zones, including a full specification and method statement;

(g) The routing of overhead and underground services and the location of any wayleaves along with provisions for reducing their impact on trees to an acceptable level;

(h) A specification and schedule of works for any vegetation management required, including pruning of trees and details of timing in relation to the construction programme;

(i) Provision for the prevention of soil compaction within planting areas;

(j) Provision for the prevention of damage to trees from soft landscape operations including details of the application of any herbicides;

(k) Provision for briefing construction personnel on compliance with the plan;

(l) Provision for signage of protection zones and precautionary areas;

(m) Details of contractor access during any demolition or building operations including haulage routes where soil is to be removed.

(n) A tree protection mitigation plan detailing emergency tree protection and remediation measures which shall be implemented in the event that the tree protection measures are contravened.

Reason: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity

Further Tree Officer Comments

Following the receipt of amended drawings, the Tree Officer was re-consulted and made the following comments.

There are no trees protected by TPO on the site at present, 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 indicative plan shows that the development is concentrated in fields currently used for agriculture. This will require the removal of current field boundary trees within the site. The entrance will require tree removals some of which are in an area thought to be ancient woodland. This area is small and can be mitigated to some extent by new planting; however the loss of ancient woodland soil cannot be mitigated. Mitigation planting for the loss of the ancient woodland must be attached to the remaining woodland to provide any meaningful mitigation. Advice should be sought from the Authority's Planning Ecologist as to the importance of this area in terms of biodiversity. Whilst good quality category A and B trees (BS5837) will be removed to facilitate the development there appears to be ample space for mitigation of tree removals in the areas of public open space and wildlife areas. These areas provide suitable space for large parkland trees to be planted rather than small street tree varieties.

In addition to the POS planting, the main roads appear to be planted with trees. There appears to be generally good separation between the proposed residential units and the retained trees, although this will need to be confirmed in the detailed layout. Ideally the removal of trees for the school drop off area should be avoided with this facility moved to preserve them. Services also have the potential to impact on trees especially as they enter the site. The retained trees will be a material consideration when deciding the routing of services. An arboricultural impact assessment indicating what impacts the final design has on the trees, which will in turn inform a tree protection plan and arboricultural method statement should be submitted with any subsequent application. This will also need to include the impacts of services. A detailed landscape plan will also be required to show the mitigation planting for the removed trees. In the event of approval please could you include the above as reserved matters.

Final Tree Officer Comments

Following the receipt of revised drawings and a revised Ancient Woodland Mitigation Strategy, the Tree Officer was re-consulted and made the following comments.

The Council has served and confirmed a tree preservation order on trees present on the site. The new Masterplan appears to have been modified to accommodate more of the protected trees. It is accepted that some of the trees covered by the order will be removed; the order was considered necessary to prevent pre-emptive felling and provide strong protection during both the construction phase and after occupation.

With regard to the Ancient Woodland Mitigation Strategy, the final version has been suitably amended

Council's Ecology Officer

Initial Ecology Officer Comments.

Ancient Woodland

The area around the proposed access to Hospital Road cuts through an area of ancient woodland; this is an irreplaceable woodland type. PPW section 5.2.9 states that "Ancient and semi-natural woodlands are irreplaceable habitats of high biodiversity value which should be protected from development that would result in significant damage". If the route for the access road cannot avoid the ancient woodland we will need to reconcile this with a significant planting tree planting scheme.

Dormice

The access road also passes through an area that has had dormice found in it. Dormice are European protected species and are afforded a very high degree of protection; the proposal cannot get planning permission until a suitable mitigation scheme has been agreed with ourselves and NRW. The dormouse site is particularly important as this is only the second site for the county.

Habitat

There is also an issue with the isolated block of houses to the west of the site. This is in an area which ecologically is indistinguishable from the adjacent SINC. Development of this field will result in significant habitat loss, we will need to resolve this. We will also need to agree a management plan and the resources to manage the open space elements of the development

Further Ecology Officer Comments

Ancient Woodland

Due to the constraints on the positioning of the access road and the relatively small area of ancient woodland that would be destroyed I think the loss could be acceptable providing there is adequate compensation. The compensation should be an area of new native woodland of a composition similar to that on the site already. It should be an area significantly greater than that which would go (including the other woodland lost to the access road). The new woodland should be planted in an area of low ecological value and should be continuous with the existing wood. This is a separate issue from the one with the dormice, this will require separate mitigation.

Habitat

I have had a look through the ecological survey of the North of Garden Village site. It looks as if all of the fields marked as marshy grassland (field numbers 1, 2, 3 and 4) are habitat wise very similar and although fields 1, 3 and 4 aren't in the SINC probably would qualify. I think it would be better if the island of development to the north-west of the site was relocated closer to the main areas of development. This would give a tighter boundary and would reduce the threat of infill. It would also mean that the green space round the western end of the site was wider which would make it easier to manage and ecologically less fragmented. I have attached a plan showing a possible area within which the houses could go (the green line). Would it also be possible to also relocate the line of houses that are at present to the east of Garden Village here too?

This will result in a significant loss of ecology including hedgerows and marshy grassland and connectivity. These will need to be compensated for. The hedges could be compensated for by planting some new ones on the borders of the new settlement boundary. Making up for the loss of marsh grassland is more difficult as it cannot simply be replanted. As our aim is to maintain the overall ecological value of the area it would be possible to enhance the fields that are to be retained as open space to the east of Garden Village by for instance tree planting and sensitive management of the grassland. At present these three fields are improved grassland and are of low ecological value. We could add a condition to any permission we give requiring the submission of an ecological improvement plan for our approval, this will need to include these fields plus any other areas we require.

Final Ecology Officer Comments

Protected species

Bats and trees

No roosts were identified during the surveys but there are roosting opportunities identified within trees scheduled for works. A Method Statement will be required for bats in respect of tree works and should build upon the principals of section 5.52 and 5.53 in the Ecological Appraisal Report,

(EDP2688_05c). This information should be incorporated into the Wildlife Protection Plan (WPP) or equivalent document as outlined below.

Foraging and commuting habitats have been identified in the submitted reports. The Lighting Strategy and Landscape and Ecological Management Plan (LEMP) must both support the retention of useful foraging and commuting lines through the development area. The LEMP must also detail required actions and management to safeguard existing value and detail mitigation, compensation and enhancement measures to ameliorate identified impacts.

Dormouse

Dormice have been identified on the site. Therefore, a European Protected Species Licence will be required to undertake the proposal and the application must therefore meet the “three tests” under the provisions of the Habs Regs (2010). These tests are:

- * the activity to be licensed must be for imperative reasons of overriding public interest or for public health and safety;
- * there must be no satisfactory alternative; and
- * favourable conservation status (FCS) of the species must be maintained.

A condition must be attached to any consent that the LPA may be minded to grant to secure the mitigation scheme submitted to meet the FCS test. NRW may suggest a condition once they are satisfied with the submitted information. I would point out that the current Mitigation Statement submission uses largely unenforceable language such as should and could.

Birds

Numerous species have been recorded as nesting on the site. Avoidance, mitigation and compensation measures for birds must be detailed in the WPP and LEMP as outlined below.

Reptiles

Grass Snake and Common Lizard are present on the site. Avoidance, mitigation and compensation measures for reptiles must be detailed in the WPP and LEMP as outlined below.

Japanese Knotweed

This highly invasive non-native species has been identified on the site. Mitigation and management measures must be detailed in the WPP and LEMP as outlined below

Designated Sites and Habitats

Ancient Semi-Natural Woodland (ASNW)

A condition must be attached to any consent that the LPA may be minded to grant to secure the submitted mitigation scheme. NRW may suggest a condition once they are satisfied with the submitted information.

Habitat

Safeguarding, avoidance, mitigation and compensation measures must be detailed in the WPP and LEMP as outlined below.

Suggested Conditions

In response to the submitted information and the ecological issues outlined above I would request that the following conditions be attached to any consent that the LPA may be minded to grant:

Condition - Wildlife Protection Plan (WPP), Ecological Construction Method Statement (ECMS) or equivalent document.

No development shall take place (including demolition, ground works, vegetation clearance) until a Wildlife Protection Plan has been submitted to and approved in writing by the Local Planning Authority. The Wildlife Protection plan shall be implemented as agreed. The Wildlife Protection Plan shall build upon the principles of Section 6.5 of the submitted report 'Bryngwyn Fields, Kingsbridge, Ecological Appraisal Report, EDP2688_05c' (EDP, July 2016) and include the following as a minimum; -

- * Risk assessment of potentially damaging construction activities. Identification of "biodiversity protection zones".
- * Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (including species and habitat specific method statements*).
- * The location and timing of sensitive works to avoid harm to biodiversity features.
- * The times during construction when specialist ecologists need to be present on site
- * Details of lighting during construction phase including but not restricted to those measures detailed in section 5.9 of the submitted report 'Bryngwyn Fields, Kingsbridge, Outline Dormouse Mitigation Strategy, C_EDP2688_13c' (EDP, November 2017).
- * Details of any additional survey that will be necessary prior to the start of works

*Method statements are required for the following habitats and species identified as present or having potential to be encountered on site:

SINC habitat
Woodland (including ASNW) and scattered mature trees
Hedgerows
Grassland
Watercourse
Dormice
Bats - particularly in relation to trees
Reptiles
Nesting birds
Otters
Badger
Japanese Knotweed

All language within the CEMP and the method statements within it must use enforceable language such as will and shall and avoid the use of ambiguous words such as should and could etc.

Condition - LEMP or equivalent

A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the commencement of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management e.g. to restore and enhance existing habitats, ensure successful establishment of new habitats etc.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions to include but not be limited to; a scheme for reptile receptor enhancement and bat and bird box installation.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) On-going monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

Condition - Lighting strategy

Prior to commencement of work, a “lighting design strategy for biodiversity” for the development shall be submitted to and approved in writing by the local planning authority. The strategy shall include a detailed plan and specify: lighting type, specification, direction, height and lighting levels in lux/UV. This strategy and plan shall have regard for the use of the site by all nocturnal fauna currently using the site particularly foraging / commuting and potentially roosting bats, dormouse, hedgehogs, otter and badger and maintain dark corridors / foraging areas. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and plan, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Condition - Dormouse Mitigation

This must also be conditioned but at the time of writing we had not had any final correspondence from NRW. They may outline the condition they would suggest is attached in relation to this EPS.

Condition – EPS Licence

The hereby permitted works shall not in any circumstances commence until the Local Planning Authority has been provided with a copy of the licence issued by Natural Resources Wales pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity / development to go ahead.

Reason: To ensure regard for species protected under the Wildlife and Countryside Act 1981 (as amended) and Conservation of Habitats and Species Regulations 2010 (as amended).

Council’s Housing Enabling Officer

Based on the current negotiated figure of 20% provision of Affordable Housing on-site, a 50/50% split between Intermediate at 70% ACG and 42% ACG Social Rented is acceptable, all DQR compliant, with a mix of property sizes/types to include accommodation suitable for households requiring accessible housing, such as bungalows.

Council's Education Officer

Initial Council Officer Comments

Education requirements detailed in the Deposit LDP Consultation Document:

The negotiation of education provision will be based upon the following approach:

In some circumstances the secondary and primary element would be pooled into a joint requirement for one of these such that, for example, the developer may be required to build a larger primary school building than pupil numbers require in order to be able to accommodate anticipated additional future numbers in the area and make the development sustainable. In these circumstances it will be for the Council to determine the most appropriate mechanism to address outstanding investment requirements.

Where the school building is to be provided by the developer this must be in accordance with the guidance and standards relating to education premises contained within Swansea School Standard Specification, working collaboratively with the Council, ensuring the ability of the premises to offer good quality learning environments.

School provision needs to be carefully phased in order to achieve a balance between demand for and supply of school places. Where a need is identified, developers should identify appropriate sites and provide schools at the relevant phases of developments. Additional forms of entry should be made available where necessary.

As this application is pertinent to a Strategic Site, the Local Authority will be requesting that the developer's contributions for primary and secondary education are pooled into a primary school building on site as indicated in the master plan. It is the expectation as above, that the developer will deliver this primary school building in accordance with Swansea School Standards Specification and relevant documentation and requirements stated within that document. Also close working with the Local Authority and sign off procedures will need to be adhered to during the design and build of the primary school building.

Master Plan information

The requirements for the school need to be in accordance with the Masterplan for the site in the Deposit LDP consultation document.

Development Requirements: Deliver 2.5 form entry primary school building and outdoor areas including playing pitches; situated in an accessible location to the north of Garden Village during the early phases of the scheme to serve new and existing residents by all travel modes. The school campus should provide adequate drop off area and incorporate changing facilities that must be available for use by the community in association with the school playing fields (by agreement with Governing body utilising Council approved letting agreements).

The development of a new primary school building and campus will provide a community facility in a central location for use by the existing and new community. Its delivery must be phased in accordance with a programme to be agreed with the Council to ensure its completion before beneficial occupation of the total number of proposed dwellings.

Additional Information and clarification required from the developer

The planning application and Design Access Statement (DAS) advises that the developer will;

Deliver one primary school with playing pitches and located in an accessible location to the north of Garden Village during early phases of the scheme to serve new and existing residents by all travel modes. School to provide adequate drop off area and incorporate changing facilities that can be available for use by the community in association with the school playing fields.

The Local Authority requires confirmation of the size of school that the developer will deliver. Requirements are set out within the Masterplan for this strategic site, as a 2.5 form entry primary school building (see below).

Transfer of ownership of the land and buildings to the Local Authority will be required once the full scheme has been completed.

(DAS 9.5 & 11.3) - Use of the playing fields as a community facility would be by agreement with the Governing body – utilising Council approved letting agreements.

The acreage of the school site needs to be confirmed by the developer, along with the footprint of the school building to ensure that the requirements and details on Page 34 of the DAS comply with a 2.5 form entry primary school. Calculations by Corporate Building and Property Services colleagues have confirmed the calculations shown on Page 34 could comply with a 2.5 form entry school, but clearly more detail will need to be provided.

Page 35 of the DAS states that a NEAP will be provided within the school grounds. Details of this will be required in order for the decision for this to be acceptable. It cannot be guaranteed at this stage that this facility would be available for the community. Also details on any commuted sum for the upkeep of this facility would need to be made available by the developer if this was within the curtilage of the school site. The provision of the NEAP outside of the school grounds may be more acceptable to the community to ensure maximum use, availability, health and safety and maintenance.

It is advised that available walking routes and drop off facilities from the new and existing community will be provided. Details of these will need to be discussed along with ownership, maintenance and responsibility of drop off facilities (especially where these are outside of the proposed school site). The revised masterplan and supporting information details part of the drop off facility will be designed with 'lane' style road formation. It is advised that there is a pavement along this drop off to enable appropriate vehicle and pedestrian segregation.

Linkages between the school and public realm need more detail to facilitate agreement of the proposals.

Phasing

The Local Authority recommends the first 1.5 form entry is delivered and handed over to the local authority by occupation of unit 200 and further 1 form entry delivered and handed over to the local authority by occupation of unit 400. Viability testing has proved the developer could deliver a 1 form entry at between units 80 and 120, therefore providing the first 1.5 form entry by occupation of unit 200 should be acceptable and viable.

However, if the developer feels it is more desirable to provide the primary school building in one phase then it would be desirable that the primary school is completed and handed over to the local authority by occupation of unit 300.

Education Officer Recommendation

In accordance with the principles and requirements set out in the Deposit LDP consultation document;

The Local Authority will be requesting that the developer's contributions for primary and secondary education are pooled into a primary school building and campus on site as indicated in the master plan for this site set out in the Deposit LDP consultation document. It is the expectation that the developer will deliver this primary school building and campus in accordance with Swansea School Standards Specification and relevant documentation and requirements stated within that document.

The Local Authority would suggest the first 1.5 form entry is delivered and handed over to the local authority by occupation of unit 200 and further 1 form entry delivered and handed over to the local authority by occupation of unit 400. Viability testing has proved the developer could deliver a 1 form entry at between units 80 and 120, therefore providing the first 1.5 form entry by occupation of unit 200 should be acceptable and viable.

If the developer feels it is more beneficial to provide the primary school building in one phase then it would be desirable that the primary school is completed and handed over to the local authority by occupation of unit 300.

Final Education Officer Comments

Following the applicant advising that they also want a mechanism written into the S106 agreement that will allow for the payment of a financial contribution to the Council (for the construction of the school), instead of actually constructing the school themselves, the Council's Education Officer provided the following revised comments.

It is the preference that of the Education Officer that the developer constructs the school and then conveys the school to the Council.

The total sum that would be required for the construction of the school would be £9,981,415. A payment of £266,503 would be required prior to any works commencing on site, whilst the remaining balance of £9,714,912 would be required at the occupation of the 200th residential unit (to allow for time for the Council to plan and construct the school by the 300th unit). Suitable drop-off facilities should be ready to be in operation by the time the school is occupied.

Council's Pollution Control Officer

At present the only information provided relating to land contamination issues is the Integral Geotechnique Desk Study Report 11541/CF/15/DS. However, the report, section 8.0 Site Investigation Proposals, acknowledges the potential contamination issues and makes proposals for further investigation to better inform the position. These proposals should be adopted by the applicant and a further report provided detailing the results of these investigations and containing any further recommendations for additional investigations, analysis and/or remediation to the relevant current standards should there be any.

The applicant shall be required to conduct, and provide the results of, an air quality assessment of the potential impact of the proposed development; within the development and upon the surrounding local area. The assessment should pay particular attention to the 1 hour NO₂ objective and NO₂ annual mean objective within the National Air Quality Strategy and Air Quality (Wales) Regulations 2000 as amended by the Air Quality (Amendment) (Wales) Regulations 2002. In addition the assessment should also pay particular attention to the PM₁₀ objectives set in regulation (24 hour mean objective of 50µg/m³ – 35 exceedances' and the annual mean objective of 40µg/m³ to be achieved by the 31/4/2004 and maintained thereafter). Also, an indication of the particles (PM 2.5) Exposure Reduction objective (contained within the Air Quality strategy 2007) of 25µg/m³ should be made.

No objections are raised subject to conditions relating to land contamination, imported soils, imported aggregates, verification / validation of remediation works, unforeseen contamination and air quality.

Council's Japanese Knotweed Officer

A planning conditions must be placed upon this application, as follows.

A detailed scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority, and shall be implemented prior to the commencement of work on site.

Reason - In the interests of the ecology and amenity of the area

In order for the condition to be discharged, the developer must devise an appropriate and suitable method statement for the control of the plant.

Council's Parks Department

It is suggested that the developer will engage the services of a Private Management Company to carry out the maintenance of any POS or Play Facilities which the Parks service have no objection to in principle. However, if the Parks service is expected to adopt any POS or proposed Play facility we would like the following to be taken into account.

* A commuted sum will be required from the developer for any future maintenance any PLAY facility, tree maintenance/management or POS carried out by The Parks Service.

* The provision of an appropriate planting scheme which will list the proposed species of trees and shrubs to be planted prior to approval where we can determine any maintenance or safety implications involved.

* Provision of a copy of an up to date Tree Survey of existing trees which are to be retained and which will be included on any areas of POS within the development prior to any adoption for future maintenance.

* The future responsibility of the existing trees on the development which have been identified as being retained.

* Due to current spending restrictions any commuted capital sum for a proposed new play area would be better directed to the upgrading of our existing facilities at Garden Village Rec. Ideally we would not want to create any additional play areas whilst the authority is looking to rationalise its existing play areas due to both financial restraints and a reduction in staffing resources. I therefore propose that the City & County of Swansea should seek to enter into a planning obligation to secure an offer of a financial contribution from the developer towards the upgrading and increasing the size and items of play equipment at this facility.

APPRAISAL

This application is being reported to Planning Committee due to the size of the development and as it is a departure from the adopted Unitary Development Plan (2008).

Planning permission is sought for a residential-led mixed use development, to be developed in phases, including: preparatory works as necessary including earthworks/regrading of site levels; up to 750 residential units (including affordable homes); provision of 1 no. Primary school; circa 280m² - 370m² of flexible A1-A3 / D1 floorspace; open space including parks; natural and semi natural green space; amenity green spaces; facilities for children and young people; outdoor sports provision including playing pitches; associated services, infrastructure and engineering works including new vehicular accesses, improvement works to the existing highway network, new roads, footpaths / cycleways; landscaping works (including sustainable drainage systems), ecological mitigation works and ancillary works.

The planning application is a 'hybrid' application. Outline planning permission (with all matters - except access - are reserved) is sought for the majority of the development works. However, full planning permission is sought for the proposed access road that will serve the site off Hospital Road together with the associated works required to form the junction between Hospital Road and the new access road.

The site is located to the north of Garden Village within the Kingsbridge Ward on the north-west edge of the City of Swansea.

The site is boarded by the following land uses:

* To the north by Hospital Road, beyond which is Garn Goch common and the commercial trading estate of Garngoch Industrial Estate;

* To the east by Pen Y Waun Common and the A484;

* To the south by the existing residential settlement of Garden Village; and

* To the west by the existing settlement at Gorseinon and by a dismantled railway line (now a cycle & footpath) and the Afon Lliw.

The site comprises approximately 50ha of undeveloped land situated on the northern and north-eastern edge of Garden Village. The site sits within a varied landscape of permanent pasture, unimproved common land, current and former industrial sites and residential urban areas.

The site consists of a number of undulating fields (subgrade 3b or 4 with some areas limited to grade 5) with hedges and scattered trees in the south, which are predominantly utilised for the grazing of animals, but also abandoned pastures exhibiting no recent management. In addition, two areas of semi-natural broadleaved woodland, an area of willow and alder carr and scrub woodland, and numerous areas of dense scrub comprise the remainder of the site. In addition there is a small area of ancient semi-natural woodland towards the northern end of the site.

The field pattern is shown in first edition Ordnance Survey map and there was a small farmstead - Penyfode Fach - in the south-eastern area of the site accessed from what is now Swansea Road.

In the northern part of the site is unmanaged woodland, including ancient woodland. The site drops down in the west to the Afon Lliw. The site is crossed by two overhead power lines leading to an electricity sub-station outside the site to the north-east within the common land area, and by an underground high pressure gas main which runs from the northern section to the south eastern section of the site.

Two Tree Preservation Orders lie within the site:

* TPO-P17.7.4.435 relates to trees in and around Clos Bryngwyn which overlap onto the application site; and

* TPO642 relates to a significant number of trees and hedgerows within the site itself.

There are no statutory nature conservation designations affecting the site. Within the application site (and adjacent to it) is a locally identified Site of Nature Conservation (SINC).

The site also includes a small section of common land within the northern section of the site (CL44 Mynydd Garngoch Common).

Around the site are industrial / employment sites off Hospital Road to the north. Mynydd Garn Goch Common to the west. The residential area of Garden Village is to the south with existing pitches and a play area abutting the southern boundary of the site. To the west is the former rail line, now a cycle route, and beyond this an industrial area to the south-west, part of which was Mardy tinplate works. Gorseinon High Street some 1km to the north-west.

The application site is currently designated as 'Green Wedge' within the Unitary Development Plan (2008).

Main Issues

The main issues for consideration with regard to this application relate to the principle of developing the site as a 'strategic site' for a mixed use development, incorporating residential development, a school, Class A1-A3 / D1 floor space and associated roads and infrastructure, the impacts on 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, impacts upon education provision, trees, ecology, drainage and environmental interests with regard to the provisions of policies EV1, EV2, EV3, EV5, EV20, EV22, EV23, EV24, EV28, EV30, EV33, EV34, EV35, EV38, EV40, EV41, EC6, EC13, HC3, HC15, HC17, HC23, HC24, AS1, AS2, AS5, AS6 and AS10 of the Unitary Development Plan 2008, and the following Supplementary Planning Guidance Notes (SPG) – Places to Live: Residential Design Guide, Planning Obligations, Parking Standards, Planning for Community

Safety, and The Protection of Trees on Development Sites. There are no overriding issues for consideration under the Human Rights Act.

Policy – Principle of Development

The City and County of Swansea UDP (adopted 2008) was ‘time expired’ on the 31st December 2016. The UDP however remains the extant development plan for the Council and, under the provisions of the Planning and Compulsory Purchase Act 2004 (as amended), planning decisions must be made in accordance with the UDP unless material considerations indicate otherwise.

Given the time expired nature of the UDP, such material considerations include circumstances where new national planning guidance or policy is at variance with or contradicts UDP policy and, in certain cases, where new robust evidence and/or significant changes in circumstance undermine the basis upon which UDP policy was originally formulated. Therefore whilst the UDP must be the starting point for decision making, given the Plan’s time expired status, in this instance it is appropriate to consider the unique circumstances that apply in the case of this application to resolve whether any departure from UDP policy can be considered justifiable.

Having regard to the above UDP planning framework, it is clear that the proposal is contrary to the extant development plan, being located outside the defined settlement boundary and being within the countryside and a designated Green Wedge. The application must therefore be considered as a departure to the UDP.

The following analysis considers the special circumstances that apply in this case relating to other Council approved and emerging policy.

The Council has approved a Developer Guidance document relating to Planning Applications For Non-householder Residential Development.

This document sets out the Council’s strategy for determining departure applications and provides for an approved mechanism to prioritise certain ‘departure sites’ above others in the interests of addressing the Council’s current shortfall in housing land and delivering affordable housing.

The Guidance Note highlights that in order to reinstate the required 5 year housing land supply, the Council’s approach is to focus support for departure proposals that deliver homes and wider community benefits at allocated Strategic Sites (known as Strategic Development Areas), which are deemed integral to the delivery of the LDP Strategy. Support for the principle of such sites delivering new homes as soon as possible, will help to ensure their proposed capacities can be effectively delivered during the Plan period up to 2025. In this context it is significant therefore that the application site is designated a Strategic Development Area in the Deposit LDP (Policy Ref SD B refers).

The Guidance Note states at Para 4.5 that “Planning applications relating to Strategic Sites must be underpinned by a masterplan that relates to the whole site, regardless of whether the planning application proposes only an element of the site is delivered as an early phase... The masterplan should be formulated with appropriate stakeholder consultation and meet the policy requirements of the emerging LDP, and be agreed by the Planning Authority. The Council will seek the delivery of complementary uses and infrastructure that provide wider community benefit alongside proposed new housing. Strategic Sites are considered best placed to

demonstrate that the delivery of such community uses and infrastructure is viable and directly related to the wider development proposed.”

Section 5 of the Guidance Note highlights the evidence that the applicant should provide for a Departure Planning Application of this nature. It states at Para 5.1: “ Departure applications will need to demonstrate that the proposed development is in-line with the emerging LDP, and will deliver a meaningful and early contribution to meeting housing supply. In addition to the supporting information normally required to determine applications, proposals will also need to be accompanied by evidence that demonstrates that the site is sustainable, viable, compatible with the LDP strategy and will deliver housing completions before the adoption of the LDP.

It is considered that the various documents and drawings adequately demonstrate that the development is sustainable, being located in a suitable location and embraces the placemaking strategy of the deposit LDP. The site is well served by public transport and will improve the local network of paths for walking/cycling etc. These issues are explored in more detail later in this report.

It is also considered that the developer has adequately shown the development to be financially viable, an issue which has already been explored during the LDP process. The development is compatible with the LDP strategy for the reasons explained later in this report.

It is however acknowledged that the proposal will be unlikely to deliver housing completions before the adoption of the LDP. The LDP is currently being ‘examined’ by a Planning Inspector, with adoption anticipated in early 2019. Therefore, given the relatively short period of time until the LDP is adopted, it is unlikely that the applicant will have sufficient time to submit reserved matters applications, discharge planning conditions etc and carry out development works on site to such an extent that houses are completed prior to early 2019. However, it is nevertheless anticipated that if planning permission is granted for the development, then housing will be delivered during the early life of the adopted LDP, which is welcomed.

The Deposit LDP is currently at Examination stage, having been approved by the Council for submission to the Welsh Government and Planning Inspectorate in July 2017. The principle of development at the proposed site has therefore been accepted by Council as being appropriate for independent review by a Planning Inspector at the Examination.

There is clearly a Council approved mechanism in place to potentially allow a departure application at this location. Given the above emerging strategic planning context and policy framework, the principle of development at this location, which has been assessed as not fundamentally undermining the green wedge at this location, has been accepted by the Council. Notwithstanding this, an acceptable departure scheme must be compliant with the LDP in its widest terms, i.e. beyond just the principle of it being an acceptable development site.

It is acknowledged that Section 5.1 of the Developer Guidance Note (DGN) requires developers to bring forward the delivery of house completions before the adoption of the LDP. However in this particular circumstance, 3 years have elapsed since the approval of the DGN, and the LDP process is now at the Examination stage, and therefore it would be unrealistic to deliver housing completions prior to the adoption of the LDP. Notwithstanding this, it remains important to not delay the determination of such planning applications until after the LDP Plan adoption (the date of which is beyond the control of the Authority given the role of the Planning Inspectorate) and to

allow residential developers to commence development in the short term and start meeting the immediate housing need, which is the purpose of the Guidance Note.

The developer has indicated that the development will be delivered in 3 phases as follow:

- * Phase 1 – 350 units, the school and playing fields (& suds attenuation), scheduled 2020-1 / 2021-2 ,
- * Phase 2 - 260 units scheduled 2022-23 to half way thru' 2024-25
- * Phase 3 – 140 Units schedules from half way thru' 2012-25 / 2025-26.

The emerging LDP typically has very limited weight for determining planning applications. It is nevertheless important that the scheme adequately complies with the policy objectives and aspirations set out in the Deposit LDP, as emphasised by the Council adopted Guidance Note (para 4.5), and in particular exhibits excellent placemaking credentials. The Placemaking principles and Development requirements are set out in draft LDP Policy SD 1 and (site specific) Policy SD B, which also includes a concept plan summarising the objectives for the site.

The Placemaking Principles and Development Requirements for the site set out in LDP Policy SD B are:

Placemaking Principles

- * Create a well-connected sustainable extension to Gorseinon and Garden Village, comprising a number of character areas that integrate positively with the existing District Centre, existing housing clusters, community facilities, Active Travel networks and public transport facilities.
- * Create a connected multifunctional Green Infrastructure network throughout the site that facilitates Active Travel with particular emphasis on: integrating landscape features, protecting biodiversity, habitat creation and native provenance tree planting, and supporting a range of opportunities for formal and informal play.
- * Provide a mix of higher densities at key points in layout and lower densities on the rural/sensitive edges.
- * Design public spaces to be part of the 'Green Infrastructure' of the site in order to be multi-functional, situated at accessible locations, and catering for all elements of the community.
- * Deliver a focal public realm area that corresponds with the school frontage.
- * Provide local facilities with residential use above adjacent to the primary school.

