



City and County of Swansea

Minutes of the **Planning Committee**

Remotely via Microsoft Teams

Tuesday, 3 August 2021 at 2.00 pm

Present: Councillor P Lloyd (Chair) Presided

Councillor(s)

C Anderson
M H Jones
R D Lewis
T M White

Councillor(s)

P M Black
W Evans
P B Smith
L J Tyler-Lloyd

Councillor(s)

P Downing
M B Lewis
D W W Thomas

Officer(s)

| | |
|------------------|-------------------------------|
| Matthew Bowyer | Principal Telematics Engineer |
| Ian Davies | Development Manager |
| Sally-Ann Evans | Lead Lawyer |
| Andrew Ferguson | Area Team Leader |
| Chris Healey | Area Team Leader |
| Liam Jones | Area Team Leader |
| Jonathan Wills | Lead Lawyer |
| Jeremy Parkhouse | Democratic Services Officer |

Apologies for Absence: None.

20 Disclosures of Personal and Prejudicial Interests.

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

21 Minutes.

Resolved that the Minutes of the Planning Committees held on 2 & 6 July 2021 be approved and signed as correct records.

22 Items for deferral/withdrawal.

None.

23 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 2021/0163/FUL - Construction of a Greener Grid
Park comprising energy storage and grid balancing equipment, including
change of use from agricultural grazing land, along with associated
infrastructure, landscaping and access track at Land West Of Rhydypany
Road, Morriston, Swansea**

A visual presentation was given.

Guy Nicholson (applicant) and Naomi Heikalo (agent) addressed the Committee.

**#(Item 2) – Planning Application 2021/0961/S73 - Installation of a 9MW solar
park comprising up to 25,000 photovoltaic panels, 9 inverter/transformer
cabins, a single control building and associated works (amendment to
condition 2 of planning permission 2020/0257/FUL granted 11th August 2020)
to allow for alterations to internal access track and transplanting of hedgerows
at Felin Wen Farm , Rhydypany Road, Morriston, Swansea**

A visual presentation was given.

Report updated as follows:

- There is an error in Condition 10 (which should refer to condition 9 rather than
condition 10) and Condition 16 needs to be amended.

Condition 10 will now read:

*The planning permission hereby granted is for a period of 40 years electricity
generation, after which electricity generation is to cease, the solar panels and all
ancillary infrastructure are to be removed from the site and the land is to be
restored to its former condition in accordance with the details approved under
condition 9 of this permission. Written confirmation of the date of commissioning
of the development (defined as the date on which the solar farm is put into active
operation for the generation of electricity) shall be submitted to the local planning
authority within one month of that date.*

Reason: To safeguard the landscape and its visual amenity.

Condition 16 will now read:

*The hedgerow translocation scheme shall be carried out in accordance with the
general layout plan 1.3 Rev A and The Repair to Lost Stretches of Hedgerow -
Management and Maintenance Scheme prepared by PS renewables received on
2nd July 2021 within the next planting season following the completion of the
solar farm or the first generation of electricity, whichever is the sooner, and
maintained thereafter in accordance with the approved details.*

Reason: In the interests of visual amenity and ecology.

#(Item 3) – Planning Application 2021/1727/S73 - Construction of a two storey detached education block (including seven classrooms, learning resource room, kitchen, dining hall / multiuse area and WC's), installation of external artificial playing surfaces, addition of 4 windows to former drama block, new access road, 16 space car parking area with associated sprinkler and bin store buildings (Council Development Regulation 3) - Variation of Condition 2 (Plans Condition) of Planning Permission 2018/2691/RG3 granted 9 May 2019 to allow for increase in parapet heights of the building, change to footprint of building, revised bin store location and size, reduced width of access, revised layout of internal road and parking area, modification to sports pitch layout, change from sprinkler house building to fenced enclosure with tank and sprinkler pump house, alterations to number, size and position of windows and doors, change to design and appearance of external staircase, addition of extract housing to roof, downpipes to side and rear elevations, louvres above windows and bat/bird boxes. Variation to Condition 4 (materials condition) to allow for change to agreed materials and discharge of Condition 10 (boundary treatments) at YGG Gwyr Comprehensive School, Talbot Green, Gowerton, Swansea

A visual presentation was given.

Report updated as follows:

- A consultation response was received from Dwr Cymru Welsh Water which advised of no comments to make on the application subject to maintaining compliance with the approved details of conditions 6 and 7 of the original permission regarding drainage details and surface water removal.
- Details of conditions 6 and 7 have previously been approved and condition 3 requires the development to be undertaken in accordance with the approved details. The surface water removal strategy has already been implemented. The report already addresses these issues.
- The Tree Officer also queried whether trees would be removed as part of the application. The agent has confirmed that no trees will be removed and the Tree Officer is therefore satisfied.

#(Item 4) – Planning Application 2019/1715/OUT - Residential development for up to 4 detached dwellings (outline) at Eastmoor, Clyne Common, Swansea

A visual presentation was given.

Denise Masters (objector) addressed the Committee.

