



City and County of Swansea

Minutes of the **Planning Committee**

Remotely via Microsoft Teams

Tuesday, 4 May 2021 at 2.00 pm

Present: Councillor P Lloyd (Chair) Presided

Councillor(s)

C Anderson
M H Jones
R D Lewis
L J Tyler-Lloyd

Councillor(s)

P M Black
W Evans
D W W Thomas

Councillor(s)

J E Burtonshaw
M B Lewis
T M White

Officer(s)

Gareth Borsden
Matthew Bowyer
Ian Davies
Sally-Ann Evans
Andrew Ferguson
Liam Jones
Jonathan Wills

Democratic Services Officer
Principal Telematics Engineer
Development Manager
Lead Lawyer
Area Team Leader
Area Team Leader
Lead Lawyer

Apologies for Absence

None.

30 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:

Councillor P M Black declared a personal and prejudicial interest in Item 2 – Planning Application 2021/0061/S73 and left prior to discussion.

Councillor P Lloyd declared a personal interest in Item 2 – Planning Application 2021/0061/S73.

31 Minutes.

Resolved that the Minutes of the Planning Committee held on 13 April 2021 be approved and signed as a correct record.

32 Items for Deferral/Withdrawal.

None.

33 Determination of Planning Applications under the Town and Country Planning Act 1990.

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

Amendments/updates to this schedule were reported and are indicated below by (#)
(Note: Updates to the report referred to below were circulated to Members of the Committee and published on the Council's website prior to the meeting)

1) the undermentioned planning applications **Be Approved** subject to the conditions in the report and/or indicated below:

#(Item 1) – Planning Application 2021/0453/FUL - Retention and completion of change of use from residential (Class C3) to a children's home (Class C2) with increase in ridge height of existing rear extension, fenestration alterations and addition of glass balustrades to first and second floor front elevation at 260 Oystermouth Road, City Centre, Swansea

A visual presentation was given.

Joanne Jones (Objector) and Joseph Pasha (Applicant) addressed the committee.

Councillor D Phillips (Local Member) addressed the committee and spoke against the application.

Councillor J Raynor (Cabinet Member for Education Improvement, Learning & Skills) addressed the committee and spoke regarding the potential significant impact on the Education service that could arise from young people being placed in the home.

#(Item 2) – Planning Application 2021/0061/S73 - Retention and completion of development for 107 residential dwellings and associated infrastructure (2018/2692/FUL) as varied by 2020/0853/S73 granted 15th July 2020, application to amend house types and garden areas on plot 246 and 247. Amendments to parking and garden areas for plots 248 and 249 and amended siting for plots 253 and 254. Alteration to turning head adjacent to plot 250 at Land At Upper Bank Pentrechwyth, Nantong Way, Pentrechwyth, Swansea.

Report updated as follows:

Whilst the Committee report states that the original S106 ties the application to subsequent S73 applications on Page 43, recent case law has indicated that all new planning permissions should have obligations secured by S106 agreement attached to that individual permission for the avoidance of any doubt as to what obligations are relevant to the permission. A Deed of Variation will therefore be required linking this planning application to the obligations contained within the original S106 agreement. There are also two errors in the report relating to the contributions.

Firstly, the previously agreed Education contribution is £95,000, not £128,836.

Secondly, 6 affordable housing units (Scott house type) would be provided, rather than 10%, and they will not be to DQR standard.

Notwithstanding the above corrections, there are no changes proposed to the obligations themselves from that previously approved.

The recommendation therefore needs to be amended from:

“Approve, subject to the following conditions,”

to:

“That the application be Approved, subject to the conditions indicated below and the applicant entering into a Section 106 Planning Obligation / Deed of Variation in respect of the contributions listed and amended above.”

#(Item 3) – Planning Application 2020/1590/FUL - Change of use from Community Facility (Class D2) to Residential Dwellings (Class C3) and redevelopment of site to provide 23 units with associated roof extension, new vehicular access, infrastructure and landscaping works at Former Swansea Boys Club, Berwick Terrace, Mount Pleasant, Swansea

A visual presentation was given.

Councillor D Phillips (Local Member) addressed the committee and also read out a summary of a statement on behalf of Councillor F Gordon (Local Member), who was unable to attend the meeting, and outlined that whilst both of them welcomed development on the site, they could not support this application in its current form.

Report updated as follows:

Condition 9 to be amended as follows;

Prior to the commencement of the development of the proposed building structure, details of the external materials shall be submitted to and agreed in writing with the Local Planning Authority. The details shall include provision for the permanent incorporation of the existing name stone within the building or if the stone is unable to be re-used, details of a replica name stone. In regard to the external render specification, this shall be an anti-fungicidal coating/possible roughcast with detailing such as projecting drips to shed water rather than running down the façade. The development shall thereafter be carried out in full accordance with the agreed details.

Reason: In the interests of visual amenity, recording of the historic use of the building and to ensure the proposal is constructed to an acceptable standard in compliance with Policy PS2 of the Swansea Local Development Plan.

Committee was advised of the following updates:

At the Site Meeting of the Planning Committee on 27 April 2021 Members enquired about the proximity of existing telecommunication masts to the proposed development and the potential impact of these masts upon future residents. Part 24 of the Town and Country Planning (General Permitted Development) Order 1995(as amended in 2019) allows for the provision on land of apparatus for telecommunication equipment. In the case of masts this allows for masts up to 20m in height on protected land or 25m in height of unprotected land. Replacement masts are allowed up to 20m. In the case of the 2 No. masts at the site the planning history reveals that these have been approved under the prior notification procedure prior to the legislation changes in 2019. The 2 No. masts at the application site havenbeen subject to planning history which includes 2 No. allowed appeals from 2003 (2002/1615) and 2007 (2006/2746). The most recent approval was that of a prior notification scheme for a 15m high replacement street works monopole and two

equipment cabinets in February 2014 (reference 2014/0098). In planning terms Local Planning Authorities should not question the need for telecommunications equipment and nor should they impose any precautionary policies or insist on minimum distances from existing/proposed development. Planning Policy Wales (Edition 11, February 2021) states the following: 5.2.15 Provided that the development meets the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, planning authorities should not consider the health aspects of mobile telecommunication equipment. All new base stations are expected to meet the ICNIRP guidelines. 5.2.16 Planning authorities should not implement their own precautionary policies, such as imposing a ban or moratorium on new telecommunications development or insisting on minimum distances between new telecommunications development and existing development. The masts at the development site have been subject to permissions in which the applicants have previously submitted Declarations of Conformity Certificates stating that the proposed development satisfies the ICIRP guidelines.

On this basis, there is no evidence to suggest that future residents would be adversely impacted by the existence of masts at the development site.

#(Item 4) – Planning Application 2021/0575/FUL - Change of use from residential (Class C3) to HMO for 4 people (Class C4) at 567 Pentregethin Road, Ravenhill, Swansea.

A visual presentation was given.

Ken Louis (Objector) addressed the committee.

Report updated as follows:

One additional email to the Leader was copied into the Local Planning Authority reiterating concerns raised and already included in the report. In addition, it has been stated that one vehicle was parked legally for a duration of 1.5 days but was thereafter causing an obstruction to the flow of traffic. The neighbour has also contacted First Cymru given the location of the site on bus routes 25 and 43. Finally, concerns were raised that the application isn't being considered in a transparent manner.

The meeting ended at 4.25 pm

Chair