Full details of the Placemaking Principles are explored further in the Design / Visual Amenity / Place-making Principles section of this report below.

Development Requirements

- * Deliver 2.5 form entry Primary School with playing pitches and located in an accessible location to the north of Garden Village during early phases of the scheme to serve new and existing residents by all travel modes. School to provide adequate drop off area and incorporate changing facilities that must be available for use by the community in association with the school playing fields.
- * Deliver internal spine street and associated junctions to run broadly north-west to south-east through the development area and with an access directly from Hospital Road north east of the development area.
- * Off-site highway improvements having regard to the requirements arising from the necessary Transport Assessment and accordance with the Transport Measures Priority Schedule.

- * On and off-site measures to provide good quality, attractive, legible, safe and accessible pedestrian and cycle linkages both to and within the new development area, in accordance with Active Travel design including the linkages identified on the Transport Measures Priority Schedule, including AT7 - Kingsbridge/Stafford Common Cycle Link, AT09 - to Railway Terrace and Gorseinon District centre, AT10 and 11 to Swansea Road and Hospital Road.
- * Incorporate existing PROW within the development by appropriate diversion and enhancement to form legible and safe routes for school and community access.
- * Retain and provide suitable buffers to habitats, particularly hedgerows, trees (including Ancient and/or Semi-Ancient Woodland) and SINCs.
- * Submit and agree ecological management plans including proposals for mitigation, enhancement and maintenance for retained habitats and protected species (including for bats and dormouse) and provide appropriate compensatory and replacement habitat.
- * Provide suitable replacement land for Mynydd Garngoch Common, CL44, ensuring the replacement land has full public access to ensure public rights for air and exercise, including access on foot and horseback.

The above issues are discussed later in this report.

The supporting text to Policy SD B emphasises that the development should seek to strengthen connections with established communities, both to the north and south, by sensitively integrating the development with the existing urban form. It emphasises that in order to maximise the site's location in relation to Gorseinon District Centre, new cycle and pedestrian routes must be provided both to and within the site to enable sustainable travel to the District Centre and connections to the existing PROW network. The policy text goes on to explain that development should create a sense of place and stimulate activity through the day at the nodal point near to the school, and that commercial floor space within the ground floor level of the potential apartment blocks should be provided. These should be 'flexible unit(s)' (incorporating the corner plots) for uses such as a local shop, café, live-work units and/or health facilities.

Whilst compliance with the above LDP policy framework is important to allow a departure from, and variance with some UDP policies (such as Green Wedge Policy), other UDP policies identified above are still relevant to the determination of this application. Given the particular circumstances and nature of the proposals, key UDP Policies listed above that the application must satisfactorily address relate to:

- Design
- Green Infrastructure and Open Space
- Drainage
- Common Land
- Woodland Protection/mitigation
- Provision of important infrastructure, including transport
- Affordable Housing

In terms of Affordable Housing, the site has been subject to an Independent Financial Viability Appraisal (IFVA) that has been undertaken at the expense of the applicant and with the benefit of data provided by them. The appraisal has indicated that, having regard to costs and values attributed to the proposals, the site cannot deliver 30% affordable housing. The IFVA does confirm that 20% affordable housing can be delivered across the site.

The proposal is a departure to the extant UDP. However the Developer Guidance document, together with the new/emerging policy framework, provides a mechanism to allow a departure to the extant development plan in this case. Having regard to the analysis in the paragraphs

above, it is considered that 'in principle' the proposal is an acceptable departure application, which will deliver both market and affordable homes, a primary school and flexible retail / community floor space, within reasonable timescales, which would justify a departure from the UDP by virtue of the Council's approved Developer Guidance document.

In this regard, the principle of the proposal is therefore considered to be acceptable.

Design / Visual Amenity / Place-making Principles

Background

This is the first of the Strategic Sites identified in the emerging LDP to be presented to the Planning Committee for determination. There have been very few applications for strategic housing developments of this scale in Swansea in recent years. The previous approach was a number of smaller disparate housing sites linked to existing suburban areas. These have proven to be poorly connected with limited access to public transport and community infrastructure such as schools. The new approach of strategic housing developments is based on sustainable placemaking principles to create new neighbourhoods with new community facilities and public transport at the centre. This places strong emphasis on the legacy, sustainability, quality of life and wellbeing not simply on the delivery of housing targets.

The evolution of the masterplan for this Garden Village site and preparation of the supporting placemaking framework has been a partnership approach working closely with the applicant and their design team. The collaborative and iterative process of testing and refinement reflects the placemaking process that underpins the emerging LDP. The scheme has been subject to Design Review with the expert impartial Design Commission for Wales on 17th March 2016.

Design / Placemaking Assessment

The outline part of this hybrid application's proposals and supporting placemaking framework, have been assessed against the design policies of the Unitary Development Plan including:

- * EV1: Design
- * EV2: Siting and location
- * EV3: Accessibility
- * EV4: Public realm

The application of these policies to residential developments is expanded upon by the adopted Residential Design Guide (SPG) which focusses on new developments of 10 or more homes and is underpinned by the proactive placemaking planning approach.

It has also informally been assessed against the emerging Placemaking Policies of the emerging Local Development Plan.

The emerging Local Development Plan sets out general placemaking policies and a specific policy for this site and concept plan. This requires the provision of a new school and community retail at the heart of the new walkable neighbourhood. The Outline proposals have been developed in recognition of this and are fully compliant with this approach.

The LDP allocation relating to for this site envisages up to 750 homes and this is reflected in the amended development description. This is supported by technical studies such as the Transport Assessment that has have been based on no more than 750 homes.

The first section of the Design and Access Statement (DAS) submitted in support of this outline planning application, sets out the analysis, concepts and justification, plus an indicative masterplan. The second part of the DAS contains a series of parameter plans and supporting principles to form a robust placemaking framework that underpin the indicative masterplan and these will be conditioned as part of any outline planning permission granted so that future Reserved Matters applications must be in substantial accordance with these documents, thereby setting an appropriate balance of certainty and flexibility.

The application, comprising an indicative masterplan, DAS and parameter plans, have been assessed in a structured manner using the criteria set out in the adopted Residential Design Guide. This assessment starts with strategic aspects such as neighbourhoods and mixed uses and works through the detail to conclude with character and are fully explained in the following paragraphs.

Neighbourhood creation

The LDP allocation for this site requires a sustainable extension to Garden Village that is linked to Gorseinon High Street. The outline proposal is for up to 750 homes comprising a mixture of 1-2 bed apartments and 2, 3, 4 bed houses. The approximate population could be 1800 people (based on an average occupancy of 2.4 persons per home) and this will be a mixed community including many families, which is welcomed. The exact mix of house sizes will be confirmed at the Reserved Matters stage.

The masterplan layout has been conceived to support the walkable neighbourhood requirement with a network of pedestrian routes and green spaces that encourage walking and health/well-being. The proposal is for a large (3.2ha) new central parkland area with an extensive range of play provision, plus multiple path links to positively integrate and benefit the existing Garden Village community and the new community. The co-location of the new primary school and community retail in a central location, with a focal open space, will create a clear 'heart' to the new walkable neighbourhood. The size of the development at the longer east / west dimension is 1km which relates to a 10-20 minute typical end to end walking time, plus the centre of the development is 1km or a 10-20 minute walking time to the District Retail Centre facilities on Gorseinon High Street.

The following sections of this assessment demonstrate how the masterplan and parameter plans support the walkable neighbourhood approach with a clear placemaking fix (such as the requirement for the streets and paths to connect to form a pedestrian network), whilst providing sufficient flexibility for the detail to be resolved at the reserved matters stage (such as the allowance for the exact location of paths and streets to be agreed in future).

Density and mixed uses

The emerging LDP sets a density target for all strategic sites of 35 dwellings per hectare (net). This density allows for higher density in central locations, standard family housing with useable gardens across much of the site, and lower densities on sensitive edges. This ensures that good use is made of the site to provide a critical mass of residents to support the community infrastructure, without overdeveloping the site or harming the amenity of new or existing residents. The net density measurement is calculated based on the residential areas only and excludes open spaces and non-residential uses. The entire site at Garden Village within the application 'red line site boundary' is approximately 50ha, however only 18.75ha (38%) is proposed for residential development. With a capacity up to 750 homes, this gives a net density

of 40 dwellings per hectare. This is welcomed in principle and the Reserved Matters application will need to be monitored to ensure that each phase meets the density target.

The indicative masterplan has been an important design tool to assess the housing capacity for the entire site. This is supplemented by larger scale 'test layouts' at 1:500 scale, focussing on key areas and together these confirm that the number of homes and proposed density make good use of this strategic site and reinforce the townscape aspects without resulting in a cramped or overly intensive development.

In accordance with the emerging LDP and the adopted Residential Design Guide, the density of development varies within the site. Higher density town houses in short terraces and apartments are proposed along the entrance 'Boulevard' to help define the heart to the development, the core of the site is family homes with gardens, whilst the edges and the sensitive western area adjacent to the SINC are lower densities to ensure a positive integration with the wider countryside.

20% of the homes (150) will be affordable and these will be integrated into each phase of the development as clusters amongst the private homes. The type, tenure and mix of affordable housing will be confirmed at the Reserved Matters stage and this will be identical in design, character and quality to the private homes.

The site is a residential-led mixed use scheme and whilst it will accommodate a modest number of jobs within the new primary school and community retail units, there is no employment floor space proposed, which is in accordance with the employment strategy of the emerging LDP. The LDP confirms that there is sufficient land in existing employment areas and where possible new office jobs should be concentrated in Swansea city centre as part of the regeneration programme. This means that most residents in employment on the Garden Village site will need to travel to work.

The new 2.5 form entry primary school has been sited at the heart of the walkable neighbourhood, in accordance with the LDP concept plan. Not only are quality schools essential to the future of young people, they are also the centre of communities both for parents and also for activities and events outside school hours. The new school has been co-located opposite community retail units and a main open space at the junction of the entrance Boulevard and east west spine street to create a strong and legible focal area to the development. The S106 agreement requires the school to be completed and ready for use prior to the occupation of the 401st new home. The Council's Education Officer has raised no objection to the proposal, subject to the provision of the school being controlled by means of a S106 agreement.

The community retail space comprises two units of 110m² (both with potential to extend to the rear by 45m²). These could be arranged as 2-4 separate units that are serviced from the front. They are integrated into the three storey apartments facing the school to ensure natural surveillance and vibrancy. Together these elements form the heart of the development and their legible and accessible location encourages walking and cycling. The parameters plans such as the land use plan and street hierarchy plan, sets the framework for this 'heart' and the exact positioning and architectural design will follow at the Reserved Matters stage.

Consultation responses have highlighted the lack of capacity in local doctor's surgeries. The proposed community retail floor space could potential accommodate a new or satellite surgery in one of the units whilst leaving a further 110m²-155m² for other commercial uses.

The land use parameter plan provides sufficient certainty to ensure that the disposition of uses outlined above will be delivered and this can be refined at the Reserved Matters stage.

Natural heritage

The site is 'greenfield' and is not previously developed land. It comprises a network of fields, hedges and isolated trees in the southern area and unmanaged woodland including ancient woodland in the north. The entirety of the site is currently designated as 'green wedge' in the UDP. The proposal would retain a significant green corridor in the northern area as undeveloped land with retained habitats and woodland, thereby retaining approximately half the width of the green wedge to stop coalescence of Garden Village and the settlement to the north, as well as protecting a wildlife corridor from the eastern to northern areas of the common.

The masterplan layout has been prepared to avoid development in the areas of ecological sensitivity, and as a result the development is proposed in the open southern area of fields with some hedges and the majority of isolated trees retained. There is no development in the ecologically sensitive northern area except for the main access road from Hospital Road. This affects a small area of ancient woodland (98.3% retained and 1.7% removed) and dormice habitat, and a mitigation strategy has been agreed with Natural Resources Wales (subject to conditions) that includes compensatory planting at the ratio of 1:1.6 and active management of the currently unmanaged ecological areas in the future.

The development of the southern area retains the substantial northern / eastern green corridor that links the eastern and northern parts of Mynydd Carn Goch common. Public access to this area will be restricted (other than the main access road) and this area will benefit from active ecological management. The open grassland SINC in the western area is also retained with active management and public access restricted.

The ecological considerations have informed the Green Infrastructure Strategy for this site which balances the community and nature interests. For example, this includes new 'ecotone' planting which comprises transition planting between the existing grassland and woodland areas. This benefits the nature conservation to increase the habitat whilst providing buffering from the residential activities and improving the environment for new residents.

The masterplan layout has been drawn based on accurate survey of all trees and hedges, to ensure that there is a high level of retention, with the majority of trees integrated as features within the public realm. This will help give the new neighbourhood a distinct character and sense of place. The areas of vegetation retention are set out in a parameter plan and all retained trees and tree groups will be protected by Tree Preservation Orders to ensure that they are retained and protected in the future.

The stream in the eastern area will be retained as a feature within the open space area, plus new areas of water will be formed by means of ponds that are part of the Sustainable Urban Drainage System (SUDS). This increases the water habitat on site as well as retaining/creating features within the open spaces and public realm that will help give the development a sense of place that contributes to the health and wellbeing of residents.

There are no extant farm buildings to retain, but there are the remains of Penyfode Fach farmstead in the south-eastern area, close to the east end of Ffordd Talfan. This is the location of the proposed southern drop-off for the school, accessed from Swansea Road. Therefore it is suggested that this area is recorded to document any standing remains before development commences. Furthermore the site investigation archaeological investigation work has

highlighted the potential for a Roman or earlier feature adjacent to the western SINC area. The current proposal which has been agreed with GGAT, is to fully excavate this area to gain a better understanding of this feature and to develop in this area.

A Landscape and Visual Impact Assessment (LVIA) has been undertaken. This indicates a low to moderate effect on landscape character and visual impact. The LVIA recognises that development on the high ground area within the site will be prominent and this can be addressed through design such as roofscape articulation and planting to soften the built form. The LVIA also recognises that the site benefits from wide ranging views, which will contribute to the character and sense of place.

Cadw have been consulted on the visual effect on the off-site designated heritage, namely Scheduled Ancient Monuments and they have confirmed that there are no harmful impacts.

Connections

Although the site is large (50ha), there is no public access to or through the area at present. The vehicle, walking and cycling routes circumvent the site well away from the boundaries on Gorseinon Road, Hospital Road, Swansea Road and the cycle way along the former rail line.

The placemaking concept within the masterplan layout responds to the requirements of the emerging LDP and the adopted Residential Design Guide; the proposal sets the framework for a walkable neighbourhood with strong links to the surrounding area and strong links through / within the site.

In total there are eight proposed pedestrian and cycle links to the surrounding area. This includes multiple pedestrian/cycle access points to / through the new central parkland which will join the new community to the existing Garden Village community. These links will also connect the areas surrounding the site (for example linking Swansea Road to Hospital Road by foot and cycle). The previously proposed footpath link to the school drop off area from Ffordd Talfan has been removed from the proposal in response to community concerns.

The proposals include a new connection to the existing cycle route over the Afon Lliw which links to Gorseinon High Street. This connection passes through the western wooded SINC area that is boggy, which means that the route is likely to take the form of a raised boardwalk to allow the ground water to flow below. This will create a unique and distinct link that balances the requirement of people and nature. The DAS also includes a proposal to upgrade the environment along Railway Terrace which is outside the site boundary to encourage walking and cycling. The S106 agreement includes a financial contribution for this link / enhancement works which will be delivered once a certain amount of development has been completed to finish the greenspace and SUDs pond in the western area of the site which relates to the alignment of this route. In addition, a S106 contribution will be made towards the proposed new cycle path which will extend the existing Kingsbridge Link cycle path to connect to Gowerton railway station.

The layout within the site is based upon the LDP and Residential Design Guide requirement for a connected network of streets and spaces as the basis of a walkable neighbourhood. This aligns with the national emphasis on walking and cycling by means of the Active Travel Act. The positive provision for walking and cycling includes north and south perimeter paths that allow for informal recreation along the green edges within the site that are overlooked by house frontages. The main movement routes within the site are provided by a hierarchy of streets with the east-west spine street emphasised by the public realm treatment, including trees along

verges and active house frontages. The body of the site is made up of connected streets that are legible and easy to find your way around. The full pedestrian permeability is ensured in private drive areas by linking paths to avoid creating cul-de-sacs for pedestrians. All streets within the site are well overlooked to ensure community safety and deter anti-social behaviour.

The main vehicle access off Hospital Road includes a shared 3m wide path (narrowing to 1.8m where it passes the retained ancient woodland) to one side only, to balance the active travel requirements in support of walking and cycling, whilst limiting land-take through the ecologically sensitive northern area in order to minimise the impacts on ancient woodland and protected species.

The proposal includes a secondary vehicle access for 150 homes and school drop off Swansea Road. This also creates the opportunity for a bus service to pass through the site from Hospital Road to Swansea Road, with a central bus stop in the open space by the co-located school and community retail area. The location of this bus stop will be within a 400m walk for most homes on site and this should help encourage sustainable travel habits with convenient access to this facility. The carriageway of streets along the bus route would be 6.5m wide to ensure ease of bus access through the site. The through route to Swansea Road should be delivered as part of the second phase of development and this can be ensured by the phasing plan which will be required by condition. This bus route is proposed to incorporate a bus gate to stop private cars passing through the site.

In order to ensure that the development is served by public transport to encourage active travel habits there needs to be certainty over the provision of the bus service. To ensure that a bus service uses the bus route within and through the site, a S106 contribution is needed to allow the Council to subsidise / pump prime the bus service to ensure that the residents adopt sustainable travel habits where possible. The cost of this is £101,000 per year. The applicant has agreed to fund this for a two year period. This money is to be paid at the occupation of the 75th residential unit.

Public spaces

The play and open space element of the placemaking framework proposes that approximately 5ha is set out as publically accessible open space, plus additional informal space such as the northern perimeter path. The open space is distributed through the site, with the main park (3.2ha) acting as a focal point and connection between Garden Village and the new community which will be delivered by a specified number of homes and as set out in the phasing condition.

A number of additional parks are provided at the eastern end of the site, as well as informal space along the northern rural edge that wraps around to the east and then to the frontage adjacent to the Swansea Road roundabout. It is proposed that these open spaces will be laid out as part of the relevant housing phase and they will be maintained by the Council with a commuted maintenance fund.

Within these main spaces, play provision in accordance with the Fields in Trust guidance, is proposed to ensure healthy lifestyles, wellbeing and community cohesion. This includes a Neighbourhood Equipped Area for Play (NEAP) typically comprising activity zone of 1000m², at least nine play 'experiences' and 30m buffer to nearest homes; a Local Equipped Area for Play (LEAP) typically comprising 400m² activity zone, at least six play experiences and 20m to nearest homes; a Multi-Use Games Area (MUGA) typically comprising all weather surface suitable for various ball games with rebound fence panels, all within the main central park where they are accessible to existing Garden Village residents and the new community.

This central park which will support informal recreation is also proposed to include a community orchard to encourage community food growing. The network of paths within the site, including the perimeter paths on the green edges, will encourage walking and a leisure activity. Additional LEAPs and Local Areas for Play (LAPs) are incorporated in the rest of the site. Furthermore the eastern area of protected woodland and existing stream is proposed to be supplemented by a SUDS pond and informal play opportunities. The play hierarchy is shown in the parameters plans and the detail of the play provision in each area will be resolved at the Reserved Matters stage in discussion with residents and young people and children.

There were discussions about accommodating play provision on the western low density area adjacent to the SINC to serve that part of the site, but this was not considered necessary given the ecological constraints, proposed large gardens and proximity to the main central park.

Given the positive provision of open space and play opportunities on site, the nature areas including the SINC areas and northern woodland will have restricted public access. This will include fences to deter people and domestic animals entering the ecological areas and the details of this will be resolved at the Reserved Matters stage.

In addition to the green spaces, a paved urban square is proposed at the southern end of the entrance Boulevard where the school is co-located with the community retail. This space will incorporate the T junction between the Boulevard and Spine Street, drop off for the school and potential coach turning area, plus customer parking for the community retail units. Clearly this area will be complex and busy at times. The masterplan and 1:500 testing layout suggests one way in which this area could be laid out and the detail of this will be resolved at the Reserved Matters stage.

As this is a greenfield site, the surface water attenuation scheme requires surface water from roads, roofs and hard paved areas to be stored following periods of rainfall and then slowly released into the existing watercourse networks to ensure that this is not overloaded. This creates an opportunity for multi-functional green infrastructure; the masterplan and placemaking framework proposed Sustainable Urban Drainage Strategy (SUDS) ponds as naturalistic features within the open spaces (referred to as 'events' in the DAS). These are features within the open spaces, additional ecological habitat and a drainage attenuation feature. They will be adopted by the Council and maintained using a commuted sum.

The pedestrian links also include links in the eastern part of the site to Mynydd Carn Goch Common which is open access common land. This supplements the extensive provision of open space on site.

The playing field to the new school will be fenced in, accordance with safeguarding requirements. There may be potential for community use of the school facilities such as pitches within the school grounds (out of hours) but this depending on the approach of the Head Teacher and Governors and is outside the control of the planning system.

The existing pitches and play area off Ffordd Talfan and Myrtle Road are outside the boundary of the application site and are not affected by the proposals.

All the spaces are easily accessed with the connected pedestrian network, plus they are would be well overlooked by front elevations of homes to ensure natural surveillance and to deter anti-social behaviour.

Street design

The masterplan shows a connected hierarchy of streets to ensure legibility and permeability in support of walking, cycling and community cohesion. This will be ensured through the street hierarchy parameters plan. All streets are to be offered for adoption, they will have a 20mph design speed and the key design element of each street type as follows:

- * Access Road - 6.5m wide carriageway for bus access with 3m shared pedestrian and cycle path on one side only to limit intrusion into ecological area
- * Boulevard and Mixed Use Spine Street – 6.5m carriageway for bus, plus grass verges and regularly spaced trees to both sides with 2m footway on one side and 3m shared path on the other. Maximum 3 storey buildings with accommodation in the roof (known as 3.5 storeys) and minimum 2m garden area with front boundary railings. All residential parking behind the building line.
- * Residential Spine Street (the east-west 'back bone' to the site) – 5.5m carriageway with 2m footways to either side (6.5m carriageway along bus only route to Swansea Road). Minimum 2m front gardens and regular tree planting within residential frontages. Potential for frontage parking on one side of the street only where it does not dominate the frontages.
- * Secondary Street – as per the spine street but without regular tree planting along the frontages (6.5m carriageway along bus only route to Swansea Road with control bollard in eastern part of the site to stop through traffic other than buses).
- * Lanes and Mews - shared space carriageways of 7m with defined pedestrian zone.
- * Private Drive – these will serve small groups of homes and supplemented by pedestrian paths to ensure walking connections.

The importance of the streets varies in terms of width / height (enclosure), frontage treatments and parking arrangements. The more important streets that provide the main connections are emphasised by taller buildings and regularly spaced street trees. The design of the streets balances the place / movement functions so that they can accommodate traffic whilst also supporting the social life of the new neighbourhood. Key areas will be emphasised through block paving; a range of surfacing options and associated commuted sums are being considered by the Council and this detail will be resolved at the Reserved Matters stage.

As indicated earlier, the layout includes an urban square outside the new primary school for drop off, coach turning, deliveries to commercial units and parking for commercial units. The 1:500 testing layout has confirmed that there is sufficient space for these movements to operate effectively and the detailed layout design will be confirmed at Reserved Matters stage. As the layout is a connected network, there are junctions to the north of the square (off the Boulevard) leading to the east and west before the focal square is reached, which allows traffic to avoid this area at busy times by building alternative routes with the network of streets within the site.

Inclusive Design

The development and public realm will be inherently inclusive. There are no steep gradients within the site. All streets will have pedestrian provision and low speed shared street areas will have defined pedestrian zones. The parks and play areas will be accessible to all and they should be designed in consultation with potential users. The legible layout will make the development easy to navigate and the main areas such as the school and open spaces are centrally located and will be easy to find. The public buildings, such as the school and community retail units, will meet the access requirements of the Equalities Act and Part M of the Building Regulations which deals with access to and the use of buildings.

The streets and open spaces will be adopted and the development will be open and permeable for all members of the public. The site will provide new public walking and cycling routes from Garden Village to Hospital Road that do not currently exist and the extensive on site play/ open space provision will be accessible to all.

Buildings/ Townscape

The way that the buildings are arranged alongside the network of connected streets creates a townscape. The basis for the townscape throughout the scheme is set by the parameters plans and the townscape detail will be resolved at the Reserved Matters stage.

The applicant is a national house builder with a standard range of house types and the indicative masterplan shows a mixture of apartments, terraced houses, semi-detached and detached. Junctions will be emphasised with corner turning buildings with two public elevations in accordance with the Residential Design Guide. The layout shows consistent building lines and taller buildings to define key areas within the neighbourhood.

The maximum building height will be three storey apartments with accommodation in the roof (known as 3.5 storeys). The community retail units will be within the 3 storey apartment blocks and opposite the school which ensures intensity and best use of land.

The site indicated for the new 2.5 form entry school requires a two storey school design to ensure sufficient external space is provided for pupils. The DAS sets out the parameters for a two storey school which will become the focal building to close the view at the south end of the entrance Boulevard. The scale of this 2 storey education building is compatible with the three storey apartments opposite. The design of the school is not fixed at this stage (it has been informed by comparable 'model' schools built elsewhere) and the detail will be resolved at the Reserved Matters stage.

The new homes will have legible entrances facing the street and habitable windows will face the streets and open spaces to ensure natural surveillance and community interaction. A key aspect of the masterplan is outward facing edges where homes face the countryside rural edge to maximise the outlook and provide natural surveillance of the perimeter paths and public realm areas. This is a step change from past developments that would back onto site boundaries and this is set as a requirement in the built form parameters plan.

Community Safety

As noted earlier, the site will form new through routes for pedestrians and cyclists and the open spaces / play areas will be open to the wider community, not just the new residents. This is essential to integrate the existing and new communities and the fact that all streets, open spaces and play areas will be well overlooked by frontages, including front doors and windows to habitable rooms, which will ensure natural surveillance and deter anti-social behaviour.

As the layout is based on the perimeter block layout, the majority of gardens are secured by buildings and are not open to casual intrusion.

The parking for residents in the apartments in the Boulevard area will be accommodated behind the buildings in well overlooked parking courts. It is not appropriate to have parking in front of the building line along the approach Boulevard, as this would disrupt the quality of the public realm and the density of development does not allow parking in side drive arrangements. These courtyard parking areas will serve only the apartments and they will not be through routes. It is

known that parking courts can be a concern of the Police Designing Out Crime Officer, however these are necessary in terms of placemaking and they will be informally policed by direct entrances to the units served and will be well overlooked by windows of habitable rooms. They could also be gated if necessary as part of the Reserved Matters design.

The school field will be fenced in, to ensure safeguarding of pupils and to stop unauthorised access to the school building and external areas. It may be possible to have an open school frontage up to the main entrance to emphasise the open community function of the building but this will be resolved at the detailed architectural design as part of the Reserved Matters stage.

Privacy and Amenity

The masterplan and 1:500 test layouts demonstrate that with a density of 40 dwellings per hectare (net) the gardens will be at least same size as house footprint. This ensures sufficient useable private amenity space and ensures that the site is not over developed.

As indicated above, the layout is based upon the perimeter block approach with rear gardens abutting rear gardens and secured by frontages. The masterplan and 1:500 test areas indicate that separation distances of 21m back to back between rear elevations can be achieved to ensure privacy between windows and gardens, plus useable family garden areas and 12m separation between rear elevations and blank side gables can also be achieved to avoid an overbearing effect. These amenity separation distances will therefore be achieved in the detailed layouts at the Reserved Matters stage.

It is considered that there are no unacceptable amenity impacts on existing residents. The new park and retained western SINC effectively creates a buffer area against much of Garden Village and where new homes are proposed back to back with existing houses in the south eastern part of the site, these are all at least 10.5m from the boundaries to avoid overlooking of the existing gardens and to ensure at least 21m separation between windows to ensure privacy.

The site gently slopes with a level change of 33m over 700m distance from 15m AOD in the west up to 48m AOD at the high point in the east in the general location of the proposed 'village square' open space. The DAS indicated that changes in level between the homes can be taken up by sloped garden areas without the need for retaining structures or stepped buildings.

Parking

The masterplan sets out a layout for a walkable neighbourhood including the school at the heart, and improved active travel route connections to Gorseinon High Street, that will encourage walking and cycling for short trips. Cars are an inevitable part of the development but can be accommodated in a way that is not dominant to the public realm or townscape.

As indicated earlier, the parking for the apartments will be accommodated in private parking courts that are secure and well overlooked. The parking for houses will be accommodated on plots in the form of side drives between buildings and frontage parking that is typically on one side of the street, half of the frontage and softened by planting. Visitor parking will be accommodated throughout the development on-street.

Commercial parking for the community retail units will be accommodated within the multi-functional urban square; this space will also accommodate school drop off. Staff parking for the

school will be accommodated within the school site area and there is a secondary school drop off area access from the south off Swansea Road.

Character and quality

There is not a strong existing vernacular character in the area and this development is an opportunity to create a new high quality identity.

As this is an outline planning application, there are no detailed elevations of the houses. However the DAS indicates that houses and apartments will be of traditional appearance with pitched roofs and the parameters information breaks the site up into 5 separate character areas that will be differentiated by materials and details:

- * The Meadows
- * The Parkland
- * The Heart
- * The Woods
- * The Common

The character area information indicates that the predominant material will be brickwork (more than one type of brick to ensure variety) which is supplemented by render, horizontal timber boarding and reconstituted stone in focal areas.

In addition to the character area information, the parameters plans also highlight 'uplift' areas to help define and emphasise the main routes and spaces. These areas include the entrance 'Boulevard', the main spine street and around key spaces where additional detail and articulation is incorporated into building frontages. This is welcomed to emphasise the key areas and these uplifts will include feature gables which reference Garden Village, projecting square bay windows to add depth and articulation to key elevations and front boundary treatments such as horizontal bar estate type railings.

With regard to the provision of public art, Policy EV5 of the UDP states that "The provision of public works of art, craft or decorative features to enhance the identity and interest of major new development or refurbishment schemes will be supported."

