

Planning Committee – 14th May 2024

Item 1

Application Number:

2023/1965/FUL

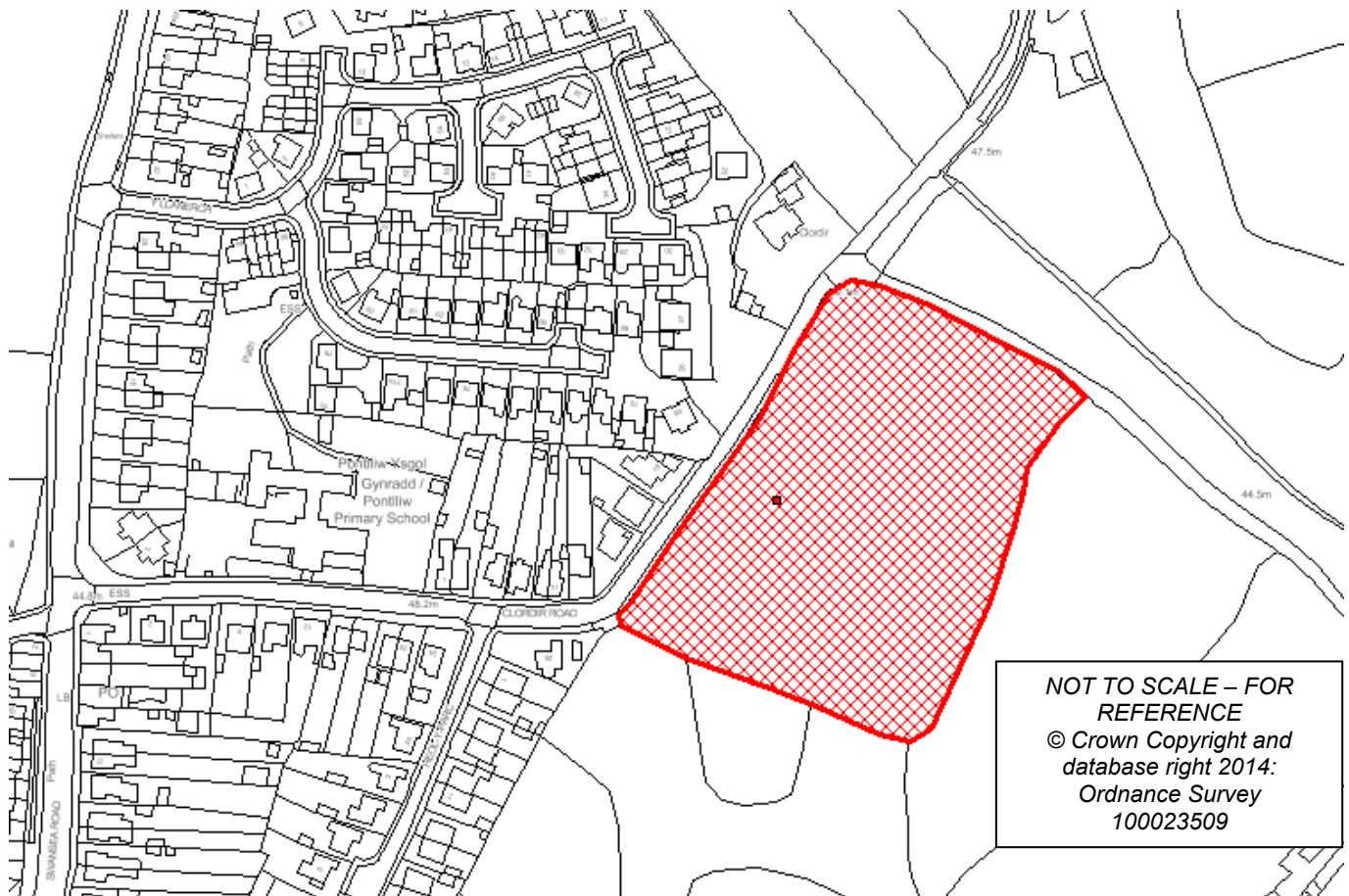
Ward:

Pontlliw And Tircoed - Area 1

Location: Land East Of, Clordir Road, Pontlliw, Swansea,

Proposal: Construction of 31 no. affordable dwellings with associated infrastructure works

Applicant: Pobl Group



Procedural Matters & Background

This application is reported to Planning Committee for determination due to the scale of the development meeting the threshold as set out in the Council's Constitution. The application was also called in by Councillor Victoria Holland and the objection threshold has been met.

The application was not required to be screened as the development does not include more than 150 dwellings, the site area does not exceed 5Ha and the site is not located within a sensitive area as defined by The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017.

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Site Location

The application site is located on the eastern edge of the village of Pontlliw. This village lies approximately 3km southeast of the town of Pontarddulais, and some 10km northwest of Swansea City Centre. The site itself consists of a single gently undulating agricultural grassland field measuring 1.67 hectares. There are residential properties located close by on the opposite side of Clordir Road to the west and northwest of the site. To the south and east are irregular shaped fields bounded by mature hedgerows. To the northeast is mature woodland and rough grazing land beyond.

Description of Development

Full planning permission is sought for the construction of 31 residential units (comprising 2 x 2 bed houses, 3 x 2 bed bungalows, 9 x 1 bed apartments, 9 x 3 bed houses and 8 x 4 bed houses) with associated infrastructure works at land east of Clordir Road, Pontlliw. The dwellings are proposed to be 100% affordable housing (social rented tenure) and will be managed by Pobl Housing Association.

The site is currently designated as countryside within the Swansea Local Development Plan (LDP), and the application has been submitted based on an affordable housing exception site under Policy H6 of the LDP.

The application has been accompanied by a Design & Access Statement, Drainage Strategy Statement, MoU Technical Note, Arboricultural Report/Impact Statement, Agricultural Land Classification Analysis, Geo-Environmental and Geotechnical Desk Study, Transport Statement, Landscape Visual Appraisal (LVA), Welsh Language Action Plan, Phase 1 Ecology Report (PEA 1), Protected Species Survey and Stage 2 Ecology Report and a Green Infrastructure Strategy.

In accordance with the Planning (Wales) Act 2015 and the Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016, the applicant submitted a Pre-application Consultation (PAC) Report. This sets out the scheme, consultations undertaken with responses received and applicant response.

Planning Policy Context

The National Development Framework: Future Wales - the National Plan 2040 The National Development Framework: Future Wales - the National Plan 2040 published by WG on 24th February 2021, contributes the national tier of the Development Plan - it sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs.

Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

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The following national policy contained in Future Wales is of relevance to this application:

Policy 2 - Shaping urban growth and regeneration - Strategic placemaking

The growth and regeneration of towns and cities should positively contribute towards building sustainable places that support active and healthy lives, with urban neighbourhoods that are compact and walkable, organised around mixed-use centres and public transport, and integrated with GI. Urban growth and regeneration should be based on the following placemaking principles:

- creating a rich mix of uses;
- providing a variety of housing types and tenures;
- building places at a walkable scale, with homes, local facilities and public transport within walking distance of each other;
- increasing population density, with development built at urban densities that can support public transport and local facilities;
- establishing a permeable network of streets, with a hierarchy that informs the nature of development;
- promoting a plot-based approach to development, which provides opportunities for the development of small plots, including for custom and self-builders; and
- integrating GI, informed by the planning authority's GI Assessment.

Policy 7 - Delivering Affordable Homes

The Welsh Government will increase delivery of affordable homes by ensuring that funding for these homes is effectively allocated and utilised. Through their Strategic and Local Development Plans planning authorities should develop strong evidence-based policy frameworks to deliver affordable housing, including setting development plan targets based on regional estimates of housing need and local assessments.

In response to local and regional needs, planning authorities should identify sites for affordable housing led developments and explore all opportunities to increase the supply of affordable housing.

While market housing continues to play a vital and important role in responding to housing need, to address the identified housing need in Wales a shift in the delivery model is required by building affordable homes at scale and pace. As illustrated, the delivery of homes has decreased since greater reliance has been placed on the private sector to meet this basic human need. To address this we will support a more balanced approach with local authorities, registered social landlords and small and medium sized construction and building companies encouraged to build more homes.

Policy 9 - Resilient ecological networks and green infrastructure

In all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated as part of development proposals through innovative, nature-based approaches to site planning and the design of the built environment.

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Planning Policy Wales sets out a range of policies to maintain and enhance biodiversity, promote the resilience of ecosystems, including the stepwise approach, and to maximise the provision of green infrastructure. The strategic focus of Future Wales on urban growth requires an increased emphasis on biodiversity enhancement (net benefit) in order to ensure that growth is sustainable. In collaboration with our partners, including Natural Resources Wales and local authorities, we require strategic action to safeguard ecological networks and secure biodiversity enhancements (net benefit). We recognise the need to maximise the use of green infrastructure and nature-based solutions as part of shaping urban growth, supporting rural communities and responding to the twin challenges of addressing the climate emergency and reversing biodiversity decline. Effective action should be undertaken at a regional or local level reflecting individual opportunities. Cumulative action to improve and develop ecological networks and green infrastructure will contribute towards improved national scale resilience.

The Welsh Government is committed to reversing the decline in biodiversity and increasing the resilience of our ecosystems. Resilient ecological networks are vital for nature recovery and are networks of habitat in good ecological condition linking protected sites and other biodiversity hotspots across the wider landscape, providing maximum benefit for biodiversity and well-being. Such networks have existing, or potential for, healthy resilient ecosystems which provide a range of important ecosystem services as well as allowing the movement of species across landscapes in response to climate change. They are diverse, of sufficient scale and extent, in good functional condition and part of connected networks, to enable species and habitats to adapt to disturbance and change.

There is a need to expand and make connections between designated sites to increase the ability of species and ecosystems to adapt to the pressures of climate change and pollution. While protected sites are critically important to the long term resilience of our ecosystems, they should not be seen as islands within the landscape, but should instead form the nodes of large-scale resilient and functional ecological networks and green infrastructure. In this context, the species and habitats of principal importance identified under Section 7 of the Environment (Wales) Act 2016 are a key driver of habitat restoration and creation.”

Ecological networks and green infrastructure mapping: “Indicative maps produced by Natural Resources Wales illustrate national natural resources themes including ecological networks, biodiversity hotspots, ecosystem services and opportunities for habitat creation. The maps provide the starting point for considering resilience of ecological networks for nature recovery and enhancement (net benefit) as part of green infrastructure assessments. They are a means to ensure that cumulative action is taken to secure enhancement as part of proposing sustainable growth and development proposals.”

Planning Policy Wales (12th Edition) February 2024

PPW is the complete land use planning policy document for Wales and provides the foundation for all national, regional and local planning policies. It is not part of the Development Plan, however it has substantial weight in the planning process. The Welsh Government also published in July 2020 Building Better Places which pinpoints the most relevant policy priorities and actions to aid in the recovery. Building Better Places recognises the pivotal role that planners play in shaping our society for the future. They must plan for our priorities around placemaking, decarbonisation and well-being.

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The following key extracts from PPW are of particular relevance:

Placemaking - The concept of placemaking is central to PPW and delivering on the aspirations of the Well-being of Future Generations Act and achieving well-being through plan making and development management decisions.

PPW defines placemaking as (p14): a holistic approach to the planning and design of development and spaces, focused on positive outcomes. It draws upon an area's potential to create high quality development and public spaces that promote people's prosperity, health, happiness, and well-being in the widest sense.

PPW (p15) provides the 6 placemaking principles of the Placemaking Charter (to which the Council is a signatory). These include - people and community - location - movement - mix of uses - public realm - identity. Placemaking considers the context, function and relationships between a development site and its wider surroundings. This will be true for major developments creating new places as well as small developments created within a wider place.

Placemaking should not add additional cost to a development, but will require smart, multidimensional and innovative thinking to implement and should be considered at the earliest possible stage. Placemaking adds social, economic, environmental and cultural value to development proposals resulting in benefits which go beyond a physical development boundary and embed wider resilience into planning decisions.

In responding to the key principles for the planning system, the creation of sustainable places and in recognition of the need to contribute to the well-being of future generations in Wales through placemaking, development plans and development proposals must seek to deliver developments that address the national sustainable placemaking outcomes (para 2.17).

Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area (para 3.3).

Sustainable location (para 3.43 and 4.2.17) - PPW states that in terms of the search sequence for identifying sites for development LPAs should consider allocating previously developed land and/or underutilised sites located within existing settlements in the first instance with sites on the edge of settlements considered at the next stage.

The Best and Most Versatile Agricultural Land (para 3.58 and 3.59) - Agricultural land of grades 1,2 and 3a of the Agricultural Land Classification system (ALC) is the best and most versatile and should be conserved as a finite resource for the future. When considering...development management decisions considerable weight should be given to protecting such land from development because of its special importance.

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Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1,2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade.

Development in the Countryside (para 3.60) - Development in the countryside should be located within and adjoining those settlements where it can best be accommodated in terms of infrastructure, access, habitat, and landscape conservation. Infilling or minor extensions to existing settlements may be acceptable, where they meet a local need for affordable housing or it can be demonstrated that the proposal will increase local economic activity. However, new building in the open countryside away from existing settlements or areas allocated for development in development plans must continue to be strictly controlled. All new development should be of a scale and design that respects the character of the surrounding area.

Sustainable Transport (para 4.1.8 and 4.1.19) - The planning system has a key role to play in reducing the need to travel and supporting sustainable transport, by facilitating developments which:

- are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car;
- are designed in a way which integrates them with existing land uses and neighbourhoods; and
- make it possible for all short journeys within and beyond the development to be easily made by walking and cycling.

Well-designed, people orientated streets are fundamental to creating sustainable places and increasing walking, cycling and use of public transport. New development should improve the quality of place and create safe, social, attractive streets where people want to walk, cycle and enjoy, and children can play. To make streets safer and more attractive places for people, the Welsh Government is making 20 mph the new default speed limit for most streets and taking measures to prevent pavement parking (4.1.19).

The design and layout of streets must give a high priority to their role as public spaces and meeting the needs of pedestrians, cyclists and public transport users, reflecting the principles of the sustainable transport hierarchy. To create streets that are social places, the public realm needs to be safe and attractive and the street designed for low speeds of 20 mph or less (4.1.20).

To encourage the use of Ultra Low Emission Vehicles (ULEVs), the planning system should encourage and support the provision of ULEV charging points as part of new development. Future Wales sets out the Welsh Government's requirements for the provision of electric vehicle charging points for non-residential development. The provision of electric vehicle charging points should be planned as part of the overall design of a development. Charging points must not cause an obstruction to walking or cycling, should be resistant to vandalism, and located where there is good lighting and natural surveillance. Where car parking is provided for new non-residential development, planning authorities should seek a minimum of 10% of car parking spaces to have electric vehicle charging points.

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Green Infrastructure (6.21 - 6.2.14) - is the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places.

The Environment (Wales) Act 2016, provides a context for the delivery of multi-functional green infrastructure. Its protection and provision can make a significant contribution to the sustainable management of natural resources, and in particular to protecting, maintaining and enhancing biodiversity and the resilience of ecosystems in terms of the diversity within and connections between ecosystems and the extent and condition of these ecosystems, so that they are better able to resist, recover from and adapt to pressures. This means that the development of green infrastructure is an important way for local authorities to deliver their Section 6 duty.

Green infrastructure plays a fundamental role in shaping places and our sense of well-being, and is intrinsic to the quality of the spaces we live, work and play in. The planning system must maximise its contribution to the protection and provision of green infrastructure assets and networks as part of meeting society's wider social and economic objectives and the needs of local communities.

The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, informed by an appropriate level of assessment, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, help to overcome the potential for conflicting objectives, and contribute to health and well-being outcomes.

A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal.

The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach has been applied.

Biodiversity and Resilience of Ecosystems (S6 Duty) (paras 6.4.5 to 6.4.8) - Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions.

[NB: In Swansea, the section 6 duty is embedded as one of the 4 Well Being Objectives in the Public Service Board's Well Being Plan - "Working With Nature". It is also included as Objective 6 of the Council's Corporate Plan "maintaining and enhancing Swansea's Natural Resources.]

This means development should not cause any significant loss of habitats or populations of species (not including non native invasive species), locally or nationally and must work alongside nature and it must provide a net benefit for biodiversity and improve, or enable the improvement, of the resilience of ecosystems.

A net benefit for biodiversity is the concept that development should leave biodiversity and the resilience of ecosystems in a significantly better state than before, through securing immediate and long-term, measurable and demonstrable benefit, primarily on or immediately adjacent to the site.

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The step-wise approach outlined below is the means of demonstrating the steps which have been taken towards securing a net benefit for biodiversity. In doing so, planning authorities must also take account of and promote the resilience of ecosystems, in particular the following attributes, known as the DECCA Framework:

- diversity between and within ecosystems;
- the extent or scale of ecosystems;
- the condition of ecosystems including their structure and functioning;
- the connections between and within ecosystems; and
- adaptability of ecosystems including their ability to adapt to, resist and recover from a range of pressures likely to be placed on them through climate change for example.

In fulfilling this duty, planning authorities must also have regard to:

- the list of habitats and species of principal importance for Wales, published under Section 7 of the Environment (Wales) Act 2016;
- the SoNaRR, published by NRW;
- any Area Statement, published by NRW, that covers all or part of the area in which the authority exercises its functions and NRW's Nature Network Maps126; and
- guidance given to public authorities by Welsh Ministers under Section 6 of the Environment (Wales) Act.

Planning Authorities should also refer to up to date ecological survey information (where appropriate) and consider local ecological information submitted by recognised environmental organisations (6.4.7).

Protection and Management of Designated Sites - (6.4.31) Although non-statutory designations do not have a statutory process for their protection, Sites of Importance for Nature Conservation, Local Wildlife Sites, Local Nature Reserves, and Regionally Importance Geodiversity Sites make a vital contribution to delivering an ecological network for biodiversity and resilient ecosystems, and they should be given protection in development plans and the development management process. Non-statutory sites can form the core of a vital network of threatened habitats, play an essential role in protecting, maintaining, connecting and restoring biodiversity and contribute to nature recovery and a net benefit for biodiversity. Before authorising development likely to damage a local wildlife designation, planning authorities should give notice of the proposed operation to the local authority Ecologist and third sector environmental organisations. In all cases a written opinion must be secured from the local authority Ecologist.

Where a Green Infrastructure Assessment has identified that certain features or characteristics of the site need to be maintained or enhanced, planning authorities should state in their development plans what features or characteristics require protection and why, and explain how the policies will achieve this protection. Assessments should similarly consider the presence of protected and priority habitats and species including those on the Section 7 list and appropriate weight attached to their protection.

Affordable Housing (4.2.26 - 4.2.35) - A community's need for affordable housing is a material planning consideration which must be taken into account in...determining relevant planning applications.

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Affordable housing for the purposes of the land use planning system is housing where there are secure mechanisms in place to ensure that it is accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers. Technical Advice Note (TAN) 2, 'Planning and Affordable Housing', Welsh Assembly Government 2006.

Affordable housing includes social rented housing owned by local authorities and RSLs and intermediate housing where prices or rents are above those of social rent but below market housing prices or rents. All other types of housing are referred to as 'market housing', that is private housing for sale or rent where the price is set in the open market and occupation is not subject to control by the local authority. It is recognised that some schemes may provide for staircasing to full ownership and where this is the case there must be secure arrangements in place to ensure the recycling of capital receipts to provide replacement affordable housing.

It is important that authorities have an appreciation of the demand for different types of affordable housing (i.e. intermediate and social rented) in relation to supply, so that they are well informed in negotiating the required appropriate mix of dwellings for new developments. To support decisions on planning applications, planning authorities should refer to their LHMA to help determine the need for affordable housing.

The provision of affordable housing exception sites must be considered to help meet identified requirements and ensure the viability of the local community. Where such policies are considered appropriate it should be made clear that the release of housing sites within or adjoining existing settlements for the provision of affordable housing to meet local needs which would not otherwise be allocated in the development plan, is an exception to the policies for general housing provision. Such policies must be fully justified, setting out the type of need and the kind of development which fall within their terms. The affordable housing provided on exception sites should meet the needs of local people in perpetuity. Sites must meet all the other criteria against which a housing development would be judged, such as the national sustainable placemaking outcomes. Affordable housing exception sites are not appropriate for market housing.

Well-Being of Future Generations (Wales) Act 2015

The Well-being of Future Generations Act places a duty on Local Planning Authority's (including Welsh Minsters) that they must carry out sustainable development. The Planning (Wales) Act 2015 introduces a statutory requirement for the planning system in Wales for statutory bodies carrying out a planning function to exercise those functions in accordance with the principles of sustainable development as set out in the Well-being of Future Generations (Act) Wales 2015. Paragraph 4.2.2. states that the planning system provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated, at the same time, by the decision-maker in taking decisions on individual planning applications.

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Paragraph 4.2.4 states that a plan-led approach is the most effective way to secure sustainable development through the planning system and states there is presumption in favour of development in accordance with the development plan for the area unless material considerations indicate otherwise.

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Technical Advice Notes

Technical Advice Note 2: Planning and Affordable Housing (2006): This TAN provides advice and guidance in relation to the provision of affordable housing. The guidance requires local planning authorities to:

- Include an affordable housing target in the development plan which is based on the housing need identified in the local housing market assessment.
- Indicate how the target will be achieved using identified policy approaches.
- Monitor the provision of affordable housing against the target (via the Local Development Plan Annual Monitoring Report) and where necessary take action to ensure that the target is met.

Technical Advice Note 5: Nature Conservation and Planning (2009): This Technical Advice Note provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. This TAN brings together advice on sources of legislation relevant to various nature conservation topics which may be encountered by local planning authorities.

Technical Advice Note 6: Planning for Sustainable Rural Communities (2010): The TAN provides guidance on how the planning system can contribute to: Sustainable rural economies; Sustainable rural housing; Sustainable rural services; and Sustainable agriculture.