Committee approved the application subject to the following amendment to condition 11:

11. Any future Reserved Matters application shall make provision for a means of vehicular access, a minimum of 4.5m wide for its whole length. The vehicular

access shall be constructed and completed in accordance with the approved details between Westland Avenue and the rear boundary of 75 Westland Avenue prior to any above existing ground construction works on the dwellings hereby permitted. No further development shall be undertaken until written confirmation that the access works between Westland Avenue and the rear boundary of 75 Westland Avenue are in accordance with the approved details has been obtained from the Local Planning Authority. The said means of vehicular access shall thereafter be retained as approved for access purposes only for the lifetime of the development. Any access point opening onto the adopted highway shall include suitable drainage provision within the curtilage of the site, to prevent the discharge of any surface water onto the adopted highway.

Reason: To ensure that the vehicular access point is safe and includes adequate drainage

- Committee was advised of the following updates:

Clarification was provided regarding the planning history of the site.

#(Item 5) – Planning Application 2021/1415/FUL - Construction of building (demolition already agreed) up to 11 storeys comprising purpose-built managed student accommodation (Unique Use); associated amenity space; cycle and car parking; landscaping; and access from Powell Street at Ty Nant , 180 High Street, Swansea

A visual presentation was given.

Chris Marsh (agent) addressed the Committee.

Report updated as follows:

- Application approved subject to a Section 106 agreement in accordance with recommendation, subject to the following amendment:
- Condition 15 deleted.
- Committee was advised of the following update:

Line 5 of paragraph 2 on Page 152 of the report, should read ‘...vantage points it is considered acceptable...’

#(Item 6) – Planning Application 2021/1038/FUL - Change of use from retail shop (Class A1) to a cafe/takeaway (Class A3) at 41 Woodfield Street, Morriston, Swansea

A visual presentation was given.

Report updated as follows:

- A response has been received from Pollution Control requesting a condition requiring full ventilation details from the applicant for the proposed use prior to the commencement of development. The applicant has subsequently advised that

no ventilation is required as part of this application given the nature of the food to be sold (cold sandwiches, cakes etc) and no external alterations form part of the proposal. At the current time, it is not considered necessary to attach such a condition.

- Should ventilation be required in the future, Pollution Control have the powers to require such provision, and any alteration which materially affects the external appearance of the building would also require planning permission so the impact of the proposal on the Conservation Area could be considered at that time.
- The applicant has also submitted the following comments in advance of the Committee meeting:
"I just would like to humbly request that the background situation is taken into account. My shop as well as the neighbouring shops (previously Ramsdens and Sun tanning) have been empty for large periods over the last 2 years. My shop in 2019 and before was a charity shop trading as Buttons. The premises was already struggling before the pandemic. And Covid-19 has been extremely hard to bring businesses back to these premises.
- To give you an example, the rents have more than halved and the rent free periods given to businesses have almost been 3 to 6 months to attract any potential tenants. Even with this, the break clauses are provided now every year meaning the business can leave if it does not work after a year which when taken into account the rent free periods and reduced rents - means for the year the support to a potential business is entirely at my expense. I understand the unprecedented period we are in. I cannot cover the mortgage even with what I take in. The condition of the shop is at risk of being deteriorated.
- My appeal is that if my premises is allowed A3, it would give a chance to attract a sustainable thriving food businesses who showed a lot of interest when I recently tried to rent the shop with the mention that A3 is applied for. A successful franchise Bake Station has previously been interested in this spot. There is a chance for a sustainable business to sustain itself whilst providing employment and reoccupying the shop. There is a demand in healthy eating related coffee shops and more so after the lockdown as people want to go out and enjoy healthy meals. This shop is perfectly made for such a business. It has a basement with its own rear shutter entrance where food deliveries can come and waste can be taken from.
- I would be extremely grateful for your generosity that can help my premises a chance to have a survival through these tough times."

2) the undermentioned planning application **Be Refused** subject to the conditions in the report and/or indicated below:

#(Item 7) – Planning Application 2021/1401/106 - Modification of Section 106 agreement dated 5th March 2018 linked to 2017/2572/FUL dated 7th March 2018 and 2020/1443/106 dated 26th February 2021 to allow for 690 and 688 Llangyfelach Road to remain an individual residential units at Former Pines Country Club, 692 Llangyfelach Road, Treboeth, Swansea

A visual presentation was given.

Report updated as follows:

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Cont'd

- The applicant has submitted an appeal to the Planning Inspectorate (PINS) against non-determination as a decision has not been reached within 8 weeks of submission.
- As stated in the report, the Authority are of the opinion that any decision by the Council to agree to a modification of the S106 agreement could only be the subject of a challenge via Judicial Review as the application has been submitted within 5 years of the original agreement.
- The Authority therefore has to consider the request but there is no right of appeal against the decision and the LPA has written to PINS to advise them of the circumstances of the case.
- Notwithstanding the above, legislation provides the Council with 28 days to determine such an application under dual-jurisdiction before PINS will consider any appeal so Members can still make a decision on the application.

The meeting ended at 4.00 pm

Chair