It is therefore considered appropriate to add a condition to the permission to require a public art strategy to be included within the development. This can include features such as decorative boundary treatment, artistic elevational treatment to gable ends, features within the school, public parks and landscaped areas etc.

The detailed design of the school will be resolved at the Reserved Matters stage.

Sustainability

The development proposes a sustainable neighbourhood that encourages walking and cycling with a new school at its heart, strong connections to Garden Village and improved linkages to Gorseinon High Street. The site can accommodate a new through bus service. The open spaces including community orchard and connected streets are designed to encourage active and healthy lifestyles. Therefore the development has the potential to establish a 'sustainable community' that supports active lifestyles and reduces dependence on private cars.

The new homes will conform to Part L of the Building Regulations (Conservation of Heat and Power). The aim is for the new school to meet the sustainable building standard known as

BREEAM Excellent (as per recent new schools in the Swansea area), with BREEAM Very Good being achieved as a minimum.

Placemaking process

On the basis that the outline planning application covers the entire site, this allows the comprehensive placemaking approach to be set through a series of parameter plans and supporting principles to fix key aspects of the scheme whilst allowing sufficient flexibility for creativity and to respond to market forces at the Reserved Matters stage.

The illustrative masterplan is part of the iterative process of testing and refining the scheme, and this represents one potential way of developing the site in accordance with the placemaking framework. This is a recognised approach for large scale phased developments that will be delivered over a number of years.

The parameter plans are as follows:

- * Street Hierarchy – this sets the network of connected streets and is linked to requirements for each street type.
- * Character areas – these set out the location of the five separate areas and is linked to text in the DAS explaining what is required to differentiate each area.
- * Built form – this sets out the requirement for the outward facing edges and the architectural uplift areas along main routes and around key open spaces
- * Access and movement – this compliments the street hierarchy parameter plan with an emphasis on the walking and cycling network including access points to the site
- * Open space and play strategy – this shows the location and size of open spaces and hierarchy of play provision.
- * Green Infrastructure plan – this shows the ecological areas with restricted public access, retained trees and retained hedges.
- * Land uses – this defines the disposition of uses on the site, including the areas for housing development, sets the location for the new primary school building/grounds, defines the area for mixed uses which could include community retail, highlights the restricted access (ecological) open land in contrast to the accessible public open space.
- * Public transport – this shows existing bus stops and 400m straight line walking distances and demonstrates that the site is poorly served by existing public transport, but that with a through bus route from Hospital Road to Swansea Road, via the centre and eastern area of the site, and the creation of a bus stop at the central square/school, this will serve most of site
- * Building Heights – this indicates the heights in the number of stories in relation to the underlying topography. This requires the new school to be 2 storey and residential development to range from 2 storeys to 3.5 storeys depending on the location within site.

The Reserved Matters applications will include the detailed layout design, house type information and detailed design of the new primary school in accordance with the parameters. It is anticipated that the first phase of the development (comprising the Boulevard Area, Community retail and 350 homes) is expected to be submitted with 12 months of the approval of this outline planning application. The two subsequent phases of 260 dwellings and 140 dwellings are expected to follow based on a completion rate of 100 homes per year. The phased approach to this development allows the delivery of each area to be monitored and any issues can be addressed in design/ detailed layout of subsequent phases.

It is considered that this hybrid planning application, supported by Design and Access Statement, masterplan and parameter plans will create a robust placemaking framework for a walkable and sustainable neighbourhood that connects strongly with both Garden Village and Gorseinon High Street.

The development makes good use of a greenfield site with a density that allows retention of existing landscape features and avoids the overdevelopment of the site. The network of streets and open spaces will encourage walking and cycling. The co-location of the new 2.5 form entry primary school and community retail at the centre of the development will create an identifiable heart to the new neighbourhood. The large new park will benefit both new residents and the existing Garden Village community to help encourage healthy lifestyles and well-being, plus contribute to the sense of place. The houses will be standard designs but these will be uplifted in key areas and varied by character areas, to ensure a quality environment and distinct sense of place. The suite of parameter plans provide sufficient robustness to set the framework to fix the strategic aspects, such as disposition of land uses, locations of spaces, play hierarchy, building height, street hierarchy and pedestrian links, whilst allowing sufficient flexibility for the detailed design to be refined at the Reserved Matters stage.

Residential Amenity

With regard to the impact upon the residential amenities of existing occupiers near to and adjoining the site, it is considered that the use of the site for predominantly residential purposes would not cause an undue harmful impact on the amenities of the existing and future residents.

The application is in a hybrid form and a Master Plan has been submitted along with a suite of Parameter plans, which indicatively show the location of the proposed new dwellings, roads, school and retail areas. As previously discussed within the Privacy and Amenity part of the Placemaking section of this report above, it is considered that given the retention of a significant area of open space between the existing residents within Garden Village and the proposed developable area within the application site, the construction of up to 750 dwellings can be accommodated on the site without harming the residential amenity of the surrounding residential dwellings. Full consideration of the impacts upon the amenities of surrounding dwelling houses with regard to overbearance, overshadowing and overlooking will be considered fully at the Reserved Matters stage.

As such the application is considered to be acceptable in that it is demonstrated that the site can be satisfactorily developed in accordance with the provisions of Policy EV1 of the Unitary Development Plan and the SPG – Places to Live: Residential Design Guide.

Transportation and Highway Safety

The Head of Transportation and Engineering considers that the traffic impact of the new development can be adequately accommodated, providing that the identified improvements are made to these local highway junctions.

A Traffic Impact Assessment has been carried out which has examined the highway effects of the proposed development, and how this would impact on junctions in the area. Estimated flows for the proposed residential development have been forecast which shows a total of 786 and 746 person trips in the AM and PM peak hours respectively with a modal split of 56% using private cars. In order to facilitate the increased traffic flows generated by the proposed development, a number of junction improvement works have been identified. These are listed

below, together with the amount of money that the developer would need to pay to facilitate such works.

The proposed junction improvements are as follows:

* J47 (M4) – contribution to the installation of the MOVA to be made on the occupation of the first dwelling. (£100,000)

* A484 / B4560 Swansea interchange (Day's Roundabout) – existing roundabout enlarged, wider flare lanes and the two western approaches increased from two lanes to three lanes each. The access from Day's (eastern approach) increased from one lane to two lanes. Payment to be triggered on the occupation of the 100th residential unit (£334,688)

* A4240 / Hospital Road Interchange (Gorseinon Rd / Hospital Road) – the existing 2 mini-roundabouts will become one small roundabout with access to 3M (UK) becoming a priority junction. Payment to be triggered on the occupation of the 50th residential unit (£134,297)

* B4560 / Hospital Road Interchange (Swansea Road / Hospital Road) – the signalisation of the junction with a pedestrian phase across both Hospital Road and Swansea Road. Payment to be triggered on the occupation of the 300th residential unit (£214,453)

The improvements to the above junctions will be secured via a Section 106 (S106) agreement. The Council's Highway Officer is satisfied that the costs relating to each aspect of the works are sufficient (a 20% contingency is included within the costing to cater for any unforeseen works). The applicant has also confirmed that the requisite costs are acceptable. In the event that the works undertaken result in an 'underspend' of the costs paid by the applicant, the difference will be returned to the applicant.

Two new access points are proposed to the site:

The primary access to the site is from Hospital Road which will serve 550 dwellings, the school and the retail areas. A new roundabout is proposed to connect the access road to Hospital Road. It has been demonstrated that in principle the approved design is capable of accommodating all the traffic without detriment to the free flow of existing traffic.

A new secondary access to the site from Swansea Road which will serve 150 dwellings and the school drop off point. A new priority junction is proposed to connect this access road to Swansea Road. It has been demonstrated that in principle the approved priority junction design is capable of accommodating 20% of all the traffic without detriment to the free flow of existing traffic, nor resulting in any significant queuing.

In response to concerns raised by residents regarding the capacity of the access of Swansea Road and also to prevent 'rat-running' through the site, a barrier will be installed within the site which will only allow the bus service through-access.

Whilst extensive concern has been raised regarding the additional traffic movements that would be created by the development, it is considered that the trips arising from the development can be accommodated within the local highway network providing that the above mentioned junction improvements are implemented.

As previously discussed within the Placemaking section of this report, the indicative layout within the submitted Master Plan and Parameter Plans show a hierarchy of streets which will be to adopted standards, consisting of a boulevard and mixed use spine streets, residential spine street, secondary streets and lanes, plus elements of shared drives / unadopted areas. Footways have been shown on the parameter plans. This approach is considered acceptable.

A number of Active Travel Routes (footpaths and cycle-ways) have been indicated on the parameter plans which will link the site to Gorseinon Town Centre and Garden Village to the new dwellings.

Parking provision varies across the site and in the main will be required to comply with the Council's parking standards.

As such, no highway objections are raised subject to the imposition of appropriate conditions and the provisions of the junction improvements via a S106 agreement, and the application is considered to be acceptable in this regard.

Trees

The Arboricultural Officer has raised no objection to the application as detailed in the 'Final Comments' of the Tree Officers observations (above).

The Masterplan and the Open Space Treatment Parameter plan identify the trees and hedgerows covered by Tree Preservation Orders (TPO) which are to be largely retained. A small number of trees will be lost to accommodate the development. A significant number of new trees will be planted along the proposed new boulevard and the spine street, which will serve to mitigate for the removed trees. All new trees will be served with a Tree Preservation Order after they are planted.

A significant number of new trees and shrub planting will be added through the retained greenspace at the northern edge of the site to mitigate for loss.

An area of Ancient Woodland totalling approximately 0.67ha is located towards the northern end of the site and comprises the wooded boundaries of an abandoned field pasture forming a wooded 'hollow square' and linear spur of trees extending from its north-eastern corner in a south-easterly direction. Ancient Woodland is defined by NRW as an area that has been wooded continuously since 1st editions of the Ordnance Survey (OS) maps published in the 1830's. A small section of the Ancient Woodland measuring 118m² (1.7% of the total) will be removed towards the northern edge of the site to allow for the new access road off Hospital Road. Mitigation / compensation measures for the loss of the small amount of Ancient Woodland are proposed in the form of new woodland and shrub planting of approximately 35,145m².

A significant number of trees are to be retained and incorporated into the layout of the new development, the full details of which will be given at reserved matters stage, and as such, there will be little pressure on the retained trees from the development. For these reasons, the development, whilst involving a reduction in existing tree cover and the loss of a small amount of Ancient Woodland, is a reasonable compromise when balancing the need for the development and the level of retained trees being provided.

As such the application is considered to be acceptable.

Ecology

The Ecology Officer and NRW have raised no objections to the application subject to conditions, and a Section 106 agreement for the future maintenance of the retained woodland and ecologically sensitive areas, as detailed within the 'Final Comments' of the Ecology Officer and NRW above.

A significant area of land within the northern section of the site and the SINC will be free from development and will be enhanced to increase the biodiversity of the area. A Management Plan for the future maintenance of the retained woodland and ecologically sensitive areas will be required as part of the S106 agreement.

The 'Further' Ecology Officer comments raised concerns regarding the proposed development of the fields marked as marshy grassland (field numbers 1, 3 and 4) within the submitted Ecology Survey, as they display habitat that is very similar to field 2 which is a designated as a SINC.

The final masterplan amendment has benefitted from the input of the Council's Ecologist to ensure that field 2 which is designated as SINC is fully retained and has habitat connectivity to the west to the wider SINC woodland area, via the open space area including the proposed SUDs drainage ponds, plus connectivity to the wider SINC woodland area to the north via the retained hedge public realm corridor between protected trees T8 and T11.

There is no ecological restriction of developing on fields 1, 3 and 4 as these do not have an ecological designation. Furthermore the northern and western extent of the adjacent low density housing area has also benefitted from the input of the Councils Ecologist to ensure that there is a substantial undeveloped buffer between the proposed houses and the SINC woodland that wraps around the north and west parts of the site, with intervening interim open space with limited public access. Therefore the extent of development and ecological protection is fully supported.

Dormice have been identified on the site, which are a European Protected Species (EPS). NRW have no objection to the development in principle provided a condition is used requiring further revised details to be included within the submitted Dormice Mitigation Strategy.

Nevertheless, where a EPS is present and the proposed development is likely to contravene the protection afforded to it, a development may only proceed under a licence (derogations from the provisions of the Habitats Directive) issued by NRW as the appropriate authority responsible for issuing licences under section 55 of the Conservation of Habitats and Species Regulations 2017.

Advice contained within PPW (section 5.5.12) states that in order to avoid developments with planning permission subsequently not bring granted derogations in relation to EPS, Local Planning Authorities should take the three requirements for derogations into account when considering development proposals where a EPS is present.

The three 'tests' are;

- i) that the development must be for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or

economic nature and beneficial consequences of primary importance for the environment;

- ii) there is no satisfactory alternative; and
- iii) if the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

The proposed development is assessed against these three tests below;

- i) The site is designated as one of the Council's Strategic Development Areas within the deposit LDP. The site is therefore integral to the delivery of the Council's LDP strategy and will make a significant contribution to meeting the need to provide a 5 year land supply for housing. The development will provide a range of house types and affordable housing, together with a new school that will serve both new occupiers and the existing community.
- ii) The site is capable of delivering a sustainable development which provides a high number of dwellings whilst will not have an unacceptable adverse impact providing the key concepts of the proposals are adhered to. It is acknowledged that there are other strategic sites identified within the deposit LDP which could provide a development of the scale proposed. However, as all of the LDP strategic sites are collectively needed to underpin the LDP strategy, the 'transfer' of the proposed development to one of other strategic sites in order to keep the application site free of development would undermine the LDP strategy. Furthermore, it is not considered that there are any other alternative sites that could accommodate the proposed development, whilst also being deliverable.
- iii) The application contains various supporting documents relating to the impact of the proposals on the ecology of the site. It is noted that NRW and the Council's Ecology Officer have raised no objection to the proposals subject to the imposition to the conditions that will adequately mitigate and compensate for the loss of habitats relating to EPS. It is therefore considered that subject to the imposition of such conditions together with using mechanisms that will control the management of such areas, the proposals will not be detrimental impact on the maintenance of the EPS population.

As mentioned in the Tree section of this report above, Ancient Woodland is also present on the site. A small proportion of the Ancient Woodland, measuring 118m² (1.7% of the total) will be removed towards the northern edge of the site to allow for the new access road. Mitigation / compensation measures for the loss of the small amount of Ancient Woodland are proposed in the form of new woodland and shrub planting of approximately 35,145m². This approach is considered acceptable.

Landscape and Visual Assessment

The outline masterplan and placemaking framework is supported by a Landscape and Visual Assessment (LVIA). This informs the masterplan and assesses the effect on the wider landscape and the effect on specific public view points.

The LVIA notes that existing woodland plays a notable role in screening the majority of views to the north and east and whilst this is clearly a 'greenfield' site, its topography and vegetation result in it having a strong visual relationship with existing urban areas and less connection to

wider rural locations. The LVIA explains that the existing adjacent housing, nearby commercial development and the noise from the local road network urbanise the site.

The baseline assessment also highlights that the open aspect of parts of the site creates an opportunity to integrate framed views and vistas within proposed development. It goes on to identify that the elevated parts of the site, north of Myrtle Road, rise to a height which does allow some limited visibility, over the woodland blocks to elevated areas of the landscape further afield. In particular glimpsed views of this part of the site are available from the area of Loughor Road around Heol Brynglas, from Frampton Road above Penyrheol Comprehensive School and from Heol Dewi Sant, north of Gorseinon Road. It should be noted that within these locations, views towards the site from publicly accessible (ground level) vantage points are extremely limited and views from private dwellings will typically be limited to upper floor windows.

The following LVIA recommendations have informed the masterplan preparation:

- * Retention of woodland areas
- * Retention of hedges and field trees and integration into layout as public realm features
- * Creation of network of walking routes through the site
- * Retention of streams as open water courses and public realm features
- * Lower density on highest point – open space area and two storey housing as positive element of placemaking

The masterplan retains half the north-south depth of the site (240m of the total 500m) as undeveloped open space including woodland retention, thereby maintaining a functioning green wedge between Garden Village and the developed areas to the north.

The placemaking approach is based upon buildings being designed to be positively seen in the landscape setting. They should not be dominant and it is not appropriate to seek to hide/screen development using bunds and planting buffers. Instead, planting and open space areas are used to frame and soften the development with outward facing edges comprising well designed house frontages.

The LVIA has tested the proposed masterplan from a number of viewpoints such as:

- * Photoviewpoints 1 and 2 – In these views from Clos Bryn Gwyn and Fford Bryn Gwyn
- * Photoviewpoint 3 – In this view, from Loughor Road, approximately 1100m west of the site
- * Photoviewpoint 4 – from Heol Elfed, approximately 1500m north west of the site
- * Photoviewpoint 5 – from the access road to ASDA
- * Photoviewpoint 6 - from the Gower Way, east of Heol Y Mynydd, approximately 780m north of the site
- * Photoviewpoint 7 – from this elevated vantage point at the heart of Garn Goch Common, approximately 760m east of the site
- * Photoviewpoint 8 – from Hospital Road, approximately 185m east of the site, at the entrance to the existing electricity sub-station
- * Photoviewpoint 9 – from the B4620, approximately 70m south of the site

Broadly, the visual effect of developing green fields for a new neighbourhood, comprising 750 houses, school and community retail units would have a high 'magnitude of change', however the sensitivity of the various receptors including view points and landscape character areas are generally low. Therefore in accordance with LVIA methodologies, this leads to a major overall effect which is considered on balance to be positive given the sensitive design process required

by the placemaking framework at the Reserved Matters stage, to integrate the development into the landscape.

NRW have commented that the visual effect on the Gower AONB should have been considered in the LVIA process. However as NRW note, the edge of the AONB is some 5km distant to the south-west and the masterplan approach of using planting and open space to soften well designed buildings in the wider landscape means that the visual effect would be negligible.

Overall, the masterplan which is given certainty through the associated placemaking framework of parameter plan and principles in the DAS, is positively integrated into the landscape. The significant open space areas or heavily planted buffers separate the majority of the existing settlement from the proposed development, while pedestrian connections between the two are provided for. The significant new park which lies between the existing and new communities should provide an attractive space which further mitigates the visual effects – in the long term providing a benefit beyond that which the current 'open field' view offers – and in which the two communities can come together and integrate. Overall the visual effects elsewhere are not considered inappropriate or unacceptable, and for a site delivering 750 new homes and a school, these effects are considered minimal.

Ground Conditions/Mining Legacy

The Coal Authority has raised no objection to the application subject to conditions.

The application site falls within the Coal Authority's defined Development High Risk Area. Within the application site and surrounding area, there are coal mining features and hazards. The Coal Authority records indicate that there are four mine entries and their resultant zones of influence within the application site. There are also coal outcrops crossing the site which may have been subject to historic unrecorded workings at shallow depths.

The planning application is supported by a Desk Study Report which concludes that there is a potential risk to the development from past coal mining activity. The report therefore recommends that intrusive site investigations are carried out to locate and assess the condition of the mine entries on the site and the risk posed from shallow coal mine workings. The findings of these intrusive site investigations will then inform the layout of the development, to ensure that adequate separation is provided between the mine entries and any buildings proposed. The Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with their adopted policy:

The Coal Authority considers that the content and conclusions of the Desk Top Study Report are sufficient for the purposes of determining this planning application and meet the requirement of PPW in demonstrating that the application site is, or can be made, safe and stable for the proposed development.

The Coal Authority recommends that a planning condition is imposed, should planning permission be granted for the proposed development, requiring these intrusive site investigation works be carried out prior to the commencement of development.

Contaminated Land

The Council's Pollution Control Officers and NRW raise no objections to the application subject to conditions requiring detailed measures to be undertaken in order to investigate the presence of land contamination.

A Geotechnical & Geo-environmental Appraisal Desk Top Study Report was submitted with the application, which sets out the site investigation proposals and states that more extensive investigation works are to be carried out.

As part of the conditions, the applicant will be required to submit a phases scheme, comprising three more progressively detailed reports, detailing measures to be undertaken in order to investigate the presence of land contamination, and related risks, at the site.

The Phase 1 requirement has already been satisfied by the submission of the Integral Geotechnique Desk Study Report.

The Phase 2 - Detailed Investigation shall:

- * Provide detailed site-specific information on substances in or on the ground, geology, and surface/groundwater.
- * Provide for a more detailed investigation [Human Health Risk Assessment] of the site in order to confirm presence or absence of, and to quantify, those potentially significant source-pathway-receptor pollutant linkages identified in Phase 1.

Then in the event that the need for remediation is identified, the applicant shall submit a subsequent detailed (Phase 3) report to the Local Planning Authority, which shall: Indicate all measures to be taken to reduce the environmental and human health risks identified in Phase 1 and Phase 2 to an acceptable level, in a managed and documented manner, to best practice and current technical guidance.

Finally on completion of the remediation works a validation / verification report will be required to be submitted to the Local Planning Authority that will demonstrate that the remediation works have been carried out satisfactorily and remediation targets have been achieved.

With regard to air quality, the applicant shall be required to conduct, and provide the results of, an air quality assessment of the potential impact of the proposed development; within the development and upon the surrounding local area. This will be secured via a condition.

In the absence of any objections from the Council's Pollution Control Officer or NRW, it is considered that issues relating to contaminated land can be adequately addressed by means of appropriately worded conditions.

Affordable Housing

In terms of Affordable Housing, the site has been subject to an Independent Financial Viability Appraisal (IFVA) that has been undertaken at the expense of the applicant and with the benefit of data provided by them. The appraisal has indicated that, having regard to costs and values attributed to the proposals, the site cannot deliver 30% affordable housing. The IFVA does confirm that 20% affordable housing can be delivered across the site.

The Council's Housing Enabling Officer has confirmed that 20% provision is acceptable and that a 50/50% split between Intermediate at 70% ACG and 42% ACG Social Rented is acceptable, with all houses being DQR compliant, with a mix of property sizes/types to include

accommodation suitable for households requiring accessible housing, such as bungalows. It should however be noted that the proposals do not make provision for any bungalows.

The details of the layout and locations of the affordable housing units will be considered as part of the reserved matters application. The development is likely to be built out over 3 phases – the developer has agreed that 20% affordable housing will be provided within each of the three phases to avoid a lack of provision in phase one. This approach will also ensure that the affordable homes are spread throughout the development site.

The affordable housing will be secured via the Section 106 agreement.

Education

As detailed in the Council's Education Officer's observations (above), the developer's contributions for primary and secondary education are proposed to be pooled, in order to deliver a new primary school building on site as indicated in the master plan.

The planning application includes the provision of a 2.5 form entry primary school which will be constructed within the first phase of the development. The Education Officer has requested that the school be completed the occupation of the 300th residential unit, i.e. it will be ready for occupation and use before the occupation of the 301st residential unit. This will be secured via the S106 agreement.

It is the preference that of the Education Officer that the developer constructs the school and then conveys the school to the Council.

However, the applicant has advised that they also want a mechanism written into the S106 agreement that will allow for the payment of a financial contribution to the Council (for the construction of the school), instead of actually constructing the school themselves.

The Education Officer has indicated that the total sum that would be required for the construction of the school would be £9,981,415. A payment of £266,503 would be required prior to any works commencing on site, whilst the remaining balance of £9,714,912 would be required at the occupation of the 200th residential unit (to allow for time for the Council to plan and construct the school by the 300th unit).

The applicant has agreed that whichever of the two mechanisms is used, the school will be constructed and ready for use prior to the occupation of the 301st residential unit.

The Masterplan shows that the proposed school would be located centrally within the site to allow pupils from the existing settlement of Garden Village and pupils from the new development to attend. The proposed new school is welcomed and will meet the educational needs generated by the proposed dwellings.

The school will include a 'community room' for use by the wider community for meetings etc. However permission to use to the community room will be at the discretion of the school governors and therefore cannot be secured via a planning condition. Similarly, access to the school playing field and sports facilities by the local community outside of school hours will again be at the discretion of the school governors.

Drainage

There are no objections raised to the application by statutory consultees on drainage grounds, providing conditions are used relating to discharge rates, the comprehensive integrated drainage of the site with regard to surface water and land drainage and sustainable drainage (SUDS) and surface water removal from the local catchment area.

Dwr Cymru / Welsh Water have confirmed that they raise no objection to the application subject to conditions relating to a drainage scheme for the disposal of foul, surface and land water.

The City and County of Swansea as Local Planning Authority has followed the precautionary approach advised by its statutory advisor NRW towards all development that drains into the Carmarthen Bay and Estuaries European Marine Site (CBEEMs), and carried out the following habitat assessment

Burry Inlet Habitat Regulations Assessment

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

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

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

Water Quality

With regard to the water quality issues in the Burry Inlet and Loughor Estuary, the City and County of Swansea, as part of the LDP process has undertaken a 'Shadow Habitats Regulations Assessment to inform the Habitats Regulations Assessment of the Local Development Plan. The application site (being an allocated residential site within the deposit LDP) was considered as part of this HRA.

As the proposed development has already been considered as part of this HRA (alone and in combination) under the provisions of the Habitat Regulations, there is no need for the City and County of Swansea to undertake a further assessment of the proposal.

In summary, the HRA concludes that the deposit LDP (which includes the application site as an allocated site) will not be likely to have a significant effect either alone or in combination on the any of the European protected sites (Carmarthen Bay and Estuaries SAC, the Carmarthen Bay SPA, or the Burry Inlet SPA and Ramsar).

As the site is located within the Burry Inlet and Loughor Estuary catchment area, it is subject to the requirements of the Memorandum of Understanding (MOU) - between this Council, Carmarthenshire Council, NRW and Welsh Water - that surface water discharge be removed from the existing combined systems to accommodate the foul flows from the proposed development.

The applicant has submitted a document entitled 'Surface Water Removal from the Public Combined Sewers' which in principle demonstrates that surface water can be removed from the existing local sewer system to facilitate circa 555 of the new dwellings. Whilst it is accepted that the submitted Surface Water Removal document does not demonstrate that the applicant has identified sufficient compensatory surface water removal (in accordance with the MOU calculations) at this stage that relates to the entire proposed development, this matter can be adequately addressed by means of a condition.

A condition requiring the submission of full details of the surface water removal strategy for each phase of the development which delivers sufficient compensation for the foul flows from the proposed development within that phase will therefore be imposed.

Other Possible effects on CBEEMs features

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

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

The LPA has therefore satisfied its obligations as the 'competent authority' under the Habitats Directive and associated Habitats Regulations. This is in line with the requirements of National Planning Policy guidance and Policy EV25 of the Unitary Development Plan.

Flood Risk

Natural Resources Wales (NRW) has confirmed that the information submitted in support of the application adequately demonstrates that all new properties are located outside the 0.1% Annual probability of flooding (APF) event and that the development will not cause an increased flood risk elsewhere.

The proposed development is therefore considered to be acceptable on such grounds.

Archaeology

Glamorgan Gwent Archaeological Trust (GGAT) has assessed the submitted Archaeology and Heritage Assessment and the subsequent Mitigation Strategy for Archaeological Investigations, and has advised that the information is appropriate and acceptable. There are no designated heritage assets within the site boundary.

There are two scheduled monuments within the 500m of the site. The nearest of these to the Site is Garn Goch Round Barrow (GM199), some 270m to the north east. It was excavated in 1855 and is recorded from reported finds as being Bronze Age in date (00379), although the HER also records Neolithic cinerary urns at this location (3201; 3202).

The scheduled Mynydd Carn Goch Roman Earthworks (GM269), which comprise the remains of two practice camps on the north side of the Swansea Road – thought to be the route of a Roman road lie nearly 400m to the south east of the Site.

Cadw has advised that it does not consider that the proposed development will have an impact on these two scheduled monuments, given the separation distances involved and the existence of intervening structures and vegetation.

A further scheduled Roman Practice Camp on Stafford Common (GM502) lies some 660m to the south west, north of the A484. The scheduled monument of Melin Mynach (GM501), which comprises the 18th century remains of a paper mill, lies over 700m to the north west of the Site. Again, given the separation distances between the proposed development and these features, it is not considered that there will be an impact.

The site has been subject to an archaeological geophysical survey. The survey identified a curving anomaly within the north-west of the site which may form the southern extent of an enclosure. Discrete anomalies within the interior of the enclosure may be of interest, perhaps being due to pits. Elsewhere, parallel linear anomalies have been identified throughout the site which are probably due to post-medieval cultivation. The area of the geophysical survey was the subject of an archaeological evaluation. This targeted the anomalies recorded by the survey. The archaeological evaluation revealed the remains of a curvilinear enclosure ditch with Roman pottery in the upper fills and field boundaries relating to the continued use of the area for agriculture during the medieval and post medieval periods. The geophysical results indicate the potential of this enclosure to be a focus for Roman or earlier ritual activity.

As such, GGAT have recommended that a condition requiring the implementation of a programme of archaeological work is attached to any consent. The condition will require the implementation of a programme of archaeological work in accordance with that out-lined in “Land North of Garden Village Swansea (Bryngwyn Fields, Kingsbridge): Mitigation Strategy for Archaeological Investigation” (Rubicon Heritage Report no. GVSE16, dated November 2017) in order to identify and record any features of archaeological interest discovered during the works, and to mitigate the impact of the works on the archaeological resource.

The required planning condition will be imposed.

Japanese Knotweed

It has been confirmed that Japanese Knotweed is present within the site. Therefore a planning condition will be used requiring that a detailed scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority, which shall be implemented prior to the commencement of work on site, in the interests of the ecology and amenity of the area. In order for the condition to be discharged, the developer must then devise an appropriate and suitable method statement for the control of the plant.

Welsh Language

The Welsh Language Impact Assessment indicates that at the time of the 2011 census, 17% of the residents in the Kingsbridge Ward could speak Welsh. At County level, this figure is 11.4% (19% nationally). It is anticipated that the majority of the new occupiers of the development would be drawn from throughout the City & County of Swansea and therefore it is reasonable to adopt the Swansea wide proportion of Welsh speakers (11.4%) that may be introduced into the

Ward as a result of the development. Based on the census figures of the average residents per household (Swansea average = 2.3 persons per household / Kingsbridge average = 2.4 persons per household), it is anticipated that 1800 new residents would reside within the development and the number of Welsh speakers would be approximately 205.