Technical Advice Note 12: Design (2016): The purpose of this TAN is to equip all those involved in the design of development with advice on how 'Promoting sustainability through good design' and 'planning for sustainable building' may be facilitated through the planning system. This TAN defines good design and stresses the importance of good design. Specifically in relation to Residential Development it states that achieving more sustainable residential environments is dependent on linking development to public transport and other uses and services, providing access to local services, and securing the most efficient use of land. For a successful residential area, the design of housing should establish a sense of place and community, with the movement network used to enhance these qualities, and to incorporate features of environmental sustainability. This TAN gives detail advice on good design and states that development proposals, in relation to housing design should aim to:

- create places with the needs of people in mind, which are distinctive and respect local character
- promote layouts and design features which encourage community safety and accessibility
- focus on the quality of the places and living environments for pedestrians rather than the movement and parking of vehicles
- avoid inflexible planning standards and encourage layouts which manage vehicle speeds through the geometry of the road and building
- promote environmental sustainability features, such as energy efficiency, in new housing and make clear specific commitments to carbon reductions and/or sustainable building standards
- secure the most efficient use of land including appropriate densities
- consider and balance potential conflicts between these criteria.

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Technical Advice Note 18: Transport (2007): This TAN provides advice and guidance on transport issues including the design and location of the development, parking requirements, walking and cycling, public transport, assessing impacts and managing implementation.

Technical Advice Note 20: Planning and the Welsh Language (2017): This TAN provides guidance on how the Welsh language may be given appropriate consideration in the planning system and on compliance with the requirements of planning and other relevant legislation.

Adopted Swansea Local Development Plan (2010-2025):

PS1 - Sustainable Places - The delivery of new homes, jobs, infrastructure and community facilities must comply with the plan's sustainable settlement strategy which; directs development to the most sustainable locations within defined settlement boundaries of the urban area and Key villages; requires compliance with Sustainable Housing Strategy (PS 3) and Sustainable Employment Strategy (PS 4); safeguards Green Wedges; and resists development in the open Countryside.

PS2 - Placemaking and Place Management - Development should enhance the quality of places and spaces and should accord with relevant placemaking principles.

PS3 - Sustainable Housing Strategy - The Plan provides for the development of up to 15,600 homes to promote the creation and enhancement of sustainable communities.

IO1 - Supporting Infrastructure - Development must be supported by appropriate infrastructure, facilities and other requirements considered necessary as part of the proposal.

IO 2 - Employment and Training Opportunities - Developers are encouraged to maximise added benefits from the development in relation to the creation of training and job opportunities in line with the Council's Beyond Bricks and Mortar Policy.

H2 - Affordable Housing Strategy - Provision will be made to deliver a minimum 3,518 affordable homes over the Plan period through setting targets for on-site provision of affordable housing (Policy H3); allocating Local Needs Housing Exception Sites (Policy H5); providing the policy framework for 100% affordable homes (Policy H6).

H 6 100% Affordable Housing Exception Sites- Residential proposals on sites within or adjoining existing settlements where 100% of the proposed dwellings are for Affordable Housing for Local Needs will only be permitted where:

- I. The site represents a logical extension to the existing settlement and is of a scale appropriate to and in keeping with the character of the settlement;
- II. The site is in a sustainable location having reasonable access to at least a basic range of services;
- III. It is of a size, scale and design compatible with affordable dwelling standards and available to low or moderate income groups;

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- IV. There are binding agreements in place to ensure that the initial affordability benefits will be retained in perpetuity for all successive occupiers who meet the Council's occupancy criteria;
- V. It is demonstrated that there are no satisfactory alternative arrangements to meet the need within the locality; and
- VI. There is no loss of land of important recreational, amenity or natural heritage value.

Market housing will not be permitted on 100% affordable housing exception sites. The proposed affordable housing should meet the needs of local people in perpetuity, which will be tied to the planning consent by means of a legal agreement.

HC 3 - Development in the Welsh Language Sensitive Area - Proposals within the Language Sensitive Area (defined on the Proposals Map) will safeguard and promote the Welsh language throughout the County by complying with the Policy principles.

SI1 - Health and Wellbeing - health inequalities will be reduced and healthy lifestyles encouraged by complying with set criteria.

SI 3 - Education Facilities - Where residential development generates a requirement for school places, developers will be required to either: provide land and/or premises for new schools or make financial contributions towards providing new or improved school facilities. Proposals for the development of new primary and secondary education must comply with specific criteria.

SI 6 - Provision of New Open Space -Open space provision will be sought for all residential development proposals in accordance with the policy principles, and in accordance with relevant criteria relating to design and landscaping principles. The quantity, quality and location of the open space contribution required will be determined against the most recent Open Space Assessment and Open Space Strategy.

SI 8 Community Safety - Development must be designed to promote safe and secure communities and minimise the opportunity for crime.

ER 1: Climate Change - To mitigate against the effects of climate change, adapt to its impacts, and to ensure resilience, development proposals should take into account the climate change principles specified in the policy.

ER 2: Strategic Green Infrastructure Network - Green infrastructure will be provided through the protection and enhancement of existing green spaces that afford valuable ecosystem services. Development that compromises the integrity of such green spaces, and therefore that of the overall green infrastructure network, will not be permitted. Development will be required to take opportunities to maintain and enhance the extent, quality and connectivity of the County's multifunctional green infrastructure network in accordance with the green infrastructure principles set out in the policy.

ER 8: Habitats and Species - Development proposals that would have a significant adverse effect on the resilience of protected habitats and species will only be permitted where they meet specific criteria.

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ER 9: Ecological Networks and Features of Importance for Biodiversity - Development proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. Particular importance will be given to maintaining and enhancing the connectivity of ecological network. Development that could have an adverse effect on such networks and features will only be permitted where meet specific criteria are met.

ER 11: Trees, Hedgerows and Development - Development that would adversely affect trees, woodlands and hedgerows of public amenity, natural/cultural heritage value, or that provide important ecosystem services will not normally be permitted. Ancient Woodland, Ancient Woodland Sites, Ancient and Veteran trees merit specific protection and development that would result in specified outcomes will not normally be permitted. Where necessary a tree survey; arboricultural impact assessment; an arboricultural method statement; tree protection plan and/or scheme for tree replacement, including details of planting and aftercare will be required in support of a planning application.

CV 2 Development in the Countryside - Development outside defined settlement boundaries will be required to ensure the integrity of the countryside is conserved and enhanced. There is a presumption against development in the countryside except where it meets a specific set of criteria. Countryside development must be of a sustainable form with prudent management of natural resources and respect for the cultural heritage of the area. Where possible, existing buildings should be reused and where this is not feasible new buildings should be positioned close to existing buildings.

T1: Transport Measures and Infrastructure - Development must be supported by appropriate transport measures and infrastructure and dependant the nature, scale and siting of the proposal, meet specified requirements. Development that would have an unacceptable impact on the safe and efficient operation of the transport network will not be permitted.

T2: Active Travel - Development must take opportunities to enhance walking and cycling access either by incorporation within the site, and/or making financial contributions towards the delivery off site of specific measures, as specified in the policy. Developments must not have a significant adverse impact on existing active travel routes as specified in the policy.

T5: Design Principles for Transport Measures and Infrastructure - provides design criteria that the design of the new development, including supporting transport measures/infrastructure must adhere to.

T6: 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.

T7: Public Rights of Way and Recreational Routes - development that significantly adversely affects the character, safety, enjoyment and convenient use of a Public Right of Way (PROW) will only be permitted where an acceptable alternative route is identified and provided.

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Linkages, and where appropriate extensions, to the existing PROW network will be expected from all new developments, which must have regard to the existing character of the PROW and the aspiration to improve access for all.

EU 4: Public Utilities and New Development - development will be permitted where the utility infrastructure is adequate to meet the needs of the development. Development that requires new or improved utility infrastructure will be permitted where it can be satisfactorily demonstrated that the developer will make an appropriate contribution to secure the provision of the infrastructure.

RP 1: Safeguarding and Public Health and Natural Resources - development that would result in significant risk to life; human health and wellbeing; property; controlled waters; or the historic and natural environment, especially European designated sites, will not be permitted, particularly in respect of the specified potential risks.

RP 2 Noise Pollution - Where development could lead to exposure to a source of noise pollution it must be demonstrated that appropriate mitigation measures will be implemented, and incorporated into the design of the development to minimise the effects on existing and future occupants. Noise sensitive development will not be permitted unless effective mitigation will prevent exposure to existing noise generating uses. Development that would lead to an increase in environmental noise at a NAPPA or would have an unacceptable impact on a Quiet Area will not be permitted.

RP 3 Air and Light Pollution - Where development could lead to exposure to a source of air or light pollution it must be demonstrated that appropriate mitigation measures will be implemented, and incorporated into the design of the development to minimise the effects on existing and future occupants.

RP 4: Water Pollution and the Protection of Water Resources - development that compromises the quality of the water environment, or does not comply with good water resource management, will not be permitted. Development proposals must make efficient use of water resources and, where appropriate, contribute towards improvements to water quality. Sustainable drainage systems (SuDS) must be implemented wherever they would be effective and practicable. Water courses will be safeguarded through green corridors/riparian buffers. Development proposals that would have a significant adverse impact on biodiversity, fisheries, public access or water related recreation use of water resources, will not be permitted.

RP 6: Land Contamination - development proposals on land where there is a risk from actual or potential contamination or landfill gas will not be permitted unless it can be demonstrated that measures can be taken to satisfactorily overcome any significant risk to life, human health, property, controlled waters, or the natural and historic environment.

RP 8: Sustainable Waste Management for New Development - development will be required to incorporate, as appropriate, adequate and effective provision for the storage, recycling and other sustainable management of waste, and allow for appropriate access arrangements for recycling and refuse collection vehicles and personnel.

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RP 10: Sustainable Waste Management for New Development - development will be required to incorporate, as appropriate, adequate and effective provision for the storage, recycling and other sustainable management of waste, and allow for appropriate access arrangements for recycling and refuse collection vehicles and personnel.

Supplementary Planning Guidance (SPG)

The following Supplementary Planning Guidance (SPG) are relevant to the proposed development:

- Places to Live - Residential Design Guide (Adopted January 2014)
- Parking Standards (Adopted March 2012)
- Planning Obligations (Adopted March 2010)
- Planning for Community Safety (Adopted December 2012)
- The Protection of Trees on Development Sites (October 2016)
- Development and Biodiversity (February 2021)

The above SPG provide information and guidance to clarify the policy aims of the relevant LDP Policies as set out above. These SPG have been formally adopted by the Council following public consultation and stakeholder engagement that informed the content of the documents. Some of the SPG documents were adopted by the Council prior to the LDP being formally adopted, and at the proper time the SPG documents will be subject to an updated public consultation and a readoption process. Notwithstanding this, it is considered appropriate to have regard to the content of the SPG given it is fundamentally aligned to (and referenced as a supporting document within) the relevant LDP Policies and are consistent with national guidance and the overarching principles of Placemaking set out within PPW and the relevant TANs.

Ultimately the SPG documents provide useful guidance to confirm how the Council considers the relevant LDP Policy aims and objectives should be interpreted.

Consultations:

The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) by neighbour notification letters, and the application was advertised on site and in the press.

FIVE LETTERS OF SUPPORT were received and ONE neutral response.

SEVENTY-ONE LETTERS OF OBJECTION were received which are summarised below:

- Highway infrastructure is inadequate to serve the development, or during construction.
- Swansea Council rubbish collection lorries no longer use the upper section of Clordir road which is where the proposed access point to the pobl site is situated.
- Highway improvements are required if the development to go ahead.
- Pobl's traffic measurement was flawed in as much as the initial measurement was taken towards the end of the Covid pandemic when traffic was still reduced and consisted of 2 pneumatic vehicle counters positioned at either end of Clordir road which underrepresented the traffic issue.

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- The development does not meet the strict legal requirements to use the 'rural housing exception' provisions.
- Pobl has not consulted with the Community Council at any stage to formulate its proposals despite the guidance being clear they should have worked with them to understand the local housing need.
- The proposal is contrary to national and local planning policy.
- No housing need Assessment has been carried out to support the proposal.
- Additional pressure on schools, doctors, and dentists.
- Pontlliw primary school is full.
- There are not enough amenities within Pontlliw to serve the development.
- Increase in antisocial behaviour, drug use and crime.
- Highway and pedestrian safety.
- Limited kerb side car parking for residents, school staff and parents dropping off/collecting children from school.
- Loss of green belt area. The LA should develop land that is not protected to ensure that natural habitats are preserved.
- Protected species (dormice) are nesting in the fields.
- Risk of flooding to existing residents from draining the site.
- The foul drainage infrastructure will be unsustainable.
- There are 4 proposed residential development sites in Pontlliw.
- Many more suitable areas in Swansea where housing could be provided.
- It is a greenfield site and therefore any development will be in direct contravention of the following objective 'To protect or enhance the local environment, including wildlife habitats, trees and woodland parks and gardens.'
- The proposal will not be meeting local needs as it will not be inhabited by local people, rather it will be inhabited by people from outside the area.
- Negative effect on the trees, hedges and wildlife surrounding development.
- During wet weather, a small lake forms in the centre of the application site. What will happen to this water?
- The proposal conflicts with the well-being future generation Act.
- No more housing is required in Pontlliw.
- Noise disturbance and dust pollution from construction works.
- Insufficient car parking provision to serve the development.
- Precedent for further development in neighbouring fields.
- Loss of value of existing properties.
- The land is outside the settlement boundary (for Pontlliw). Have alternative sites been explored by Pobl?
- Pontlliw is within the Greater North West Strategic housing policy zone. The applicant has stated that there are no other available opportunities in the identified zone. They have not evidenced this statement.
- The council refused planning permission for access to y llanerch, off Clordir Road on grounds of its unsuitability. Nothing has changed except more traffic so how can this development possibly be considered in these circumstances.
- There are very few employment opportunities in Pontlliw.
- This is Agricultural land and should remain so.

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A petition of 266 signatures has been received from 234 different addresses objecting to the proposed development on the following grounds:

- Development on agricultural green field land outside of the settlement area when 3500 dwellings have already been approved within the settlement area. Why are these locations not being prioritised?
- This proposed development forms part of a much larger development with up to a further 250 houses to follow.
- Destruction of natural habitat and local ecology will directly impact the escalating nature and climate emergency. How is this development complying with The Well-Being of Future Generations (Wales) Act 2015?
- Wales has some of the worst air quality in the UK; what investment is the Council going to provide to address severe traffic congestion at the numerous road bottlenecks that additional housing will bring – most notably at the Penllergaer roundabout network.
- What additional investment will the Council make to ensure that the chronic failure in local medical and dental provision can service the existing population.
- What additional investment will the council make available to address the depleting public transport service to local residents – buses are becoming fewer and less reliable by the day

A further petition of objection with 279 registered objectors was received however only 8 (3%) people listed as living in Pontlliw and a further 36 people (13%) listed as living in Swansea. No information was provided on the grounds for objecting to the planning application.

Pontlliw Community Council – Representation received from Robert Bowen Planning and Development Ltd

1. The submitted supporting evidence relies solely on overall need within the Greater North West Strategic Housing Policy Zone (to justify the proposed development) and fails to contain any detailed assessment of housing needs within Pontlliw or adjacent settlements. In the absence of local need evidence, the development is an unjustified form of development and contrary to LDP policies PS1, PS2 and CV2.
2. In 2022, the Council published its Annual Monitoring Report for the period 1st April 2021 to 31st March 2022 which indicated that within the Greater North West Strategic Housing Policy Zone only 268 homes of the expected 1892 had been constructed. This demonstrates there was remaining land available, within settlement, to construct 3547 dwellings.
3. The information in support of the proposal provides no evidence to demonstrate why the 31 homes proposed cannot be constructed within allocated sites inside the Greater North West Strategic Housing Policy Zone which has a remained capacity of 3547 dwellings.
4. The LPA's pre-application response indicates that within the settlement of Pontlliw, there is provision for 190 dwellings within allocated and consent sites.

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5. LDP policy H3 requires 15% affordable housing provision for dwellings within the Greater North West Strategic Housing Policy Zone. This translates to the provision of 29 dwellings across sites and is almost equal to the number of homes, subject of this application. In the absence of evidence to demonstrate that the proposal cannot be undertaken with allocated/consented sites, the development is an unjustified form of development and contrary to LDP policies PS1, PS2 and CV2.
6. The proposal will lead to significant additional traffic along Clordir Road and the adjacent highway network to the detriment of highway and pedestrian safety.
7. The proposed development will therefore lead to additional demand which cannot be accommodated within the existing primary school. This dictates that occupiers of the proposed development will need to make unsustainable journeys, by road, to adjacent schools.
8. The proposed development will lead to the loss of important natural habitat. The submitted ecological assessment does not fully assess the impact on protected species or demonstrate adequate ecological mitigation/enhancement in accordance with Future Wales and Planning Policy Wales.

South Wales Police Designing Out Crime Officer

(i). Site layout.

I am generally pleased with the site layout. The only concern I have is in relation to the parking courtyard for plots 23-31.

All vehicle parking bays must be overlooked and access into the courtyard must be controlled by an electric gate meeting the standard LPS 1175 SR1 with access control fitted.

The dashed line that is shown around the north of the site indicates potential for informal access to the northern landscaped areas. This must not be developed.

Entry onto the estate must be restricted to the designated main routes.

General safety comments also raised with regards to lighting, boundary identification, landscaping and planting, side and rear boundaries, vehicle parking, garden sheds, bin stores, bike stores, security lighting, drainpipes, public utilities, door and window security, blank walls, identification of properties and intruder alarm systems.

Natural Resources Wales

Response received on 31.10.2023

We have concerns with the application as submitted because inadequate information has been provided in support of the proposal. To overcome these concerns, you should seek further information from the applicant regarding European Protected Species. If this information is not provided, we would object to this planning application. Further details are provided below.

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We also advise that based on the information submitted to date, a condition regarding protected sites, should be attached to any planning permission. Without the inclusion of this condition, we would object to this planning application.

European Protected Species

We welcome the submission of the Preliminary Ecological Appraisal (PEA) Report, Land at Clordir Road, Pontlliw, Document Ref: E21105601/Doc 01, dated 18 October 2021, prepared by Soltys Brewster and the Interim Protected Species Note, Land at Clordir Road, Pontlliw Document Ref: E21105602/Doc 01, dated May 2023.

The PEA report recommended that further site-specific surveys be undertaken relating to commuting/foraging bats and Hazel Dormice.

We note the interim protected species note advises that further surveys for bats and dormice are currently underway and that a further report will be prepared following completion of these surveys in October/November 2023.

We will provide our comments when these surveys have been completed and submitted to us.

Protected Sites

We have concerned that harm from the proposed development on the Carmarthen Bay and Estuaries Special Area of Conservation (SAC), Burry Inlet Special Protection Area (SPA) and the Burry Inlet Ramsar site cannot be ruled out.

There is a potential hydrological link to the Lliw Main River, which eventually makes its way down to the Carmarthen Bay and Estuaries SAC, the Burry Inlet SPA and the Burry Inlet Ramsar site. We advise that a detailed Construction Environmental Management Plan (CEMP), set out below should be attached to any planning permission for this development. Provided the development is carried out in accordance with this condition, we do not consider that it will adversely affect the integrity of the SAC, SPA and the Ramsar sites.

We would ask that any CEMP produced makes reference to the relevant guidelines for pollution prevention, as appropriate, in particular GPP5 Works and Maintenance in or Near Water.

Land Contamination

We have reviewed the submitted Geo-Environmental and Geotechnical Desk Study (Earth Science Partnership Ltd, September 2021) and agree with the conclusions.

We consider that the controlled waters at this site are not of the highest environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

These comments are based on our assumption that gross contamination is not present at this location. If, during development, gross contamination is found to be present at the site the Local Planning Authority may wish to re-consult Natural Resources Wales.

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Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Response received on 07.12.2023 following the submission of a Stage 2 Ecology Report.

We continue to have concerns with the application as submitted. However, we are satisfied that these concerns can be overcome by attaching the following condition to any planning permission granted:

Condition 1: Protected Sites

Please note, without the inclusion of this condition we would object to this planning application.

Further details are provided below.

Protected Sites

We have concerns that harm from the proposed development on the Carmarthen Bay and Estuaries Special Area of Conservation (SAC), Burry Inlet Special Protection Area (SPA) and the Burry Inlet Ramsar site cannot be ruled out.

There is a potential hydrological link to the Lliw Main River, which eventually makes its way down to the Carmarthen Bay and Estuaries SAC, the Burry Inlet SPA and the Burry Inlet Ramsar site. We advise that a detailed Construction Environmental Management Plan (CEMP), set out below should be attached to any planning permission for this development.

Provided the development is carried out in accordance with this condition, we do not consider that it will adversely affect the integrity of the SAC, SPA and the Ramsar sites. We would ask that any CEMP produced makes reference to the relevant guidelines for pollution prevention, as appropriate, in particular GPP5 Works and Maintenance in or Near Water GPP 5: Works and maintenance in or near water.

European Protected Species

We note the applicant has submitted a stage 2 ecology report titled, Pobl Group Ltd, Land at Clodir Road, Pontlliw, Stage 2 Ecology Report, dated November 2023.

Bats

We note the conclusions and recommendations in section 4.0 of the above report and would advise that you consult your own ecologist on the proposal to ensure that biodiversity matters are appropriately considered.

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Dormouse

We note the above report found no evidence of Dormice over the course of the nest tube checks (between May and November 2023), therefore we would have no further comments.

Land Contamination

We have reviewed the submitted Geo-Environmental and Geotechnical Desk Study (Earth Science Partnership Ltd, September 2021) and agree with the conclusions.

We consider that the controlled waters at this site are not of the highest environmental sensitivity, therefore we will not be providing detailed site-specific advice or comments with regards to land contamination issues for this site.

These comments are based on our assumption that gross contamination is not present at this location. If, during development, gross contamination is found to be present at the site the Local Planning Authority may wish to re-consult Natural Resources Wales.

Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

Local Authority Landscaping Officer:

The Landscape Team have reviewed the submitted documentation and associated landscape proposals. We are happy with the information provided and recommend approval of the landscape design for this application

Local Authority Pollution Control Officer:

No objection subject to informatives in respect of construction noise, smoke/burning of materials and dust control.

Dwr Cymru Welsh Water:

In respect of the planning application, we can confirm that Dwr Cymru Welsh Water have been previously informed of the proposed development and consulted, as a 'Specialist Consultee', in accordance with Schedule 1C Article 2D of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

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We note that our consultation response (Ref: PPA0007877) has been acknowledged and included at Appendix G of the accompanying Pre-Application Consultation (PAC) Report, prepared by Asbri Planning.

Our response highlights that foul flows can be accommodated at a specified connection point in the public sewerage network, subject to delivery of compensatory surface water removal scheme in accordance with the requirements of the Burry Inlet Memorandum of Understanding (MoU). As part of this application, we acknowledge receipt of the same 'Drainage Strategy Note – Memorandum of Understanding' which indicates proposals to remove an area of 484 sqm surface water runoff from the combined system in Clordir Road and into a highway drain and consider this acceptable in principle.

In addition, our response advised that the application site is crossed by a trunk watermain, which has a protection zone measured 6 metres either side of the centreline, and highlighted concerns with an area overlapping into the proposed development. As part of this application, we acknowledge receipt of an amended 'Proposed Site Masterplan' (Rev. B) which indicates that the private amenity space has been repositioned outside of the protection zone of the trunk watermain. Nonetheless, it is still recommended that the developer contact our Plan and Protect team (PlanandProtect@dwrwymru.com) to carry out a survey to verify the location of this asset and establish its relationship to the proposed development.

Accordingly, if you are minded to grant planning consent for the above development, we would request that the following Conditions and Advisory Notes are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets:

Conditions

No buildings on the application site shall be brought into beneficial use until such time as the surface water removal strategy delivering sufficient compensation for the foul flows from the proposed development site, in accordance with the 'Engineering Site Plan - MoU Requirements', has been completed and written confirmation of this has been issued to the Local Planning Authority.

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

Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at manhole reference number SN61012201 as indicated on the extract of the Sewerage Network Plan attached to this decision notice.

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

Advisory Notes

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010.

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The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems – designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the City & County of Swansea Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

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 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 accordance with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

The proposed development is crossed by a trunk/distribution watermain. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.

Local Highway Authority:

Response received on 25/04/24:

This response has been submitted in relation to a full application for construction of up to 31 affordable residential dwellings on Land east of Clordir Road, Pontlliw. The development site currently exists as greenfield land and lies outside of the development boundary of Swansea's Local Development Plan (LDP) proposals map.

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The application information submitted includes a suite of proposed layout drawings, a Design and Access Statement (DAS), Planning Statement, a Transport Statement (TS) and a Proposed Refuse Collection Plan. The application documents have been reviewed against Highways advice provided at the Pre-Application consultation (PAC) stage. A PAC report, detailing the comments provided and the Applicant's response to these is included as part of the submission. A consultation response has been previously provided which considered the advice given in the PAC response and whether the updated submitted information does resolve the issues that were raised.

This consultation response has been updated following the submission of further information by the applicant in response to the Highway Authority comments, this is encompassed in a transport Technical Note. Where an issue has been resolved through provision of appropriate information or redesign, this has been confirmed. Where issues have not been addressed, suitable instructions have been added.

Existing Situation

The proposed site is located in Pontlliw, on land to the east of Clordir Road. Clordir Road connects to the A48 approximately 250 metres to the west of the proposed development site access junction. As acknowledged in the TS, following the nationwide speed limit reductions to 20mph for built up areas in September 2023, Clordir Road is now subject to a 20mph speed limit. Clordir Road primarily serves residential properties, as well as providing access to Pontlliw Primary School. Parking restrictions in the form of Traffic Regulation Orders (TRO) are located on the northern side of Clordir Road, in the vicinity of the primary school.

Footways in the vicinity of the development site are limited to the western side of Clordir Road. Footways are present on both sides of Clordir Road to the west of the southwest corner of the proposed development parcel. Pedestrian crossing provision is present on all four arms of the A48 Bryntirion Road/ Clordir Road / A48 Swansea Road / Carmel Road signal-controlled junction located approximately 200m west from the southern boundary of the application site.

Section 3.7 of the TS sets out the results of junction turning count surveys undertaken at the A48 Bryntirion Road/ Clordir Road / A48 Swansea Road / Carmel Road signal-controlled crossroads during both 2019 (pre-COVID) and 2023 (post-COVID). The results indicate an increase in total junction traffic of 4% and 2% during the respective AM and PM peaks, between the 2019 and 2023 surveys.

Access to the Development

A new formalised vehicular access is proposed via the creation of a priority T-Junction, with Clordir Road. Appendix D of the TS presents visibility splays, measured at 2.4 metres by 25 metres, at the proposed access location, in accordance with the posted 20mph speed limit. The extent of splays presented at this location are considered to be acceptable to the Highway Authority. However, a concern was raised that in the cross over between existing and proposed hedge rows, there is a requirement to ensure splays can be provided and maintained. The splays beyond the assumed replacement set back hedging suggest that these can pass over verge.

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The hedge and verge in this location are not that different in their position on the highway. It was requested that to ensure splays can be provided and managed, any hedges in the splay envelope are required to be set back, this will affect some additional metres of hedge at each splay extent.

In addition to the splay consideration, the Highway Authority confirmed it would wish to see more measures to ensure that the any pedestrians using the proposed footpath and wishing to cross can do so without being masked by a hedge from northbound drivers who are negotiating a bend prior to the site access.

Outcome: the applicant has made further representations on the provision of visibility splays and has provided a plan which shows a one metre set back from the splays to allow for hedge growth. In addition to this pedestrian crossing signage has been proposed to advise drivers of pedestrians crossing ahead.

The extent of 1 metre set back, as set out, would be a more appropriate final mature hedge line alignment, this would ensure that splays would not be impeded by vegetation growth and that vehicles and pedestrians can see and be seen when egressing the site. As presented, there is not sufficient confidence that it is a safe junction arrangement, depending entirely on frequent attentive maintenance. This arrangement should be adjusted and all the hedge line impacting the splay set back. It would be appropriate to address this at the planning stage and prior to further scrutiny at the detailed design stage for technical approval to work on the highway.

Pedestrian and cyclist access will be taken from the same location as the vehicular access, with a 2.0 metre and 3.0 metre footway provided on the north and south sides of the access carriageway respectively. There would appear to be little to no existing footway provision available to the north of the proposed access junction, , it is acknowledged that the primary pedestrian desire lines are likely to be orientated towards the southwest of the site, where the majority of nearby facilities are situated.

The proposed mix of footway and footpath are beneficial, functional and pleasing. What may be more useful is the addition of footway around the access bellmouth. There does appear to be sufficient area created for this with the replacement hedge line position. Whilst this may be more of a traditional approach, it does allow for safer, more viewable crossing points (uncontrolled) and a continuous footway connection, whilst still connecting with footpaths. The location of the proposed site is such that it could offer a short direct walking route to the local primary school, a safe crossing point location (still uncontrolled) is deemed necessary to realise this full potential.

Outcome: the applicant does not intend to provide pedestrian facilities around the bellmouth. In this case there is likely to be further design change needed to prevent inappropriate access to this location, such as low lying vegetation between the footway and the hedge.

The local route has been considered in detail, in the context of the local bend, the current parking regime and the proposed access location. The parking restriction TROs may be required to extend from the bend, as shown in the submission, across the proposed access location sufficiently to allow all vehicle types required day to day to attend the site.

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Outcome: the applicant view is that further TROs are not required, it is stated that the Road Safety Audit simply requested implementation of parking restrictions. There is a referral to Figure 1 of the Technical Note for a revised plan of this arrangement, although no TROs are shown on this drawing.

The Highway Authority review concludes differently on the basis of it's own views that without parking restrictions the junction will not operate as intended or assessed. In addition to this it is also based on the findings of the RSA report which sets out:

“Problem 3.1 LOCATION: At proposed site access.

SUMMARY: Left turning vehicles exiting may conflict with vehicles rounding bend to SW. On-street parking on Clordir Road forces eastbound vehicles rounding the bend on the approach to the access to be in the middle of the carriageway as they approach the access. Visibility for a vehicle exiting the access is limited by the bend SW of the access. This could result in an eastbound vehicle rounding the bend being forced to brake sharply should a vehicle have exited the development access and turned left. Whilst the RSA Team recognise that there is a similar existing risk between opposing traffic on Clordir Road, they consider that additional turning movements through this junction and into the bend could increase the incidence and likelihood of such possible conflicts occurring.

RECOMMENDATION Prohibit parking further on Clordir Road to ensure that on-street (or pavement) parking does not restrict available carriageway width. Or, locate the access junction further south around the apex of the bend in Clordir Road where visibility from the access junction would offer greater visibility of oncoming traffic in both directions.”

“Problem 3.2 LOCATION: Western side of Clordir Road around pedestrian crossing point.

SUMMARY: Parking on street will obstruct pedestrian visibility. During the site visit parking was observed on street along Clordir Road in the area of the proposed pedestrian crossing point. Proposed parking restrictions end approximately 15m south of the crossing. Vehicles are likely to continue to park around the crossing. Parked vehicles will obscure visibility to / from pedestrians crossing west to east. This could result in pedestrians entering the carriageway into the path of traffic resulting in vehicle to pedestrian conflicts.

RECOMMENDATION Prohibit parking on street within the pedestrian visibility splays around the crossing.”

It is considered clear that the RSA advises of specific issues relating to the pedestrian crossing and access, and the impact of inappropriate parking, which currently take place. The location of the issues is also shown clearly beyond the extent of the proposed TROs which end before the crossing and do not include the pedestrian visibility splays around the crossing.

The RSA Designer's response confirms that the Auditor's recommendation will be complied with in full. The Overseeing Authority response would be that to achieved this, a more comprehensive scheme of TROs to cover the pedestrian and vehicular access.

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Highways comments during the PAC process requested the Applicant to provide additional drawings to demonstrate internal site visibility; these have been provided at Appendix E of the TS. The drawings show forward visibility through the bend abutting plots 6 and 7. The information submitted is considered to be acceptable and satisfies the requirements of the Highway Authority. Forward visibility should also be considered around the bend into the private drive near Plot 19.

Outcome: the applicant has provided a visibility splay from the driveway of Plot 19 to a vehicle shown travelling around a bend. The plan shows that some 14.6 metres (text confirms 14.5 metres) would be achievable. The splay extent suggest that it could be suitable for low speeds, the set back has not been confirmed.”

It is likely that this issue has now been resolved through provision of further information.

Internal junction visibility has also been set out for the internal junction between Plots 10 and 11. The junction has been noticeably designed to allow for splays, this is accepted. The splay looking left on exit, into the private drive area passes over garden frontage. This would typically not be acceptable. However, in the case on this layout it is considered that the splay would be logically taken into the drive without detriment or issue.

There has not been a splay provided for the access to parking court to the rear of Plots 24 to 31, although it is noted that the access is splayed and therefore unlikely to be a concern, if parking could be prevented in that area.

The inter visibility between the narrow footway margin and parking for Plot 23 should be considered. The layout of splayed boundaries at parking for Plots 10 and 11 are good examples of acceptable solutions.

Outcome: the applicant has advised that they do not consider that this area would be an issue for conflict. There is residual concern, particularly when reviewing the masterplan which appears to contain to green boxes at that location marked 'ASHP'. The dimensions are not known or referenced, it could be that these further detriment driver view when egressing the space or when driving into this area.

The typical local requirement for residential development layouts is to consider servicing and home deliveries. This includes an assessment of a box luton type home delivery vehicle passing a large private car travelling in the opposite direction throughout the layout. In the case of cul de sacs or private drives, those which are overly long should contain turning heads which are capable of accommodating these home delivery vehicles.

Outcome: is does not appear that these swept paths has been provided. This is a typical requirement both pre and post consent.

In terms of servicing access, refuse collections are proposed to take place within the development site, with bin storage areas provided adjacent to each property, as indicated on the Proposed Site Masterplan, included within Appendix B of the TS.

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There would appear to be a discrepancy between the swept path analysis (SPA) provided within Appendix F of the TS and paragraph 4.2.10 of the TS, which states that an 11.2 metre refuse vehicle has been assessed. Appendix F shows SPA of a 10.2 metre refuse vehicle movements at the proposed site access. Highways comments at the PAC stage raised concerns about refuse access to the internal parking courts, specifically one provided to the rear of Plots 28-31. The Applicant's response provided in the PAC report suggests there is no requirement for refuse vehicles to enter the parking court, however a reverse manoeuvre into the court has been shown as part of the SPA information provided. This appears to be something that could potentially work, subject to final layout and resident and refuse handler deposit and collection points.

Outcome: the swept path analyses have been updated and include a robust 11.2 metre vehicle. It is assumed that the broken line border around the manoeuvres, represents a factor of safety, which is typically required as part of the detailed design process. If interpreted correctly, this width will be required to be confirmed as the information does not appear to be available. This broken line does pass over footways at the access and internal layout.

The Proposed Refuse Collection Plan demonstrates that bin collection points associated with the properties located within the court are within the maximum acceptable walking distances for both residents and refuse handlers. It was set out that the SPA undertaken for the parking court to the rear of Plots 28-31 should also be considered in the context of the distance to the refuse collection points located in the private drive cul-de-sac located at the northern extent of the site. This should also include swept path assessment for a refuse attendance and turning between Plots 10 and 12 to serve that private drive.

Outcome: the applicant has provided additional information which sets out general distances for walking for refuse handlers and residents. This appears to be achievable and kept within maximum recommended distances. This issue has been appropriately addressed.

SPA has also been conducted for an 'estate car' demonstrating access to 'end spaces' within the site layout. The SPA would appear to show the parking spaces within the area to the south of the turning head. As per previous Highways advice provided at the PAC stage, the drawing should confirm the dimensions of the vehicle used for assessment. During the PAC process, concerns were raised by Highways in relation to the presence of a small area of SUDS located adjacent to the parking area for Plot 10. This includes the turn into and out of the space and that located next to it. The response provided by the Applicant in the PAC report is not considered sufficient satisfy these concerns. In order to ensure there would be no conflicts between vehicles entering / exiting these spaces and the adjacent SUDS area, the SPA movements for an estate car should be updated to demonstrate this manoeuvre.

Outcome: the requested swept path for this parking access has been provided. It confirms that it is particularly restrictive for use. The build out areas will need to be adjusted in order to ensure that it does not become a safety issue or a maintenance issue, noting intension for this section to be adopted.

It should be noted that there is an area of concern as the 'standard' carriageway transitions into a private outside Plot 10. The alignment of carriageway shown is not appropriate and will need further design consideration.

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Outcome: whilst this has not been referenced in the Technical Note, it is noted that the revised engineering site plans does provide further detail on the transition and pedestrian crossing provision. This issue has been sufficiently addressed in advance of any detailed design.

Parking

Car parking is proposed to be provided in accordance with the requirements set out in Swansea's Adopted Parking Standards Supplementary Planning Guidance (SPG). Table 4.1 of the TS is intended to set out a comparison of the proposed provision vs the SPG parking requirements. The TS sets out that the proposed development will provide a total of 48 car parking spaces against a maximum SPG requirement of 70 spaces. There is noted to be a slight discrepancy between Table 4.1 and paragraph 4.3.4 of the TS, which sets out there will be a total of 51 spaces. The Proposed Site Masterplan also includes for 51 spaces.

Outcome: this has been clarified and the total parking provision proposed is 51 spaces.

The TS includes an assessment of the existing sustainable criteria of the site in relation to the provision of car parking. This appears to be carried out generally in accordance with the guidance in the parking SPG and the allowance for internal site travel is welcomed and appreciated. However, there is concern into award areas, the first where the bus stop distance does not comply to 400 metres (reported 430 metres) and this will affect the score. In addition to this, the bus service frequency is required to operate consistently between 0700 and 1900 at set frequencies 5 mins, 20 mins and 30 mins (not as set out in the TS). The TS provides a summary of services as generally 30 minutes, the review carried out confirms this is actually hourly in each direction, therefore awarding of points in that category is unlikely to be justified. The applicant may wish to review the information presented and set this out more clearly, particularly on the walking distance to local facilities and how the map or plan is shown. As a result, a reduction in parking spaces of one per dwelling, for all dwellings of two bedrooms or greater, amounting to a reduction of 22 spaces may not be in compliance with parking standards, at least at this stage of review with the information submitted.

Outcome: the applicant has revisited the sustainability assessment and confirms that site does not achieve the score required to comply with discounted parking requirements. The applicant sets out that the site will be 100% affordable or social rental in its composition and suggests lower car ownership in this demographic. The applicant also draws reference to the notes in the parking standard which suggests a more flexible approach may be taken where clear evidence has been provided for low car ownership. The acceptable evidence sets out contractual limitations with tenants on car ownership levels.

The applicant has not provided additional evidence as suggested. There is also a concern that the site is considered sustainable enough to benefit from a discount in parking provision. If the applicant is willing to restrict car ownership levels and provide evidence of this, at this stage or as a matter to be dealt with by planning condition, this may be accepted.

It is acknowledged, following Highways comments at the PAC stage, that parking spaces are now provided in accordance with the SPG, with dimensions indicated to be 2.6 x 5.0 metres. It should be noted that the site masterplan extract shown on page 51 of the DAS references parking dimensions as 2.5 x 5.0 metres and will therefore need to be updated in line with the Proposed Site Masterplan shown within Appendix B of the TS.

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Outcome: no representation made.

The emerging internal advice is that schemes such as this should include provision for electric vehicle charging at a rate of 10% within the communal parking areas such as the parking courts for apartments.

Outcome: no representation made.

Section 106 contributions:

As set out in the PAC response, section 106 contributions have been identified to implement road safety measures which are appropriate and directly related to the development. These have been reviewed and any which have been superseded with the changes in the national speed limit for street settings to 20mph have been removed. This includes but is not restricted to:

- Review of traffic regulation orders between the proposed site and the A48, which includes outside Pontlliw Primary School.
- Carmel Road - Minor road safety measures (road markings/signs).

The pre-application response set out that the above would be required, at the then forecast costs of £5,000 and £1,000. It is assumed that these have been acknowledged and included within any S106 preparations.

Conclusion:

This response has been submitted in relation to a full application for construction of up to 31 affordable residential dwellings on Land east of Clordir Road, Pontlliw. A new vehicular access is proposed via the creation of a priority T-Junction, formed with Clordir Road.

The principle of residential development is potentially considered appropriate, and it is considered unlikely that there would be a material traffic impact on the local highway network. In order for the Highway Authority to adequately determine that the proposals are designed safely and with appropriate functionality of the internal layout, as set out before, the concerns raised as part of this response will need to be sufficiently addressed by the applicant.

The review of updated information does show positive movements on some issues. There are also some issues which remain a concern. The conclusion following the additional audit findings are that the Highway Authority still objects to the proposals, in their current form.

Should it be requirement that this application is determined, it would be recommended that it is refused on the grounds of highway safety.

Final response provided on 03/05/2024:

I've reviewed the provided swept paths which are acceptable.

With regards to parking levels, it is difficult to draw comparison with other recent sites which have much more regular bus services and are located more centrally.

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I do accept that as a rural exception site there are much more stringent controls in place regarding ownership and tenancy. As the site will remain under the applicant's control, if they are content to accept a conditioned parking management plan for our review I'm content that the Highway Authority is able to recommend approval.

Strategic Planning and Placemaking

Response received on 07.12.2023

Development Principle – Policies and Analysis

LDP Strategic Policy PS 1 sets out the LDP's approach to sustainable development. In order to deliver sustainable places and strategically manage the spatial growth of the County, the delivery of new homes, jobs, infrastructure and community facilities must comply with the Plan's sustainable settlement strategy. This requires development to be directed to the most sustainable locations within the defined settlement boundaries of the urban area and Key Villages; and inappropriate development in the countryside is to be resisted. The settlement boundaries of the urban area are shown on the LDP Proposals Map and have been carefully assessed to follow logical physical features wherever possible. It is significant therefore that the site is located outside, adjoining the urban area boundary designated in the LDP. Given this the proposal must be considered as development in the Countryside. LDP Policy CV 2 is a key LDP policy in this regard. It sets out that there is a presumption against development in the countryside, with certain specific exceptions. One such exception is development for affordable housing to meet local need at appropriate, sustainable locations within or adjoining settlements.

Pontlliw is defined as a Key Village in the LDP under Policy CV 1. It is categorised as such to reflect it has relatively good accessibility by non-car modes of transport and given the level of access to community facilities. The LDP considers Key Villages to be suitable and sustainable locations for accommodating small scale development, such as new homes.

The LDP seeks to deliver a minimum 3,310 affordable homes over the Plan period through a variety of measures (Policy H2). One such measure is through 100% affordable housing rural exceptions sites (Policy H6). This aligns with national planning policy contained in PPW which states that affordable housing schemes in the open countryside may be permissible in exceptional circumstances, where it can best be accommodated in terms of infrastructure, access, habitat and landscape conservation. Furthermore, Future Wales Policy 7 highlights that LPAs should explore all opportunities to increase the supply of affordable housing.

LDP Policy H 6 provides a clear framework for determining 100% affordable housing exception sites adjoining settlements. Each of the following criteria need to be assessed to help determine whether the proposal is acceptable:

- I. Does the site represent a logical extension to the existing settlement and of a scale appropriate to and in keeping with the character of the settlement;
- II. Is the site in a sustainable location having reasonable access to at least a basic range of services;

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- III. Is the scheme of a size, scale and design compatible with affordable dwelling standards and available to low or moderate income groups;
- IV. Would there be binding agreements in place to ensure that the initial affordability benefits will be retained in perpetuity for all successive occupiers who meet the Council's occupancy criteria;
- V. Has it been demonstrated that there are no satisfactory alternative arrangements to meet the need within the locality; and
- VI. Would there be an unacceptable loss of land of important recreational, amenity or natural heritage value.