The development is unlikely to lead to a loss in Welsh speaking households within the locality. The mix of units which has been based on local market assessment would ensure that the dwellings do not favour / discriminate against one particular age group. The housing mix would help cater for people of different ages and economic status, with different lifestyles and levels of independence. Due to the nature of the scheme (predominantly residential), it is not considered that the proposals would lead to a greater economic diversity resulting in in-migration of non-Welsh speakers or increased competition for Welsh speaking businesses. It is considered unlikely that the development would force the local Welsh speaking community to leave the area.

The development will include the provision of Welsh language street names and signage. In this regard, Paragraph 5.1.1 of TAN 20 states that: "Signs can have a very visible impact on the character of an area, including its linguistic character. They are also one method of promoting the distinctive culture of Wales, which is of significance both to the identity of individual communities as well as the tourism industry." It is accordingly considered that this will encourage the use of the Welsh language and will adhere to the current signage in and around Kingsbridge for consistency.

Beyond Bricks and Mortar Initiative

The developer (Persimmon) have confirmed their commitment to the Beyond Bricks and Mortar Targeted Recruitment and Training programme to address opportunities arising during the construction phase of the proposals development. The programme is run by Gower College Swansea and aimed at unemployed people aged 18+. They undertake basic skills training and other appropriate work related training, followed by a job placement. Candidates can work for 16 hrs per week in the placement or in training for up to 13 weeks or more if necessary at no cost to an employer, following which they could be placed into employment for a minimum of 13 weeks or the length of the project.

Response to Objections

Issues relating to the principle of development, visual amenity, residential amenity, privacy, road congestion, new road accesses, current infrastructure, preservation of ancient woodland, the natural environment, flooding, risk of pollution in the Burry Inlet, secondary and further education provision, ingress/egress to the primary school, water treatment works in Gowerton, the loss of green fields, loss of agricultural land, loss of green wedge, development contrary to the development plan, coalescence, air pollution, capacity at the road junctions, former coalmining shafts, protected wildlife and protected species, the possible lack employment, Japanese Knotweed, and Roman remains are addressed in the report above.

With regard to capacity for local doctors, chemists and dentists, the development will provide for flexible floor space circa 280m² – 370m² which include uses that fall within the A1-3 and D1 Use Class, which includes chemists, pharmacies, clinics, health centres, and consulting rooms. The developer has informed the AMBU that they will have 'first refusal' on the units provided within the development as and when they are constructed and available for occupation and first use.

With regard to access for emergency vehicles, the reserved matters application will detail the precise layout and road widths, which will allow sufficient access for emergency vehicles.

With regard to bus services and existing bus stops, the reserved matters application will detail the precise layout and road widths, which will allow a sufficient access route for a proposed bus service. With regard to the existing bus services, it will be up to the bus operators to determine if any existing bus service / bus stops are to be diverted / changed.

The section 106 requires a subsidy payment of £101,000 per year for the provision of a public bus service to and from the site for 2 years or up to the year following the creation of a through bus route, whichever is the sooner. The applicant has agreed to this.

With regard to the weight restriction on the existing bridge on Swansea Road, this is to remain in situ. The Head of Transportation and Engineering considers that the restriction, which only applies to lorries which exceed 7.5 tonne, will not be adversely affected by the proposed development. Any vehicle exceeding 7.5 tonnes will have to observe the current restriction.

With regard to the Common Land that falls within the northern part of the site, this is covered by separate legislation. A Common Land Inquiry took place in September 2017. The decision on this is still awaited from the Welsh Government.

With regard to the other issues contained within the list of objections points, including issues of adverse effects on the sale/valuations of properties, these issues are not material planning considerations and so do not form reasons for refusing the planning application.

Conclusion

Having regard to all material planning considerations, including the provisions of the Human Rights Act, it is considered that the scheme is an acceptable departure to the Unitary Development Plan 2008, as it will deliver both market and a high proportion of affordable homes within reasonable timescales, and therefore justifies a departure under the Council's approved Developer Guidance document.

The principle of the proposed development of the site is considered to be acceptable subject to conditions and a S106 Agreement. As the application is in a hybrid form with full planning permission only being sought for the new access road off Hospital Road, detailed consideration will be given to the secondary access, appearance, landscaping, layout and scale of the development at the reserved matters stage.

It is considered however, that the application demonstrates that the site can be satisfactorily developed in terms of impacts upon the character and appearance of the area, residential amenity impacts on neighbouring occupiers, the impact of the development on access, parking and highway safety, impacts on trees, ecology, drainage and environmental interests.

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 WCFG 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 WCFG 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 WCFG Act.

RECOMMENDATION

REFER TO THE WELSH GOVERNMENT AS A DEPARTURE APPLICATION with a recommendation of APPROVAL subject to the following conditions and the applicant entering into a S106 Planning Obligation to provide:

Affordable Housing

20% Affordable housing (AH) on the site; comprising 50% social rent (at 42% ACG) and 50% intermediate (at 70% ACG) and DQR compliant. The AH shall comprise a mix of 2 and 3 bedroom dwellings. The design and specification of the AH shall be of an equivalent quality to those used in the Open Market Units. The AH shall be dispersed across the site in clusters and 20% shall be delivered within each phase of the development.

Local Highway Improvements Works

*** J47 (M4) – contribution to the installation of the MOVA to be made on the occupation of the first dwelling. (£100,000).**

*** A484 / B4560 Swansea interchange (Day's Roundabout) – existing roundabout enlarged, wider flare lanes and the two western approaches increased from two lanes to three lanes each. The access from Day's (eastern approach) increased from one lane to two lanes. Payment to be triggered on the occupation of the 100th residential unit (£334,688).**

*** A4240 / Hospital Road Interchange (Gorseinon Rd / Hospital Road) – the existing 2 mini-roundabouts will become one small roundabout with access to 3M (UK) becoming a priority junction. Payment to be triggered on the occupation of the 50th residential unit (£134,297).**

*** B4560 / Hospital Road Interchange (Swansea Road / Hospital Road) – the signalisation of the junction with a pedestrian phase across both Hospital Road and Swansea Road. Payment to be triggered on the occupation of the 300th residential unit (£214,453).**

New School

Either;

The provision and completion of the (ready for use) 2.5 form entry school (to include fixed furniture and equipment and electrical and mechanical fit out, including ICT infrastructure) by the developer (together with the associated playing fields, external open space and boundary treatment etc) and its delivery/conveyance to the Council, together with the construction of the school drop off / pick up area and associated access road, prior to the occupation of the 301st residential unit; or

A payment of £9,981,415 to the Council for the Council to construct the 2.5 form entry school, (together with the associated playing fields, external open space and boundary

treatment etc) together with the conveyance of the land required to build the school. A payment of £266,503 would be required prior to any works commencing on site, whilst the remaining balance of £9,714,912 would be required prior to the occupation of the 201st residential unit. The developer to construct the school drop off / pick up area and associated access road, prior to the occupation of the 301st residential unit.

Cycle Path

Contribution of £100,000 towards the extension of the existing Kingsbridge Link cycle path across Stafford Common to Gowerton Railway station, to be paid prior to the occupation of the 351st dwelling.

Local Enhancement Works

Scheme of enhancement works for Railway Terrace (shared surface, planting and new fencing) - £197,210 to be paid prior to the occupation of the 351st dwelling.

Improvements to the existing footpath between Clos Bryngwyn and Clos Llandyfan (widening and resurfacing) £50,000 to be paid on the prior to the occupation of the 351st dwelling.

Management Plans

Unless offered for adoption by the Council (with an appropriate commuted sum agreed with the Council's Parks Dept), the Management Plans for the future maintenance of the retained woodland and ecologically sensitive areas, proposed parks, open spaces, LEAPS, NEAPS, MUGA and SUDs ponds, to be submitted prior to the commencement of the phase of works within which the relevant area is contained.

Bus Service

A subsidy payment of £101,000 per year for the provision of a public bus service to go through the site for 2 years, or up to the year following the creation of a through bus route, whichever is the sooner. £202,000 to be paid (following the occupation of the 75th dwelling).

Council's Monitoring Fee

A Monitoring fee of £11,340 (based on 20% of the application fee, as the 2% fee of the overall cost of the obligation would be unreasonably and prohibitively large). The fee to be paid prior to the commencement of works on site.

Legal Fees

The Council's legal fees of £3,000 relating to the preparation of the S106 agreement.

CONDITIONS:

- 1 Prior to the commencement of development on site, a phasing plan relating to the proposed development and the application site shall be submitted to and approved in

writing by the Local Planning Authority. The phasing plan shall include details of the phasing of the following:

- a) each and every development parcel
- b) site accesses
- c) school and associated drop off area
- d) bus route and public transport stops
- e) strategic foul and surface water features and SUDS
- f) all open spaces, community infrastructure and other publicly accessible areas.

The development shall be carried out in accordance with the approved phasing plan.

Reason: To ensure there is a clear framework for both the progression of the development and for the submission of reserved matters applications so that the development is carried out in a comprehensive, sustainable and coherent manner.

- 2 Applications for the approval of the details of the internal access roads, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority before any development (other than the strategic access road from Hospital Road) begins on each respective phase of development and the development shall be carried out as approved.

Reason: The application, in outline form, does not give sufficient detail for consideration of these matters at this time.

- 3 Any applications for approval of the reserved matters relating to the first phase of the development shall be made to the Local Planning Authority not later than 2 years from the date of this permission.

Any applications for approval of the reserved matters relating to the other phases of development shall be made to the Local Planning Authority not later than 7 years from the date of this permission.

Reason: Required to be imposed pursuant to Section 92 (2) of the Town and Country Planning Act 1990.

- 4 The first phase of the development shall begin either before the expiration of 3 years from the date of this permission or before the expiration of 1 year from the date of approval of the last of the reserved matters relating to the first phase of the development to be approved, whichever is the later.

The other phases of development shall begin either before the expiry of 9 years from the date of this permission or before the expiration of 2 years from the date of approval of the last of the reserved matters relating to the other phases of the development to be approved, whichever is the later.

Reason: Required to be imposed pursuant to Section 92 (2) of the Town and Country Planning Act 1990.

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

RL01 Rev B - Site Location Plan, received 25th July 2016.

GA01 Rev C - Main Access Roundabout and Internal Access Road and LS01 Rev B - Internal Access Road Long And Cross Section Plan, received 8th March 2018.

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

- 6 The proposed development shall be designed in substantial accordance with the following documents.

MP02 - Masterplan, received 26th January 2018.

EPD2688/dO54B - Parameter Plan: Open Space Treatment, received 9th February 2018.

CA01 - Character Areas, PTP02 - Public Transport Plan, PPS01 - Public Open Space and Play Strategy, AMP02 - Access & Movement, BHP02 - Building Height Parameters, SH06 - Street Hierarchy, SH06.1 - Development Access Road, SH06.2 - Boulevard & Mixed Use Spine, SH06.3 - Residential Spine Street, SH06.4 - Secondary Street, SH06.5 - Lane / Mews and SH06.6 - Private Drives, received 13th Feb 2018.

BFP01 Rev A - Built Form Parameter Plan, LUP02 Rev A - Land Use Parameter, received 28th Feb 2018.

Design and Access Statement, received 7th March 2018.

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

- 7 Prior to the commencement of development (other than the proposed access road from Hospital Road) full details of the proposed access road from Swansea Road shall be submitted to and approved in writing by the Local Planning Authority. This new access road shall then be implemented in accordance with the details thereby approved.

Reason: To safeguard highway interests and ensure a satisfactory form of development.

- 8 Any reserved matters application, shall be accompanied by a detailed Design and Access Statement which explains the compliance of the submitted phase of development, with the placemaking principles of the development hereby approved.

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

- 9 Prior to the submission of any reserved matters application relating to a phase of development, a scheme of intrusive site investigations for any mine entries (within that phase) and a scheme of intrusive site investigations for any shallow coal workings (within that phase), shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Coal Authority). Both schemes of intrusive site investigations (insofar as they relate to a particular phase) shall be undertaken in accordance with the approved details thereby approved, prior to the submission of any reserved matters application relating to that phase of development.

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

10 Any reserved matters application relating to each phase of the development shall be accompanied by the following reports:

- (i) The report of findings arising from both of the intrusive site investigations required by Condition 9 (above)
- (ii) The submission of a layout plan which identifies appropriate zones of influence for the mine entries, and the definition of suitable 'no-build' zones;
- (iii) The submission of a scheme of treatment for the mine entries for approval; and
- (iv) The submission of a scheme of remedial works for the shallow coal workings for approval

Prior to the commencement of development works on each phase, the required treatment/remedial works relating to that phase shall be implemented in accordance with the details thereby approved.

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

11 No building within a phase of development shall be occupied, until a point of connection on the public sewerage system relating to that phase of development, has been identified by a hydraulic modelling assessment, which shall be first submitted to and approved by the Local Planning Authority. Thereafter the connection shall be made in accordance with the recommended connection option following the implementation of any necessary improvements to the sewerage system, as may be identified by the hydraulic modelling assessment.

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.

12 No development works shall take place within each phase of the development (other than the strategic access road from Hospital Road) until full details of a scheme for the disposal of foul sewerage the relating to that phase of development has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall thereafter be implemented in accordance with the approved details. Surface water shall not be connected to the foul sewerage system.

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

13 No development works shall commence within each phase of the development, (other than the strategic access road from Hospital Road) until a surface water removal strategy delivering sufficient compensation for the foul flows from the proposed development within that phase of development, is submitted to and approved in writing by the Local Planning Authority. The approved surface water removal strategy shall be implemented in full, prior to the occupation of any of the buildings within that phase of the development and written confirmation of this must be sent to the Local Planning Authority prior to the occupation of any of these buildings.

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

14 Prior to the commencement of any development works (other than the strategic access road from Hospital Road) a strategic surface water drainage strategy for the site, based on sustainable drainage principles, shall be submitted to and approved in writing by the

Local Planning Authority. The strategy should be based upon a SUDS hierarchy, as espoused by the CIRIA publication 'The SuDS Manual, C697'. The strategy shall maximise the use of measures to control water at source as far as practicable, to limit the rate and quantity of run-off and improve the quality of any runoff before it leaves the site or joins any water body.

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

Reason: To ensure a satisfactory and sustainable means of surface water drainage, to prevent the increased risk of flooding and ensure future maintenance of these.

- 15 Any reserved matters application relating to each phase of the development shall be accompanied by a detailed surface water strategy pursuant to that phase of development. The strategy shall demonstrate how the management of water within the phase of development 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. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

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.

- 16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or amending that order), Classes A, D and E of Part 1 of Schedule 2, shall not apply.

Reason: To protect the integrity of the chosen surface water management system from additional impermeable areas that the surface water system is not designed to accommodate.

- 17 No development works within each phase of the development (including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction works) shall commence until a scheme for tree protection relating to that phase of development has been submitted to and approved in writing by the Local

Planning Authority. No development works or other operations within the phase of development shall take place other than in complete accordance with the approved tree protection scheme (relating to that phase of development), unless otherwise agreed in writing by the Local Planning Authority. The tree protection scheme shall include the following information:

(a) A tree protection plan comprising of a drawing at a scale of not less than 1:500 showing, with a solid line, all trees and other landscape features that are to be retained and, with a dashed or dotted line, those that are to be removed. This drawing shall also show the position of protection zones, fencing and ground protection measures to be established for retained trees. Where applicable, two lines shall be shown demonstrating the lines of temporary tree protective fencing during the demolition phase and during the construction phase.

(b) A British Standard 5837 Tree Survey schedule with tree reference numbers corresponding with trees on the plan required by section a) of this condition.

(c) The specification for protective fencing and a timetable to show when fencing will be erected and dismantled in relation to the different phases of the development;

(d) Details of mitigation proposals to reduce negative impacts on trees including specifications and method statements for any special engineering solutions required and the provisions to be made for isolating such precautionary areas from general construction activities;

(e) Details of any levels changes within or adjacent to protection zones;

(f) Details of the surface treatment to be applied within protection zones, including a full specification and method statement;

(g) The routing of overhead and underground services and the location of any wayleaves along with provisions for reducing their impact on trees to an acceptable level;

(h) A specification and schedule of works for any vegetation management required, including pruning of trees and details of timing in relation to the construction programme;

(i) Provision for the prevention of soil compaction within planting areas;

(j) Provision for the prevention of damage to trees from soft landscape operations including details of the application of any herbicides;

(k) Provision for briefing construction personnel on compliance with the plan;

(l) Provision for signage of protection zones and precautionary areas;

(m) Details of contractor access during any demolition or building operations including haulage routes where soil is to be removed.

(n) A tree protection mitigation plan detailing emergency tree protection and remediation measures which shall be implemented in the event that the tree protection measures are contravened.

Reason: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity.

- 18 Any reserved matters application relating to a phase of development, shall be accompanied by an Arboricultural Impact Assessment (and associated Arboricultural Method Statement) indicating what impacts the proposed development has on the trees within that phase of development. The submitted information shall also include the impacts of services upon retained trees and hedgerows. The development works relating to that phase of development shall be carried out in accordance with the approved Arboricultural Method Statement.

Reason: To prevent detrimental impacts to trees, hedges and other landscape features which contribute to the amenity, landscape and biodiversity of the site and surrounding area.

- 19 All of the trees and hedgerow shown on the Masterplan and Land Use Parameters plans (received on 26th January 2018) as "to be retained" and/or any trees whose canopies overhang the site shall be protected by strong fencing. The location and type of fencing shall be submitted to and approved in writing by the Local Planning Authority before development commences on the phase of development to which those trees and hedgerows relate. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials (for the purposes of the development) are brought onto the phase of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from that phase of the development. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation 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 & biodiversity of the site and surrounding area.

- 20 Prior to the commencement of development works on each phase of the development, details of the following phases scheme shall be submitted to and approved in writing by the Local Planning Authority: the phased scheme shall comprise of three progressively more detailed reports, detailing measures to be undertaken in order to investigate the presence of land contamination, including relevant gas, vapour and, where appropriate, radiation related risks, at the proposed site.

Where the initial investigations indicate the presence of such contamination, including the presence of relevant gas/vapour and/or radioactivity, subsequent reports shall include:

- a list of potential receptors
- an assessment of the extent of the contamination
- an assessment of the potential risks
- an appraisal of remedial options, and proposal for the preferred remedial option(s).

The reports shall be submitted individually.

The provision of a Phase 3 report will be required only where the contents of the Phase 2 report indicate to the Local Planning Authority that the next phase of investigation/remediation is required.

Phase 2: Detailed Investigation

this shall:

- Provide detailed site-specific information on substances in or on the ground, geology, and surface/groundwater.
- Provide for a more detailed investigation [Human Health Risk Assessment] of the site in order to confirm presence or absence of, and to quantify, those potentially significant source-pathway-receptor pollutant linkages identified in Phase 1.

Note; where any substance should be encountered that may affect any controlled waters the applicant, or representative, must contact the Natural Resources Wales in order to agree any further investigations required. In the event that the need for remediation is identified the applicant shall submit a subsequent detailed [Phase 3] appraisal report to the Local Planning Authority, viz:

Phase 3: Remediation Strategy Options Appraisal

this shall:

- Indicate all measures to be taken to reduce the environmental and human health risks identified in Phase 1 and Phase 2 to an acceptable level, in a managed and documented manner, to best practice and current technical guidance. The remediation measures shall be implemented thereafter, prior to the occupation to any building within that phase of development.

Reason: To ensure that the safety of future occupiers/users is not prejudiced.

- 21 Prior to the beneficial occupation of any building within a phase of development, a verification report demonstrating completion of the works within that phase of development, as set out in the approved remediation strategy required by Condition 20 and the effectiveness of the remediation shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall include the results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the remediation criteria have been met. It shall include any plan [a "long term monitoring and maintenance plan"] for long term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reason: To ensure that the safety of future occupiers is not prejudiced.

- 22 If, during the course of development, contamination not previously identified is found to be present at the site no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a detailed strategy for dealing with said contamination.

Reason: To ensure that the safety of future occupiers is not prejudiced.

- 23 Any topsoil [natural or manufactured], or subsoil, to be imported to the site shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to the approval of the above, verification sampling of the material received at the development site is required to verify that the imported soil is free from contamination and

shall be undertaken in accordance with a scheme to be agreed in writing by the Local Planning Authority before development works commence on site.

Reason: To ensure that the safety of future occupiers/users is not prejudiced.

- 24 Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the relevant Code of Practice and Guidance Notes.

Subject to approval of the above, verification sampling of the material received at the development site is required to verify that the imported soil is free from contamination and shall be undertaken in accordance with a scheme to be agreed in writing by the Local Planning Authority before development works commence on site.

Reason: To ensure that the safety of future occupiers is not prejudiced

- 25 Prior to the commencement of development on site, details of the following air quality assessment shall be submitted to and approved in writing by the Local Planning Authority: the applicant shall conduct, and provide the results of an air quality assessment of the potential impact of the proposed development, within the development site and upon the surrounding local area. The assessment should pay particular attention to the 1 hour NO₂ objective and NO₂ annual mean objective within the National Air Quality Strategy and Air Quality (Wales) Regulations 2000 as amended by the Air Quality (Amendment) (Wales) Regulations 2002. In addition the assessment should also pay particular attention to the PM₁₀ objectives set in regulation (24 hour mean objective of 50µg/m³ - 35 exceedances' and the annual mean objective of 40µg/m³ to be achieved by the 31/4/2004 and maintained thereafter). Also, an indication of the particles (PM 2.5) Exposure Reduction objective (contained within the Air Quality strategy 2007) of 25µg/m³ should be made

Reason: To provide the Local Planning Authority with information relating to the impact of the development of air quality within the site and the locality.

- 26 Prior to the commencement of development works within each phase of development, a detailed scheme for the eradication of any Japanese Knotweed within that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of works on that phase of development.

Reason: In the interests of the ecology and amenity of the area.

- 27 No development works within each phase of development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work relating to that phase of development, in accordance with that out-lined in "Land North of Garden Village Swansea (Bryngwyn Fields, Kingsbridge): Mitigation Strategy for Archaeological Investigation" (Rubicon Heritage Report no. GVSE16, dated November 2017), which shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the programme of works shall be

fully carried out in accordance with the requirements and standards of the written scheme.

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

28 No development works within each phase of development shall commence, including any works of demolition, until a Construction Method Statement relating to that phase of development has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period relating to that phase of development. 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;
- 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 ensure that the proposed development is constructed in the interests of safety and traffic management.

29 No development works within each phase of the development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within that phase of development, has been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: To ensure that the development is provided with satisfactorily maintained and managed streets.

30 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or amending that order), all garages shall be solely used for the parking of vehicles and shall not be used as or converted to domestic living accommodation

Reason: To ensure adequate on site car parking provision in the interests of highway safety, and residential and visual amenity.

31 Prior to the occupation/use of any of the approved dwellings, the school or any commercial units, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include provision for encouraging and incentivising use of public transport and cycling. The approved Travel Plan shall be implemented upon the first occupation/use of any of the buildings hereby approved.

Reason: In the interests of promoting sustainable modes of movement.

32 Before each building hereby approved is occupied/brought into use, the means of enclosing the boundaries of the individual curtilage of that dwelling/building 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.

- 33 Notwithstanding the provisions of Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no fences, gates or walls shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road.

Reason: To ensure that the overall open plan housing layout is not prejudiced by uncontrolled development.

- 34 The reserved matters application relating to the phase of development within which the method of restricting the movement of vehicles (other than buses) through the site from the Hospital Road side of the site to the Swansea Road side of the site, shall be accompanied by full details of the means of restricting such vehicular access through the site. The agreed details shall be implemented prior to the occupation of the any buildings within that phase of development. The submitted scheme shall allow for pedestrian, cycle and bus accessibility.

Reason: In the interests of pedestrian and highway safety.

- 35 Any reserved matters application relating to each phase of development shall be accompanied by a scheme of public art relating to that phase of development. The approved scheme relating to each phase shall be implemented prior to the occupation of the 100th dwelling within that phase and shall be maintained in accordance with the approved details.

Reason: In the interests of creating a quality and legible built environment

- 36 Prior to the commencement of works relating to the phase of development to which the Pen Y Frode farmstead relates, a record of the remains of Pen Y Frode farmstead shall be submitted to the Local Planning Authority. The recording levels shall be in accordance with Historic England: Understanding Historic Buildings - A Guide to Good Recording Practices 2016.

Reason: To record an undesignated heritage asset which would be destroyed by the development.

- 37 Any proposed parking areas (including driveways) within the development hereby approved shall be:

- (i) porous or permeable; or
- (ii) constructed to direct run-off water from the hard surface to a porous or permeable area or surface within the curtilage of the dwellinghouse; and
- (iii) be permanently maintained so that it continues to comply with the requirements of paragraph (i) and (ii).

Reason: In the interests of sustainability.

- 38 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or amending that Order), Class B of Part 1 of Schedule 2 shall not apply.

Reason: The development hereby approved is such that the Council wish to retain control over any future development being permitted in order to ensure that a satisfactory form of development is achieved at all times.

- 39 No buildings within each phase of the development shall be occupied until street lighting relating to that phase of development has been installed in accordance with a detailed scheme to be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure a convenient and safe form of development.

- 40 Notwithstanding the details contained within the submitted Bryngwyn Fields, Kingsbridge: Ancient Woodland Mitigation Strategy (edp2688_14a000_080218), no development shall take place on site until a revised Ancient Woodland Mitigation Strategy has been submitted to and approved in writing by the Local Planning Authority. The approved strategy shall thereafter be implemented in strict accordance with the approved details.

Reason: To ensure adequate replacement planting is provided in mitigation for the loss of a section of existing ancient woodland.

- 41 Notwithstanding the submitted Dormouse Mitigation Strategy (C_EDP2688_13c), no development shall commence on site (including demolition, ground works, vegetation clearance) until a revised Dormouse Mitigation Scheme has been submitted to and approved in writing by the Local Planning Authority. The approved strategy shall thereafter be implemented in strict accordance with the approved details.

The strategy shall include;

- i. the timing and phasing of implementation of ecological mitigation
- ii. information setting out the extent of and the spatial distribution of habitats to be lost, and those to be enhanced or created in mitigation, including appropriately scaled and annotated drawings.
- iii. the preparation of a construction method statement to detail how protected species will be conserved during the site clearance works, including details, timing and duration of the works, action to be taken in the event a dormouse is found
- iv. the location, form and extent of 'buffers' to be retained and/or newly planted/translocated material, including measures to safeguard habitats from the proposed development. Buffers shall be a minimum of 5m wide.

Reason: In the interests of bio-diversity and in order to minimise the impacts of the scheme on the existing dormouse habitat.

- 42 No development works on each phase of development shall take place (including demolition, ground works, vegetation clearance) until a Wildlife Protection Plan relating to that phase of development has been submitted to and approved in writing by the Local Planning Authority. The approved Wildlife Protection Plan shall thereafter be implemented in strict accordance with the approved details.

The Wildlife Protection Plan relating to each phase of development shall build upon the principles of Section 6.5 of the submitted report 'Bryngwyn Fields, Kingsbridge, Ecological Appraisal Report, EDP2688_05c' (EDP, July 2016) and include the following as a minimum; -

- Risk assessment of potentially damaging construction activities. Identification of
- o "biodiversity protection zones".

- o Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (including species and habitat specific method statements*).
- o The location and timing of sensitive works to avoid harm to biodiversity features.
- o The times during construction when specialist ecologists need to be present on site
- o Details of lighting during construction phase including but not restricted to those measures detailed in section 5.9 of the submitted report 'Bryngwyn Fields, Kingsbridge, Outline Dormouse Mitigation Strategy, C_EDP2688_13c' (EDP, November 2017).
- o Details of any additional survey that will be necessary prior to the start of works

*Method statements are required for the following habitats and species identified as present or having potential to be encountered on site:

SINC habitat, Woodland (including ASNW) and scattered mature trees, Hedgerows
Grassland, Watercourse, Dormice, Bats - particularly in relation to trees, Reptiles,
Nesting birds, Otters, and Badger.

Reason: In the interests of protecting wildlife during the course of construction and in order to minimise the impacts of the scheme on the existing wildlife and habitats.

- 43 A Landscape and Ecological Management Plan (LEMP) relating to each phase of development, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development works on that phase of development. The LEMP shall thereafter be implemented in strict accordance with the approved details.

The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management e.g. to restore and enhance existing habitats, ensure successful establishment of new habitats etc.
- d) Appropriate management and monitoring options for achieving aims and objectives.
- e) Prescriptions for management actions to include but not be limited to; a scheme for reptile receptor enhancement and bat and bird box installation.
- f) Preparation of a work schedule and monitoring scheme (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the suitably skilled body or organization responsible for implementation of the plan.
- h) On-going monitoring, including of protected species, and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Reason: In the interests of maintaining and managing the landscape and ecological features of the site.

44 Prior to the commencement of development works on each phase of development, a "Lighting Design Strategy for Biodiversity" for that phase of development shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include a detailed plan and specify: lighting siting, type, specification, direction, height, lighting levels in lux/UV and spillage etc. The strategy shall have regard for the use of the site by all nocturnal fauna currently using the site, particularly foraging / commuting and potentially roosting bats, dormouse, hedgehogs, otter and badger and maintain dark corridors / foraging areas. Identified wildlife corridors, mitigation habitat including the wildlife crossing on the access road must not be illuminated. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority

Reason: In the interests of protecting the biodiversity of the site.

45 No development works relating to each phase of development shall be commenced until a Construction Environmental Management Plan (CEMP) relating to that phase of development, detailing all necessary pollution prevention measures for the construction phase of that phase of development is submitted to and approved in writing by the Local Planning Authority.

The CEMP shall identify as a minimum:

- (i) Identification of surrounding watercourses and potential pollution pathways from the construction site to those watercourses.
- (ii) How each of those watercourses and pathways will be protected from site run off.
- (iii) How the water quality of the watercourses will be monitored and recorded.
- (iv) What the construction company intends to do with surface water runoff from the site during the construction phase. Please note that it is not acceptable for ANY pollution (e.g. sediment/silt/oils/chemicals/cement etc.) to enter the surrounding watercourses.
- (v) storage facilities for all fuels, oils and chemicals
- (vi) construction compounds, car parks, offices, etc.
- (vii) measures for dealing with dust
- (viii) measures for dealing with any contaminated material (demolition waste or excavated waste)
- (ix) identification of any buried services, such as foul sewers, so that they are protected
- (x) details of emergency contacts, for example Natural Resources Wales' Pollution Hotline 0800807 060

Any drains laid must also be protected in a way that prevents dirty water from the construction site entering them.

The construction phase of the development (insofar as it relates to each phase of development) shall be implemented in accordance with the agreed CEMP at all times.