In order to help assess the 'in-principle' acceptability of development at this site I would make the following comments under the headings set by the criteria in Policy H6 criteria:

- I. Does the site represent a logical extension to the existing settlement and of a scale appropriate to and in keeping with the character of the settlement;

There is currently no development on the eastern side of Clordir Road where it abuts the site, and the proposal would certainly extend beyond the existing extent of built form at the eastern side of the settlement. Close to the South-West corner of the site however, there is development fronting both sides of the street by virtue of the bungalow near the entrance to Heol Y Parc, which extends along the rest of Clordir Road to the main A48 route through the village. Development of the site would therefore serve to continue the arrangement of properties being on both sides of the street further along Clordir Road to the east, beyond the Heol Y Parc cul de sac. It is also noted that the proposed layout would provide a rounded edge at its South-East corner, rather than a harder edge up to the field parcel corner. Such a scenario, having regard to the specific nature of the scheme proposed, could offer scope to extend the settlement in an appropriate, logical manner and provide a visual continuation of development that is in keeping with the character of the settlement. Further detailed comments on placemaking matters are provided in the relevant section of this response. These comments highlight that the proposed approach appears to retain and incorporate the established boundary vegetation, incorporate a density that respects/reflects the semi-rural location, and present an outward facing development. This approach would potentially reduce the impact of new housing development and could create a transition from urban to rural at the boundary edge. There is, therefore, an opportunity to arrive at a scheme that is in-keeping with the character of the area.

- II. Is the site in a sustainable location having reasonable access to at least a basic range of services;

Pontlliw is designated a 'key village' in the LDP. Such key villages are highlighted in the LDP as being suitable for accommodating appropriate small-scale development, including new housing, and have been selected following an assessment of their size, facilities, structure and accessibility. The walking distances to facilities and services, following streets and adopted footpaths and hereby representing the true distances, are shown below:

- Pontlliw Primary School – 189m
- Park – 240m

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- Post Office and village stores – 321m
- Village community hall – 321m
- Chapel – 447m
- Bus stop – 458m
- Pub and restaurant – 880m
- Restaurant – 1,093m
- Doctor's surgery – 4,163m

Having regard to the above, it is considered to be in a relatively sustainable location in terms of having reasonable access to at least a basic range of services and facilities.

- III. Is the scheme of a size, scale and design compatible with affordable dwelling standards and available to low or moderate income groups;

The views of the Council's Housing Enabling Officer should be taken into account for this criteria regarding the level and type of local housing need. All homes should be built to WDQR standards.

- IV. Would there be binding agreements in place to ensure that the initial affordability benefits will be retained in perpetuity for all successive occupiers who meet the Council's occupancy criteria;

The applicant states that the proposal is for an established RSL, and 100% social rented tenure is proposed. It is vital that this criteria is secured. As set out in PPW, the affordable housing provided on exception sites should meet the needs of local people in perpetuity and conform to DQR standards.

- V. Has it been demonstrated that there are no satisfactory alternative arrangements to meet the need within the locality

The views of the Council's Housing Enabling Officer will be important in determining what the overall need for affordable homes is within the area, to inform not only the specific house types to be provided but also whether the proposed numbers of homes are in fact necessary to meet a need that cannot be satisfactorily met by other provision within the locality. It is important to note that there are two LDP non-strategic housing allocations within Pontlliw: H1.23 Land at Carmel Road and Bryntirion Road, Pontlliw (planning application for 100 units being considered) and H1.24 Land at the Poplars, Pontlliw (planning application for 12 units awaiting final decision); and also two sites (of 10+ units) with planning consent: Land to the side of 28 Christopher Rise, Pontlliw (11 units) and Former Walter's Yard, Pontlliw (67 units). These are Open Market housing led sites which will not deliver significant numbers of affordable housing and the current proposals, if found to be acceptable, would contribute towards the affordable housing need identified in this SHPZ.

- VI. Would there be an unacceptable loss of land of important recreational, amenity or natural heritage value.

Recreational and Amenity value - The site has no formal recreational designation in terms of FIT or ANG's provision. It will need to be demonstrated by the applicant that the site is not valuable agricultural land, in line with PPW. Natural Heritage Value:

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The LDP constraints map shows that the site is bordered to the north and south by a designated SINC (Middle Lliw) and an area of Ancient Woodland lies to the north. Whilst it is appreciated that the site itself does not fall within these designations, consideration of the principles of good placemaking and green infrastructure necessitate detailed consideration of how development of the site would maintain and enhance connectivity to the SINC habitats and species. The Afon Lliw river to the South-East and a stream to the north of the site will also provide an important green/blue network to the wider surrounding countryside. Clearly the site lies within a larger area of open countryside and the impact of the development on the wider network of ecosystems and other elements of green infrastructure should be taken into account. The concept plan includes a green spine through the centre of the development and notes the retention/proposed hedges and trees along the boundary edge. The proposal adopts a strong green infrastructure strategy (see placemaking comments) with green corridors and areas of open space and retains existing trees and hedgerows to provide screening to minimise impact of the development.

Placemaking – Policies and Analysis

The Development Plan places significant emphasis on the importance of placemaking, and defines key principles in this regard for all proposals to seek to incorporate:

Future Wales Policy 2 sets out that:

- development should adhere to key placemaking principles in order that it positively contributes towards building sustainable places that support well-being objectives, and
- opportunities should be taken to ensure that multifunctional GI is fully integrated into development schemes wherever possible.

Swansea LDP Policies PS 2 and ER 2 highlight that:

- all proposals should adhere to key placemaking principles and development criteria, to ensure that proposals make a positive contribution to the experience and enjoyment of places
- development should enhance the quality of places and spaces, and respond positively to aspects of local context and character
- the design, layout and orientation of proposed buildings, and the spaces between them, should provide for an attractive, legible, healthy, accessible and safe environment, and must not cause unacceptable impacts on people's amenity, and that
- development must take opportunities to maintain and enhance the County's GI network, having regard to the extent, quality and connectivity of the GI resource.

In addition to the relevant development plan policies, the following SPG provide important guidance on how key placemaking objectives and policy requirements that are set out in the development plan and national policy should be integrated into proposals:

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- Placemaking Guidance for Residential Development SPG
- Trees, Hedgerows and Woodland SPG

Having regard to the Placemaking principles, policy and guidance set out above, a detailed placemaking assessment was undertaken by the Placemaking and Heritage Team on the proposed scheme, which has evolved during discussions between the applicant and LPA.

The following summarises the comments of the placemaking and heritage officer: -

Neighbourhoods

- The layout of site has been conceived to support the walkable neighbourhood requirement via the orientation of new buildings to promote good active frontage and natural surveillance. There is a general presumption that future occupants could walk/cycle for local trips and the site is considered to largely align with the objective for the creation of sustainable and cohesive communities.
- It is not clear however why the existing footway on the eastern side of Clordir Road, off Heol Y Parc cannot be extended into the site?

Density and Mixed uses

- The proposal is considered to provide a density which is appropriate to the semi-rural setting set out in a broadly loose arrangement respecting the context. The single storey bungalow development to the SW corner of the site also responds to the immediate context.

Blue / Green Infrastructure

- The GI Strategy demonstrates the design and layout adopts a strong placemaking / GI led approach incorporating multifunctional spaces. The retention of existing periphery hedgerow is welcomed.
- It sets out opportunities for a strong N-S GI corridor to the eastern boundary of the site through the retention and enhancement of the existing boundary vegetation, linking the SINC's adjoining the site to both the north and south. The eastern site boundary will be strengthened by planting of native trees and understorey planting. Additionally, the GI Plan shows a W-E connectivity corridor.
- Advice should be sought from Ecology colleagues on the extent to which the proposal achieves enhancements which secure a net benefit for biodiversity and ecosystem resilience.
- The western, street frontage, boundary is largely retained, and enhanced where required. Where the existing hedgerow will be removed to accommodate the new access and achieve visibility splays, a new low-lying hedgerow will be planted either side of the vehicular access.

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- Within the site, the masterplan shows an element of new planting in the form of street trees/build outs, this is welcomed to provide street greening and visual interest. It is unlikely that further street trees can be provided above what is annotated due to the curve of the road and visibility/swept path, but any additional trees would be welcomed.
- Green areas to the periphery of the site are also illustrated as spaces to provide SuDS and potential areas for play. A linear wildflower meadow is proposed to the northern periphery. These new features, along with the retention of the boundary vegetation, will provide good GI/biodiversity enhancements.
- Rain gardens are annotated throughout the site, and two attenuation basins are shown, one to the NE corner and one, accommodating a natural play trail, to the south of the site. It will be important that the SuDS strategy identifies suitable disposal methods and opportunities, in terms of the required size of attenuation and discharge points to ensure there are no conflicts between the use/size of the green spaces/POS. The Council's Drainage Officer will provide detailed comments on drainage in accordance with SuDs legislation and guidance.
- A comprehensive LVIA is provided and this should be reviewed by the Landscape Team.

Making Connections

- The layout facilitates good connectivity to the existing settlement, with new and existing routes well overlooked supporting active travel options. The site's outward facing orientation and connectivity with the existing community underpins social cohesivity.
- The new streets are well overlooked to ensure community safety. There is a clear street hierarchy. A quality audit as advocated in Manual for Streets should be provided to ensure that the people focussed streets can be safe and adoptable.
- All pedestrian routes through the site should consider the need to enable access for all levels of ability through the appropriate inclusion of areas for resting and shading. The pedestrian links benefit from good levels of natural surveillance and include new planting. Additional seating should be provided along the play trail. Seating should be accessible with clear fronts and backs, armrests and include associated areas of hardstanding for wheelchairs/pushchairs. Picnic benches can be provided in suitable spaces.
- There is a PRow approx. 200m to the north of the site with access off Clordir Road/Bryn Fach Road, although there is no designated footway along this lane. Have connections into this been explored?

Public Spaces

- In accordance with FIT standards, a development of this size should provide its own play facilities.

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- The GI Strategy shows a 'kick about' area at the site entrance and a 'nature play trail' running around the south-eastern arc of the site which is welcomed to serve existing and new residents.
- The inclusion of a play trail is welcome, and this should include organic play equipment such as timber activity equipment such as stepping-stones, A-frame climber etc, as well as the bug hotels as annotated on the GI Strategy.
- Areas for rest including accessible benches should be provided throughout the site. The location of seating should also consider areas of shade.

Streets as Places

- In accordance with PPW, the LDP, and the adopted Residential Design Guide, the layout is based on a low speed neighbourhood of a connected hierarchy of streets to ensure legibility and permeability in support of walking, cycling and community cohesion. The function of streets is reflected in the width, frontage treatments and parking arrangements. Overall, the design of streets offers a balance between place / movement functions and the streets are designed to accommodate low speed traffic whilst supporting social life of the new neighbourhood.
- The layout aligns with the place-led approach and includes gentle meandering alignments and shared streets/private drives, with street greening in the form of street trees. Whilst the northern element terminates in two turning heads, the path continues for pedestrians to form a loop with the wild flower meadow that is overlooked by plots 15 & 16.
- Full consideration needs to be given (in collaboration with the Council's Highways Dept) to the need for any enhancements/amendments to Clordir Road approaching and abutting the site in order to ensure that proposals deliver appropriate improvements to ensure any development will allow for the safe and efficient movement of people and vehicles.

Accessible Places

- The development and public realm must be inherently inclusive, with open space, parkland and play areas accessible to all ages and abilities. The layout presents a generally legible layout, the streets and open spaces will be adopted, and the development will be open for all members of the public. As highlighted above, seating is necessary to provide rest points, particularly those with mobility or visual impairments and older people. Extra seating should be considered where people congregate as well as along the nature trail in suitable locations taking into consideration shading.

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Townscape / Quality, Character & Identity

- The masterplan shows well considered place-led house types orientated to engage with the public realm including corner turning houses. The overall layout takes a broadly loose arrangement and degree of informality, is outward facing and positively responds to the existing built and natural features around the site. Buildings front outwards towards Clordir Road to the west, towards the open countryside to the east and south, and onto the internal streets through the site to actively engage with the streetscene. This place-led approach is welcomed.
- The development is predominately 2 storeys in height, with some single storey buildings to the south of the site to respect the existing development adjoining the site at Heol Y Parc.
- The perspective views that have been provided are useful to envisage not only the character but also the transition of scale and groupings of dwellings at the site.
- Whilst the streetscenes will be mixed in terms of groupings of house types, overall, the proposal is viewed as coherent through a consistent 'rural' character making explicit reference to the semi-rural location. The inclusion of the barn style houses at the site entrance provides distinctiveness and effectively 'sets the scene' for the new development.
- The materials/ character strategy presents a clear nod to the rural nature of the site detailing simple, recognisable domestic scale dwellings with a simple material palette comprising larch cladding, light coloured render and stone slips. This approach takes positive design cues from the local context and references good examples of 'rural Welsh' character. The use of this material palette to groupings of house types in the streetscene provides a complimentary rhythm yet visual interest. This is supplemented by the use of traditional pitch roofs, chimneys, front gable features and porches. The apartments have been designed to appear as small terraces in the wider streetscene, which is supported.
- Cumulatively the development responds to its context whilst creating its own, unique rural/village identity and sense of place that is commended.
- There is generally a strong engagement with the public realm including good levels of natural surveillance of public areas.
- A point to note is the blank side elevation to the central apartment block (4 x 1 beds). The western (side) elevation comprises no windows. This is not acceptable. The same issue relates to the westerly block of apartments with the west elevation blank and hereby presenting no active frontage to the perimeter path.
- Cycle / Recycling / bin storage should be positively integrated into the design of the new homes.

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Community Safety

- The site offers new legible routes and open spaces / play areas that will be open to the wider community, not just the new residents. This enables the existing and new communities to integrate as one cohesive community, and taken with the fact that the streets, open spaces and play areas are well overlooked by residential frontages, this will ensure good levels of natural surveillance and deter anti-social behaviour.
- Where boundaries are not secured by buildings, these should be of a robust and quality finish.
- Residents parking is predominantly on private side driveways, although there is a courtyard parking area to the rear of plots 28-31. These parking spaces must be adequately overlooked.

Privacy, Amenity and Comfort

- Whilst the starting point for the design and layout of residential development should be the placemaking principles, due consideration must be given to meeting low energy, privacy and amenity standards.
- The design of the homes has been developed in the context of WDQR, all meeting standards.
- Each of the proposed dwellings, apart from the 1 bed apartments, is shown to be served by private amenity space in the form of a rear garden, although the exact sizes are unclear. There appear to be some smaller gardens, but these are balanced by a number of much larger gardens, hereby offering choice for purchasers and future residents.
- In accordance with the Placemaking Guidance for Residential Development SPG, where upper floor flats do not have direct access to garden space, these should have balconies/Juliette balconies. Ground floor apartments should have direct access to private amenity space. The rural character should not preclude balconies/Juliette's although it is appreciated that this does offer more challenges and ultimately this should be addressed in the Design and Access Statement.
- The case officer should review separation distances against the Placemaking Guidance for Residential Development SPG guidelines to ensure separation distances are achieved. Furthermore, a 12m separation should be achieved between rear elevations and blank side gables to avoid an overbearing effect. Detailed sections will be required.
- Consideration should also be given to the defensible space between ground floor windows of the apartments and distances to adjoining footpaths and car parking spaces. For example, a buffer is likely to be required to the eastern elevation (side) of the central apartment as it appears to abut a footpath.

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- The treatment to the rear of this apartment block also needs further consideration to ensure the relationship between the rear boundary and car parking is acceptable. There needs to be overlooking to the car parking but occupants' privacy must also be taken into consideration.

Accommodating Parking

- The Masterplan establishes a layout which provides active travel linkages with the existing community; however cars are an inevitable part of life. Most car parking across the site is on pre private side driveways, and there is an element of frontage parking (plots 21-22). The apartments located in the centre of the site have associated car parking in a side/rear parking courtyard (plots 23-31). This arrangement can be acceptable on the basis that all parking spaces are well overlooked.
- In addition to the above, the following further detailed placemaking comments also need to be considered:
 - Side garden walls to plots 15 and 16 should be stone clad not white render
 - The projecting porches for the upper floor apartments are very dominant in the streetscene. Can these be reduced in projection? And windows should be added to break up these elements. Also can the apartments have a window at first floor rear onto the shared landing area.
 - There does not appear to be any details of the cycle/ bin store structures.
 - Do any of the houses have PVs proposed on roof slopes – nothing is shown on the elevations or mentioned in the DAS.
 - The gable and porch verges need to be crisp as an architectural feature so the condition needs to specify continuous trims.
 - The conditions will need to include large scale details for:
 - Typical window in opening with reveals, head and cill
 - Porch and entrance door
 - Eaves/ Verge
 - Chimney
 - A scheme of this nature should also have a condition requiring a materials sample panel on site for the approval of external finishes.
 - Plus condition needed to require all meter cupboards on side elevations with none allowed on front elevations.

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Biodiversity Enhancement

Complementary to the need to align with placemaking requirements, developments are required to take opportunities to enhance biodiversity and integrate nature-based solutions to the design process wherever possible, in line with Development Plan policy and having regard to Council adopted SPG on Biodiversity and Development. This reflects the Council's duty under Section 6 of the Environment (Wales) Act 2016 ("the S6 duty").

Future Wales Policy 9 and PPW require that:

- all applications demonstrate the actions that have been taken where possible to maintain and enhance biodiversity and ecosystem resilience, as well as relevant GI assets.
- a clear and proportionate approach is taken to considering biodiversity and securing overall enhancement.

WG have also recently published an updated PPW chapter 6 policy to take immediate effect, which is currently an annex to a Chief Planners Letter (11/10/23) and now incorporated into the recently updated PPW (Edition 12 February 2024).

Other Key Issues

Pontlliw lies within the Welsh Language Sensitive Area defined by Policy HC 3, which states that for windfall sites of 10+ units the Council may subject the developments to a Welsh Language Impact Assessment (WLIA). The Council has undertaken a WLIA for the proposals and the applicant's Planning Statement appears to incorporate the mitigation recommendations into the proposals as follows:

1. The bilingual marketing of properties;
2. The production of a welcome pack for each household which sets out Welsh language provision in the area;
3. Ensuring street names are in Welsh in order to protect and promote the local linguistic character and cultural distinctiveness of Pontlliw
4. Support for Menter Iaith Abertawe, or other Welsh medium community groups, within the village.

In July 2019 the Minister for Housing and Local Government (now Minister for Climate Change) wrote to the Leaders and Chief Executives of all Local Authorities in Wales to highlight that the need for social housing is now so acute, PPW policy on affordable housing provision, and specifically sites for 100% affordable homes, need to be implemented in a flexible way to reflect local circumstances. That letter forms a material consideration in the decision-making process for this submitted scheme.

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Another material consideration is the findings of an Appeal Inspector in November 2019 in relation to a proposed 100% Affordable Housing Exception Site in Loughor (Appeal Decision APP/B6855/A/19/3234408). That decision highlighted that: 'I consider that the proposed site now forms a logical expansion for the provision of affordable housing as an exceptions site. It is enclosed by visually significant hedgerows and would represent a visual continuation of the neighbouring development'. The nature of that site was one that was bounded on only one side by development and would clearly extend the settlement further into the countryside beyond the established edge. This decision forms a material consideration in the decision-making process for this submitted scheme, as it highlights matters that Inspectors expect to see influencing what can be considered logical for settlement extensions to provide 100% exception sites.

The site also lies within a DCWW Foul Water Catchment Area (Gowerton, Swansea) and also borders an area of land categorised under Sand and Gravel Categories 1 and 2 in relation to Policy RP 13: Safeguarding Minerals.

Final Comments

LDP Policy CV 2 Development in the Countryside, and PPW, make clear that there is a presumption against development in the countryside. This policy framework also highlights however that there can be specific exceptions to this principle, and one such exception is development for affordable housing to meet local need at acceptable, sustainable locations adjoining settlements. Future Wales Policy 7 highlights that LPAs should explore all opportunities to increase the supply of affordable housing, and Welsh Government have made clear the role that sites for 100% affordable homes can play in meeting this requirement.

There is clear evidence of an overall need to supply more affordable homes in Swansea, including in the Strategic Housing Policy Zone that the proposal is located within. The views of the Council's Housing Enabling Officer will help inform what the overall need for affordable homes is within the locality, not only in terms of whether the specific house types proposed are appropriate, but also whether the proposed numbers of homes are in fact necessary to meet a need that cannot be satisfactorily met by other provision within the locality.

Compliance with the criteria set out in LDP Policy H6 is key to assessing whether the submitted scheme on this particular site is, 'in principle', appropriate for development of this nature. The appraisal has highlighted that a future application does have the opportunity to accord with these criteria. Of particular note, given the nature of the scheme proposed, it could serve to extend the settlement in an appropriate, logical manner and provide a visual continuation of development that is in keeping with the character of the settlement. Furthermore, the site is considered to be in a relatively sustainable location in terms of having reasonable access to at least a basic range of services and facilities.

Updated comments received on 5.02.2024 - Revised plans/elevations for the central apartment block received removing the ground floor and first floor windows to the eastern side elevation of the central block to protect the amenity of residents of the houses to the east. This also addresses the defensible space concern raised.

No further comment is required from a Placemaking perspective.

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Updated comments received on 23.04.2024 - In light of the shift towards delivering the most energy efficient homes, it is funding requirement for Pobl to incorporate PV on the roofs and Air Source Heat Pumps in the rear gardens. As such these features were incorporated into the development proposals.

The revised masterplan layout shows the inclusion of Air Source Heat Pumps (ASHP) to each of the new homes. The ASHP's are sited in discrete locations to the rear or side of buildings, an approach which is welcomed.

PV panels have now been added to the roofslopes of all new homes. The addition of PV panels is welcomed. These must be inset flush with the roof coverings and not over laid.

The Coal Authority:

The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

Housing Department:

This site falls within the Greater North West Strategic Housing Policy Zone where the most recent Local Housing Market Assessment demonstrates a need for affordable homes. This proposal is for a H6 100% Affordable Housing Exception Site.

The affordable housing must be social rented tenure, built to WDQR standard and transferred to a RSL. The proposed housing types/sizes will meet affordable housing need.

The Housing Service has given strategic support to Pobl HA for this scheme for a Welsh Government grant through the Programme Development Plan for a proposed scheme containing 100% social rented housing.

Fire Service:

No objections subject to advisory notes.

Drainage Section:

We have yet to receive a full SAB application for this site although detailed pre-app comments have been provided under 2023/0011/SPA.

We recommend that a full application is submitted to resolve all design and adoption issues that were highlighted as part of the pre-app response.

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Local Authority Arboriculturist:

Original response on 11/10/2024

No objection.

There are several trees proposed to be planted which in the main suitable for the locations shown. The choice of Quercus ilex is concerning; however, I cannot find the proposed location on the plan. Clarification is required.

Updated response 23/01/202

The trees are suitable for site.

Waste Management:

The refuse and recycling store located behind number 9 on the plans appears to be inaccessible by large collection vehicle which would mean it would be unsuitable to house wheeled bins.

Education:

For the development of 31 dwellings comprising of 5x two bed dwellings, 9x three bed dwellings, 8x four bed dwellings and 9x one bed apartments (one bed apartments not included in the calculations).

Requested Contributions:

Primary: Education requests a FULL developer's contribution of (£75,500.00) plus indexation for the English medium primary school (Pontlliw Primary) due to the lack of places at the school and there is predicted to be insufficient capacity in the school to accommodate this development.

There is no request for developer's contribution for Welsh medium primary education (YGG Bryniago) as it is predicted there will be sufficient capacity in the school to accommodate this development.

Secondary: There is a request for FULL developer's contribution (£92,288.00) plus indexation towards education in the school (Pontarddulais Comprehensive).

There is no request for developer's contribution for Welsh Secondary school (YG Gwyr) as it is predicted there will be sufficient capacity in the school to accommodate this development.

Local Authority Ecologist:

Response received on 2.10.2023

Please re-consult when dormouse surveys are completed in November.

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In the meantime, the provision of either integral bat and swift bricks or external woodstone bat and swift boxes should be provided on all new dwellings.

Response received on 17.11.2023

OUTCOME OF ECOLOGICAL INVESTIGATION

Relevant documents reviewed:

- Preliminary Ecological Appraisal, Soltys Brewster, October 2021;
- Interim Protected Species Note, Soltys Brewster, May 2023; and
- Stage 2 Ecology Report, Soltys Brewster, November 2023.

Protected Sites:

The Middle Lliw Site of Importance for Nature Conservation (SINC) is located adjacent the application site, and the development must therefore comply with Policy ER6.

Policy ER 6: Designated Sites of Ecological Importance of the LDP states the following:

Development that would adversely affect locally designated sites of nature conservation importance should maintain and enhance the nature conservation interest of the site. Where this cannot be achieved development will only be permitted where it can be demonstrated that:

- i. The need for the development outweighs the need to protect the site for nature conservation purposes;
- ii. There is no satisfactory alternative location for the development that avoids nature conservation impacts; and
- iii. Any unacceptable harm is kept to a minimum by effective avoidance measures and mitigation, or where this is not feasible, compensatory measures must be put in place to ensure that there is no overall reduction in the nature conservation value of the area.

In assessing the potential harm the Council will consider:

- The individual and cumulative effects which will include impacts during construction;
- The role of the site in the ecological connectivity network; and
- Whether effective mitigation and/or compensation measures have been provided.

In order to comply with Policy ER 6, a CEMP and Sensitive Lighting Strategy will be required (see sections below).

Trees:

The Council has now adopted a new Trees, Hedgerows and Woodlands SPG, which contains the Swansea Tree Replacement Standard. This should be used to calculate how many trees may need to be planted to replace those proposed for removal:

<https://www.swansea.gov.uk/treespg>

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Habitats/Species:

Informative:

If the works have not been undertaken within 2 years of the survey date (regardless of the date of planning permission being granted), an updated ecological assessment/survey shall be undertaken to ensure that the situation in relation to protected and priority species remains the same and that the proposed mitigation is still appropriate.

Bats:

Please include the following informative:

All UK bat species are protected under Schedule 5 of The Wildlife & Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This legislation implements the EC Habitats & Species Directive in the UK making it an offence to:

- Deliberately take, injure or kill a bat;
- Intentionally or recklessly disturb a bat in its roost;
- Damage or destroy the breeding site or resting place of a bat (even if it is not occupied at the time);
- Intentionally or recklessly obstruct access to a bat roost.
- If evidence of bats is encountered during development, work must cease immediately and the advice of a suitably qualified ecologist or Natural Resources Wales (NRW) sought before continuing with any work (0300 065 3000).

Breeding/nesting birds:

Please include the following informative:

It is an offence under The Wildlife & Countryside Act 1981 (as amended) to intentionally:

- Kill, injure or take any wild bird;
- Take, damage or destroy the nest of any wild bird while that nest is in use or being built; and
- Take or destroy an egg of any wild bird.
- Additionally, bird species listed on Schedule 1 of the Act are also protected from intentional or reckless:
 - Disturbance while it is building a nest or is in, on or near a nest containing eggs or young; and
 - Disturbance to dependent young of such a bird.

No clearance/pruning of trees, shrubs, scrub or buildings shall be undertaken during the bird nesting season (late February-early September). Where this is not possible, a check for active nests by a suitably qualified ecologist will be required prior to clearance. Any active nests will be left in situ until chicks have fledged or the nest is no longer active. If any nests of Schedule 1 species are found, additional measures to avoid disturbance will be required.

Badgers:

Please include the following informative:

Badgers and their setts are protected under The Protection of Badgers Act 1992. It is an offence to:

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- Kill, injure or take a badger;
- Damage, destroy or obstruct access to a badger sett; and
- Disturb a badger when it is occupying a sett.

If evidence of badgers is encountered during development, work must cease immediately and the advice of a suitably qualified ecologist or NRW sought before continuing with any work (0300 065 3000).

Condition:

All trenches and excavations shall be fenced off or covered overnight to prevent any animals from falling in and becoming trapped. If this is not possible an adequate means of escape shall be provided (i.e. a gently graded side wall or provision of gently sloped wooden plank or equivalent). Any exposed pipes and trenches shall be checked for trapped wildlife each morning before starting construction activities.

Condition:

An updated walkover survey for badgers across the whole site and immediately adjacent habitats shall be undertaken if clearance/construction works do not begin within 12 months of the date of the current report (i.e. before November 2024).

Hedgehog:

Please include the following informative:

There is the potential for hedgehogs to be present in the area. Hedgehogs are protected under Schedule 6 of The Wildlife and Countryside Act 1981 (as amended), which prohibits killing and trapping by certain methods. They are also listed on Section 7 of The Environment (Wales) Act 2016. This is a list of the living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.

Condition:

In order to retain habitat connectivity for species of principal importance, such as hedgehogs, boundary treatments shall not be flush to the ground, or suitably sized gaps 13 x 13 cm should be left at strategic points. See: <https://www.hedgehogstreet.org/hedgehog-friendly-fencing/>

Reptiles & Amphibians:

Please include the following informative:

Reptiles & amphibians may be present. All British reptile & amphibian species are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It makes it an offence to intentionally kill or injure these species. If widespread reptile/amphibian species are encountered (common lizard, slow worm, adder, grass snake, common frog, common toad, smooth newt, palmate newt), they should be allowed to move away from the works on their own. An ecologist should be contacted if assistance is required to locate reptiles/amphibians to a suitable habitat.

Lighting Strategy

Condition:

A sensitive lighting strategy for the site shall be submitted to the LPA for approval prior to the commencement of development on site. It should aim to protect bats and other nocturnal species. A plan showing location, light spill and specification for any proposed lights on the site (during construction & operation) must be submitted for approval.

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The lighting plan should reflect the Bat Conservation Trust and Institute of Lighting Professional's 'Bats and Artificial Lighting at Night' (2023) guidance: <https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/> and maintain the boundary hedgerows as dark corridors.

Construction Environmental Management Plan (CEMP)

Condition:

A CEMP for the site shall be submitted to the LPA for approval prior to the commencement of development (including site clearance) on site. The document will need to include sufficient detail to demonstrate how construction will be managed to ensure pollution prevention and protection of habitats and species on and adjacent to the site.

Invasive Non-Native Species (INNS):

It is an offence to plant or otherwise cause to grow in the wild any plant species listed on Schedule 9 of The Wildlife and Countryside Act 1981 (as amended) or Schedule 2 of The Invasive Alien Species (Enforcement and Permitting) Order 2019.

Condition:

As Japanese knotweed was recorded less than 10m from the site, an INNS Management Plan shall be submitted to the LPA for approval prior to the commencement of development (including site/vegetation clearance) on site. It should detail methods of avoidance, containment or removal in order to avoid the spread of INNS. If any other INNS are identified during development, works must cease until the management of these species is agreed.

Ecological Enhancements:

The Biodiversity Supplementary Planning Guidance (SPG) should be referred to for further information: <https://www.swansea.gov.uk/biodiversityspg>

<https://www.swansea.gov.uk/biodiversitydevelopmentguidance>

Bat and swift boxes should be included on all new dwellings.

Condition:

A scheme to demonstrate that the development will conserve and enhance biodiversity and resilient ecosystems will need to be approved by the LPA prior to the commencement of development on site. This is in line with the Section 6 Duty of the Environment (Wales) Act 2016, the Resilient Wales Goal of the Well-being of Future Generations Act 2015, Planning Policy Wales Edition 11, Future Wales and Technical Advice Note 5.

The proposed specification and location of the enhancements shall be shown on an architectural drawing submitted to the LPA for approval. The approved enhancements shall be fully provided no later than 6 months within the completion of the development and shall be retained as such in perpetuity.

Reason: Conserving and enhancing biodiversity and ecosystem resilience.

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APPRAISAL

Main Issues

The main issue for consideration with regard to this application relate to the principle of residential development on this site, impacts of the development on the character and appearance of the area, residential amenity impacts on neighbouring occupiers and future occupiers of the development, the impact of the development on access, parking and highway safety, and impacts on trees, ecology, Welsh language, drainage and environmental interests with regard to prevailing provisions of policies of the LDP, adopted SPG and National Policy and Guidance. There are considered to be no additional issues arising from the provisions of the Human Rights Act.

Principle of Development

The Local Development Plan 2010-2025 (LDP) was formally adopted on the 28th February 2019. The application site is located outside of the LDP settlement boundary in an area of countryside. LDP Policy CV 2 sets out that there is a presumption against development in the countryside, with certain specific exceptions, including affordable housing to meet local need at acceptable and sustainable locations within, or infilling, or adjoining settlements, the detailed provisions for which are set out in Policy H 6.

Given that the proposed development is submitted on the basis that it is 100% affordable housing exception site, the scheme is therefore to be assessed as an exception site adjoining the settlement having regard to the above referenced inter-related policies.

The LDP sets out that provision will be made to deliver a minimum 3,310 affordable homes over the Plan period through a number of means, including by allowing for affordable housing exception sites at appropriate locations adjoining settlement boundaries. Policy H 6 sets out a clear set of criteria for determining proposed 100% affordable housing schemes, and states these will only be permitted where:

i. The site represents a logical extension to the existing settlement and is of a scale appropriate to and in keeping with the character of the settlement;

There is currently no development on the eastern side of Clordir Road where it abuts the site, and the proposal would certainly extend beyond the existing extent of built form at the eastern side of the settlement. Close to the South-West corner of the site however, there is development fronting both sides of the street by virtue of the bungalow near the entrance to Heol Y Parc, which extends along the rest of Clordir Road to the main A48 route through the village. Development of the site would therefore serve to continue the arrangement of properties being on both sides of the street further along Clordir Road to the east, beyond the Heol Y Parc cul de sac.

It is also noted that the proposed layout would provide a rounded edge at its South-East corner, rather than a harder edge up to the field parcel corner, which allows for an extension of the settlement in an appropriate, logical manner and provide a visual continuation of development that is in keeping with the character of the settlement.

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The proposal would retain and incorporate the established boundary vegetation, incorporate a density that respects/reflects the semi-rural location, and present an outward facing development. This approach would potentially reduce the impact of new housing development and would create a transition from urban to rural at the boundary edge to ensure that the proposal is in-keeping with the character of the settlement.

In terms of other material considerations, weight is afforded Appeal Inspector in November 2019 in relation to a proposed 100% Affordable Housing Exception Site in Loughor (Appeal Decision APP/B6855/A/19/3234408). That decision highlighted that: *'I consider that the proposed site now forms a logical expansion for the provision of affordable housing as an exceptions site. It is enclosed by visually significant hedgerows and would represent a visual continuation of the neighbouring development'*. The nature of that site was one that was bounded on only one side by development and would clearly extend the settlement further into the countryside beyond the established edge. This decision forms a material consideration in the decision-making process for this submitted scheme, as it highlights matters that Inspectors expect to see influencing what can be considered logical for settlement extensions to provide 100% exception sites.

Having regard to the above, it is concluded that the proposal meets criterion i of Policy H 6.

ii. The site is in a sustainable location having reasonable access to at least a basic range of services;

Pontlliw is designated a 'key village' in the LDP. Such key villages are highlighted in the LDP as being suitable for accommodating appropriate small-scale development, including new housing, and have been selected following an assessment of their size, facilities, structure and accessibility. The walking distances to facilities and services, following streets and adopted footpaths and hereby representing the true distances, are shown below:

- Pontlliw Primary School – 189m
- Park – 240m
- Post Office and village stores – 321m
- Village community hall – 321m
- Chapel – 447m
- Bus stop – 458m
- Pub and restaurant – 880m
- Restaurant – 1,093m
- Doctor's surgery – 4,163m

Having regard to the above, the site is sustainably located in terms of having reasonable access to at least a basic range of services and facilities, meeting criterion ii of Policy H 6.

iii. It is of a size, scale and design compatible with affordable dwelling standards and available to low- or moderate-income groups;

This proposal is for a 100% Affordable Housing Exception Site. The Local Authority's Housing Enabling Officer has commented on the application confirming that the affordable housing must be social rented tenure, built to WDQR standard and transferred to an RSL. Confirmation was also provided that the proposed housing types and sizes will meet affordable housing need.

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The Housing Enabling Officer has also confirmed that the Council's Housing Department has given strategic support to Pobl Housing Association for this scheme for Welsh Government grant through the Programme Development Plan for a proposed scheme containing 100% social rented housing.

As such the proposal meets criterion iii of policy H 6.

iv. There are binding agreements in place to ensure that the initial affordability benefits will be retained in perpetuity for all successive occupiers who meet the Council's occupancy criteria;

The proposal must provide affordable housing for local needs in perpetuity. The applicant, Pobl Group, are an established Registered Social Landlord, and 100% social rented tenure is proposed. A legal agreement will be required to secure this to ensure compliance with criterion iv.

v. Has it been demonstrated that there are no satisfactory alternative arrangements to meet the need within the locality

The Council's Housing Enabling Officer has advised that the application site is within the Greater North West Strategic Housing Policy Zone (SHPZ) where the most recent Local Housing Market Assessment demonstrates a need for affordable homes.

It is important to note that there are two LDP non-strategic housing allocations within Pontlliw: H1.23 Land at Carmel Road and Bryntirion Road, Pontlliw (planning application for 100 units being considered) and H1.24 Land at the Poplars, Pontlliw (planning application for 12 units awaiting final decision);

The former of these sites is likely to only deliver around 86 homes as the masterplan has evolved; and it is private developer led and so will fall under the provisions of policy H 3 to deliver only a proportion (15%) of the site as affordable housing. The latter of these two sites was granted planning consent on the basis of viability evidence which showed, on balance, that it would not be viable to provide any affordable housing under the provisions of policy H 3

There are two other new housing site commitments with planning consent in Pontlliw yet to be built. Land to the side of 28 Christopher Rise, Pontlliw (11 units) was consented under the UDP and provides 2 affordable housing units; while the Former Walter's Yard, Pontlliw (67 units) site was approved with no affordable housing provision due to viability evidence.

Therefore, there are limited alternative arrangements that will make a significant contribution to meeting local affordable housing need in Pontlliw, and the current proposals, would make a valuable contribution towards the provision of affordable housing.

In addition, In July 2019 the Minister for Housing and Local Government (now Minister for Climate Change) wrote to the Leaders and Chief Executives of all Local Authorities in Wales to highlight that the need for social housing is now so acute, Planning Policy Wales policy on affordable housing provision, and specifically sites for 100% affordable homes, need to be implemented in a flexible way to reflect local circumstances.

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That letter forms a material consideration in the decision-making process for this submitted scheme and weight is afforded to its content and the emphasis of both national and local policy in the need to provide more affordable housing.

In view of the above, it is considered on balance that this criterion has been met.

vi. Would there be an unacceptable loss of land of important recreational, amenity or natural heritage value

Recreational and Amenity value

The site is not currently a public amenity or recreation space. The site is not a protected area of Open space, as defined by LDP policy SI5, and has no formal recreational designation in terms of Fields in Trust (FiT) or accessible natural greenspace provision.

Natural Heritage value

The accompanying ecological survey information indicates that the proposed development site consists entirely of improved grassland and is used for grazing purposes at the time of the application. The application site contains no statutory or non-statutory designations for nature conservation, however the Nant Y Crimp SSSI is located approximately 150m east of the site. It is also identified that the site is bordered to the north and south by a designated SINC (Middle Lliw) and an area of Ancient Woodland lies to the north. The application and accompanying ecological survey information has been reviewed by NRW and the Council's Planning Ecologist who have offered no objection to the development in principle subject to the inclusion of appropriately worded conditions.

GGAT provided comments at the PAC stage to advise it is unlikely that significant archaeological remains would be encountered and would be unlikely to recommend any pre-determination work or that any archaeological conditions are attached to any consent.

Accordingly, the proposal would not result in a loss of land of important recreational, amenity or natural heritage value in accordance with criterion vi of policy H 6.

Concluding assessment of LDP policy H6

The proposal is for 100% affordable housing for local needs, adjacent to Pontlliw settlement boundary. The LDP, and national planning policy, allow for permission to be granted for 100% affordable housing within and adjoining settlements, subject to the LPA being satisfied that specific criteria are met to justify the proposal being an exception to the restrictions that would otherwise apply for market housing in the countryside. Having regard to the analysis of policy H6, it is concluded on balance that the specific criteria has been reasonably met and the scheme can be considered an acceptable proposal for 100% Affordable Housing for Local Needs.

The principle of the development is therefore considered acceptable.

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Agricultural Land Classification

Planning Policy Wales (PPW) at paragraph 4.10 states that "Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade"

The application is accompanied by Agricultural Land Classification Assessment. The site is shown on the Predictive Agricultural Land Classification Map (Wales) as subgrade 3b which is identified by PPW as land not protected from development because of its special importance (unlike Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC) which is the best and most versatile (BMV), and should be conserved as a finite resource for the future). The Land Quality Advice Service also provided comments at the PAC stage to advise that it did not consider BMV land present at the site.

The principle of developing the site is considered acceptable on the basis that it is submitted as a 100% affordable housing site, and thus would make a significant contribution to the provision of affordable homes in the locality. Consequently, as the land classification is not within grades 1, 2 or 3a, the proposals are considered acceptable and would not result in the loss of the best and most versatile land.

Placemaking, Design, Visual Amenity

In terms of the existing semi-rural form and character of the surrounding area, the character of the surrounding area is predominately residential. Immediately opposite the site frontage is a mix of single and two-storey detached dwellings. Further west, Clordir Road is characterised by two-storey detached dwellings.

The site will be served by a single vehicular access point to the west off Clordir Road. A new pedestrian access will be provided just south of this with linkages into the wider site footpaths. A pedestrian crossing is also proposed to provide safe connectivity from the existing footway on the western side of Clordir Road into the site.

The masterplan shows well considered place-led house types orientated to engage with the public realm including corner turning houses. The overall layout takes a broadly loose arrangement and degree of informality, is outward facing and positively responds to the existing built and natural features around the site. Buildings front outwards towards Clordir Road to the west, towards the open countryside to the east and south, and onto the internal streets through the site to actively engage with the streetscene. This place-led approach is welcomed.

In visual terms, the layout and density of the proposed development is considered to be appropriate for the area and does not result in an over-development of the site. The proposal includes a mix of 1 bed apartments, 2, 3 and 4 bed dwellings set out in a broadly loose arrangement to respect the context.

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Whilst the proposal is predominately two storey dwellings (including apartments), there is an element of single storey bungalow development to the SW corner of the site. This responds to the immediate context whereby existing bungalow development sits immediately to the south of the site entrance.

The materials/ character strategy presents a clear nod to the rural nature of the site detailing simple, recognisable domestic scale dwellings with a simple material palette comprising larch cladding, light coloured render and stone slips. This approach takes positive design cues from the local context and references good examples of 'rural Welsh' character. The use of this material palette to groupings of house types in the streetscene provides a complimentary rhythm yet visual interest. This is supplemented by the use of traditional pitch roofs, chimneys, front gable features and porches. The apartments have been designed to appear as small terraces in the wider streetscene, which is supported.

The western, street frontage, boundary is largely retained, and enhanced where required. Where the existing hedgerow will be removed to accommodate the new access and achieve visibility splays, a new low-lying hedgerow will be planted either side of the vehicular access.

The Green Infrastructure Strategy demonstrates the design and layout adopts a strong placemaking / GI led approach incorporating multifunctional spaces. The retention of existing periphery hedgerow is welcomed. It sets out opportunities for a strong N-S GI corridor to the eastern boundary of the site through the retention and enhancement of the existing boundary vegetation, linking the SINCs adjoining the site to both the north and south. The eastern site boundary will be strengthened by planting of native trees and understorey planting. Additionally, the GI Plan shows a W-E connectivity corridor. The western, street frontage, boundary is largely retained, and enhanced where required. Where the existing hedgerow will be removed to accommodate the new access and achieve visibility splays, a new low-lying hedgerow will be planted either side of the vehicular access.