Reason: Prevention of pollution to controlled waters and the wider environment.

46 No development works relating to each phase of development shall be commenced until a Site Waste Management Plan (SWMP) has been produced and submitted in writing for the approval by the Local Planning Authority. The construction phase of the phase of development to which the SWMP relates, shall be implemented in accordance with the agreed SWMP at all times.

Reason: To ensure waste at the site is managed in line with the Waste Hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal option.

- 47 The reserved matters application relating to the phase of development that relates to the A1-A3/D1 units and school, shall be accompanied by details of facilities for the loading and unloading of vehicles serving the A1-A3/D1 units and school buildings and a servicing management plan, which shall include hours of operation for deliveries. The development shall be implemented in accordance with the details thereby approved, and none of the A1-A3/D1 units or school buildings shall be occupied until the approved servicing / loading / unloading facilities serving them have been provided. These facilities shall be made available for such uses at all times thereafter.

Reason: To ensure that the servicing of the proposed commercial and school buildings does not interfere with the safety and free flow of traffic within the development.

- 48 Prior to the first beneficial use of any Class A3 units or the school building(s) containing the school kitchens, the equipment to control the emission of fumes and odour from each individual building, shall be installed in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the approved details/ manufacturers specification for as long as the use(s) continues.

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

- 49 Any reserved matters application relating to the phase of development that includes the school and A1-A3/D1 units, shall be accompanied by a scheme for the secure storage of bicycles. The agreed scheme shall be provided before the school and the A1-A3/D1 units are brought into beneficial use and shall be retained as approved at all times thereafter.

Reason: In the interests of providing facilities for sustainable transport.

- 50 The Class A1-A3 and D1 units shall not be open to customers/visitors outside the hours of 07.00 to 21.00hrs Monday to Saturdays and 08.00 to 20.00hrs on Sundays.

Reason: To protect the amenities of the occupiers of nearby residential premises.

- 51 The rating level of the noise emitted from any fixed plant and equipment to be installed on the site shall not exceed 10dB below the existing background noise level at any time, when measured in accordance with BS4142: 1997 (or any British Standard amending or superseding that standard).

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

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, EV5, EV20, EV22, EV23, EV24, EV28, EV30, EV33, EV34, EV35, EV38, EV40, EV41, EC6, EC13, HC3, HC15, HC17, HC23, HC24, AS1, AS2, AS5, AS6 and AS10

3 Advisory Notes

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

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.

In order to establish what would be required to serve the site with an adequate water supply, it will be necessary for the developer to fund the undertaking of a hydraulic modelling assessment on the water supply network. For you to obtain a quotation for the hydraulic modelling assessment, we will require a deposit of £250. This fee is non-refundable, however, if the developer wishes to proceed with the assessment the £250 will be deducted from the final modelling costs.

4 Land contamination

Advisory:

http://www.swansea.gov.uk/media/pdf/withtranslation/q/3/WLGAEAW_Guide_for_Developers_rev_2012.pdf

Development of Land Affected by Contamination: A Guide for Developers

Imported soils

Advisory:

http://www.swansea.gov.uk/media/pdf/a/2/Imported_Materials_Guidance_WLGA.pdf

Requirements for the Chemical Testing of Imported Materials for Various End Uses

Imported Aggregates

Advisory:

http://www.swansea.gov.uk/media/pdf/a/2/Imported_Materials_Guidance_WLGA.pdf

Requirements for the Chemical Testing of Imported Materials for Various End Uses

Construction Noise

The following restrictions should be applied to all works of demolition/ construction carried out on the development site

All works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of 08.00 and 18.00 hours on Mondays to Fridays and between the hours of 08.00 and 13.00 hours on Saturdays and at no time on Sundays and Public Holidays and Bank Holidays.

The Local Authority has the power to impose the specified hours by service of an enforcement notice.

Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

Smoke/ Burning of materials

No burning of any material to be undertaken on site.

The Local Authority has the power to enforce this requirement by service of an abatement notice.

Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

Dust Control

During construction work the developer shall operate all best practice to minimise dust arisings or dust nuisance from the site. This includes dust and debris from vehicles leaving the site.

The Local Authority has the power to enforce this requirement by service of an abatement notice.

Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

Lighting

During construction work the developer shall operate all best practice to minimise nuisance to locals residences from on site lighting. Due consideration should be taken of the Institute of Lighting [www.ile.org.uk] recommendations

5 Wales and West Utilities - Informative:

Our apparatus may be at risk during construction works. We require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversion works be required these will be fully chargeable. You must not build over any of our plant or enclose our apparatus.

You are advised to note the GENERAL CONDITIONS TO BE OBSERVED FOR THE PROTECTION OF APPARATUS AND THE PREVENTION OF DISRUPTION TO GAS SUPPLIES information appended to the Wales and West Utilities letter dated 10th April 2017 via the following

<https://property.swansea.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=ZZZRJEVXB472>

6 The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (www.archaeologists.net/codes/ifa), and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.

7 Highway Advisory notes

Parking for all uses will need to be provided in accordance with the CCS Parking Standards.

All off-site highway works are subject to an agreement under Section 278 of the Highways Act 1980. The design and detail required as part of a Section 278 Agreement

will be prepared by the City and County of Swansea. In certain circumstances there may be an option for the developer to prepare the scheme design and detail, for approval by the City and County of Swansea. However, this will be the exception rather than the rule. All design and implementation will be at the expense of the developer. The Developer must contact the Highway Management Group , The City and County of Swansea , Penllergaer Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Team Leader , e-mails to mark.jones@swansea.gov.uk , tel. no. 01792 636091

Retaining Walls - Under the provision of the Highways Act 1980, the approval of the Highway Authority must be obtained for the construction of any retaining wall that is both within 4 yards of a highway and over 4ft 6ins (1.37m) in height. Under the provision of the West Glamorgan Act 1987, the approval of the Highway Authority must be obtained for the construction of any retaining wall that exceeds 1.5m in height.

Future maintenance - The applicant is advised that to discharge the condition relating to the maintenance and management of streets, that the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

- 8 Informative - 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 The applicant is advised of the need to obtain separate consent under the Town and Country Planning (Control of Advertisements) Regulations 1992 for any advertisements requiring express consent which it is intended to display on the premises.
- 10 **Warning: An European protected species (EPS) Licence is required for this development.**

This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

Agenda Item 7

For Information

Report of the Head of Planning and City Regeneration

Planning Committee – 1 October 2019

Planning Application Ref: 2018/2540/FUL

Demolition of the existing building on site and construction of residential development comprising 40 affordable apartments, 3 no. retail units, associated parking, landscaping and ancillary works

Appeal Decision - Land North of Rhodfa Fadog, Cwmrhydyceirw, Swansea

1.0 Background

1.1 On 5th March 2019, Planning Committee refused the above application, contrary to officer recommendation for the following reasons:

1. The proposed development, by virtue of its design, scale and massing is out of keeping with the character and appearance of the surrounding area to the detriment of visual amenity. The proposal is therefore contrary to policy PS2 of the Swansea Local Development Plan (2019).
2. The proposed development, by virtue its scale is considered an over-intensive form of development that fails to provide adequate amenity space for future occupiers of the development to the detriment of residential amenity. The proposal is therefore contrary to policy PS2 of the Swansea Local Development Plan (2019).

1.2 An appeal was submitted against the decision to refuse the application which was considered by the appointed Inspector by way of written representations.

1.3 In the Inspector's view, the main considerations in the appeal were the effect of the development on the character and appearance of the area, and the effect of the development on the living conditions of future residents with particular regard to the provision of private amenity space.

1.4 In terms of the effect on the character and appearance of the area, whilst noting residents' comments relating to the sustainability of the site, the Inspector considered the site to be located in a relatively sustainable location. The Inspector acknowledged that the predominant scale of development in the area is either one or two storey, but did not find that a development comprising an element of three storey would necessarily be harmful to the character of the area. However, the Inspector considered that the overall scale and massing of the development would be dominating and imposing on the surrounding area, with the lack of outdoor amenity space provision further adding to the view that the site would be overly dominated by buildings and hard surface areas. The Inspector considered the development would not respond positively to the local context and character and would not conform with Policy PS 2 of the LDP.

1.5 With regard to living conditions, the Inspector noted that the proposal would provide a very small area of external amenity space to serve 40 apartments and considered this would not be an attractive or desirable place to sit or enjoy. Whilst noting public open space to the west and east of the site, the Inspector did not consider these areas would provide sufficient private or appropriate space to justify the reduction in on-site

provision. The Inspector found the provision of private outdoor amenity space to be would not meet the needs of future residents and would not be in accord with Policy PS2 of the LDP.

- 1.6 The Inspector noted that the proposal would provide 100% affordable housing but did not consider that the benefits this would provide outweighed the identified harm from this particular scheme.
- 1.7 The appeal was dismissed.
- 1.8 A copy of the Inspector's report is attached to this report as Appendix 1.

Penderfyniad ar yr Apêl

Ymweliad â safle a wnaed ar 30/07/19

gan Vicki Hirst BA (Hons) PG Dip TP
MA MRTPI

Arolygydd a benodir gan Weinidogion Cymru

Dyddiad: 22.08.2019

Appeal Decision

Site visit made on 30/07/19

by Vicki Hirst BA (Hons) PG Dip TP MA
MRTPI

an Inspector appointed by the Welsh Ministers

Date: 22.08.2019

Appeal Ref: APP/B6855/A/19/3227039

Site address: Land north of Rhodfa Fadog, Cwmrhydyceirw, Swansea, SA6 6LQ

The Welsh Ministers have transferred the authority to decide this appeal to me as the appointed Inspector.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Ms E McGinley (Morganstone Ltd) against the decision of the City and County of Swansea Council.
- The application Ref 2018/2540/FUL, dated 30 November 2018, was refused by notice dated 11 March 2019.
- The development proposed is the demolition of the existing building on site and construction of residential development comprising 40 affordable apartments, 3 no. retail units, associated parking, landscaping and ancillary works.

Decision

1. The appeal is dismissed.

Procedural Matters

2. Amended plans were received during the processing of the application and formed the basis of the Council's decision. It is these plans that my determination relates to.
3. A Unilateral Undertaking has been provided under the provisions of section 106 of the Town and Country Planning Act 1990. It provides obligations to construct all the residential units as affordable housing units to Welsh Government Design Quality Requirement standards (DQR) and to procure the transfer of the residential units to a registered social landlord. It also procures that the residential units remain as affordable housing units in perpetuity and if the parties are not able to reach an agreement with a registered social landlord for the sale of the units that they are offered for sale to the Council.
4. The Undertaking is signed but not dated. As such I am unable to afford it any weight. Given the extent of harm that I have identified below in relation to the main issues it has not been necessary to consider the significance of the absence of these obligations.

Main Issues

5. The main issues are:

- the effect of the development on the character and appearance of the area; and
- the effect of the development on the living conditions of future residents with particular regard to the provision of private amenity space.

Reasons

Character and appearance

6. The appeal site comprises the site of a former retail store and is located within a predominantly residential area. To the immediate west of the site lie two commercial premises which at the time of my site visit were occupied by a hairdresser and a fish and chip shop. An area of public open space lies beyond these premises to the north and provides pedestrian access via a surfaced path to the wider residential area. An area of woodland and a stream are located to the east of the appeal site and residential development is located to the north. To the south lies the access road, Rhodfa Fadog. The site rises in height from south to north. It occupies a highly prominent position within the area.
7. The existing residential development in the locality is of fairly typical 1960's/1970's estate design comprising a mixture of one and two storey detached and semi-detached properties predominantly finished in brick and tile hanging with gabled roofs. The area is of a relatively low density with development interspersed with open grassed areas and mature trees with views between houses. It has an open and verdant character.
8. The existing single storey vacant retail store would be demolished and replaced with two three storey blocks of development. The block to the south (Block 1) would contain 16 flats on the first and second floors and 3 retail units at ground floor and the block to the north (Block 2) would contain 24 flats over 3 floors. Block 1 would have a west/east orientation and Block 2 would be on a north/south axis. Some reduction in the site levels would be carried out, particularly at the northern end of the site to facilitate the development. Both blocks would have flat roofs and would be designed with a palette of materials comprising buff and red brickwork, and grey cladding used to distinguish between projecting window bays and the larger expanses of the buildings. Parking would be provided on the south, east and west sides with an access road taken from the existing entrance point from the adjacent roundabout. Several protected trees would be felled as part of the development and landscaping would be carried out.
9. Policy PS 2 of the Swansea Local Development Plan (the LDP) relates to placemaking and place management. It requires development to enhance the quality of places and spaces and respond positively to aspects of local context and character that contribute to a sense of place. The design, layout and orientation of proposed buildings and the spaces between them should provide for an attractive, legible, healthy, accessible and safe environment. All proposals should ensure that no significant adverse impacts would be caused to people's amenity.
10. The proposal would re-use previously developed land. Whilst I note residents' comments relating to the sustainability of the site, from the evidence before me the site is located in a relatively sustainable location. No objection has been raised by the

Council to the principle of the re-development of the site for a mixed residential and retail scheme and I have no reason to disagree.

11. The Council refused the application in part due to its design, scale and massing being out of character and appearance with the surrounding area. Whilst I acknowledge that the predominant scale of development in the area is either one or two storeys, I do not find that a development comprising an element of three storeys would necessarily be harmful to the character of the area given its particular context in relatively open surroundings. Furthermore, whilst the cladding would be a more modern external finish to that in the area, I find the proposed materials would be complementary to the surrounding use of brick and tile hanging.
12. Notwithstanding, the proposal would comprise two large blocks of development with associated parking, access and retaining structures. The whole development would be accommodated within three storeys, with both blocks of a substantial size with their principal elevations of considerable length. Both would be highly visible from the surroundings with views from dwellings, public highways, pedestrian paths, open space and woodland.
13. Whilst some relief to the massing would be provided through projecting bays, the fenestration and the palette of materials, the overall scale and massing of development would be dominating and imposing to the surrounding area. The development would take up a substantial proportion of the site and whilst some landscaping is proposed, the areas available for planting and landscaping would comprise a very small proportion of the overall site. Whilst I acknowledge that most of the protected trees proposed for removal are of poor quality, there would be the loss of three trees categorised as "good" to facilitate the access improvements. Whilst I acknowledge the Tree Officer's view that these could be mitigated for in a suitable landscaping scheme, in my assessment there would be little opportunity to provide a landscaping scheme including replacement trees of a species and eventual size that would compensate for the visual loss of the existing mature trees.
14. In addition there would be few views available through the development which is a particular characteristic of the area. The scale of the development would be emphasised by its relationship with the single storey commercial units to the west.
15. The proposal would be a high density development which would not be consistent with the lower density and openness of the wider area which provides its sense of place. It would appear crowded and squeezed into the space available and be dominated by buildings and hard surfaced car parking and access ways. The lack of outdoor amenity space provision considered below further adds to my view that the site would be overly dominated by buildings and hard surfaced areas. Whilst I acknowledge the appellant's arguments that the proposal is intended to provide a local centre and be a set piece, I find its overall scale and massing would be a dominating and imposing development in the locality. It would be at odds with the open and verdant character and appearance of the surrounding area and detrimental to the visual amenities of the locality. It would not respond positively to the local context and character and would not be in conformity with policy PS 2 of the LDP.

Living Conditions

16. Whilst I acknowledge the appellant's statement that the LDP sets no minimum standards for outdoor amenity space, policy PS 2 requires all developments to ensure that no significant adverse impacts would be caused to people's amenity.

17. The Council has adopted Supplementary Planning Guidance "Places to Live – Residential Design Guide" (the SPG). The principles for amenity space are to provide adequate external amenity spaces in all new developments. The design concept for a scheme should determine the quality, form and level of private space provision. Communal space for flats needs to be safe, and accessible only to residents, to provide for relaxation and clothes drying. It may be appropriate to reduce the level of on site amenity space for flats where there is accessible public space within 400 metres.
18. The submitted plans show no garden areas. No amenity space is proposed for Block 1 and a very small paved area is proposed to the north of Block 2. This area is indicated as containing rotary lines for clothes drying. This very small area of external amenity space would serve 40 apartments, a number of which are designed to accommodate 2 or 3 occupants. It is likely that some of the 2 and 3 bed apartments would be occupied by families with children who would benefit from the provision of outside space. Furthermore, the area would be dominated by rotary lines which would further reduce the area available for relaxation. The location of the amenity space between a three storey building to the south and a rising bank to the north would be in shade for much of the day and would not offer an attractive or desirable place to sit or enjoy.
19. Whilst there is public open space in the form of an open grassed area to the west and woodland to the immediate east, these provide access between the residential properties and the retail units both on and off the site. I noted on my site visit that both areas are used for dog walking. I do not find these areas would provide sufficiently private or appropriate spaces for quiet relaxation to justify the reduction in on site provision to the level proposed. I do not find that other areas drawn to my attention would offer a realistic option for day to day use given their location further from the site.
20. I find the provision of private outdoor amenity space would be severely deficient and would provide unacceptable living conditions and amenity for future residents. This would not be in accord with policy PS 2 of the LDP or its associated SPG.
21. In reaching this view, I note the appellant contends that the DQR standards confirm that it is not necessary for flatted developments to have any outdoor amenity space. Notwithstanding, I am required to make my decision in accordance with the development plan unless other material considerations indicate otherwise. The DQR standards do not outweigh my conclusion that in this particular instance, and in the context of the site before me, the proposal fails to accord with the development plan for the reasons that I have given.

Other Matters

22. The proposal was put forward on the basis that it would provide 100% affordable housing in an area of high need for such housing. It would utilise previously developed land in a sustainable location and provide local benefits as a result of the proposed retail units. The existing site is in a poor visual state, and I note the contention that its current condition encourages anti-social behaviour. I concur with the view that its re-development would be beneficial in principle.
23. I have noted above that the legal agreement which would secure the affordable housing is not dated and therefore I afford it no weight. However, even if it had been appropriately completed, whilst I give the above benefits considerable weight, I am not persuaded that the same benefits could not be obtained from an alternatively

designed scheme. I do not find the benefits sufficient to outweigh the harm that I have identified would arise from the particular scheme before me.

Conclusions

24. I have taken into account all other matters raised. I note the reference to other developments in the area but do not find these to be directly comparable to the proposal before me which should be assessed with regard to its own particular context. I have also taken into account the discussions that have taken place with the Council's officers in relation to design changes and the subsequent recommendation of approval. However, no matters alter my view that the proposal would be harmful to the character and appearance of the area and would result in unacceptable living conditions for future residents. It would not be in accord with policy PS 2 of the LDP and its associated SPG or conform with the primary objective of Planning Policy Wales to ensure the delivery of sustainable development and improve the social, economic, environmental and cultural well-being of Wales. For the reasons above I dismiss the appeal.
25. In reaching this decision, I have taken into account the requirements of sections 3 and 5 of the Well Being of Future Generations (Wales) Act 2015. I consider that this decision is in accord with the Act's sustainable development principle through its contribution towards the Welsh Minister's well-being objectives of building healthier communities and better environments and promoting good health and well-being for everyone.

Vicki Hirst

INSPECTOR

Agenda Item 8

Report of the Head of Planning and City Regeneration

Planning Committee – 1 October 2018

Planning Annual Performance Report

1.0 Background

- 1.1 The Planning 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 2018-19, is attached to this report for Member consideration. The APR must be formally submitted to Welsh Government following this meeting.

2.0 Context

- 2.1 The Authority has undergone a significant change process in recent years, partly as a result of budgetary pressures, and partly in response to Welsh Government changes to the planning system as part of the "Positive Planning" agenda and the Planning (Wales) Act 2015.
- 2.2 The Council's Committee structures and scheme of delegation were amended in January 2015 to broadly align with Welsh Government recommendations and has proven to be a robust mechanism upon which to deliver sound and efficient decision making.
- 2.3 The Swansea Local Development Plan was adopted in February 2019 and now provides an up to-date policy framework, based upon placemaking principles, upon which to base decision making and facilitate the delivery of the Council's corporate priorities and regeneration agenda.
- 2.4 The Section has also been restructured, agile working arrangements have been introduced and processes and procedures have been subject to continuous review, facilitating a paperless office environment and delivering efficiency savings.

3.0 Performance

- 3.1 The positive changes introduced in recent years have significantly improved the Authority's performance in both qualitative and quantitative terms. When assessed against the Planning Performance Framework the Council now represents one of the best performing Local Planning Authorities in Wales.

- 3.2 The average time taken to determine all planning applications at 57 days is significantly below the Welsh average of 77 days. The percentage of all applications determined within required timescales has also shown a significant and consistent year on year improvement increasing from 71% in 2014-15 to 99% in 2018-19, well above the Welsh average and that of other large urban Authorities, 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 consistently increased year on year from 6% in 2014-15, which was the lowest performance in Wales, to 88% in 2018-19. A performance which is now significantly above the Welsh average of 68%.
- 3.4 In enforcement terms there has been significant improvement in performance with 72% of all enforcement cases being investigated in 84 days in 2018/19 compared to 46% last year.
- 3.5 The percentage of Member made decisions contrary to officer advice has also reduced from 24% in 2016-17 to 5% in 2017-18 and 6% in 2018/19. This equates to just 5 applications out of a total of 78 decisions made by Planning Committee in 2018/19 and just 0.26% of all decisions made by the Authority. This performance is marginally above the Welsh Government target of 5% and well below the Welsh average of 9%. A summary of relevant appeals in 2018/19 relating to Member made decisions is provided at Annex B for Member consideration.
- 3.6 The overall quality of decision making when assessed against the percentage of appeals dismissed has also improved significantly from 59% in 2017/18 to 72% in 2018/19. With the adoption of the Swansea Local Development Plan in February 2019 the Council now has a robust and up-to-date policy framework upon which to defend its decision making at appeal and deliver the Council's corporate priorities and regeneration agenda.
- 3.7 For information a copy of the most recent S106 completion report is attached as Annex C.

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 corporate priorities and regeneration agenda and embracing the Welsh Government's agenda for the modernisation of the planning system in Wales.
- 4.2 When assessed against the Planning Performance Framework the Council now represents one of the best performing Local Planning Authorities in Wales. There are, however, significance challenges ahead in the face of continued budgetary pressures and acknowledged resilience issues and specialism gaps. At a time of transformational change for the City and its region it is inevitable that further difficult decisions will continue to be made over priorities and service levels in the future.

Background papers:

City & County of Swansea APR 2017-18:

<http://democracy.swansea.gov.uk/ieListDocuments.aspx?CId=493&MId=8170&Ver=4&LLL=-1>

<i>Contact Officer:</i>	<i>Ryan Thomas</i>	<i>Extension No:</i>	<i>07789032569</i>
<i>Date of</i>	<i>29th August 2019</i>	<i>Document Name:</i>	<i>Swansea APR 2018-19</i>
<i>Production:</i>			

Swansea LPA

PLANNING ANNUAL PERFORMANCE REPORT (APR) – 2018-19

PREFACE

I have the pleasure of introducing the fifth 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. Having very recently adopted the Swansea Local Development Plan the Council now boasts an up to date planning policy framework which sets out a clear and ambitious vision for the future growth and regeneration of the City, its communities, economy and natural environment. In this context 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 and the Environment (Wales) Act. In this respect 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 Delivery

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 development 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 The policies and proposals set out in the Council's Local Development Plan (LDP) seek to address the County's need for new homes, jobs, infrastructure and community facilities to support economic growth and raise standards of living. Policies to promote development sit alongside and complement those that will ensure future proposals respect and promote the County's cultural heritage, important landscapes and sensitive environments. A clear 'placemaking' agenda is promoted which emphasises that future development must accord with the overarching aims of enhancing quality of life and well-being.
- 1.3 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 Swansea LDP which was adopted in February 2019 provides the policy context for the period up to 2025. It superseded the Swansea Unitary Development Plan (UDP) (2001-2016)
- 3.0 Place and fit within the community strategy and/or wider strategic and operational activity of the authority.**
- 3.1 The Swansea Public Service Board's Local Well Being Plan: Working together to build a better future (2018) has four objectives relating to Early Years, living well, working with nature and building stronger communities underpinned by key themes of Housing and the Economy which are supported by the planning system.
- 3.3 The LDP seeks to deliver the land use, regeneration and natural environment enhancement objectives expressed in the Local Well Being Plan and the Council's Corporate Plan, together with other Council strategies, plans and programmes. **Existing and previous major influences on land use (e.g. heavy industrial, agricultural, energy, transport).**
- 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, Waterfront, Tawe Riverside Corridor and Lower Swansea Valley areas, together with 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.. In March 2019, the average house sale price in Swansea was £146,145 9.7% below the average for Wales and 36.1% below the UK figure. .
- 4.4 Average weekly full time earnings (April 2018) are £532.80 (2.7% above the Wales average but 6.4% lower than the UK average).
- 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 geographical 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 such as Sketty and Mumbles.
- 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 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 is supported through LDP policy. 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 Latest population estimates for the County stand at 246,500 (mid-2018, ONS estimates), which is the second largest local authority population in Wales and represents almost 8% of its total population with an average population density of 649 people per sq. km. The population has been growing by approximately 1200 (+0.5%) per annum over the period 2008-18, with the main driver of growth being international migration

7.2 Comparison of the age structure for Swansea against the Wales average shows a higher proportion of young adults (19-22 age group), which is largely associated with the significant local student population. Swansea is a centre of learning and in 2017-18 there were approximately 17,800 full-time Higher Education students at Swansea University and over 3,200 at the Swansea campus of University of Wales Trinity St. David; with a further 4,400 full-time students in Further Education at Gower College Swansea.

7.3 Numbers of those of pensionable age are comparable with the Welsh average; however the older population is projected to grow as a result of better health and associated improvements in life expectancy. Life expectancy at birth in Swansea now stands at 77.3 years for males (Wales 78.3) and 82.1 for females (Wales 82.2) (2017, ONS). 19.4% of Swansea's population are aged 65 and over (25,700) and 22,300 people are aged 75 and over.

7.4 The total number of households (with residents) in Swansea in mid-2017 is estimated at 108,200, an increase of approximately 700 (or 0.7%) on the 2016 figure. Since 2007, the number of households in Swansea has increased by 8,500 (+8.5%), with average household size falling from 2.29 people (2007) to 2.23 people (2017). The falling average household size can be attributed to the significant rise of single-person households who now account for over a third of all households.

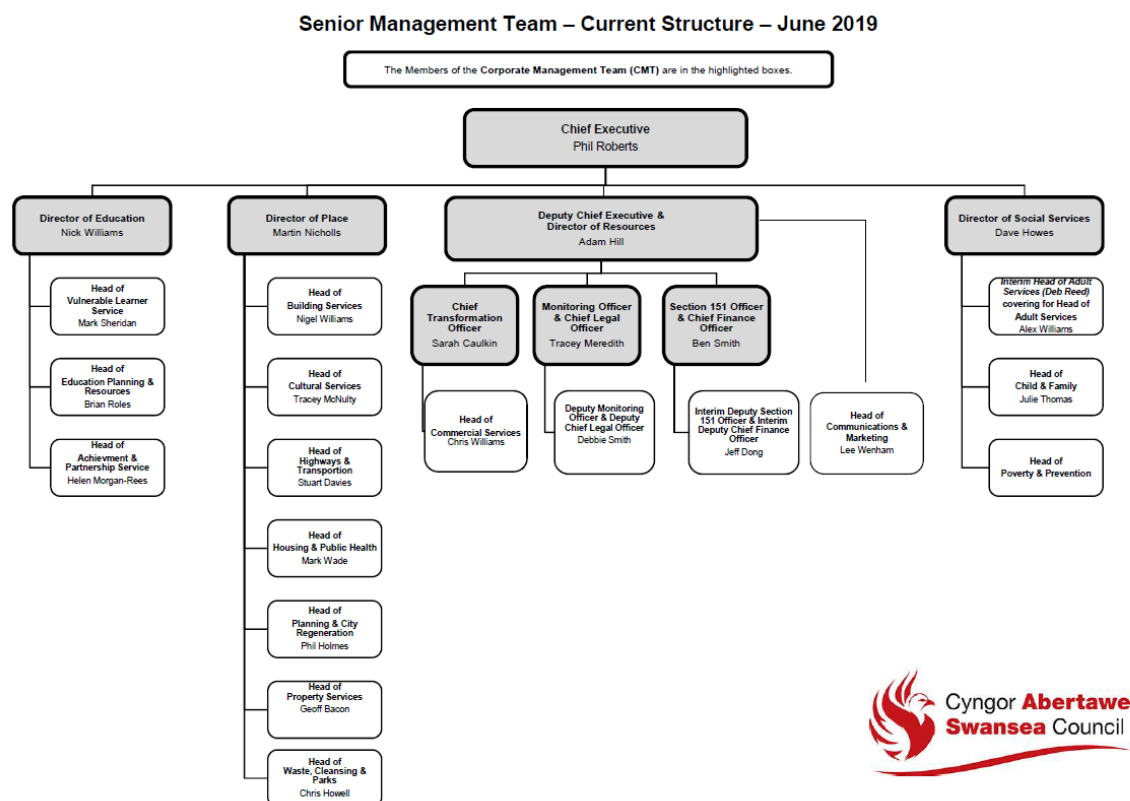
7.5 The Welsh Government's latest trend-based population projections suggest that Swansea's population will grow by 9.0% (21,600 people) between 2014 and 2039. In these projections, Swansea has the third highest projected growth rate (%) of the 22 Welsh local authorities, behind only Cardiff and Wrexham. In comparison, the projections suggest a population increase of 5.4% across Wales over the period.