Within the site, the masterplan shows an element of new planting in the form of street trees/build outs, this is welcomed to provide street greening and visual interest. Green areas to the periphery of the site are also illustrated as spaces to provide SuDS and potential areas for play. A linear wildflower meadow is proposed to the northern periphery. These new features, along with the retention of the boundary vegetation, will provide good GI/biodiversity enhancements. Rain gardens are annotated throughout the site, and two attenuation basins are shown, one to the NE corner and one, accommodating a natural play trail, to the south of the site.

The perspective views that have been provided are useful to envisage not only the character but also the transition of scale and groupings of dwellings at the site. Whilst the streetscenes will be mixed in terms of groupings of house types, overall, the proposal is viewed as coherent through a consistent 'rural' character making explicit reference to the semi-rural location. The inclusion of the barn style houses at the site entrance provides distinctiveness and effectively 'sets the scene' for the new development. Cumulatively the development responds to its context whilst creating its own, unique rural/village identity and sense of place that is commended.

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It is considered that the design, layout and orientation of proposed buildings, and the spaces between them, would provide for an attractive, legible, healthy, accessible and safe environment and the inclusion and integration of multifunctional GI within the proposal, meets policy requirements in this regard. It is considered that the GI retains existing GI networks, and additional GI features have been included at all relevant scales of the development.

The proposal is therefore considered to represent a satisfactory form of development in terms of its impacts upon the character and appearance of the area, and the layout and design of the development would create a good quality and distinctive streetscape and would accord with the provisions of LDP Policy PS2, H6 and, the SPG - Places to Live: Residential Design Guide.

Residential Amenity:

In terms of residential amenity impacts, the existing nearby residential houses are located to the west of the site on Clordir Road and Heol-y-Parc Road. The immediate adjoining property, No. 26 Clordir Road, is located to the southwest of the site, whilst Nos. 15, 17 and 19 Clordir Road face the proposed development site. The separation distance between existing and proposed dwelling frontages across Clodir Road would be in excess of 21m with a highway in between. Additional trees are also proposed at the western site boundary to enhance screening. Taking account of the separation distances of the proposed dwellings, which accord with the Councils Placemaking Guidance for Residential Development SPG guideline, together with intervening screening from the existing hedgerow and treeline, it is not considered that there would be any harmful residential impacts on the existing neighbouring occupiers, in regard to overlooking, overbearing impact or overshadowing.

With regard to the future occupiers of the proposed development, the design of the homes has been developed in the context of Welsh Development Quality Requirements (WDQR), all meeting standards (which includes a +/- 5% tolerance in gross internal floor area).

- 2 person/1 bed (apartments) – 50sqm
- 3 person/2 bed (bungalows) – 58sqm / 60sqm
- 5 person/3 bed – 91sqm
- 6 person/4 bed – 112sqm
- 7 person/4 bed - 114sqm

Having regard to the proposed site layout and the Placemaking Guidance for Residential Development SPG guidelines, the separation distances between the proposed dwellings has been carefully considered. Broadly the proposed dwellings sit comfortably within the plots to avoid unacceptably detracting from the residential amenities of neighbouring houses and gardens of future occupiers in terms of an overbearing and overshadowing effect. All the plots would have at least a 10m separation distance where a first-floor window overlooks neighbouring private amenity space. Where shorter distances apply, this relates to single storey units. Whilst there are a small number of instances where the rear of one property and the side elevation of another is marginally below that recommended by the Council's SPG, those instances are not deemed to be unduly harmful to the amenities of future residents. Information regarding site levels have been provided which demonstrate only small changes in levels across the site and not to a degree which requires any increase in separation above those proposed.

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Regarding the garden spaces available to future occupants, each of the proposed dwellings, apart from the 1 bed apartments, is shown to be served by private amenity space in the form of a rear garden. It is noted that this varies significantly between properties but is relative to the scale of the dwelling proposed and is considered acceptable in that regard. It is however considered reasonable to remove permitted development rights in relation to extensions and outbuildings to ensure that the residential amenity of neighbouring and future occupiers is retained. Existing properties in the immediate area are generally absent of balconies and coupled with the overriding rural character of the area, it was not considered appropriate in this particular instance for the proposed apartments to include Juliette balconies. Notwithstanding this, communal amenity space is provided for the future occupiers of the apartments instead and together with the wider open space being provided as part of the development, this is considered appropriate and adequate for their amenity.

In view of the above, the application is considered, on balance, to safeguard the amenity of both existing occupiers, and future occupiers of any proposed buildings, in accordance with the provisions of Policy PS2 of LDP and the SPG Places to Live: Residential Design Guide.

Access, Transportation and Highway Safety

The Local Highway Authority (LHA) raises no objections to the proposal.

Access will be gained off Clordir Road via an existing vehicular access and an internal road, shared surface streets and footways are proposed to give access into the site. Comprehensive Swept-Path Analysis has been run throughout the site and at the proposed access, for a range of vehicles, including a domestic car, luton box van and a refuse collection vehicle, which demonstrates that the proposed access and internal carriageways are suitable for all vehicular movements. A condition will ensure that the access from the existing public highway, the internal road, shared surface streets and footways will be laid out prior to the occupation of any residential units. A condition to modify the landscaping at the vehicular entrance to Plot 10 is also recommended to ensure a safe means of access to this property.

It is proposed to provide vehicular access to the development via a priority junction with Clordir Road. Visibility splays of at least 2.4m x 25m would be provided at the proposed site access junction. For highway safety, a condition is recommended to ensure that the visibility splay remains free of any obstructions in perpetuity. Also, a management company will be responsible for maintaining all of the landscaping within the visibility splay which will be secured via a condition. Safe pedestrian access will be provided by way of dropped kerbs and tactile paving in the vicinity of the site access junction.

The Masterplan establishes a layout which provides active travel linkages with the existing community; however, cars are an inevitable part of life. 51 no. parking spaces are proposed as part of the development. Most car parking across the site is on private side driveways, and there is an element of frontage parking (plots 21-22). The apartments located in the centre of the site have associated car parking in a side/rear parking courtyard (plots 23-31). This arrangement can be acceptable on the basis that all parking spaces are well overlooked, addressing the concerns raised by South Wales Police Designing Out Crime Officer.

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The Highways Authority acknowledges that there is a shortfall in car parking in accordance with the Parking Standards SPG, however, this will be a 100% affordable housing scheme and secured as such in perpetuity via a legal agreement given the stringent requirements of Policy H6 of the LDP. As a result, it is considered that the proposed type of tenure, which typically results in lower car ownership, means that, on balance, the level of car parking proposed is acceptable in this particular instance. The Highways Authority is satisfied with this approach subject to a condition for a Parking Management Plan being submitted to and approved in writing by the Local Planning Authority.

It is noted that the Council's Waste Management team raise concerns regarding the collection of waste from behind Plot 9. However, it is considered that there is sufficient space for the refuse and recycling vehicles to enter the site and the crews can access the bin stores. This part of the site is also relatively level ground. It is therefore considered that the proposed arrangement is acceptable.

The LHA has requested a contribution of £6,000 for a review of traffic regulation orders between the application site and the A48, which includes outside Pontlliw Primary School and minor safety measures (road markings/signs on Carmel Road). Whilst the provision of TROs is subject to separate legislation and process, it is acknowledged that some existing residents on Clordir Road may lose a degree of capability for on street parking in front of their properties. It is noted however that all affected dwellings along this section of Clordir Road, opposite the site access, have some form of off-street parking provision and, on balance, would not result in unreasonable detriment to their overall amenity.

In view of the above, no highway objections are raised to the proposed development subject to the imposition of appropriate planning conditions and financial contributions. The application is therefore considered, on balance, to be acceptable in highway safety terms and accords with Policies PS2, T1, T2, T5 and T6 of the LDP.

Trees /Landscape:

The application is accompanied by an Arboricultural Report which includes an Arboricultural Method Statement (AMS), Landscape and Visual Impact Assessment, a Green Infrastructure Strategy together with a detailed soft landscape plan. The Council's Tree Officer has been consulted and has offered no objection to the proposal. Accordingly, subject to the inclusion of a suitably worded condition requiring adherence with the AMS to ensure of protection measures during all stages of construction, the development proposal is acceptable in this regard and complies with the provision of Policy ER11 of the LDP and the SPG - The Protection of Trees on Development Sites.

A multi-functional network of green infrastructure is proposed as part of the application and includes the following key features:

- Use of native species wherever appropriate;
- Use of pollinator species;
- Development located within the centre of the site, with edges enhanced to ensure a more sympathetic integration with adjacent landscape;
- Attenuation areas not engineered but integrated into the landscape and to be multi-functional by integrating natural play; and

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- Formal hedging to property boundaries to create a landscape contrast to semi-natural approach to site edges.

Whilst a section of the existing hedging will be removed for access and to accommodate visibility splays, large portions of existing hedging along the site frontage will be retained, managed and enhanced where required. Additional tree planting is also proposed to the frontage to provide screening.

Whilst it is acknowledged that changes to visual amenity will be experienced within close proximity of the site by a small number of existing residential receptors on Clordir Road and the users of Gower Way (Public Footpath), it is considered these changes will be viewed within the semi-rural context of Pontlliw itself, and would be appropriately assimilated into the wider landscape by a combination of topography, site layout, existing built form and existing and proposed landscaping

Beyond this, changes to visual amenity of receptors using Public Rights of Way, common land and public roads are limited. Overall, it is considered the site has been sensitively designed through a landscape led approach to address landscape and visual amenity matters. The landscaping details and GI features are acceptable and accord with the provisions of Policy PS2 of the LDP and the SPG's - Places to Live: Residential Design Guide, and Biodiversity and Development.

Ecology:

A Preliminary Ecological Appraisal (PEA) accompanies the planning application. The PEA advises that the Nant Y Crimp Site of Special Scientific Interest (SSSI) can be found approximately 150m east of the site. Also, six Sites of Importance for Nature Conservation (SINCs) are located within a 1km radius of the site, with the Middle Lliw SINC located adjacent the application site. LDP Policy ER6 seeks to ensure that the nature conservation value of designated sites is protected from harmful development and that the Council fulfils its obligation to maintain and enhance biodiversity and ecosystem resilience.

To comply with LDP Policy ER6, the Local Authority Ecologist has recommended that conditions in respect of a Construction Environmental Management Plan (CEMP) and Sensitive Lighting Strategy are necessary, as well as conditions for an Invasive Non-Native Species (INNS) Management Plan and Ecological Enhancements. NRW has also raised no objections to the development subject to the inclusion of a condition for a CEMP.

The GI Strategy also comprises a series of biodiversity enhancement measures, including wildflower and tree planting at the site boundary, installation of bat/bird/bug hotel at the proposed trees and retention of most of the existing hedgerows.

Proposed Ecological Enhancements measures include:

- The inclusion of bat and bird boxes onto new buildings and retained trees;
- The creation of 130mm x 130mm gaps at the bottom of any garden and boundary fencing as to allow continued connectivity through the site for hedgehog and other small animals; and

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- The use of native species in any soft landscaping scheme and the management of retained habitat features e.g. grassland, boundary hedges/tree lines etc.

It is considered that the biodiversity and ecological stepwise process has been followed, and the proposed enhancements are appropriate and will deliver biodiversity net benefit, ecosystem resilience and an integrated network of GI. As such the application is acceptable in this regard and complies with Policies ER6, ER8 and ER9 of the Swansea Local Development Plan (2010-2025) and the SPG - Biodiversity and Development (2021).

Affordable Housing:

The application is submitted as a 100% affordable housing exception site. The Affordable Housing units are to be WDQR compliant, as such, will be accessible to all. The scheme encompassing a variety of house types as follows:

- 9 x 1-bedroom apartments;
- 2 x 2-bedroom dwellings;
- 3 x 2-bedroom bungalows;
- 9 x 3-bedroom dwellings;
- 8 x 4-bedroom dwellings.

The Council's Housing Service has given strategic support to the Applicant Pobl Housing Association for this scheme for Welsh Government grant through the Programme Development Plan for a proposed scheme containing 100% social rented housing tenure to meet local needs. As such, it is considered that the proposed affordable housing provision is acceptable. This provision will be secured via a S106 legal agreement.

Education:

The projected pupil numbers generated by the proposed development are as follows: Primary 7 (1 place at Welsh medium and 6 places at English medium) Secondary: 5 (1 place at Welsh medium and 4 places at English medium) and 1 place at post 16 provision (English medium).

Regarding English medium provision at primary level, Pontlliw Primary had a deficit of -13 places -7.14% in January 2023. Accordingly, Education has requested a full developer's contribution of (£75,500.00) plus indexation due to the lack of places at the school and there is predicted to be insufficient capacity in the school to accommodate this development. There is no request however for developer's contribution for Welsh medium primary education (YGG Bryniago) as it is predicted there will be sufficient capacity in the school to accommodate this development.

Turning to English medium provision at secondary level, Pontarddulais Comprehensive had a surplus capacity of 1, unfilled places 0.12% in January 2023. However, the surplus capacity of 1 place has been filled by a consented scheme. As such, there is a request for full developer's contribution (£92,288.00) plus indexation towards education in the school and this is considered justified. There is no request for the Welsh medium secondary school (Y.G. Gwyr) as it is predicted there will be sufficient capacity in the school to accommodate this development.

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As such and subject to this being secured via a S106 Agreement, the application is acceptable in this regard and complies with Policy SI3 of the Swansea Local Development Plan (2010-2025).

Drainage:

The application is accompanied by a Drainage Strategy Statement.

The Drainage Strategy advises that the surface water will be discharged via soakaway / infiltration basins. On plot drives, parking areas and dry swales will be used as permeable surfaces for highway drainage prior to being conveyed to an infiltration feature located to suite soil strata. In addition, water quality will be managed via passage of surface water run-off through vegetation and clean aggregates before eventual infiltration into the naturally occurring ground strata. The use of above ground SuDS measures will create a landscaping feature within the living environment whilst providing a drainage function, which is the proposed play area located at the south of the site.

The Drainage Officer has been consulted on the Drainage Strategy and advised that development is required to be SUDS compliant through a separate SAB consent and has not objected to the proposal. Consequently, as this matter is dealt with by different legislative requirements, this matter does not need to be controlled by means of a planning condition. The site is not within a flood risk area defined by the Development Advice Maps which inform TAN15 nor is the site at flood risk according to the updated Flood Maps for Planning.

The Drainage Strategy also confirms that the proposed development site is located in the immediate vicinity of a combined sewerage system which forms part of the Gowerton Waste Water Treatment Works. DCWW has advised that that foul flows can be accommodated at a specified connection point in the public sewerage network, subject to delivery of compensatory surface water removal scheme in accordance with the requirements of the Burry Inlet Memorandum of Understanding (MoU). Accordingly, the development seeks to remove an element of current surface water flows along Clordir Road which currently discharge into the combined system from the site. The proposal seeks to divert flows from the highway and redirect into the proposed development sites dedicated SuDS system. It is advised that the scheme does not rely on any third-party land and can be achieved within the confines of the public highway. DCWW has commented that the proposal to remove an area of 484 sqm surface water runoff from the combined system in Clordir Road and into a highway drain is acceptable in principle and will be secured via a condition. DCWW have also requested a condition in respect of the foul drainage arrangements.

Subject to the inclusion of the above conditions, the application is therefore considered to be acceptable in this regard and accords with policies EU4, RP4 and RP5 of the LDP.

Welsh Language:

Pontlliw lies within the Welsh Language Sensitive Area defined by Policy HC3, which states that for windfall sites of 10+ units, the Council may subject the developments to a Welsh Language Impact Assessment (WLIA). A Welsh Language Impact Assessment was conducted by the Council at the pre-application stage (ref: 2021/1281/PRE).

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The proposal was considered likely to have negative effects which would need to be mitigated to safeguard and promote the Welsh language in line with Policy HC3. Accordingly, a Welsh Language Action Plan has been prepared to support the development proposal.

The following mitigation is proposed:

- Bilingual marketing of properties;
- Production of a welcome pack for each household which sets out Welsh language provision in the area;
- Support for Menter Iaith Abertawe, or other Welsh medium community groups, within the village;
- Welsh street names within the development

These measures appear reasonable and should all be actioned by the developer to mitigate the impacts on the Welsh language.

Subject to the proposed mitigation measures submitted being actioned by the developer, the proposal is considered to protect, promote and enhance the Welsh language. The proposal is therefore acceptable in this regard and complies with Policy HC3 of the Swansea Local Development Plan 2010-2025.

Pollution Control:

The application is accompanied by a Geo-Environmental and Geotechnical Desk Study.

Pollution Control has offered no objection to the proposed development subject to informatives in respect of construction noise, smoke/burning of materials, dust control and lighting.

Regarding land stability, the application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

As such the application is considered to be acceptable in this regard and complies with Policy SI3 and RP7 of the Swansea Local Development Plan (2010-2025).

Planning Obligations:

During the course of the application and consideration in relation to the above-mentioned policy framework and key planning considerations, regard has been given to the consultation responses received and the likely impacts that would arise because of the development.

The following contributions to infrastructure will be secured through planning obligations in accordance with the legislative and policy framework provided in PPW, Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and Welsh Office Circular 13/97 'Planning Obligations':

- Affordable Housing: 31 affordable housing units (100%) on the site comprising 100% social rented tenure and DQR and WDQR compliant;

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- Transportation and Highways: A contribution of £6,000 for a review of traffic regulation orders between the application site and the A48, which includes outside Pontlliw Primary School and minor safety measures (road markings/signs on Carmel Road);
- Education and Training: A contribution of £75,500.00 plus indexation for Pontlliw Primary School and £92,288.00 for Pontarddulais Comprehensive School to be utilised towards facilitating increased capacity.

The following will be secured via planning conditions:

- Public Open Space and Green Infrastructure: Open spaces / play areas including a 'kick about' area at the site entrance and a 'nature play trail' running around the south-eastern arc of the site which will include organic play equipment, in accordance with Play Facilities Plan (105 Rev A), received on 6th December 2023.

Response to Consultation:

It is acknowledged that the objections raise several issues in respect of the development of this site. Issues relating to the principle of affordable housing at the site, highway safety, access, pedestrian safety, drainage, flooding, countryside, conservation of the natural environment, species and wildlife have been addressed above.

As outlined in detail in the principle of development section of this appraisal, the application site is considered appropriate as an exception site for the provision of affordable housing, which will meet the needs of local people and is supported by national and local planning policy.

As the development proposal is a major development, the applicant carried out statutory pre application consultation which included statutory consultation with the Community Council.

Views have been expressed about an increase in antisocial behaviour, drug use and crime due to the proposed tenure of the housing. There has been no significant evidence submitted to substantiate this claim whilst the application has been subject of consultation with the Police. Based on the evidence available, it is considered that the proposal would not unduly harm the social cohesion of the community or result in a material increase in antisocial behaviour or crime within the area.

A stage 2 hazel dormouse survey was undertaken at the application site to supplement the Preliminary Ecological Appraisal. No evidence of Dormouse was found over the course of the nest tube checks (between May and November 2023) and therefore the likely absence of Dormouse from the habitats at the site has been reasonably demonstrated. The Council's Ecologist has no objections to the proposal subject to conditions. The site is located within the countryside but is not within a green belt area.

In respect of precedent creation, it is advised that each proposal is considered on its own individual merits taking account of the particular circumstances and the policies and guidelines applicable at the time of assessing the application. However, regard must be had to any other material planning consideration, and the degree of weight afforded to such matters in the planning balance, will depend on its relevance to the proposal being considered.

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Where infrastructure deficiencies have been identified (such as Education), planning obligations have been sought to ensure that the effects of the development are fully addressed. With regards to noise whilst the building work is being carried out, the Council's Pollution Control Department have requested that informative notes be placed on any grant of planning permission in respect of construction noise, smoke/burning of materials, dust control and lighting which would assist in minimising impacts on neighbouring properties. Loss of value of properties is not a material planning consideration.

In respect of pressures on existing community facilities including health centres and dentists, the Health Board was consulted during preparation of the LDP and did not object to the LDP with regard to GP surgeries and health provision although it is acknowledged that some of the larger strategic sites may include provision for D1 uses (which could include clinics and health centres). Notwithstanding this, it is understood that the Health Board has generally focused on ensuring that planning policies consider the wider issues of health and wellbeing in order to try and prevent health problems in the future rather than the physical buildings/structures of primary health care. In the context of this scheme, the proposal is considered to assist with health inequalities through the provision of much needed affordable housing and a development which is based on good placemaking principles, inclusive of public open spaces, green infrastructure and connectivity with the wider settlement. Limited evidence has been submitted/presented in the consideration of this application to suggest that there are deficiencies with regard to these services which would be exacerbated by the development.

A letter of objection has been sent on behalf of Pontlliw Community Council (CC) which raises some policy related objections in respect of the identified need for the development which has been addressed in the report above. To confirm, the Local Housing Market Assessment which informed the Local Development Plan, establishes that there is a need at the Greater North West Strategic Housing Policy Zone level. The Council's Housing Enabling Officer has advised that the housing types/sizes proposed will meet a need that cannot be satisfactorily met by other provision within the locality. Furthermore, Future Wales makes clear that the provision of affordable housing is a national priority, and Local Planning Authorities should explore all opportunities to increase the supply. One of the mechanisms of achieving this is the rural exceptions policy of H6, of which this development is deemed to comply with its criteria and is afforded significant weight in the 'planning balance'.

The issues raised during public consultation of the application have been reasonably addressed in this report and it is considered, on balance, that the scheme as submitted, and following dialogue with Officers and external technical consultees, represents an acceptable form of development subject to compliance with relevant planning conditions and a legal agreement to secure various planning obligations.

Conclusion

Having regard to all relevant policies, guidelines and material planning considerations, including the provisions of the Human Rights Act, the proposal is considered to be an appropriate rural exception site for the provision of affordable housing to help meet identified needs of local people.

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Taking into account the planning balance, the proposal would be compliant with national and local planning policy and would make a valuable contribution to the delivery of affordable housing, as well as providing infrastructure work to transportation and highways, education and training and public open space and green infrastructure to mitigate the impact of the development. Subject to a S106 agreement and the imposition of several conditions, the scheme is also considered to be acceptable in terms of its impact upon placemaking, visual amenity, residential amenity, access, parking & highway safety, impacts upon trees, drainage, ecology, the Welsh Language, and environmental impacts.