- 7.6 The 2011 Census estimates suggest that 14,326 people in Swansea were from a non-white ethnic group, 6.0% of the total population; higher than the equivalent figure for Wales (4.4%) and the third highest percentage of the 22 local authorities in Wales, although lower than the equivalent UK figure (12.9%).
- 7.7 The proportion of people aged 3 and over able to speak Welsh in Swansea decreased from 13.4% (28,938) in 2001 to 11.4% in 2011 (26,332 people); a fall of around 2,600 Welsh speakers (-9.0%) despite an overall increase in the population.
- 7.8 35.5% of Swansea's residents (aged 16-64) are qualified to NVQ level 4 (Degree level) and above (December 2018, ONS), slightly above the Wales figure (35.4%).
- 7.9 GVA (Gross Value Added) per head in Swansea stands at £19,559, (2017, ONS); which has fallen to 1.7% below the Wales level £19,899 and 28.3% below the UK average (£27,555). Over the longer term (2012 to 2017), overall growth in Swansea's GVA per head has been 13.8%, which is below rates of growth in Wales (+15.7%), and the UK (+15.9%).
- 7.10 71.1% of Swansea's working age residents are economically active and 107,100 in employment (December 2018, ONS), mostly in the service sectors 90.1%, with 28.4% employed in the public sector and 5.4% working in manufacturing.
- 7.11 32,600 people commute into Swansea each day (2019, ONS/WG). Most significant cross boundary flows are from Neath Port Talbot and Carmarthenshire. Active businesses in Swansea grew by 2.6% between 2016-17, compared to 4.5% across Wales and 3.3% in the UK.
- 7.12 Estimates suggest 4.59 million people visited Swansea Bay in 2016 spending over £400 million (Scarborough Tourism Economic Activity Model).
- 7.13 Swansea is forecast to see significant population growth over the next decade. The County will need new homes, additional employment opportunities and improved infrastructure and community facilities to support this level of growth and raise standards of living, while respecting the area's cultural and natural heritage.
- 7.14 Key influences on the LDP include:
- ,
 - The need to provide for 17,100 new dwellings and support 13,600 new jobs,
 - Limited previously developed (brownfield) land remaining to accommodate development,
 - The sustainable regeneration of the Swansea Central Area as the economic hub and main driver of the 'City Region',
 - The need for further investment at SA1, Tawe Riverside and the Fabian Way Corridor to sustain the successful regeneration of waterfront areas, whilst complementing regeneration of the Central Area,
 - Reorientation of the economy towards high quality, skilled and knowledge based sectors,
 - Lack of available, high quality office space to meet economic growth needs,
 - The impact of out of town development of retail, office and leisure uses on the Central Area,
 - Significant opportunities for leisure, sustainable tourism and heritage-led development schemes,
 - Supply of new house building not keeping pace with demand as the local population grows, a shortfall of affordable housing and the economic viability of sites for delivering new housing varying considerably across the County,

- Community cohesion issues in areas with high concentrations of HMOs,
- Need for greater variety of size and tenure mix within new housing developments to contribute towards sustainable balanced communities,
- Meeting the needs of an increasingly elderly population
- A sizeable Higher Education student population and increasing demand to provide additional accommodation,
- Significant variations across the County in terms of social indicators of deprivation, including access to health, education and community services and 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,
- The high quality natural environment, landscapes, and coastline are important assets to the local economy, attracting visitors, and providing resources,
- The extensive green space network is vital to economic, environmental and community well-being, and more green infrastructure is needed to meet national guidance and local requirements for improving accessibility to open space,
- Improvements to linkages between open spaces, Public Rights of Way, and key destinations are needed to increase accessibility and promote physical activity,
- Poor air quality is an issue in some areas, which can have a detrimental impact on human health. Parts of the urban area have been designated as Air Quality Management Areas (AQMAs), where further deterioration in air quality would be of significant concern,
- The area's industrial past has left a legacy of potentially contaminated sites, where remediation is required to protect human health and well-being,
- The existing highway network experiences traffic congestion along certain main routes and junctions, which can have a negative impact on amenity, health and well-being, and economic competitiveness.

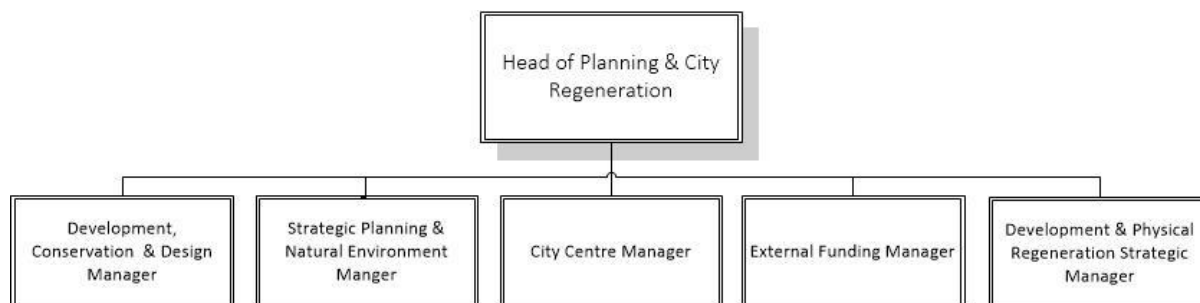
PLANNING SERVICE

Chart 1 - Organisational Structure



- 8.1 The Council is organised into four 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 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, External Funding, and Development and Physical Regeneration.

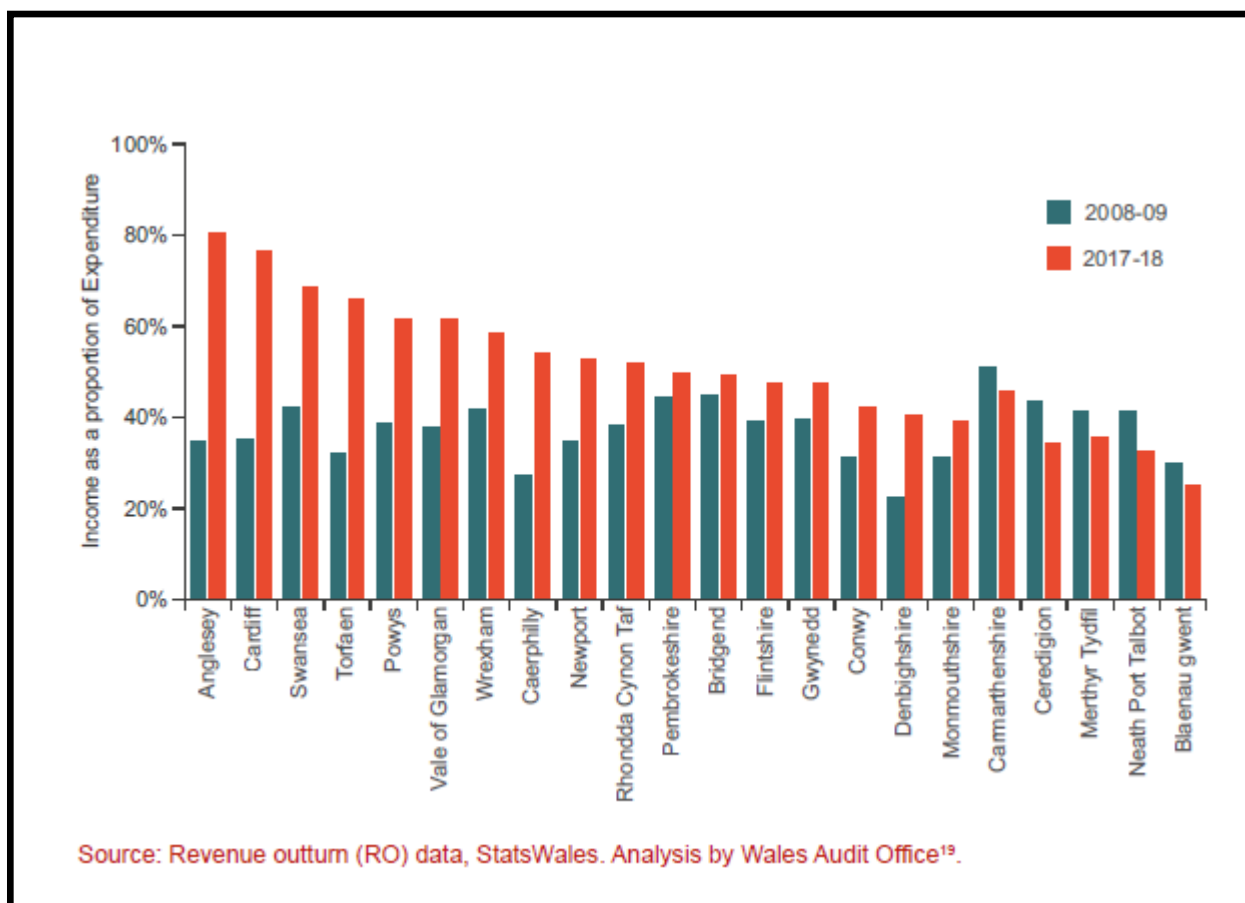
Chart 2 – Organisational Structure



- 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, IT changes, real estate rationalisation?**

- 9.1 Agile working arrangements have been introduced as part of a corporate initiative, to facilitate the rationalisation of accommodation within the Civic Centre, income generation through the rental of office floor space and improved productivity. In this respect the development management function of the Authority has, since 2013, progressively introduce new document management, back office and workflow management systems together with revised and refined business processes to facilitate a paperless office which has allowed the efficiencies and benefits associated with agile working to be exploited more effectively.
- 9.2 In addition to accommodate the additional savings required for 2018/19 there has been further reliance upon an increase in fee income which as indicated in Graph 1 below now meets an increasing proportion of the budget for the Development, Conservation & Design and the Strategic Planning and Natural Environment Sections. This is identified as a potential risk to the delivery of these statutory services moving forward.

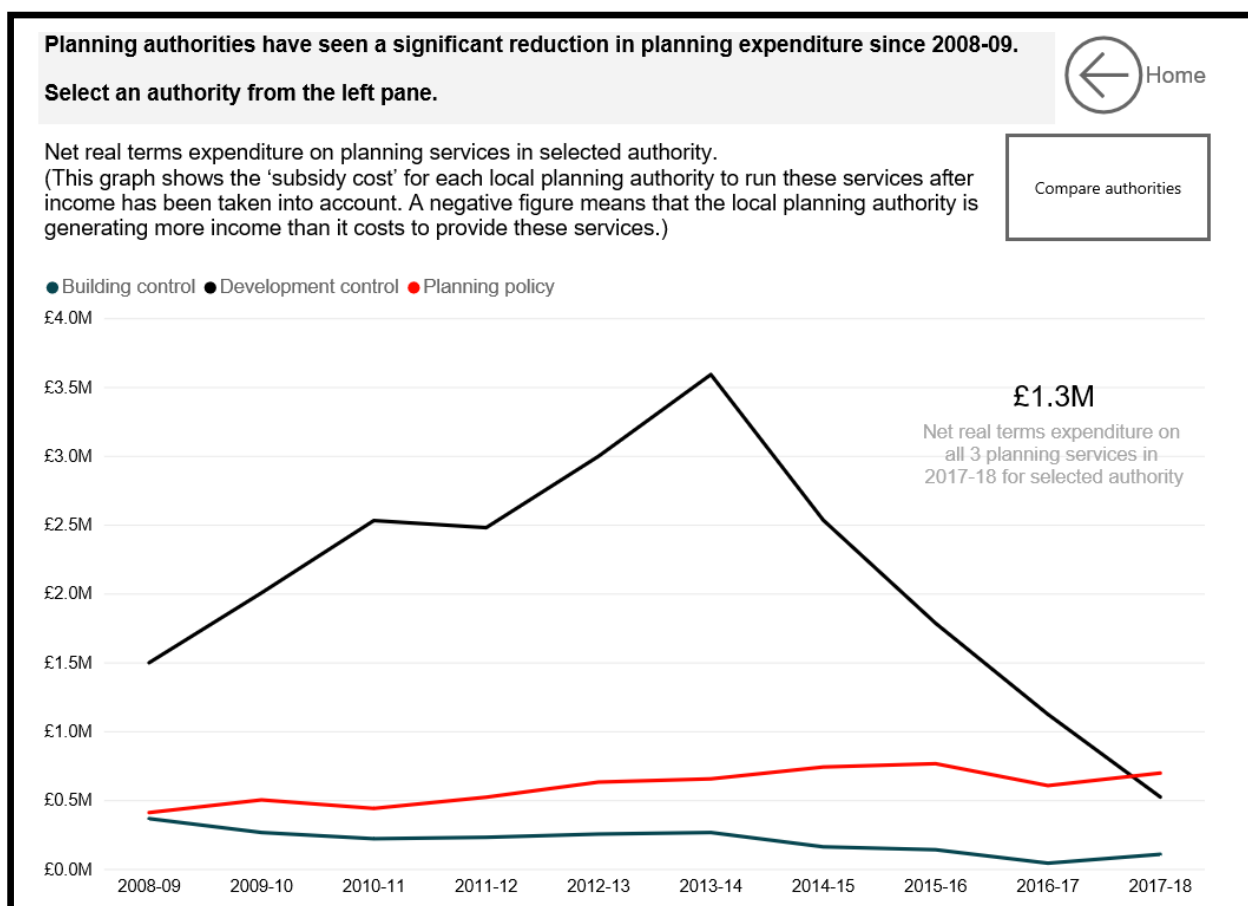
Graph 1



- 9.3 Cross departmental working initiatives include the formation of a core Land Charges Team in April 2019 embedded within the Development, Conservation & Design Section. This brought together discrete functions carried out by 11 separate officers in 7 different Departments under one management structure providing the potential for greater resilience, improvements in the quality of service and opportunities to generate further fee income.

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, ecology and AONB functions. Data published by the Wales Audit office, however, illustrates a significant reduction in expenditure on the planning service since 2013-14:



Source: Revenue outturn (RO) data, Stats Wales. Analysis by Wales Audit Office

10.2 Whilst the overall budget for the Development, Conservation & Design has reduced significantly, 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	2017/18	2018/19
Target	1,010,000	780,000	639,000	639,000	689,000	787,600	847,600	1,006,600	1,070,100	1,072,100
Actual	870,572	589,069	670,163	908,685	841,115	961,407	906,526	1,156,952	1,287,180	1,257,249

10.3 Fee income is retained within the Development, Conservation & Design budget which is, however, been set demanding fee income targets for each financial year to cover a growing proportion of the costs of the Service. Any budget underspend at the end of the financial year is not carried forward to the following financial year. Two full time Senior Planning Officers and one Urban Design Officer are also currently funded by Planning Performance Agreement. This places a heavy emphasis on unpredictable 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.

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, Conservation & Design, and Strategic Planning and Natural Environment is summarised in Chart 4 and 5 below respectively:

Chart 4 – Development, Conservation & Design Structure

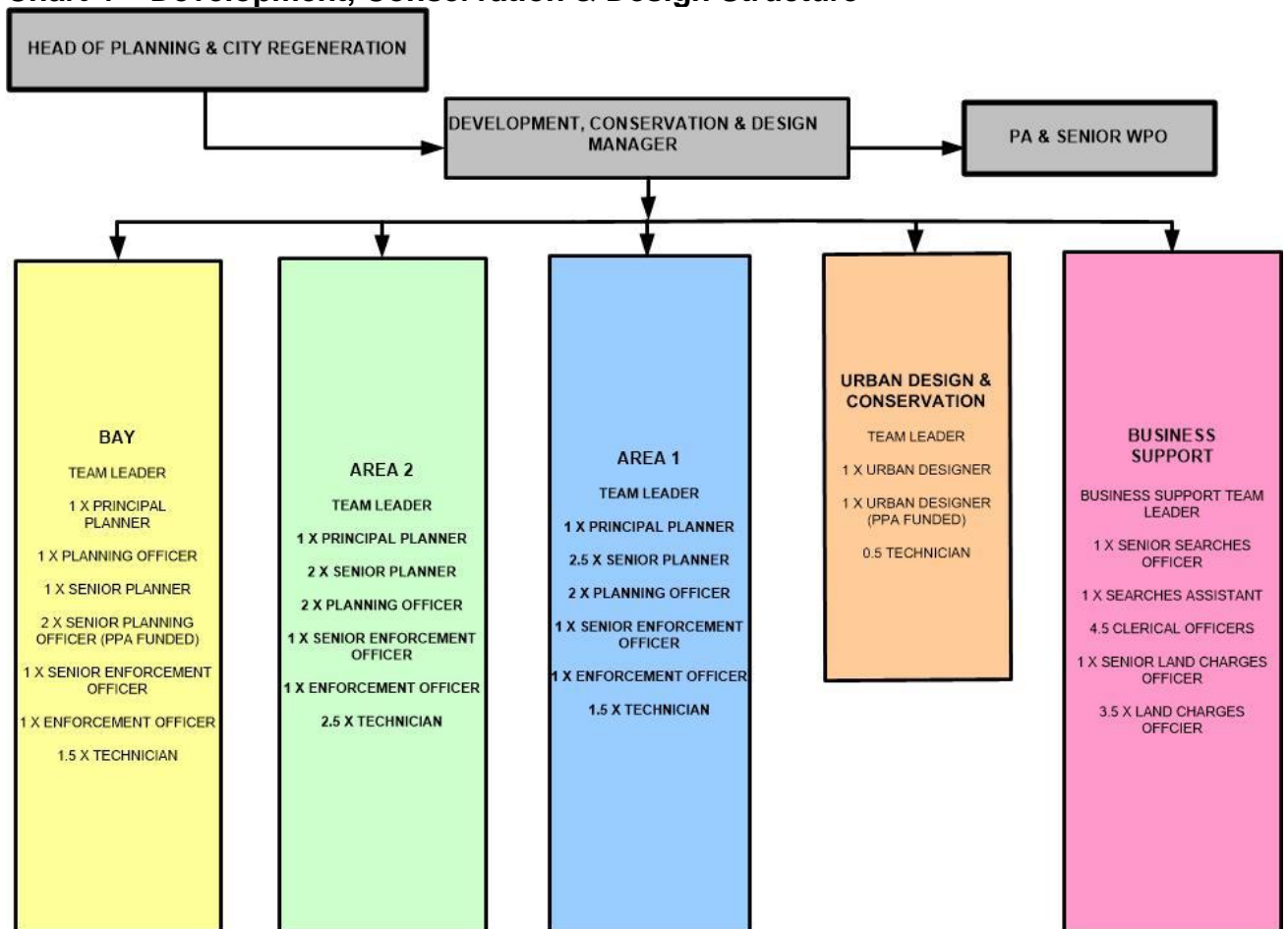
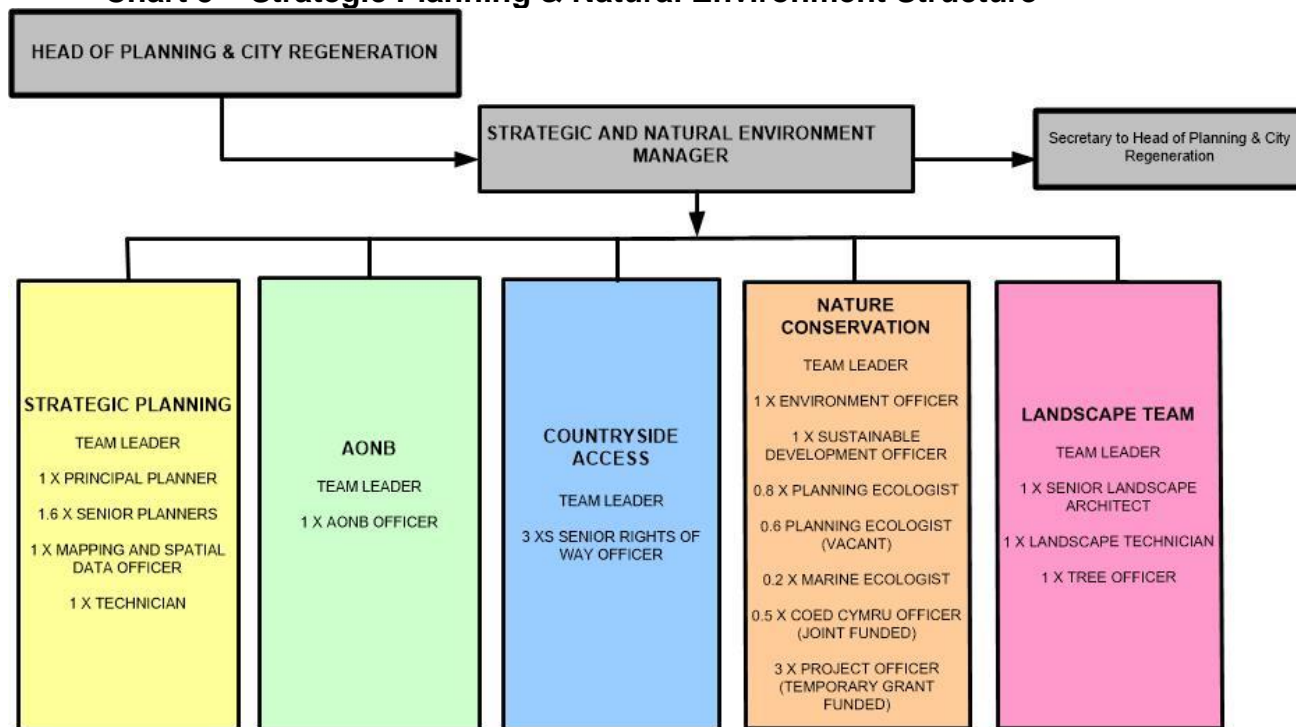


Chart 5 – Strategic Planning & Natural Environment Structure



- 11.3 The Section has previously been restructured and accommodated a number of redundancies with job descriptions rationalised to provide more flexible working. Authority has also been delegated further down the staff structure and through on the job training staff from previously discrete teams carry out a much wider range of functions. In this way the impact of redundancies and budget cuts has been managed to an extent with existing officers absorbing these roles in parallel with the introduction of revised business processes and a review of service delivery options.
- 11.4 Upskilling and reskilling of staff in this way remains an ongoing process but is a robust mechanism to manage the risk to the Service in the face of ongoing budget cuts.
- 11.5 Budgetary pressures and recruitment policies have, however, generated clear resilience issues, with a contracting, ageing workforce and reliance on a small number individual officers in key specialist fields. The Authority is increasingly having to “buy in” services to address specialism gaps.
- 11.6 In addition, and as stated above, one Urban Design Officer and two Senior Planning Officers continue to be funded via fee income generated from Planning Performance Agreements negotiated on a variety of projects. Fee income is now the primary source of funding for the service and as illustrated in Table 1 above can experience significant variations year on year placing the delivery of statutory services at potential risk moving forward.

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 an increase in the number of planning and related applications received rising from 1482 in 2012/13 to 2127 in 2018/19 reflecting both an upturn in the development industry, the introduction of the C4 Use Class for HMO's and the number of major and strategic housing sites coming forward in advance of the Local Development Plan. The number of planning applications received per case officer (FTE) was 137 per annum in 2018/19. 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.
- 12.2 The number of enforcement cases received in 2018-19 was 428 which coupled with the remnants of an historic backlog of stubborn cases continues to place pressure on the enforcement service when measured against the new performance indicators introduced by Welsh Government in 2017. Enforcement officers currently carry an average caseload of 78 complaints.
- 12.3 Internal and statutory consultees still appear to be facing capacity issues, particularly with regard ecology, landscape, pollution control and highway issues. These capacity issues can have a significant impact on the provision of comprehensive and/or timely consultation responses and the efficiency of decision making.
- 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 The LDP was adopted in February 2019 and provides a clear planning framework to address key issues facing the County. It is underpinned by an extensive and up to date evidence base. The first AMR is not due until 31st October 2020.
- 13.2 The only significant area of contention between the Council and the LDP Inspectors' published findings related to the issue of affordable housing targets. The Council has always maintained, and continues to contend, that the targets set out in the Deposit LDP were based on sound evidence and a track record of delivery. These targets received support through the Examination from local RSL's and certain house builders, who agreed with the Council's general approach to providing a flexible policy that would allow the Planning Authority to pursue such targets for developments if the circumstances justified it, for example, sites with little or no planning obligations. All of these companies submitted evidence and reasoning to the Examination as to why they thought the LDP policy approach and the percentage targets were appropriate.
- 13.3 The Inspectors, however, did not accept the Council's position in relation to this issue and reduced the on-site targets in three housing policy zones by 5% each. The impact of the Inspectors forced change in relation to the targets has been to reduce the potential of the Plan to facilitate affordable housing delivery on allocated housing sites (and windfall applications) in the order of 200 homes over the Plan period.
- 13.4 Senior Officers of the Council, as well as Cabinet Members and the Leader, set out in clear terms in detailed submissions to the Inspectors why the Council did not agree with their suggestion that a reduction to affordable housing targets was necessary to make the Plan sound. It was maintained that sufficient and appropriate evidence had been submitted to the examination to fully justify the Council's approach.

The Inspectors' position that they are '*not persuaded the targets in the Deposit Plan are viable*', was an extremely difficult one to rationalise given that these targets had been achieved on repeated occasions on developments in Swansea, including on LDP sites that had recently gone through the planning system, and having regard to the likely costs associated with bringing forward the remaining allocated sites during the Plan period.

13.5 Members made clear the importance they attributed to the key corporate objective of maximising affordable housing delivery. For this reason, and given the strength of evidence that exists relating to this issue, following formal Plan adoption officers have been taking a case by case approach of considering whether submitted proposals justify seeking a proportion of affordable housing in excess of the target rate specified in the LDP. In particular the rates originally specified in the Deposit Plan for the Swansea North, East and Greater North West housing zones are considered for their suitability, having regard to matters such as the level of constraints on a site, the tenure mix of affordable homes appropriate for the scheme, and the amount of any planning obligations that the development would generate. In relation to the latter, developments that generate a cost of less than £5,000 per dwelling would be considered to be providing less than the average planning obligation contribution, having regard to the benchmark values that were used in the viability testing that has underpinned the Plan and that has been supported by the Inspectors. This approach is consistent with the supporting text of the LDP, which states "*in certain developments where there are fewer constraints or requirements, such as a lack of s106 obligations, a higher percentage than that stated in the policy may be sought in exceptional circumstances*".

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 The LDP includes a policy that allocates suitable sites on the edge of rural and semi-rural locations in Gower, Gower Fringe and West of Swansea to deliver affordable homes for local people. The policy requires these sites to deliver a minimum of 51% affordable homes for local people with the range and type of homes tailored to meet the evidence of local need. This policy is an innovative, evidenced based and pragmatic response to an historic problem of under provision using previous policy approaches. The progress of development proposals through planning application stage on these allocated sites (despite early suggestions from objectors that such an approach would be unviable) demonstrates the effectiveness of the policy. It is a transferable approach to other Authorities that may have similar issues with providing affordable housing in rural areas, and this has been recognised by Welsh Government. The Minister for Housing and Local Government has issued (July 2019) a letter to all Councils in Wales requiring them to implement similar affordable housing led sites through their LDPs.

14.2 In development management terms the Development, Conservation & Design Section introduced agile working arrangements including the further refinement the "paperless office" processes developed since 2013 using electronic workflow systems.

14.4 The Authority continues to collaborate with Neath Port Talbot Council Borough Council on the introduction on a joint Agent Accreditation Scheme with a view to facilitating the submission of better quality planning applications, reducing the administrative burden of validation and providing consistent validation requirements across both Authorities.

- 14.5 The promotion of a development team approach led by officers from the Council's Development and Physical Regeneration Section (as developer and applicant), externally appointed consultants and officers in the Development Conservation and Design Section continues to be a highly effective model for the delivery of the Swansea City Centre redevelopment scheme. In development management terms roles were clearly articulated and resourced through the signing of a Planning Performance Agreement which has facilitated the efficient delivery of schemes through the pre-application process with added value and the determination of the resultant applications in a timely manner.
- 14.6 The Council has also established a Developer Forum to improve working relationships with small and medium sized housing developers (SME's) and address issues which may be frustrating the development process. In this respect two current work streams are ongoing firstly, focussing on providing consistency between planning placemaking policy and highway adoption processes and standards and secondly, on refining and reducing the number of conditions imposed on planning permissions, particularly pre-commencement conditions.
- 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 As detailed above a number of major and strategic sites including the redevelopment of Swansea City Centre have come forward in advance of the LDP. The approach adopted by the Authority detailed at Section 14 above has facilitated the effective delivery of a number of these sites in accordance with the "placemaking" policy objectives set out in the LDP and without formal challenge.
- 15.2 Considerable resources have, however, been dedicated to this process which has only been possible to manage, without impacting on the performance of the Development Management Service as a whole, through the appointment of staff via fee income generated by Planning Performance Agreement.
- 15.3 The number of HMO applications has increased significantly since the introduction of the C4 Use Class in February 2016. This has produced significant workload and political pressures with a large number of applications being "called in" to Planning Committee for determination. The absence of a robust policy under the provisions of the Unitary Development Plan led to uncertainty and a number of applications being refused contrary to officer recommendation but subsequently allowed at appeal. A specific policy has now been introduced which incorporates clear thresholds to control the concentration of HMO's in an area following the adoption of the Swansea Local Development Plan in February 2019. There are, however, lessons to be learned over the impact of the introduction of such legislative changes by Welsh Government effectively within a policy vacuum.
- 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 2018/19 Planning and City Regeneration Services Plan identified a number of key priorities and objectives for the Service. Specific objectives, outcomes, performance measures, targets and actual outcomes for Development, Conservation & Design and Strategic Planning & Environment are detailed at in the table at Appendix 1.
- 16.2 In development management terms the Authority has set two internal performance indicators which seek to focus on the approval of applications with an economic imperative (major applications) whilst determining all other applications in a timely and efficient manner to meet its 8 week performance target.
- 16.3 These internal performance indicators recognise the benefit of investing time and resources, through negotiation, to deliver complex or strategically significant projects which have the potential to make a significant contribution to the economic fortunes and wellbeing of Swansea and the wider region.
- 16.4 This approach has facilitated the delivery of a wide range of strategically significant projects through the planning process, including the redevelopment of the City Centre and a range of strategic housing and affordable housing sites, whilst maintaining top quartile performance in Wales for the determination of all planning applications in agreed timescales.
- 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 When assessed against the Performance Framework the Authority is one of the best performing Local Planning Authorities in Wales with 99% of all planning applications determined within timescales and only one area identified for improvement namely the Authority's housing land supply. In this respect the former Unitary Development Plan was time expired in 2018/19 and as a consequence no Joint Housing Land Availability Study could be carried to assess land supply. The Swansea Local Development Plan was, however, adopted on 27th February 2019 providing in excess of a 5 year land supply. If the Authority did not have a 5 year housing land supply the plan would have been found unsound by the appointed Planning Inspectors and would not have been adopted.
- 17.2 Enforcement performance is identified as "fair", however, this service has been under significant scrutiny by the Authority following the build-up of a significant backlog of enforcement cases as a result of historic under resourcing of the function. The performance for the percentage of enforcement cases investigated in 84 days in 2017/18 at 46 % was, however, the lowest in Wales. There has, however, been significant improvement in this performance when assessed against this measure with 72% of all enforcement cases being investigated in 84 days in 2018/19.