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 conditions indicated below and the applicant entering a S106 Planning Obligation in respect of the following requirements:

- To provide 31 affordable housing units (100%) on the site comprising 100% social rented tenure and DQR and WDQR compliant;
- Education contributions in the amount of £75,500.00 plus indexation for Pontlliw Primary School and £92,288.00 plus indexation for Pontarddulais Comprehensive School
- Transportation and Highways contribution in the amount of £6,000

If the Section 106 agreement is not signed within 3 months of the date of the Committee resolution, then delegated powers be given to the Head of Planning and City Regeneration to exercise discretion to refuse the application.

Conditions:

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

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

- Proposed Site Masterplan (Rev C), 1979-URB-XX-XX-DR-UD-200-S1C
- Street Scene Context Elevations - Rev B, 1979-URB-XX-XX-DR-UD-400
- House Type: 3P2B Alms Bungalow, 3P2BAB/00, 01, 03 Rev A
- House Type: 3P2B Bungalow, 3P2BB/00, 01, 02 Rev A
- House Type: 5P3B, 5P3B/00, 01, 02 Rev A
- House Type: 6P4B, 6P4B/00, 01, 02, 03 Rev A
- House Type 7P4B, 7P4B/00, 01, 02, 03 Rev A
- House Type: Apartment 1 2P1B x 5, APT1/00, 01.1, 01.2, 02.1, 02.2 Rev B
- House Type: Apartment 3 2P1B x 4, APT3/00, 01, 02 Rev C

Received on 28th March 2024.

- Engineering Site Plan, 21212-02 Rev E
- Engineering Site Plan Levels, 21212-03 Rev C
- Engineering Site Plan Section 104, 21212-04 Rev C
- Engineering Site Plan Section 38, 21212-07
- Longitudinal Sections, 21212-08 Rev C

Received on 26th February 2024.

- Green Infrastructure Strategy, 1979-URB-XX-XX-DR-LA-101 Rev D
- Hard Landscape, 1979-URB-XX-XX-DR-LA-102 Rev B
- Soft Landscape, 1979-URB-XX-XX-DR-LA-103 Rev C
- Outline Planting Plan (Sheet 1), 1979-URB-XX-XX-DR-LA-104 Rev C
- Outline Planting Plan (Sheet 2), 1979-URB-XX-XX-DR-LA-105 Rev D
- Play Facilities Plan, 1979-URB-XX-XX-DR-LA-106 Rev A
- Planting Schedule, 1979-URB-XX-XX-SH-LA-101 Rev D

Received on 6th December 2023

- Existing Site Location Plan, 1979-URB-XX-XX-DR-UD-101 S1

Received on 20th September 2023

- Proposed Refuse Collection Plan, 1979-URB-XX-XX-DR-UD-230 Rev B
- Proposed Material Finishes Plan, 1979-URB-XX-XX-DR-UD-220 Rev B
- Proposed Boundary Treatment Plan, 1979-URB-XX-XX-DR-UD-210 Rev B
- Perspective View - Shared surface area, 1979-URB-XX-XX-DR-UD-502
- Existing Site Survey Plan, 21212-01
- Engineering Site Plan SuDS Layout, 21212-05 Rev D
- Engineering Site Plan MOU Requirements, 21212-06 Rev C
- Typical Drainage Construction Details, 21212-09
- Typical Drainage Construction Details, 21212-10 Rev B
- Typical Construction Details Highways, 21212-11

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- Proposed Refuse Collection Plan, 1979-URB-XX-XX-DR-UD-230 Rev B
- Proposed Boundary Treatment Details, 1979-URB-XX-XX-DR-UD-211 Rev A
- Existing Site Survey Plan, 1979-URB-XX-XX-DR-LA-102

Received on 15th September 2023.

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

- 3 No development shall commence until the tree protection measures as identified within The Tree Protection Plan, as shown in Appendix 1 of the Arboricultural Report, prepared by ArbTS, received on 15th September 2023, have been laid out and retained in accordance with the approved details for the entirety of the construction phase of the development.

Reason: To prevent detrimental impact to trees and other landscape features which contribute to the amenity, landscape and biodiversity of the site and surrounding area, in accordance with Policies PS2 and ER11 of the Swansea LDP.
- 4 No development shall commence until a surface water removal strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall demonstrate the delivery of sufficient compensation for the foul flows from the proposed development site, in accordance with the 'Engineering Site Plan - MoU Requirements'. The development shall be carried out and completed in accordance with the approved strategy prior to the first beneficial occupation of any unit hereby approved.

Reason: To prevent hydraulic overloading of the public sewerage system and pollution of the water environment.
- 5 Only foul water from the development site shall be allowed discharge to the public sewerage system and this discharge shall be made at manhole reference number SN61012201 as indicated on the extract of the Sewerage Network Plan as shown on Welsh Water plan. The foul drainage infrastructure shall be completed prior to the beneficial occupation of any of the units hereby approved and retained as such in perpetuity.

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 accordance with Policy RP4 of the Swansea LDP.
- 6 Prior to the first beneficial occupation of any unit hereby approved, the parking areas to serve the development shall be provided as indicated on the approved drawings and shall thereafter be retained for parking purposes in connection with that dwelling unit only and shall be used for no other purpose for the lifetime of the development.

Reason: To ensure satisfactory parking provision is available to serve the development in the interests of highway safety in accordance with Policies T5 and T6 of the adopted Swansea Local Development Plan (2010-2025).

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- 7 Notwithstanding the provisions 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 fences, gates, walls or other means of enclosure shall be erected within the curtilage of any residential unit forward of the principal elevation of that residential unit other than those shown on the approved plans.
Reason: In the interests of highway safety to ensure adequate visibility splays are provided for all plots and the interests of visual amenity to ensure the landscaping is maintained across the site.
- 8 Prior to the beneficial occupation of any residential unit and the construction of the nature play trail, full details of the play equipment (as indicated on Play Facilities Plan (105 Rev A), received on 6th December 2023) and additional seating, shall be submitted to and approved in writing by the Local Planning Authority. The play equipment shall be installed and maintained in accordance with the approved details. All play equipment and public open spaces within the site shall be completed prior to the beneficial occupation of any residential unit hereby approved.
Reason: To ensure adequate play facilities and open spaces are provided in the interest of the wellbeing of the future residents.
- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or amending that Order), Classes A, E and F of Schedule 2, Part 1 shall not apply to any dwellings hereby approved.
Reason: In the interests of residential and visual amenities, in accordance with Policy PS2 of the Swansea LDP.
- 10 No development shall take place until details of the open space management company and an open space maintenance and management responsibility plan has been submitted to and approved in writing by the Local Planning Authority.

The information shall include the following:

- a) Landscape Maintenance and Management Scheme for the open spaces shown on the Proposed Site Masterplan (Dwg: 200 Rev C), received on 28th March 2024,
- b) Details of the management company (agent, body or organisation) responsible for implementation of the Landscape Management Scheme; and the legal and funding mechanism(s) by which delivery of the Landscape Maintenance and Management Scheme will be secured for the lifetime of the proposed development. The open spaces shown on the Proposed Site Masterplan (Dwg: 200 Rev C), received on 28th March 2024, shall then be managed by the approved company and maintained in accordance with the approved details and plan for the lifetime of the approved development.

Reason: In the interests of visual and general amenities, highway safety and ecology/biodiversity and to ensure that the landscape proposals are managed and maintained in accordance with Policies PS2 and SI6 of the Swansea LDP.

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- 11 No development, to include demolition and site preparation, shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the following during development:
1. Construction methods including details of materials, waste, etc.
 2. General Site Management: construction programme, site clearance requirements, construction drainage, site set-up plan detailing sensitive receptors and buffer zones, relevant protection measures (e.g. fencing, etc).
 3. Biodiversity Management: designated site protection, invasive species management, species / habitats protection and mitigation measures.
 4. Control of Nuisances: restrictions on timing / duration / frequency of works, (e.g. noise / vibration from piling activities, acoustic barriers, dust control measures, control of light spill and conservation of dark skies).
 5. Resource Management: fuel and chemical storage, waste management, water consumption.
 6. Pollution Prevention: demonstrate compliance with relevant Guidelines for Pollution Prevention, incident response plan, site drainage plan.
 7. Details to ensure construction compliance with approved plans and environmental regulations and to avoid damage to the features of the identified designated sites (SAC / SSSI).
 8. Details of the persons/bodies responsible for particular activities associated with the CEMP and emergency contact details.

The CEMP shall be implemented as approved for the entire duration of the construction phase of the approved development.

Reason: In the interests of ecology, biodiversity, pollution control and the protection of the environment, residential and general amenity and highway safety.

- 12 Notwithstanding the submitted details, prior to the commencement of development, a scheme of Ecological Enhancement Measures and an Implementation Timetable shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Enhancement shall thereafter be undertaken in accordance with the approved scheme and Implementation Timetable and retained thereafter for the lifetime of the development. Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales and ER 9 of the Swansea Local Development Plan (2010-2025).
- 13 Notwithstanding the submitted details and prior to the beneficial occupation of any unit hereby approved, full details of the proposed air source heat pumps to the dwellings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the air source heat pumps shall be installed in accordance with the approved details. Reason: In the interest of visual and residential amenity and highway safety, in accordance with Policy PS2 of the Swansea LDP.

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- 14 Notwithstanding the submitted details prior to the commencement of development a plan indicating the positions, height, design, materials and type of boundary treatment to be erected, including any retaining structures, shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed as approved before any unit hereby approved is occupied and shall thereafter be retained as such.
Reason: In the interest of maintaining a satisfactory scheme of landscaping and to protect the visual amenity of the area, in accordance with Policy PS2 of the LDP.
- 15 Notwithstanding the plans submitted, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a fully detailed scheme of landscaping including species, spacings and height when planted of all new planting. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development. The scheme shall also include the reconfiguration of the street landscaping either side of the vehicular access to Plot 10. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first beneficial occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
Reason: In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value, and highway/pedestrian safety, in accordance with Policy PS2 of the Swansea LDP.
- 16 The development hereby approved shall be undertaken in accordance with the recommendations contained in Section 5 'Conclusions and Recommendations' of the Preliminary Ecological Assessment, prepared by Soltysbrewster Ecology, dated October 2021.
Reason: In the interests of biodiversity and protecting retained habitats and wildlife on the site during the construction process.
- 17 Before the development is commenced, a sensitive lighting strategy (relating to both the construction and operational phases of the development) shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall outline the measures to be taken to avoid the impacts of lighting (both during the construction phase and the operational phase) on bats, and other nocturnal species. The lighting strategy shall ensure that the habitats adjacent to and within the site are not lit and that protected species using the site for commuting and foraging purposes can continue to do so without disturbance.

The measures contained within the approved lighting strategy shall be implemented at all times thereafter and any external lighting serving the proposed development shall not conflict with the mitigation measures contained within the lighting strategy at any times.

Reason: In the interest of bats, other nocturnal species, and the wider environment.

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- 18 Prior to the commencement of development a detailed scheme for the eradication of Invasive Non-Native Species (INNS) shall be submitted to and approved in writing by the Local Planning Authority, and shall thereafter be implemented in accordance with the approved details.
Reason: In the interests of the ecology and amenity of the area, in accordance with Policies PS2, ER8 and ER9 of the Swansea LDP.
- 19 Full details/samples of all external materials (including a composite materials sample board on site) shall be submitted to and approved in writing by the Local Planning Authority before development works commence on site. The development shall thereafter be carried out in accordance with the approved details.
Reason: In the interests of visual amenity.
- 20 Prior to the occupation of any residential units hereby approved, the required access from the existing public highway, the internal road, shared surface streets and footways shall be laid out and constructed strictly in accordance with the plans herewith approved, to at least the base course levels.
Reason: In the interests of highway safety, in accordance with Policies PS2, T1 and T5 of the Swansea LDP.
- 21 Prior to the beneficial occupation of the development the storage facilities for refuse and bicycles as indicated on the 'Proposed Site Masterplan' (Dwg: 200 Rev C), received on 28th March 2024, shall be provided and made available for the beneficial use of the residents and shall thereafter be retained and not used for any other purpose in perpetuity.
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 in accordance with Swansea's Local Development Plan Policies PS2 and T6.
- 22 Notwithstanding the plans submitted, large scale details (1:20 / 1:10) for:
1. Typical window in opening with reveals, head and cill;
 2. Porch and entrance doors ;
 3. Eaves/ Verge; and
 4. Chimneys.
- of all proposed residential units within the site shall be submitted to and approved in writing by the Local Planning Authority before development works commence on site. The development shall thereafter be carried out in accordance with the approved details.
- Reason: In the interests of visual amenity in accordance with Policy PS2 of the LDP.

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- 23 Notwithstanding the submitted plans and prior to their installation, details of all meter reading or other utility cupboards serving all residential units shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
Reason: In the interests of visual amenity in accordance with Policy PS2 of the LDP.
- 24 Prior to the occupation of any residential unit hereby approved, a Parking Management Plan (PMP) shall be submitted to and approved in writing by the Local Planning Authority. The PMP shall be implemented as approved and thereafter the site shall be managed in accordance with the approved PMP in perpetuity.
Reason: In the interests of highway safety, amenity and sustainability.
- 25 Notwithstanding the submitted plans or the requirements of Condition 15, there shall at no time be any growth or obstruction to visibility over 0.9 metres above the adjacent carriageway crown within the visibility splay (inclusive of that shown in purple) on drawing 20/02/24 – Figure 1, attached to the document titled Technical Note, provided by asbritransport dated 22 February 2024
Reason: In the interests of highway safety.

Informatives

- 1 The national development plan is Future Wales: The National Plan 2040. The following policies were relevant to the consideration of the application:
- Policy 1 - Where Wales Will Grow
 - Policy 2 - Shaping urban growth and regeneration - Strategic placemaking
 - Policy 7 - Delivering Affordable Homes
 - Policy 9 - Resilient ecological networks and Green infrastructure
 - Policy 12 - Regional Connectivity
 - Policy 28 - National Growth Area - Swansea Bay and Llanelli

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, PS3, ER1, ER2, ER8, ER9, ER11, CV2, T1, T2, T5, T6, EU4, RP1, RP2, RP3, RP4, RP6, RP8, RP10, IO1, IO2, H2, H3, H6, SI1, SI3, SI6 and SI8.

- 2 The developer must contact the Highway Management Group, The City and County of Swansea, Guildhall, Swansea SA1 4PE before carrying out any work. Please email networkmanagement@swansea.gov.uk or telephone 01792 636091.
- 3 Under the provisions of Schedule 3 of the Flood and Water Management Act 2010, your development may require Sustainable Drainage Approval before any construction work commences. Further details can be found on the Authority's website:- <https://www.swansea.gov.uk/sustainabledrainage> and the SuDS Approval Team can be contacted via SAB.Applications@swansea.gov.uk for further advice and guidance.

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- 4 The Council is responsible for the naming and numbering of streets within the administrative area. All new property addresses or changes to existing addresses arising from development for which planning consent is sought must be cleared through the Council's Street Naming and Numbering Officer as soon as building work commences. Street naming and numbering proposals must be agreed with the Council prior to addresses being created or revised. Please note that there is a charge for the provision of some street naming and numbering services.

For further information please visit <https://www.swansea.gov.uk/streetnamingnumbering> or contact the Council's Street Naming and Numbering Officer Tel: 01792 637127; email snn@swansea.gov.uk

- 5 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 unless otherwise agreed through the Local Planning Authority. The Local Authority has the power to impose the specified hours by service of an enforcement notice under Control of Pollution Act 1974, Section 60. Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice. If applying for Prior consent under Control of Pollution Act 1974, section 61, please contact pollution@swansea.gov.uk and ensure any application is submitted a minimum of 28 days prior to commencement of any works.
- 6 No burning of any materials 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.
- 7 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.
- 8 During construction work the developer shall operate all best practice to minimise nuisance to local residences from on site lighting.
- 9 All UK bat species are protected under Schedule 5 of The Wildlife & Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019. This legislation implements the EC Habitats & Species Directive in the UK making it an offence to: Deliberately take, injure or kill a bat; Intentionally or recklessly disturb a bat in its roost; Damage or destroy the breeding site or resting place of a bat (even if it is not occupied at the time); Intentionally or recklessly obstruct access to a bat roost. If evidence of bats is encountered during development, work must cease immediately and the advice of a suitably qualified ecologist or Natural Resources Wales (NRW) sought before continuing with any work (0300 065 3000).

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Item 1 (Cont'd)

Application Number:

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- 10 It is an offence under The Wildlife & Countryside Act 1981 (as amended) to intentionally:
1. Kill, injure or take any wild bird;
 2. Take, damage or destroy the nest of any wild bird while that nest is in use or being built; and
 3. Take or destroy an egg of any wild bird. Additionally, bird species listed on Schedule 1 of the Act are also protected from intentional or reckless:
 4. Disturbance while it is building a nest or is in, on or near a nest containing eggs or young; and
 5. Disturbance to dependent young of such a bird.

No clearance/pruning of trees, shrubs, scrub or buildings shall be undertaken during the bird nesting season (late February-early September). Where this is not possible, a check for active nests by a suitably qualified ecologist will be required prior to clearance. Any active nests will be left in situ until chicks have fledged or the nest is no longer active. If any nests of Schedule 1 species are found, additional measures to avoid disturbance will be required

- 11 Badgers and their setts are protected under The Protection of Badgers Act 1992. It is an offence to: Kill, injure or take a badger; Damage, destroy or obstruct access to a badger sett; and Disturb a badger when it is occupying a sett. If evidence of badgers is encountered during development, work must cease immediately and the advice of a suitably qualified ecologist or NRW sought before continuing with any work (0300 065 3000).

All trenches and excavations shall be fenced off or covered overnight to prevent any animals from falling in and becoming trapped. If this is not possible an adequate means of escape shall be provided (i.e. a gently graded side wall or provision of gently sloped wooden plank or equivalent). Any exposed pipes and trenches shall be checked for trapped wildlife each morning before starting construction activities.

An updated walkover survey for badgers across the whole site and immediately adjacent habitats shall be undertaken if clearance/construction works do not begin within 12 months of the date of the current report (i.e. before November 2024).

- 12 There is the potential for hedgehogs to be present in the area. Hedgehogs are protected under Schedule 6 of The Wildlife and Countryside Act 1981 (as amended), which prohibits killing and trapping by certain methods. They are also listed on Section 7 of The Environment (Wales) Act 2016. This is a list of the living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.

In order to retain habitat connectivity for species of principal importance, such as hedgehogs, boundary treatments shall not be flush to the ground, or suitably sized gaps 13 x 13 cm should be left at strategic points. See: <https://www.hedgehogstreet.org/hedgehog-friendly-fencing/>

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- 13 Reptiles & amphibians may be present. All British reptile & amphibian species are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It makes it an offence to intentionally kill or injure these species. If widespread reptile/amphibian species are encountered (common lizard, slow worm, adder, grass snake, common frog, common toad, smooth newt, palmate newt), they should be allowed to move away from the works on their own. An ecologist should be contacted if assistance is required to locate reptiles/amphibians to a suitable habitat
- 14 It is an offence to plant or otherwise cause to grow in the wild any plant species listed on Schedule 9 of The Wildlife and Countryside Act 1981 (as amended) or Schedule 2 of The Invasive Alien Species (Enforcement and Permitting) Order 2019.
- 15 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.
- 16 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 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.
- 17 In accordance with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.
- 18 The proposed development is crossed by a trunk/distribution watermain, the approximate position being shown on the attached plan. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. We enclose our Conditions for Development near Watermain(s). It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.

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- 19 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

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

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Item 2

Application Number:

2024/0365/LBC

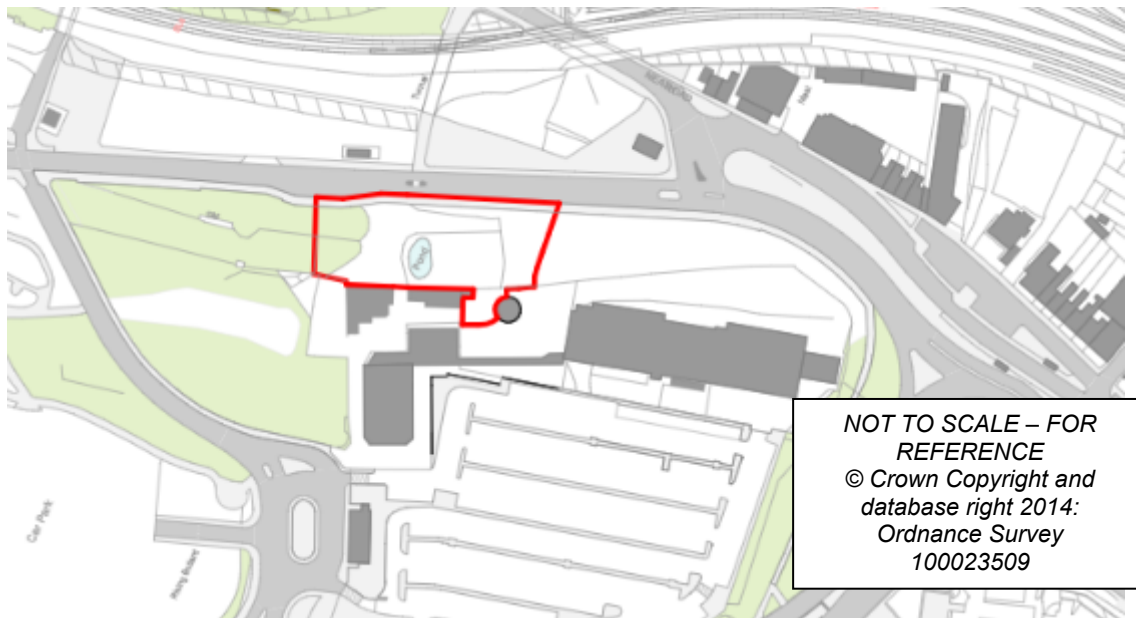
Ward:

Landore - Area 1

Location: Morfa And Silverstack Bridges, Morfa Road, Hafod, Swansea,

Proposal: Reconstruction of two derelict historic bridges (named Morfa Bridge and Silverstack Bridge) crossing the disused Swansea Canal, along with the side towpath and canal walls, to provide connection between Morfa Road and Morfa Copperworks site (application for Listed Building Consent)

Applicant: Tracy Nichols Swansea Council



APPRAISAL

Procedural Issue

This application is being reported to Planning Committee for decision as the Planning and City Regeneration division is both the applicant and the regulatory body, and therefore the listed building application cannot therefore be determined via Delegated Powers.