- 17.3 The percentage of Member made decisions contrary to officer advice has reduced from 24% in 2016/17 to 6.3% in 2018-19 equating to 0.26% of all planning application decisions being made against officer advice compared to 0.5% across Wales.
- 17.4 This is categorised as a “fair” performance in the Performance Framework but was only marginally above the performance target of less than 5% set by Welsh Government.
- 17.5 The small number of over turns has not had an impact upon appeal performance which has seen a significant improvement. In 2017/18 59% of appeals were successfully defended rising to 72% in 2018/19. This compares to a Welsh average of 68%.

18.0 What Service Users Think

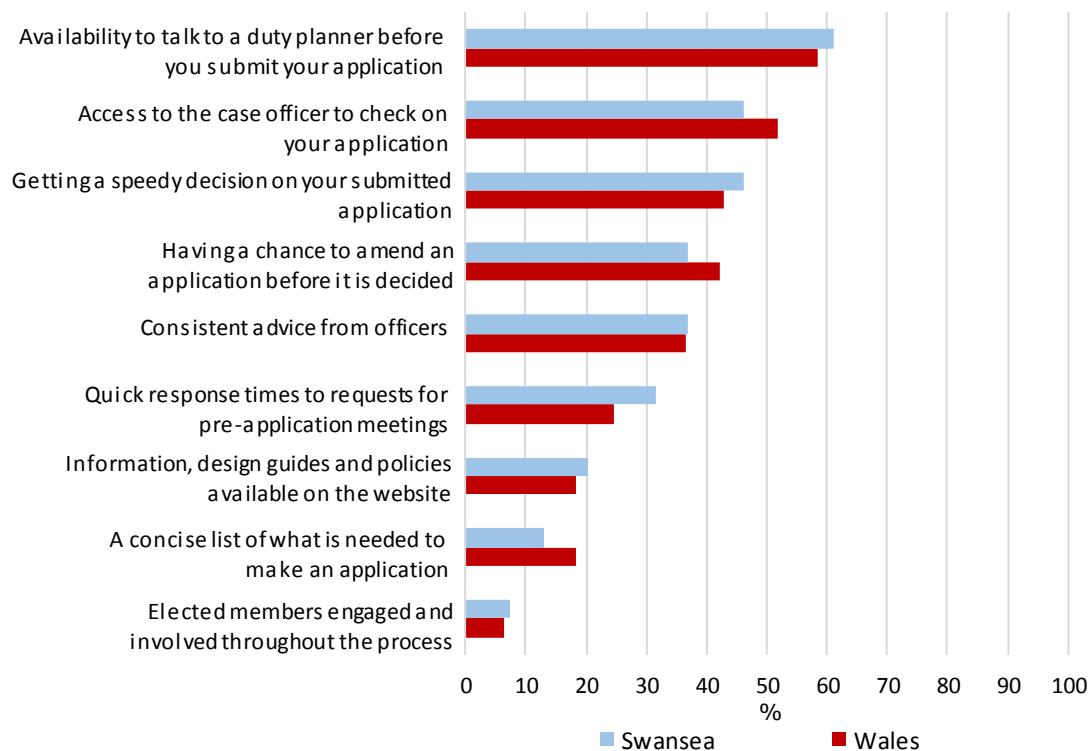
- 18.1 In 2017-18 we conducted a customer satisfaction survey aimed at assessing the views of people (agents and members of the public) that had received a planning application decision during the year.
- 18.2 The survey was sent to 680 people, 9% of whom submitted a whole or partial response. The majority of responses (59%) were from members of the public. 28% 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. 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, 2017-18

Respondents who agreed that:	Swansea LPA %	Wales %
The LPA applies its planning rules fairly and consistently	51	55
The LPA gave good advice to help them make a successful application	49	60
The LPA gives help throughout, including with conditions	47	52
The LPA responded promptly when they had questions	58	62
They were listened to about their application	55	60
They were kept informed about their application	42	52
They were satisfied overall with how the LPA handled their application	54	63

- 18.4 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, 2017-18



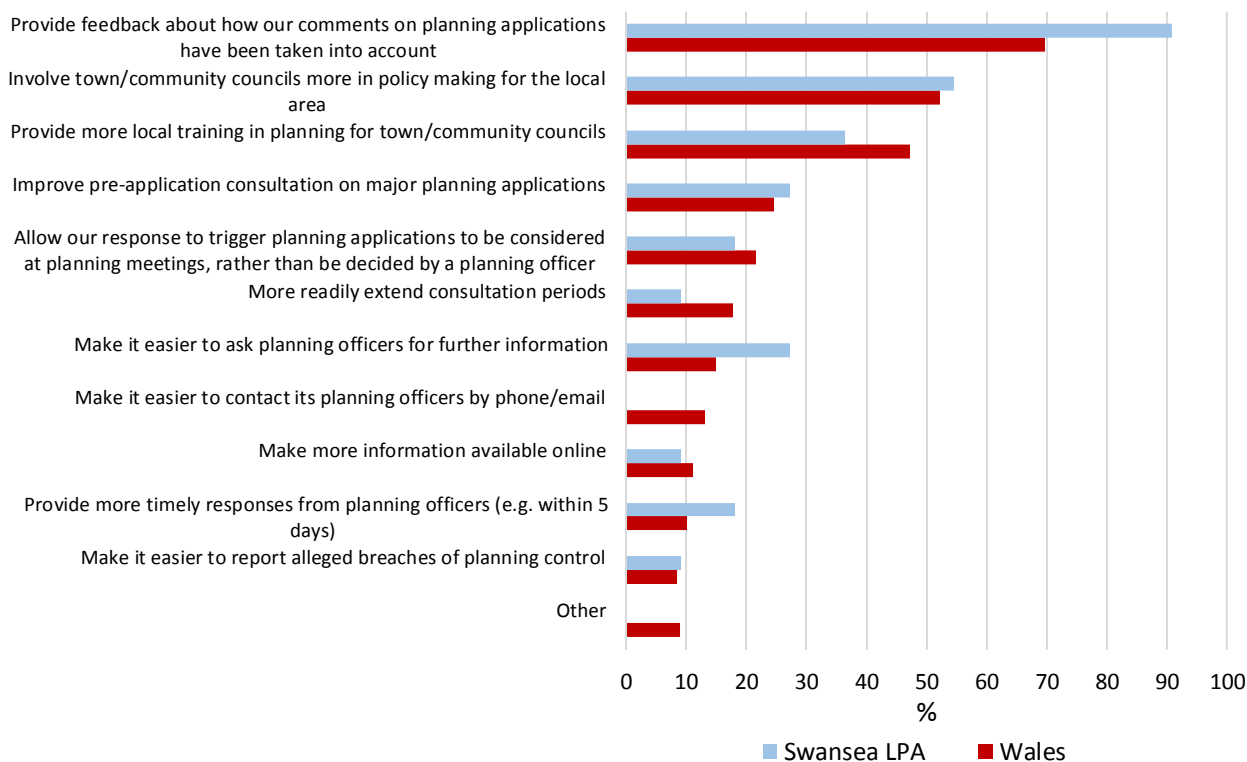
Comments received include:

- “Very good advice and service thank you.”
- “No thanks just hope the next time that I put a planning application it will be as smooth. “
- "I'm encouraged by the generally 'can do' attitude of Swansea planning. Due to the number of experienced staff this ensures that agents have confidence that their negotiations are not going to be undermined by senior staff”.

18.5 In 2018-19 we conducted a survey of clerks of the town and community councils that are statutory consultees for our planning authority. There are 24 such councils in our area, and we received 12 responses to the survey.

18.6 The respondents were asked to select the three ways in which they thought our LPA could help town/community councils to participate more effectively in the planning system. Figure 2 shows the percentage of respondents that selected each option as one of their three choices. ‘Provide feedback about how our comments on planning applications have been taken into account’ was the most frequently selected option for our LPA.

Figure 2: Ways LPAs could help town/community councils participate more effectively in the planning system, 2018-19



19.0 Our Performance 2018-19

19.1 This section details our performance in 2018-19. 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 2019, we were one of 23 LPAs that had a current local development plan (LDP) in place.

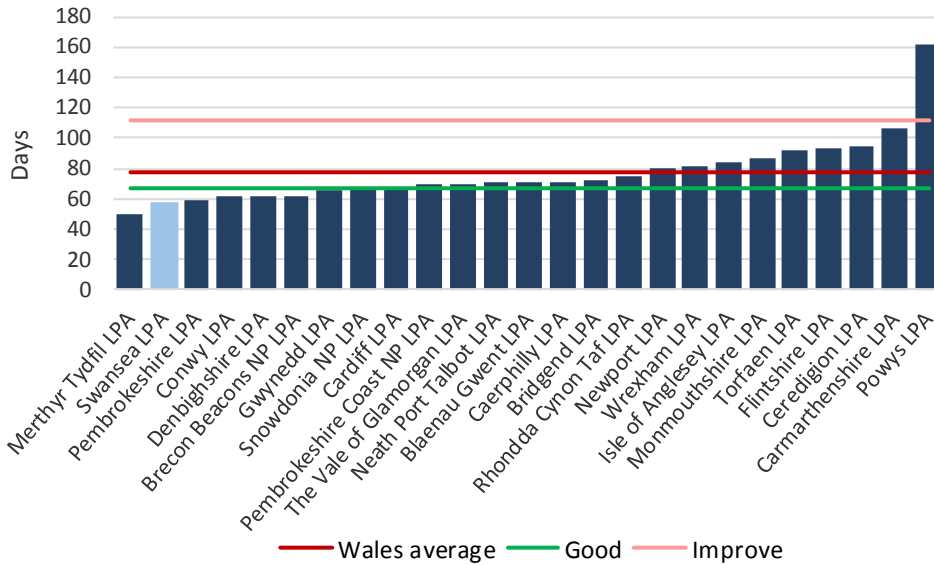
19.4 During the APR period we had 0.0 years of housing land supply identified, making us one of 19 Welsh LPAs without the required 5 years supply.

19.5 8 respondents to the 2018-19 town and community council clerks survey (67%) said that their council contributed to the production and/or review of our LDP. Of these, 29% agreed that the LDP process is easy to understand, and 29% agreed that their council is satisfied with how the LDP process is going (or went), compared to 64% and 62% respectively across Wales.

Efficiency

19.6 In 2018-19 we determined 1,901 planning applications, each taking, on average, 57 days (8 weeks) to determine. This compares to an average of 77 days (11 weeks) across Wales. Figure 3 shows the average time taken by each LPA to determine an application during the year.

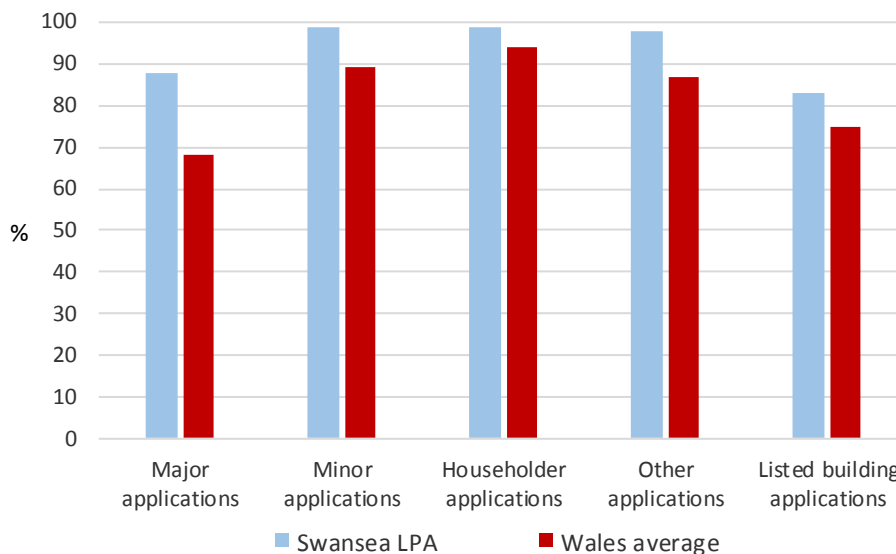
Figure 3: Average time taken (days) to determine applications, 2018-19



19.7 99% 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.

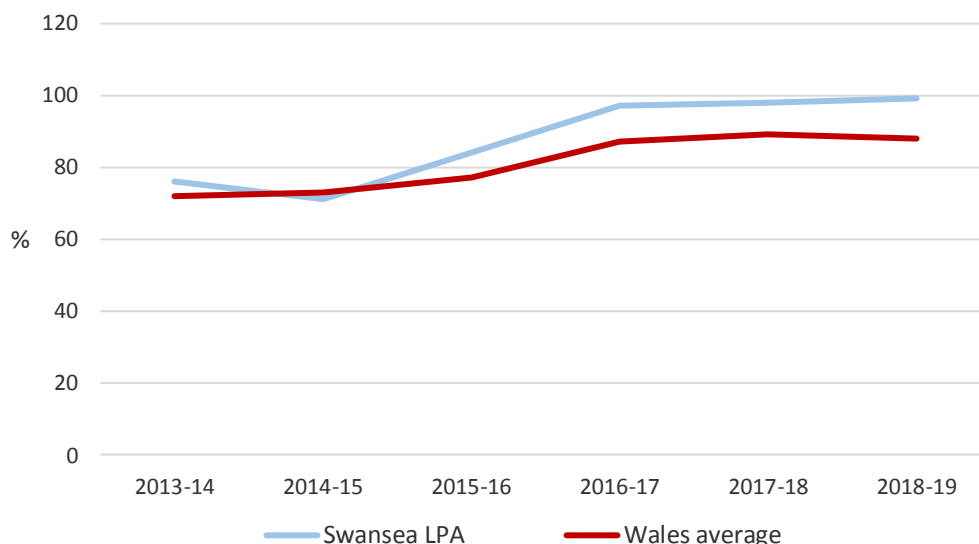
19.8 Figure 4 shows the percentage of planning applications determined within the required timescales across the main types of application for our LPA and Wales. It shows that we determined 99% of householder applications within the required timescales. We also determined 83% of Listed Building Consent applications within the required timescales.

Figure 4: Percentage of planning applications determined within the required timescales, by type, 2018-19



19.9 Between 2017-18 and 2018-19, as Figure 5 shows, the percentage of planning applications we determined within the required timescales increased from 98%.

Figure 5: Percentage of planning applications determined within the required timescales



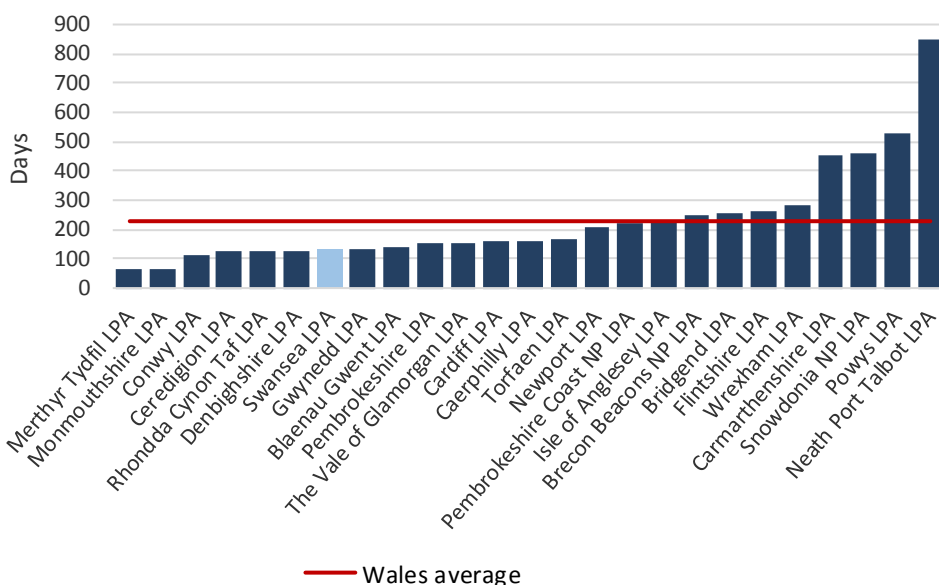
Over the same period:

- The number of applications we received decreased;
- The number of applications we determined decreased; and
- The number of applications we approved decreased.

Major applications

19.10 We determined 43 major planning applications in 2018-19, none of which were subject to an EIA. Each application took, on average, 133 days (19 weeks) to determine. As Figure 6 shows, this was shorter than the Wales average of 232 days (33 weeks).

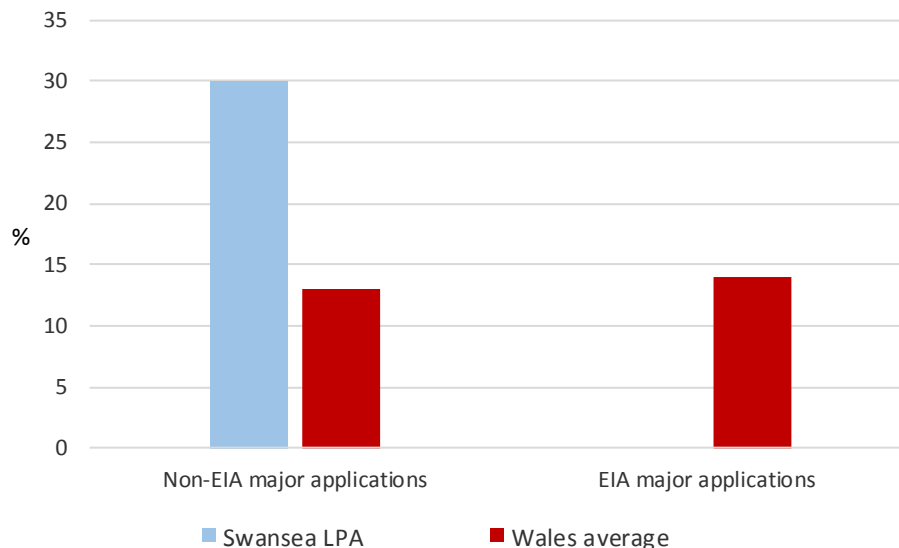
Figure 6: Average time (days) taken to determine a major application, 2018-19



19.11 1988% of these major applications were determined within the required timescales, compared to 69% across Wales.

19.12 Figure 7 shows the percentage of major applications determined within the required timescales by the type of major application. 30% of our ‘standard’ major applications i.e. those not requiring an EIA, were determined within the required timescales during the year.

Figure 7: Percentage of major applications determined within the required timescales during the year, by type, 2018-19

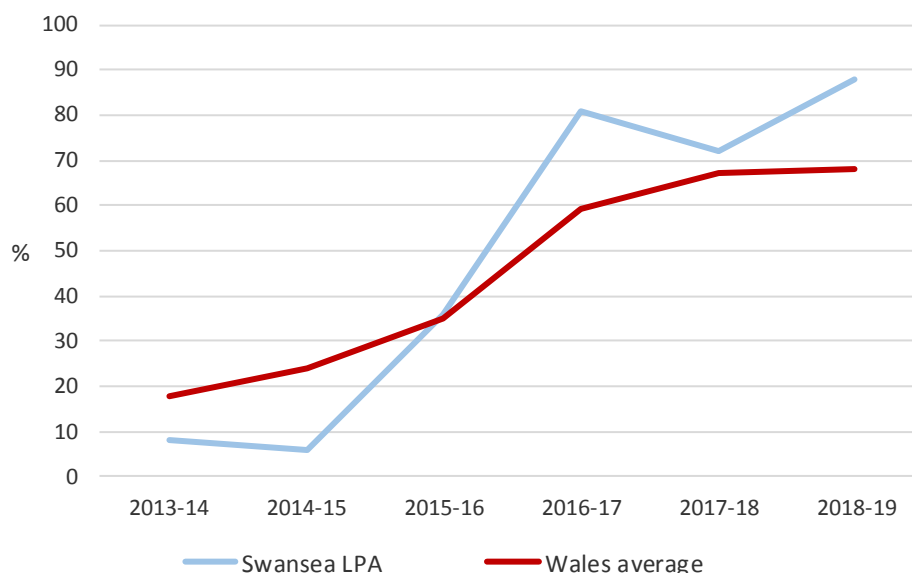


19.13 In addition we determined 25 major applications that were subject to a PPA in the required timescales during the year.

19.14 Since 2017-18 the percentage of major applications determined within the required timescales had increased from 72%. 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 8 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 8: Percentage of major planning applications determined within the required timescales



Over the same period:

- The percentage of minor applications determined within the required timescales stayed the same at 99%;
- The percentage of householder applications determined within the required timescales decreased from 100% to 99%; and
- The percentage of other applications determined within required timescales increased from 97% to 98%.

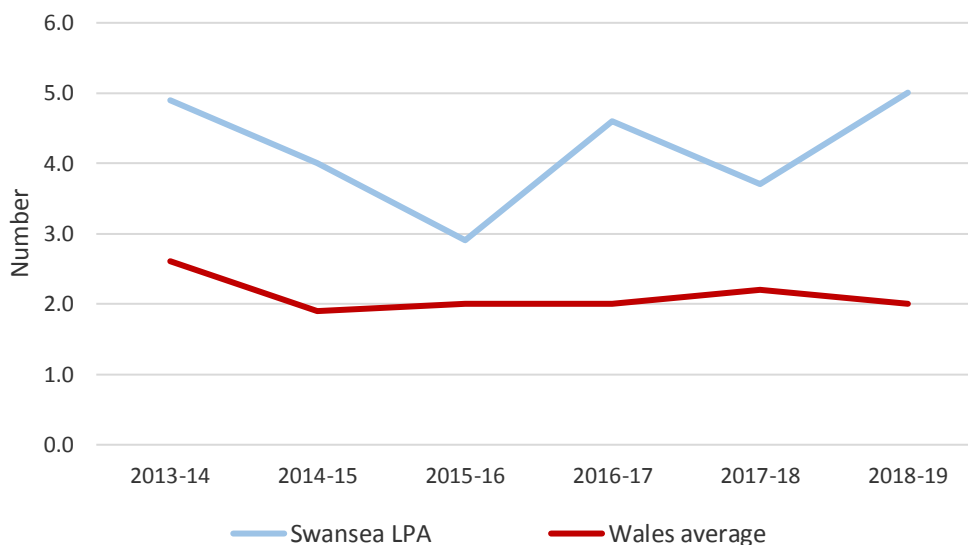
Quality

19.16 In 2018-19, our Planning Committee made 79 planning application decisions during the year, which equated to 4% of all planning applications determined. Across Wales 6% of all planning application decisions were made by planning committee.

19.17 6% of these member-made decisions went against officer advice. This compared to 9% of member-made decisions across Wales. This equated to 0.3% of all planning application decisions going against officer advice; 0.5% across Wales.

19.18 In 2018-19 we received 105 appeals against our planning decisions, which equated to 5 appeals for every 100 applications received. This was the highest ratio of appeals to applications in Wales. Figure 9 shows how the volume of appeals received has changed since 2017-18 and how this compares to Wales.

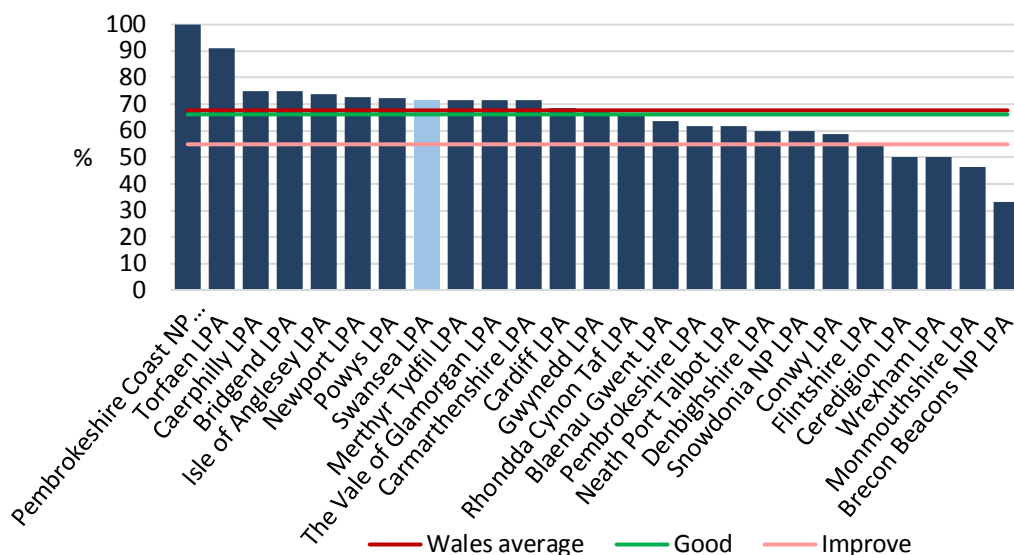
Figure 9: Number of appeals received per 100 planning applications



19.19 Over the same period the percentage of planning applications approved decreased from 75% to 72%.

19.20 Of the 95 appeals that were decided during the year, 72% were dismissed. As Figure 10 shows, this was higher than the percentage of appeals dismissed across Wales as a whole and we were one of 14 LPAs that reached the 66% target.

Figure 10: Percentage of appeals dismissed, 2018-19



19.21 During 2018-19 we had no applications for costs at a section 78 appeal upheld.

19.22 5 respondents (45%) to the 2018-19 town and community council clerks survey reported that they were either 'very satisfied' or 'somewhat satisfied' with how the Planning Inspectorate deals with their council around appeals, compared to 55% of the respondents across Wales.

Engagement

19.22 We are:

- one of 24 LPAs that allowed members of the public to address the Planning Committee;
- one of 22 LPAs that had an officer on duty to provide advice to members of the public; and
- one of 21 LPAs that had an online register of planning applications.

19.23 4 (36%) of the town and community council clerks that responded to the 2018-19 survey felt that their council has enough time and resources to effectively contribute to development management in our area, compared to 59% of clerks that responded across Wales. 3 (27%) reported that they are 'always' able and 8 (73%) reported that they are 'sometimes' able to respond to applications within the 21 day statutory time period.

19.24 As Table 2 shows, 49% of respondents to our 2017-18 customer survey agreed that the LPA gave good advice to help them make a successful application.

Table 2: Feedback from our 2017-18 customer survey

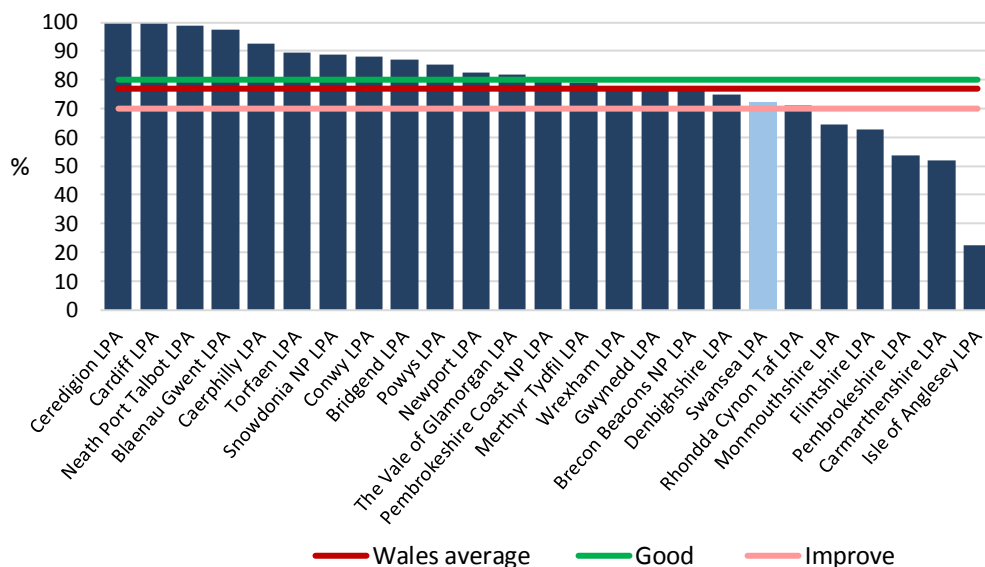
Respondents who agreed that:	Swansea LPA %	Wales %
The LPA gave good advice to help them make a successful application	49	60
They were listened to about their application	55	60

Enforcement

19.25 In 2018-19 we investigated 396 enforcement cases, which equated to 1.6 per 1,000 population. This compared to 1.9 enforcement cases investigated per 1,000 population across Wales.

19.26 We investigated 72% of these enforcement cases within 84 days. Across Wales 77% were investigated within 84 days. Figure 11 shows the percentage of enforcement cases that were investigated within 84 days across all Welsh LPAs.

Figure 11: Percentage of enforcement cases investigated within 84 days, 2018-19



19.27 The average time taken to pursue positive enforcement action was 73 days.

19.28 In the 2018-19 town and community council clerks survey, 1 respondent (9%) stated that our LPA investigates enforcement cases ‘very promptly’ or ‘reasonably promptly’, compared to 36% of respondents across Wales. 2 respondents (20%) reported that they are either ‘very satisfied’ or ‘somewhat satisfied’ with how our LPA generally responds to investigating breaches. This was 40% for Wales.

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	No	Yes
LDP preparation deviation from the dates specified in the original Delivery Agreement, in months	<12	13-17	18+	73	57	N/A
Time taken to commence formal revision of an LDP following the triggering of Regulation 41, in months	<12	13-17	18+	17	-	N/A
Has an LDP Revision Delivery Agreement been submitted to and agreed with the Welsh Government?	Yes		No	Yes	-	N/A
LDP review deviation from the dates specified in the original Delivery Agreement, in months	<3		4+	1	-	N/A
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	6 of 25	0.0	0.0
Efficiency						
Percentage of "major" applications determined within time periods required	>60	50.1-59.9	<50	68	72	88
Average time taken to determine "major" applications in days	Not set	Not set	Not set	232	268	133
Percentage of all applications determined within time periods required	>80	70.1-79.9	<70	88	98	99
Average time taken to determine all applications in days	<67	67-111	112+	77	60	57
Percentage of Listed Building Consent applications determined within time periods required	>80	70.1-79.9	<70	75	70	83

Quality			
Percentage of Member made decisions against officer advice	<5	5-9	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
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	>80	70.1-79.9	<70
Average time taken to take positive enforcement action	<100	101-200	200+

9	5	6
68	59	72
0	0	0
Yes	Yes	Yes
Yes	Yes	Yes
Yes	Yes	Yes
77	46	72
167	25	73

SECTION 1 – PLAN MAKING

Indicator	01. Is there a current Development Plan in place that is within the plan period?	
“Good”	“Fair”	“Improvement needed”
A development plan (LDP or UDP) is in place and within the plan period	N/A	No development plan is in place (including where the plan has expired)

Authority’s performance	Yes
The Swansea Local Development Plan was adopted in February 2019.	

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	N/A
The Swansea Local Development Plan was adopted in February 2019.	

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
First AMR not due until 31 st October 2020	

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	5/8
. The Swansea Local Development Plan was adopted in February 2019 evidencing a 5.8	

year housing land supply.

SECTION 2 - EFFICIENCY

Indicator	05. Percentage of "major" applications determined within time periods required	
"Good"	"Fair"	"Improvement needed"
More than 60% of applications are determined within the statutory time period	Between 50% and 60% of applications are determined within the statutory time period	Less than 50% of applications are determined within the statutory time period

Authority's performance	88
<p>Good – Since 2014/15 the percentage of all major planning applications determined within required timescales has increased from 6% which was the lowest performance in Wales to 36% in 2015/16, 81% in 2016/17 and 72% in 2017/18 and 88% in 2018/19 which is above the Welsh Average of 68%.</p> <p>The determination of a number of large historic applications had an influence the reduction in performance in 2017/18.</p>	

Indicator	06. Average time taken to determine "major" applications in days	
"Good"	"Fair"	"Improvement needed"
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority's performance	133
<p>No performance target is set for this measure, however, the average time taken to determine major applications increased from 148 in 2016/17 to 268 in 2017/18. IN 2018/19 the average time to determine major applications was 133 days which is well below the Welsh average of 238 days.</p> <p>The determination of a number of large historic applications had an influence over the reduction in performance in 2017/18.</p>	

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 70% and 80% of applications are determined within the statutory time period	Less than 70% of applications are determined within the statutory time period

Authority's performance	99
<p>Good: The percentage of all applications determined within required timescales has</p>	

shown a consistent improvement increasing from 71% in 2014/15 to 84% in 2015/16, 97% in 2016/17, 98% in 2017/18 and 99% in 2018/19. This reflects a consistent top quartile performance in Wales and is well above the Welsh average of 88%.

The reflects the Authority's focus on promoting front loading and the provision of pre-application advice whilst determining householder and minor planning application within a timely manner. This approach also allows resources to be dedicated to the delivery of positive outcomes on major and strategic schemes having wider impacts upon the Authority and the Region as a whole whilst maintaining a high level of overall performance.

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	57
In 2018-19 the Authority determined 1,901 planning applications, each taking, on average, 57 days to determine. This represents an improvement on 2016/17 (67 days) and 2018/19 (60 days) and compares to an average of 77 days across Wales.	

Indicator	08a. Percentage of Listed Building Consent 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	83
No targets is set for this new measure, however, the Authority determined 83% of Listed Building applications within required timescales compared to 70% in 2017/18 and an average of 75% for 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	6.3
Fair: 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%. 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.

In 2017-18 the percentage of Member made decision contrary to officer advice reduced to 5% which is 0.2% of all decisions and was below the Welsh average of 8.6% or 0.6% of all decisions.

In 2018/19, 6.3% of Member decisions were made contrary to officer advice but this equates to just 5 applications out of a total of 78 decisions made by Planning Committee and just 0.26% of all decisions made by the Authority.

This performance is marginally above the performance target of less than 5% set by Welsh Government and well below the Welsh average of 9.2%.

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	72
Good: Of the 95 appeals that were decided during the year, 72% were dismissed compared to a Welsh average of 68%.	

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”
More than 80% of enforcement cases are investigated in 84 days	Between 70% and 80% of enforcement cases are investigated in 84 days	Less than 70% of enforcement cases are investigated in 84 days

Authority’s performance	72
<p style="color: red;">Fair: Swansea Council officers were heavily involved with Welsh Government in the design of this new measure, which was introduced in June 2017.</p> <p style="color: red;">The enforcement service was also subsequently subject to Internal Audit reporting in May 2018, providing a Substantial Level of Assurance. The Audit report, however, concluded, in part, that historic records and cases reported prior to the introduction of this new measure in June 2017 and a new back office system in October 2016 had influenced the reliability of data used to inform performance against this measure.</p> <p style="color: red;">The Internal Audit report recommended that a data cleanse should be carried out of all cases transferred from the previous M3 back office system to the new Uniform system to ensure that the correct dates are recorded on the Uniform system. This data cleans is was completed in December 2018.</p> <p style="color: red;">Performance against this measure has improved from 46% in 2018/17 to 72% in 2018/19.</p>	

Indicator	16. Average time taken to take positive enforcement action	
“Good”	“Fair”	“Improvement needed”
Target to be benchmarked	Target to be benchmarked	Target to be benchmarked

Authority’s performance	73
<p style="color: red;">No target is set for this new measure, however, the Authority took 73 days to take positive action compared to a Welsh average of 167 days.</p>	

20.0 SECTION 6 – SUSTAINABLE DEVELOPMENT INDICATORS

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

20.2 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	[How complete were your responses?]
<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>] <p>The first LDP Annual Monitoring Report (AMR) is due by 31st October 2020). This will therefore be the first date at which complete data will be provided against those Sustainable Development Indicators which are included in the LDP monitoring framework.</p>	

Indicator	SD1. The floorspace (square metres) granted and refused planning permission for new economic development on allocated employment sites during the year.
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Granted (square metres)	
Authority's data	0

Refused (square metres)	
Authority's data	0

The Council do not currently hold monitoring data on this indicator.

However, indicators are included in the LDP, to monitor the amount of employment generating development on allocated mixed use Strategic Development (SD) Sites. This includes an overarching indicator to monitor the delivery of annual targets for all SD sites across the remainder of the plan period, (see Indicator Ref 19) and individual indicators to monitor the amount of employment development delivered on each of the SD sites (See indicator refs 48, 52, 56, 60, 65).

Indicator	SD2. Planning permission granted for renewable and low carbon energy development during the year.
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Granted permission (number of applications)	
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Authority's data	1 (prepopulated data – not verified)
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Granted permission (MW energy generation)	
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Authority's data	4 (prepopulated data – not verified)
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An indicator is included in the LDP, to monitor 'the number of planning applications for renewable energy and capacity permitted – electricity and heat.' The LDP seeks to deliver up to 21.8 MW in Solar LSA and up to 40.6 MW in Wind SSA over the plan period. (See Indicator Ref 94).

Indicator	SD3. The number of dwellings granted planning permission during the year.
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Market housing (number of units)	
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Authority's data	301 (pre-populated data – not confirmed)
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Affordable housing (number of units)	
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Authority's data	156 (pre-populated data – not confirmed)
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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.
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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

Indicators are included in the LDP, to monitor

- The number of planning applications permitted within C1 floodplain areas (ref 105)
- The number of planning applications permitted within C2 floodplain areas (ref 106)

However, no indicators are proposed to monitor the number of dwellings granted in flood risk zones.

Indicator	SD5. The area of land (ha) granted planning permission for new development on previously developed land and greenfield land during the year.
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Previously developed land (hectares)	
Authority's data	6 (pre-populated data – not confirmed)

Greenfield land (hectares)	
Authority's data	1 (pre-populated data – not confirmed)

An indicator is included in the LDP, to monitor

- Amount of greenfield land lost not allocated in the LDP (ha) (Indicator Ref 25).

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.
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Open space lost (hectares)	
Authority's data	1 (pre-populated data – not confirmed)

Open space gained (hectares)	
Authority's data	0 (pre-populated data – not confirmed)

An indicator is included in the LDP, to monitor

- The number of existing open spaces lost to development contrary to the Open Space Assessment. (Indicator Ref 77).

Indicator	SD7. The total financial contributions (£) agreed from new development granted planning permission for the provision of community infrastructure.
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Gained via Section 106 agreements (£)	
Authority's data	£1,750,697

Gained via Community Infrastructure Levy (£)	
Authority's data	0 (pre-populated data – not confirmed)

An indicator is included in the LDP, to monitor

- The number of residential permissions generating financial contributions in s106 agreements. Of those, the average per unit value of contributions (including financial equivalent of any obligation secured). (Indicator Ref. 86).

In setting your milestones/targets please consider 5 ways of working -

Department	Service Unit	Council Objective	Steps towards Council Objective	Current activity/Action Insert performance when appropriate (Measures identified as corporate are already populated)	Milestone (Target if linked to a Performance Measure)	Long Term – How is your Service taking the long term into account? How is it not, how could it do better?	Prevention – How is your Service taking prevention approach? How is it not, how could it do better?	Integration – How is your Service considering the impact of its actions? How is it not, how could it do better?	Collaboration – How does your Service collaborate internally and externally? How is it not, how could it collaborate better?	Involvement – How does your Service involve users and partners? How does it not, how could it do better?	Gaps/Opportunities – Are there any which need to be addressed?	Risks – identify the risks which need to be addressed/managed?	Responsible Officer	Comment
Place	RGN	Transforming our economy & Infrastructure	Adopt the Local Development Plan that supports the regeneration of Swansea and promotes sustainable communities	Independent Examination of LDP by Planning Inspectorate	Adoption of LDP Jan 19	The LDP will set out the Council's policies for the development, use and protection of land until 2025, including promotion of	The plan includes various policies relating to prevention of impacts on communities, including climate	The LDP has been subject of a Sustainability Appraisal (incorporating a Strategic	Preparation of the LDP has involved collaboration with other departments and external organisations/partners	Preparation of the LDP has involved extensive public and stakeholder consultation at all stages of plan production.	All existing SPG will need to be reviewed following adoption of the LDP	Need for urgent turnaround of public consultation on matters arising changes from LDP Hearing sessions which are not due to finish until	Paul Meller	LDP adopted February 2019
Place	RGN	Transforming our economy & Infrastructure	Promote the Green Economy, including renewable energy (such as SCEES, Tidal Lagoon) providing energy security, climate change mitigation and economic and employment benefits.	Independent Examination of LDP by Planning Inspectorate	Adoption of LDP Jan 19	LDP policy to 2025 sets out policies for tackling climate change mitigation, renewable and low carbon energy developments and district heating and cooling schemes as well as supporting associated employment opportunities	LDP policies seek to mitigate the adverse effects of climate change, adapt to its implications, develop resilience and deal with Green Energy proposals	The LDP has been subject of a Sustainability Appraisal (incorporating a Strategic Environmental Assessment, Health Impact Assessment and Linguistic Impact Assessment), as well as an Equalities Impact Assessment	Consultation with all relevant Council departments/ services, statutory consultees and interested parties to identify site constraints and opportunities and address any matters arising	Engaged with a range of internal and external stakeholders and working in partnership on a variety of related projects	SCEES no longer dealt with by Regeneration Service	Central Government support for Tidal Lagoon project not transpiring	Paul Meller	LDP adopted February 2019
Place	RGN	Transforming our economy & Infrastructure	Management of the Rights of Way Network	Review of Rights of Way Improvement Plan (ROWIP)- publication and consultation	Mar-19	the necessary measures needed to maintain, improve and where possible extend the RoW network. A new ROWIP is currently being prepared which will cover the period to 2028	ROWIP Action Plan monitoring seeks to ensure there is no reduction in the percentage of the network that is classified as 'easy to use' which would otherwise impact on health and well being	measurably improved access to the RoW network, the extent of the Coast Path and access to the countryside. It also considers the impact on well-being objectives, local tourism, etc.	internal and external partners on the preparation of the ROWIP and associated Action Plan targets to ensure it supports and is supported by other relevant plans and strategies and their objectives. Through	Currently involved with a range of internal and external stakeholders, including volunteers, working in partnership on a variety of related projects	Cwm Ivy. A walking route around the Gower coastline is highlighted in tourism literature as one of the reasons to visit the area - however there has been a significant breach in this route at Cwm Ivy for the past two years. The Council has identified	Loss/reduction of external funding	Paul Meller	ROWIP reviewed and consultation scheduled to be undertaken late 2019
Place	RGN	Transforming our economy & Infrastructure	Promote biodiversity and protect Swansea's green spaces, including parks for recreation and play, to promote health and wellbeing	Green Infrastructure (GI) Workshops held - strategy to be drafted	Adoption of draft City Centre Green Infrastructure (GI) Strategy Mar 19	Green infrastructure is seen as the catalyst for improving well being of future generations. LDP policies seek to increase provision of and accessibility to open space over the	Policies in the current UDP and emerging LDP seek to prevent the loss of accessible greenspace and formal play space in the interests of promoting health and well being.	Making better use of green infrastructure can lead to significantly reduced costs for the Council whilst promoting the health and well being of residents, visitors	A GI Strategy is being prepared in collaboration with NRW. The Council is also working jointly with internal and external partners, e.g. together with NPT and	Currently involved with a range of internal and external stakeholders, including volunteer members of the public and third sector, and working in partnership on a	Build greater awareness of the importance of greenspace and ecological advice generally to ensure it is fully taken into account across the Authority in all plans, strategies and	Disposal/loss of natural assets/resources without full appreciation of the benefits these natural resources provide for free and the true long term cost of their loss which outweighs short	Paul Meller	Draft GI Strategy due for consultation Oct/Nov 2019
Place	RGN	Transforming our economy & Infrastructure	Support and Deliver an ecosystem approach to natural resource management	Continue to deliver grant funded projects and site specific management plans	Management plans implemented and grant outcomes delivered Mar 19	values and seeks to manage Ecosystem services for the long term in its various long-term plans and strategies. However ecosystem resilience will only be improved when its benefits are more fully understood	Policies in the LDP and emerging Corporate Biodiversity Action Plan seek to prevent the loss of land and trees that provide the means of mitigating the effects of climate change at the local level	management of natural resources can significantly reduce costs for the Council whilst promoting the health and well being of residents, visitors and workers alike. Better management of natural resources will	Currently collaborating with a range of internal and external stakeholders and working in partnership on a variety of related projects	Currently involved with a range of internal and external stakeholders, including volunteer members of the public and the third sector, working in partnership on a variety of related projects	Wider biodiversity training and education within the Council.	Disposal/loss of natural assets/resources without full appreciation of the benefits these natural resources provide for free and the true long term cost of their loss which outweighs short term capital gain	Paul Meller	Site specific projects undertaken around County. Ongoing work

Department	Service Unit	Council Objective	Steps towards Council Objective	Current activity/Action Insert performance when appropriate (Measures identified as corporate are already populated)	Milestone (Target if linked to a Performance Measure)	Long Term – How is your Service taking the long term into account? How is it not, how could it do better?	Prevention – How is your Service taking prevention approach? How is it not, how could it do better?	Integration – How is your Service considering the impact of its actions? How is it not, how could it do better?	Collaboration – How does your Service collaborate internally and externally? How is it not, how could it collaborate better?	Involvement – How does your Service involve users and partners? How does it not, how could it do better?	Gaps/Opportunities – Are there any which need to be addressed?	Risks – identify the risks which need to be addressed/managed?	Responsible Officer	Comment	
Place	RGN	Transforming our economy & Infrastructure	Progress strategic housing and mixed development sites to meet housing need and provide employment.	Independent Examination of LDP by Planning Inspectorate	Adoption of LDP Jan 19	identifies 12 strategic housing and mixed use development sites to meet housing needs and provide employment opportunities over the period to 2025 and beyond. Master planning of these areas is being progressed alongside	All consequential matters arising from the development of these sites are taken into consideration from the outset and appropriate mitigation measures built in , e.g. traffic management, flood risk , open space provision for health and well being , etc	subject of a Sustainability Appraisal (incorporating a Strategic Environmental Assessment, Health Impact Assessment and Linguistic Impact Assessment), as well as an Equalities Impact Assessment which has	relevant Council departments/ Services, statutory consultees and interested parties to identify site constraints and opportunities and address any matters arising. There has been engagement and collaboration with site promoters and	Preparation of the LDP has involved extensive public and stakeholder consultation at all stages of plan production.	Scale of development proposed provides greater scope for negotiating s106 contributions and levels of affordable housing provision	Site promoters/landowners do not bring sites forward for development	Paul Meller	LDP adopted February 2019. Applications submitted for 6 strategic sites. Planning permission granted for 2 mixed development sites and resolution already granted to approve 2 strategic residential sites.	
Place	RGN	Transforming our economy & Infrastructure	Deliver the AONB Management Plan Action Plan	Achieve Action Plan Targets	Mar-19	out the long-term aims and objectives for the management of the AONB. Current grant funded projects have a minimum 10 year delivery/maintenance legacy. The Action Plan is in the process of being reviewed to meet the objectives of	By supporting communities to embed sustainable development in the AONB. Specific grant funding is available from the Welsh Government for SD initiatives	The Plan seeks measurably improved access to the natural environment of the AONB and improvement to the built and natural environment and complements the LDP	have been commissioned and delivered or are in the process of being delivered in partnership with a wide range of external organisations and through inter-service collaboration, e.g. the Gower Landscape	Preparation of the Plan has involved extensive public and stakeholder consultation throughout its production.	Review Action Plan targets to better align with external funding opportunities. More collaborative working in the implementation of the Future Landscapes Wales Programme	Loss/reduction of external grant funding	Paul Meller	Action Plan reviewed June 2019 and on target to deliver agreed actions over period to 2022	
Place	RGN	Transforming our economy & Infrastructure	Give priority to providing an affordable housing solution in rural areas.	Independent Examination of LDP by Planning Inspectorate	Adoption of LDP Jan 19	specifically identifies rural exception sites for local needs affordable housing in preference to open	Policy seeks to restrict opportunities for unrestricted open market housing which drives up property prices and gives	The rural exception policy seeks to support the LDP's strategy of creating more sustainable communities. It is	through collaboration with the Council's Housing Enabling Officer and RSLs in the identification of those in need of affordable	Preparation of the LDP has involved extensive public and stakeholder consultation at all stages of plan production.	More detailed local housing needs assessments for rural areas	Maintaining binding legal agreements to ensure the affordability benefits are retained in perpetuity for successive occupiers	Paul Meller	LDP adopted February 2019. 156 Affordable housing sites delivered across the County	
Place Page 96	RGN	Transformation & future Council development	Work towards financial sustainability.	Develop a commercial plan to generate new income	Develop a plan for restructuring of Land Charges.									Ryan Thomas	Land Charges project delivered April 2019 forming a core Land Charges Team within the Planning Service.
Place	RGN	Transforming our economy & infrastructure	Provide an efficient and transparent planning service	EP28 The percentage of all planning applications determined within 8 weeks		All applications are determined in accordance with the provisions and sustainability objectives of the Development Plan unless material considerations indicate otherwise.	Delivering the right development in the right places in accordance with the provisions of the Development Plan.	All applications are determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.	Consult internally and externally with statutory consultees in accordance with statutory requirements on all planning applications.	Consult with the public in accordance with statutory requirements on all planning applications.	Service delivery options are under review as part of Commissioning with a view to facilitating more efficient ways of working and cost savings.	The UDP is time expired pending the adoption of the LDP.		Ryan Thomas	Milestone met with 90% of applications determined within 8 weeks during 2018/19
Place	RGN	Transforming our economy & infrastructure	Provide an efficient and transparent planning service	EC2 The percentage of all major applications with an economic imperative that are approved.		All applications are determined in accordance with the provisions and sustainability objectives of the	Delivering the right development in the right places in accordance with the provisions of the Development Plan.	All applications are determined in accordance with the provisions of the Development Plan unless material	Consult internally and externally with statutory consultees in accordance with statutory requirements on all	Consult with the public in accordance with statutory requirements on all planning applications.	Service delivery options are under review as part of Commissioning with a view to facilitating more efficient ways of working and cost savings.	The UDP is time expired pending the adoption of the LDP.		Ryan Thomas	90% of applications with X% of applications with an economic imperative approved during 2018/19.

ANNEX B

1. Planning Application: 2017/1429/FUL

Location: Former Cape Horner Public House, Miers Street, St Thomas Swansea. SA1 8BZ

Proposal: Demolition of existing structure and construction of a 3 storey building to provide 72 bedroom student accommodation units (studios & cluster flats), access from Miers Street, landscaping and car & cycle parking

Appeal Decision: Appeal Allowed

Summary:

The main issues to consider in the determination of this application related to the acceptability of the residential development at this site in terms of its impacts on visual and residential amenity, highway safety, and pollution (Air Quality & Noise)

On 6th March 2018, Planning Committee refused the application, contrary to officer recommendation for the following reasons:

1. The proposed development, in an out of City Centre location, by reason of its scale, form and relationship with existing residential dwellings, will introduce a harmful concentration of student accommodation into the area which will have a negative impact upon the residential amenities and social cohesion of the local community contrary to the requirements of Policies EV1, EV2 and HC2 of the City and County of Swansea Unitary Development Plan (2008) and the National Policy aims set out in Planning Policy Wales (Edition 9 November 2016) of creating sustainable and inclusive mixed communities.
2. The proposed development, by reason of its scale, design and nature, will have an unacceptable impact upon the character and appearance of the residential area having regard to the local context of terraced residential housing, which will have a detrimental visual impact within the street scene contrary to the requirements of Policies EV1 and EV2 of the City and County of Swansea Unitary Development Plan (Adopted November 2008).

An appeal was submitted against the decision to refuse the application. In the Inspector's view, the main considerations in the appeal were the effect of the proposed development on the character and appearance of the area and whether the development conflicts with local policy designed to secure and maintain safe and sustainable communities.

The inspector considered that the proposed building would be in keeping with the character and appearance of the area, which has a blend of different scaled development, due to its design, height, mass and scale, and did not consider that the building would be incongruous and dominant. As such, the Inspector considered that the proposal would complement the character and appearance of the area and would not conflict with the design quality aims of UDP Policies EV1 and EV2.

In terms of safe and sustainable communities, the Inspector considered that the proposal clearly serves to meet a particular housing need, and the surrounding area offers a broad mix of uses. Furthermore, PBSA could reduce the pressure on surrounding family homes to be converted for student use. The Inspector recognised that the release of such housing is not within the control of the appellant. However in this locality, within a short walking distance of the University campus it was reasonable to consider that the provision of PBSA, on a secure site with integral facilities would be an attractive proposition for students. For these reasons the Inspector did not consider that the appeal proposal would run counter to the objectives of securing a sustainable mixed use community.

The appeal was allowed.

2. Planning Application: 2017/2606/FUL

Location: Land North Of Jockey Street, Swansea. SA1 1NS.

Proposal: Demolition of existing building and construction of purpose built student accommodation (PBSA) building between 6-14 storeys (up to 414 bedrooms - a mixture of cluster flats & studio apartments) with ancillary ground floor communal facilities, bicycle & bin storage, with ground floor commercial unit (Class A3) and associated infrastructure works, landscaping and car parking (4 spaces)

Appeal Decision: Appeal Dismissed

Summary

The main issues for consideration during the determination of this application related to the principle of this form of use at this location, townscape and visual impact; impact on residential amenity including noise impact; highways, traffic, car parking, access and pedestrian movements; impact on archaeology and cultural heritage; flood risk and drainage; pollution and ground contamination; impact on ecology; 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

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

1. *The proposed development by reason of its design including height, scale and massing on a constrained development site will impact to an unacceptable degree upon the character and appearance of the area and be contrary to the requirements of Policies EV1 and EV2 of the City and County of Swansea Unitary Development Plan (Adopted 2008).contrary to Policy HC5 criterion (ii) of the Swansea Unitary Development Plan (2008).*
2. The proposed development will provide 4 car parking spaces to serve 414 students and ground floor uses. The level of proposed parking is considered to be inadequate to serve the Student Accommodation which as a result will place pressure on the surrounding streets, result in indiscriminate parking arising and result in harm to highway safety in the area contrary to the requirements of policies EV1 and AS6 of the City and County of Swansea Unitary Development Plan and Supplementary Planning Guidance 'Parking Standards' (Adopted March 2012).

In considering the appeal, the Inspector considered the main issues to be the effect of the development on the character and appearance of the area; and the effect of the development on highway safety with particular regard to parking provision.

The Inspector considered that the proposal for student accommodation is acceptable in principle and that it would have the associated benefit of assisting in regenerating this part of the city. However, she considered that the massing and scale of the proposed building would be overly intrusive and harmful in the townscape. The development would therefore be harmful to the character and appearance of the area.

In terms of highway safety, the Inspector was satisfied that the sustainable location of the development would have the potential to reduce the demand for car use. Notwithstanding this, the Inspector concluded that the demands of the development, even with the proposed measures to reduce car parking demand, would mean that there would not be a sufficient level of parking to ensure that there would not be additional pressure on nearby streets to accommodate such parking. Consequently the Inspector concluded that the proposal would cause an unacceptable risk to highway safety as a result of a lack of parking provision.

The appeal was dismissed.

3. Planning Application: 2018/0659/FUL

Location: 40A And 40B Bryn Road, Brynmill, Swansea. SA2 0AP

Proposal: Change of use of 2 residential units from dwelling (Class C3) into 2 separate HMO - comprising 1 no. 5 bed HMO for 5 occupants and 1 no. 6 bed HMO for 6 occupants (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 neighbouring occupants and highway safety.

This application was reported to Committee with a recommendation of approval. Committee did not accept the recommendation and refused the planning application for the following reason:

1. The proposal, in combination with the existing high number of Houses in Multiple Occupation (HMOs) within Bryn Road (77 HMOs) will result in a harmful concentration and intensification of HMOs in the street and wider area. This cumulative impact, both in terms of the number of occupiers within the road and the nature of the use for up to 11 individual occupants 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 the wider community not being balanced and self-sustaining. As a result the proposal is contrary to Policy HC5 criterion (ii) of the City and County of Swansea Unitary Development Plan (2008) and the National Policy aims set out in Planning Policy Wales (Edition 9, November 2016) of creating sustainable and inclusive mixed communities.

The Inspector considered the main issue to be whether the development conflicts with local policy designed to secure and maintain safe and sustainable communities. The Inspector, having considered the evidence, concluded that whilst approval of the application would result in the addition of further HMOs in an area that already comprises a high concentration of HMOs, there has been no evidence that leads conclusively to the conclusion that approval of this application would result in a harmful concentration or intensification of HMOs in this area or the street in general.

The appeal was allowed.

4. Planning Application: 2018/0954/FUL

Location: 30 St Albans Road, Brynmill, Swansea. SA2 0BP

Proposal: Change of use from a 4 bed residential (Class C3) to a 5 bedroom HMO for 5 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 residential amenity, concentrations of HMOs, visual amenity, highway safety and refuse storage arrangements. 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 the existing high number and percentage of Houses in Multiple Occupation (HMOs) within St Albans Road (27 properties out of 46 amounting to 59%) will result in a harmful concentration and intensification of HMOs in the street and wider area (28 out of 46 properties amounting to 61%). This cumulative impact, both in terms of the number of occupiers within the road and the nature of the use for upto 6 occupants as a C4 use 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 the wider community not being balanced and self-sustaining. As a result the proposal is contrary to Policy HC5 criterion (ii) of the City and County of Swansea Unitary Development Plan (2008) and the National Policy aims set out in Planning Policy Wales (Edition 9, November 2016) of creating sustainable and inclusive mixed communities.

In considering the appeal, the Inspector considered the main issue to be whether the development conflicts with local policy designed to secure and maintain safe and sustainable communities.

The Inspector considered that the proposed use clearly serves 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.

The appeal was allowed.

5. Planning Application: 2018/1386/FUL

Location: 6 Lewis Street, St Thomas, Swansea. SA1 8BP

Proposal: Change of use from residential (Class C3) to 5 bedroom HMO for 5 people (Class C4)

Appeal Decision: Appeal Allowed

The main issues for consideration with 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. This application was reported to Committee with a recommendation of 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 Lewis Street will result in a harmful concentration and intensification of HMOs in the small street (15% being HMOs which is above the 10% threshold suggested in research by Welsh Government in ‘Houses in Multiple Occupation: Review and Evidence Gathering – Report of Findings (April 2015)’. Such impact will result in damage to the character of the street and to social cohesion with higher levels of transient residents and fewer long term households and established families which will lead in the long term to the wider community not being balanced and self-sustaining. As a result, the proposal is contrary to Policy HC5 criterion (ii) of the City and County of Swansea Unitary Development Plan (2008) and the National Policy aims set out in Planning Policy Wales (Edition 9, November 2016) of creating sustainable and inclusive mixed communities.
2. The proposed HMO, by virtue of its siting in Lewis Street will result in the sandwiching of an existing dwellinghouse (No. 7) between two HMOs (No. 8 and the application property No. 6). This will lead to a significant adverse effect upon the residential amenities of the occupiers of No. 7 Lewis Street by virtue of isolation between two non-family units and increased comings and goings from two adjoining HMOs which will lead to increased noise and disturbance and is contrary to Policy HC5 criterion (i) of the City and County of Swansea Unitary Development Plan (2008).

The Inspector considered the main issues to be whether the development conflicts with local policy designed to secure and maintain safe and sustainable communities.

The Inspector acknowledged that the appeal property could be suitable for family use. However, the proposed HMO use would be a residential one and it would not significantly affect the character of the area nor have any significant effect on the number of family homes in the area given that HMOs are a responsive and flexible part of the range of housing provision necessary to meet the needs of individuals.

The Inspector concluded that, although the Council's objectives of maintaining a balanced community and a range of housing choice are sound, there is no cogent evidence that the appeal proposal would unacceptably harm the living conditions of local residents or the sustainability of the wider community.

Furthermore, the Inspector did not consider that the level of activity generated by a five person HMO would be so significantly different from a large family so as to cause significant harm to residential amenity.

The appeal was allowed.

ANNUAL S106 COMPLETIONS REPORT*1

SITES WITH S106 AGREEMENTS REQUIRING FINANCIAL CONTRIBUTIONS

Completed between April 1st 2018 to March 31st 2019

Site Name	Planning Application Ref	Total Dwellings	Total contribution Paid	Beneficiaries
Land At Heol Pentre Bach, Gorseinon, Swansea, SA4 4ZA	2017/0775/FUL	12 Affordable Units	£ 55,010.00	Education Countryside
Fforest Mill Garden Centre, Pontardulais Road, Cadle, Swansea	2017/1231/FUL	n/a A3 Drive Thru	35,485.00	Highways
81 Gower Road, Sketty, Swansea, SA2 9BH	2015/0217	45 Retirement apartments	£ 458,083.00	Affordable Housing

Completed between April 1st 2017 to March 31st 2018

Site Name	Planning Application Ref	Total Dwellings	Total contribution Paid	Beneficiaries
270 Cockett Road Cockett Swansea SA2 0FN	2015/2419	N/A A 1 Retail Unit	16,000.00	Highways

*1 NB: Due to LDP Examination process 2016 is most recently published JHLAS report. During this interim period s106 reporting based on estimates.