This requirement to refer to Committee is due to The Planning (Listed Buildings and Conservation Areas) (Wales) (Amendment) Regulations 2021.

It should be highlighted that this application is for listed building consent only. An associated full planning application has been submitted and is currently being considered (Ref: 2024/0362/FUL). The full application for planning permission will be determined in due course.

Proposal

The application seeks Listed Building Consent for the reconstruction of two derelict historic bridges (named Morfa Bridge and Silverstack Bridge) crossing the disused Swansea Canal, along with the side towpath and canal walls, to provide connection between Morfa Road and Morfa Copperworks site.

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Item 2 (Cont'd)

Application Number:

2024/0365/LBC

The Laboratory building adjacent to the eastern boundary of the Site comprises a Grade II listed building (Cadw Reference. 11690). The development proposals do not include any physical works to the Laboratory building however, the works proposed are within the curtilage of the listing and therefore have potential to impact upon the setting of the historic asset. As such this application for listed building consent is submitted in tandem with the planning application.

The application is accompanied by a Heritage Impact Assessment (HIA) which sets out the heritage significance of the Morfa Bridge and Silverstack Bridge and sets it in context. It considers the current proposals and evaluates the heritage impact that these would have and where appropriate identifies potential mitigation.

The site entails an area of land within the Hafod Morfa Copperworks site which has previously been covered with rubble and hardcore and the proposals seek to excavate sections of the site to uncover the former Silverstack and Morfa bridges over the former Swansea Canal that once served the copperworks to create a new area of public realm. The area of new public realm will include new pathways which will provide new access points to the laboratory building (which is currently being regenerated) and future developments to the south which form part of the wider masterplan proposals for the area.

The proposal forms part of the recently awarded UK government Levelling Up Fund for the regeneration of the Hafod Morfa Copperworks area, promoting connectivity between the copperworks and the city centre and referred to as the 'Lower Swansea Valley (LSV) Levelling Up Project'.

Proposed Development

The proposed development comprises the extension of the existing heritage trail to the south of the site, the excavation of land and the reinstatement of the Morfa and Silverstack bridges as well as soft and hard landscaping works to create a new area of public realm.

Excavations will be undertaken to reveal the Morfa and Silverstack bridges. Once the bridges have been revealed, works to stabilise the structures, and reinstate the bridges for pedestrian crossing will commence. Excavations will also take place to identify the route of the former canal basin. The excavations will be shallow and will not expose the full depth of the canal. Soft landscaping is proposed within the shallow excavations. The excavations in this area will allow Morfa and Silverstack bridges to be visible to pedestrians.

The new footpaths on site will be arranged in a loop format to allow full observation of the Morfa and Silverstack bridges. A total of 4no. access points will be available to the Site including:

- Access from the existing heritage trail from the south.
- Access from Morfa Road to the west.
- Access from the grounds of the laboratory building via an existing gate to the east.
- Access via a new gated entry on the eastern boundary wall.

The excavated areas of the site will be enclosed by a knee rail which will be installed along the outer boundary of the footpaths to ensure members of the public use the footpaths rather than cross the lower lying landscaped areas of the site.

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The proposals will provide connectivity between public transport stops to the west on Morfa Road, the recently approved development at the former laboratory building to the east and the future developments proposed to the south of the site at the Vivian and Musgrave Engine Houses and V&S sheds.

To facilitate the proposed connection to the heritage trail, a section of category B woodland will need to be removed from site. Further to this, a category B group of trees will need to be removed in its entirety to facilitate proposed external hard landscaping. A minor section of category C quality group will be required for removal to facilitate proposed external hard landscaping and create a void to explore the silverstack bridge.

To mitigate the loss of trees, proposed planting includes 11 new trees. The new tree planting along with native scrub will complement existing vegetation on site. Existing amenity grassland will be retained on site and reinstated where necessary following construction. Tall defensive planting will be included to prevent access to lower landscaped areas and to provide ecological mitigation for species using the site.

Response to Consultations

The application was advertised in accordance with the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012 by press notice and display of site notices. No response.

Placemaking and Heritage Team Consultation

The Councils Placemaking and Heritage Team Lead officer has been involved throughout the pre-application process and has carefully assessed the final proposals and have provided the following detailed supportive comments.

This application relates to two former bridges on the route of the former Swansea Canal to the west of the Copperworks. These are considered to meet the curtilage listing test as set in section 1(5) of the Planning (Conservation Areas and Listed Buildings) Act 1990 by means of functional connectivity in that they relate direct to established historic access points into the copperworks through gates in the boundary walls.

Section 16(2) of the Planning (Conservation Areas and Listed Buildings) Act 1990 sets out the statutory requirement in determining application for listed building consent to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'. Paragraph 5.13 of TAN 24: The Historic Environment and PPW 12 provides further explanation of the considerations including the importance of the building; its particular physical features; its setting; the impact of the proposed works on the significance for the building; clear justification for the works and the potential community/ regeneration benefits. These considerations for assessing the acceptability of alterations to designated listed buildings are mirrored in Policy HC2 of the Swansea LDP.

The bridges also form the setting to the grade II listed Laboratory Building which has consent for shell restoration (2020/1904/LBC) and also setting to the curtilage listed Porters Lodge and Weighbridge Office which have undergone shell restoration as part of the Powerhouse works (2020/1113/LBC).

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Item 2 (Cont'd)

Application Number:

2024/0365/LBC

The Hafod/Morfa Copperworks is part of the SD L strategic site as defined in the Swansea LDP which is allocated for heritage-led regeneration. Recently works have included the restoration of the Powerhouse as a new distillery and visitor centre plus shell restoration of the Porters Lodge and Weighbridge Office. The Laboratory building has listed building consent for shell restoration potentially for office or restaurant use. The proposals are supported by an emerging masterplan in conjunction with Urban Splash this shows that the bridges will provide important western connectivity into the Copperworks for walking and cycling.

The proposals can be summarised as:

- *Reinstatement of Morfa bridge*
- *Reinstatement of Silver Stack bridge*
- *Insertion of gate into boundary wall opening*
- *Repairs to boundary wall*
- *Public realm works*

Morfa Bridge

Record photos show the Morfa Bridge as a masonry arch bridge over the Swansea Canal. Archaeological investigations have confirmed that much of the lower structure of the bridge remains in situ with the canal bed infilled, plus broken parts of the arch also survive within the fill material.

The proposal is to locally excavate the canal area, retain the existing bridge abutments and install a new flexi arch system dressed on the outer faces with brick arch and pennant stone work above to match the original appearance. This will effectively recreate the arch bridge like for like albeit with a modern structural arch system below.

The principle of reinstating a brick facing to the arch and pennant stone masonry to match the existing is welcomed and a condition can be used to agreed mortar colour and coursing.

The 1920s photo of the Morfa Bridge in the HIA shows a mixture of coping shapes including distinctive 'bishops hat' shaped copper copings which can also be found in the listed canal wall further south. All parapets and copings are lost and the proposed new copings are unclear. Therefore, this detail must be agreed via condition.

On the basis that this bridge will be for shared use by pedestrians and cyclists this requires a modern handrail 1.4m high, this is proposed to be fixed into mortar joints and the detail can be agreed via condition.

There will be no public access below the bridge with a metal grill fixed into the arch and this can be controlled via condition.

Silver Stack Bridge

This was a completely different design of shallow curved metal beam deck with handrails and stone pillars with wing walls at either end. Apparently, the abutments survive with the canal bed infilled and the substantial circular copings to the pillars have been retained stored on the Copperworks site.

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The proposal is to locally excavate the canal area, retain and repair the existing bridge abutments and to reinstate a modern shallow curved steel beam bridge deck with metal hand rails to match the record photos but raised to 1.4m for cycle use. The stone pillars and wing walls to either end would be recreated, and the retained circular copings reinstated.

This is welcomed and details such as metal deck details, stonework, mortar and coursing plus hand rails can be agreed via condition.

There will be no public access below the bridge with a metal grill fixed under the deck and this can be controlled via condition.

Copperworks gates

The reinstated canal bridges will give access to the Copperworks site at two locations. The Morfa Works gate immediately adjacent to the grade II listed Laboratory Building already has consent to be recreated with new hinged gates (see LBC ref 2020/1904/LBC).

Adjacent to the Silver Stack bridge is a circa 3m gap in the works wall currently secured by palisade fencing. The proposal in this area is to reinstate new hinged gates into the existing opening. This is welcomed and the detail of the gates and hinges can be agreed via condition.

Boundary wall

The eastern side of the bridges public realm abuts the works wall. Much this has already been repaired as part of the Weighbridge Office works under LBC ref 2020/1113/LBC. A portion of the remaining area to the south will be repaired as part of the external wall to the laboratory building works with consent for shell restoration under LBC ref 2020/1904/LBC.

There is a remaining area of pennant stone wall north of the Weighbridge Office either side of the gate to the Silver Stack bridge that requires vegetation removal and repointing which is welcomed with the mortar to be agreed via condition.

Public realm

The public realm treatment would link into the Copperworks from Morfa Road over the two reinstated canal bridges. There would also be a southern link to the existing canal walk following the reinstated towpath alignment.

The surfacing in all areas is indicated to be permeable surfacing with no further details provided and this must be controlled via condition.

The plans show a new area of surfacing on the east side of the Silver Stack gate linking to the completed public realm by the Weighbridge Office installed as part of the Powerhouse works. The drawing confirms that the new surface will stop short of the Silver Stack base with a gravel margin. The drawings also confirm that no works are proposed to the masonry base of the Silver Stack.

The proposed landscape plans show low knee rail fences to define areas for access. This is supplemented by deterrent planting to stop access to the canal bed area.

The compensatory tree planting is proposed in areas to enhance the setting of the bridges and works entrance. This includes a row of trees between the western public realm area and Morfa Road to give edge definition.

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Summary

The reinstatement of the curtilage listed canal bridges welcomed to enhance the character of the Copperworks whilst improving active travel access. This also improves the setting of the adjacent listed buildings such as the Laboratory.

The proposals accord with Section 16(2) of the Planning (Conservation Areas and Listed Buildings) Act 1990 and also accords with Policy HC2 as set out in the Swansea Local Development Plan.

As this is a Council Listed Building Consent application, legal advice is that all such applications must be reported to Planning Committee and subsequently referred to Cadw.

The following conditions are required

- *Details of stonework with sample panels for both bridges*
- *Details of new handrails to both bridges*
- *Details of Silver Stack Bridge metal deck*
- *Details of arch system for Morfa Bridge*
- *Details of new Silverstack gate and hinges*
- *Details of public realm materials*

Relevant Planning Policy and Guidance

The statutory protection, under the terms of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Historic Environment (Wales) Act 2016, means that any works that may affect the character of the listed building, or any of its ancillary buildings, as one of special architectural or historic interest need listed building consent. There is a presumption in the Act that Welsh Ministers will have "special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

TAN 24 (Historic Environment) provides guidance on how the planning system considers the historic environment during development plan preparation and decision making on planning and Listed Building (LBC) applications. TAN 24 reiterates the duty under the Planning (Listed Buildings and Conservation Areas) Act 1990 that when considering any applications for listed building consent, the local planning authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Swansea Local Development Plan - Adopted Feb. 2018

Policy HC 1 within the Historic and Cultural Environment section states that the County's distinctive historic and cultural environment will be preserved or enhanced by:

- i. Requiring high quality design standards in all development proposals to respond positively to local character and distinctiveness;
- ii. Identifying and safeguarding heritage assets, sites and their settings;
- iii. Supporting heritage and cultural led regeneration schemes;
- iv. Safeguarding and promoting use of the Welsh language.

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It is important to understand the significance of heritage assets in order to assess the acceptability of change. Heritage Impact Assessments (HIA) are required by TAN 24 The Historic Environment (2014) for listed building consent and conservation area consent applications.

Policy HC 2 states that the buildings and features of historic importance will be preserved or enhanced through the following measures:

- i. Proposals for alteration and/or extension to a listed building or its curtilage must ensure that the special architectural character or historic interest is preserved;
- ii. The change of use of a listed building or its curtilage will only be permitted where this contributes towards the retention of a building or its sustainable re-use without having an adverse effect on its character, special interest or structural integrity;

Listed Buildings

National Planning Policy and Guidance contains a general presumption in favour of the preservation of listed buildings. Works (internal and external) that would affect the character or historic fabric of a listed building and its curtilage must not be implemented without authorisation of a listed building consent and should be fully justified by means of a Heritage Impact Assessment in accordance with National Planning Policy and Guidance. The policy seeks to ensure that where a development proposal affects a listed building or its setting, the primary material consideration is the statutory requirement to have special regard to the desirability of preserving or enhancing the building, or its setting, or any features of special architectural or historic interest which it possesses. Listed buildings will often present opportunity for the restoration and sustainable re-use of historic buildings, for the strengthening of local identity through respect for local characteristics of design, and for the interpretation of hidden heritage assets.

Assessment

The development proposals include the excavation of sections of the site to uncover the former Silverstack and Morfa bridges as well as the route of the canal basin that once served the copperworks to create a new area of public realm. The area of new public realm will include new pathways which will provide new access points to the laboratory building (which is currently being regenerated) and future developments to the south which form part of the wider masterplan for the area. The development proposals form part of the LSV Levelling Up Project following the recent award of a Levelling Up Fund to Swansea Council.

The principle of the development is acceptable at this location given that its aspirations are to reinstate historic feature of the landscape that contribute towards the locations character and context and to provide a pedestrian connection between future developments and public transport.

It is considered that the works to uncover and reinstate the currently buried Morfa and Silverstack Bridges will enhance the historic industrial landscape and strengthen understanding of the former copperworks. As such, the architectural and historic interest of these assets will be preserved. The detailed considerations are laid out within the Placemaking and Heritage consultation above which provide full support to the development subject to the refinement of the outlined details being controlled through the planning conditions.

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It is concluded that the proposals are in accordance with the Development Plan and National Planning Guidance and other material considerations. It is therefore recommended that CADW be advised that the Local Planning Authority propose to grant Listed Building Consent subject to any directions from that body.

Recommendation

In accordance with the Planning (Listed Buildings and Conservation Areas) (Wales) Regulations 2012 it is recommended that the application be APPROVED subject to the following conditions and any direction from CADW:

1 The works permitted shall be begun before the expiration of five years from the date of this consent.

Reason: To comply with the provisions of the Planning (Listed Buildings and Conservations Areas) Act 1990.

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

(521)2319-GWP-1B-XX-DR-A-(PA)-00010 P01 Bridges_Morfa Canal Bride Elevation; (521)2319-GWP-1B-XX-DR-A-(PA)-0002 P01 Bridges_Existing Site Plan; (521)2319-GWP-1B-XX-DR-A-(PA)-0007 P01 Bridges_Proposed Bridges Section; (531)2319-GWP-1B-XX-DR-A-(PA)-0001 P01 Bridges_Location Plan; 1003 P2 Morfa Canal Bridge; 2003 P2 Silverstack Bridge; 3001 P3 Canal and Brides - received 23 Feb 2024.

(387)2011-GWP-1B-XX-DR-A-(PA)-0005 Bridges - Morfa Canal Bridge Section -P02 - received 18 March 2024.

Heritage Impact Statement rev C; (387)2011-GWP-1B-XX-DR-A-(PA)-0011 Bridges - Silverstack Bridge Elevation -P02; 387)2011-GWP-1B-XX-DR-A-(PA)-0003_ Bridges - Proposed Site Plan-P04; 387)2011-GWP-1B-XX-DR-A-(PA)-0006_ Bridges - Silverstack Bridge Section -P03; 387)2011-GWP-1B-XX-DR-A-(PA)-0010_ Bridges - Morfa Canal Bridge Elevation -P01 - received 27 March 2024.

(531)2319-GWP-1B-XX-RP-A-rev 06 Design and Access Statement; LSV-WAS-XX-XX-DR-L-00101 REV E LANDSCAPE GA LAB BRIDGES - received 29 April 2024.

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

3 Prior to the commencement of the reinstatement works to the Morfa Bridge, details at an appropriate scale of the following shall be submitted to and approved in writing by the Local Planning Authority:

- Mortar colour and coursing;
- Copings;
- Handrail including fixings;
- Arch system and metal grill;

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The development shall be carried out in accordance with the approved details and the infrastructure shall be provided prior to the first beneficial use of the development.

Reason: To ensure that special regard is paid to the interests of protecting the special character and architectural interest and integrity of the listed wall under Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and in accordance with Swansea Local Development Plan 2010-2025 Policies HC1 and HC2.

4 Prior to the commencement of the reinstatement works to the Silverstack Bridge, details at an appropriate scale of the following shall be submitted to and approved in writing by the Local Planning Authority:

- Metal deck details;
- Stonework, mortar and coursing;
- Handrail including fixings;
- Metal grill;

The development shall be carried out in accordance with the approved details and the infrastructure shall be provided prior to the first beneficial use of the development.

Reason: To ensure that special regard is paid to the interests of protecting the special character and architectural interest and integrity of the listed wall under Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and in accordance with Swansea Local Development Plan 2010-2025 Policies HC1 and HC2.

5 Prior to the installation of the Copperworks Gates, details at an appropriate scale of the gates and hinges shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the infrastructure shall be provided prior to the first beneficial use of the development.

Reason: To ensure that special regard is paid to the interests of protecting the special character and architectural interest and integrity of the listed wall under Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and in accordance with Swansea Local Development Plan 2010-2025 Policies HC1 and HC2.

6 Prior to the construction of the new boundary wall, details of the pennant stone mortar shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the infrastructure shall be provided prior to the first beneficial use of the development.

Reason: To ensure that special regard is paid to the interests of protecting the special character and architectural interest and integrity of the listed wall under Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and in accordance with Swansea Local Development Plan 2010-2025 Policies HC1 and HC2.

7 Prior to the installation of the new public realm, details of the permeable surfacing material shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the infrastructure shall be provided prior to the first beneficial use of the development.

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Reason: To ensure that special regard is paid to the interests of protecting the special character and architectural interest and integrity of the listed wall under Section 16 of the Planning (Listed Buildings & Conservation Areas) Act 1990 and in accordance with Swansea Local Development Plan 2010-2025 Policies HC1 and HC2.

Informatives

- 1 The national development plan is Future Wales: The National Plan 2040. The following policies were relevant to the consideration of the application:

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping urban growth and regeneration - Strategic placemaking

Policy 9 - Resilient ecological networks and Green infrastructure

Policy 28 - National Growth Area - Swansea Bay and Llanelli

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: PS2, SD L , HC1, HC2.

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Ward:

Pennard - Area 2

Location: Cobwebs, Penmaen, Swansea, SA3 2HH

Proposal: Demolition of existing, part single, part two storey property and the construction of a new, part single, part two storey, dwelling with detached, single storey, flat roof garage

Applicant: Mr Edward Hayward



Background

This application is being presented to Planning Committee for determination as a petition of over 30 signatures (from different households) has been received and the application has been 'called-in' by the Ward Councillor.

Site Location

This application relates to a residential dwelling known as 'Cobwebs' Penmaen. The site is located outside the settlement limits defined by the Swansea Local Development Plan (LDP) and hence falls within the open countryside. The site also lies within the Gower AONB.

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Penmaen itself is a small Hamlet comprising some 20 low density properties (up to and including Penmaen Farm). The cluster of properties follows a predominantly linear form with properties mainly focussed around the A4118 main arterial route. Penmaen is characterised by a mixture of traditional attractive stone cottages as well as number of later 20th century dwellings.

The existing dwelling is a two-storey cottage which has been extended extensively with a series of poorly designed single storey additions, cumulatively resulting in the dwelling having a large irregular shaped footprint. The existing dwelling is not considered to be of high architectural quality and does not make a particularly positive contribution to the streetscene or the visual amenities of the area. The dwelling is sited on the southern side of the main highway that traverses through Penmaen.

The main part of the existing dwelling is sited centrally within its plot, although the series of extensions takes the property close to the eastern site boundary.

The closest neighbouring dwelling is 'Shorelands' to the east, a 20th century two storey dwelling, itself having been very recently renovated and extended with a contemporary approach. An access track does however separate the application site from the Shorelands property. Two detached dwelling are positioned on the opposite side of the road. These dwellings are of traditional design but not typical Gower vernacular.

Description of Development

Full planning permission is sought for the demolition of the existing dwelling and the construction of a new part single, part two storey replacement dwelling with detached single storey flat roofed garage.

The topography of the application site is such that it falls away from the road by 6.5m (north to south). The proposal seeks to demolish the existing dwelling and replace it with a part two storey/part single storey family home of contemporary square plan form and design. The dwelling is designed to 'sit' in the landform and will be constructed using local materials wherever possible. External materials will include vertically hung charred larch cladding, local stone laid in dry stone wall effect and green roofs.

The detached garage/store is proposed forward of the proposed dwelling (north) and will broadly sit on the footprint of the existing detached garage. This building will follow the same simple square plan form of the main dwelling and will be finished in matching materials.

Relevant Planning History

There is no planning history of relevance to the determination of this application.

Planning Policy

[The National Development Framework: Future Wales - the National Plan 2040](#)

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Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes. The relevant policies are listed below;

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping urban growth and regeneration - Strategic placemaking

Policy 4 - Supporting Rural Communities

Policy 5 - Supporting the rural economy.

Policy 9 - Resilient Ecological Networks and Green Infrastructure

Planning Policy Wales (12th Edition) 2024

Good Design Making Better Places

3.3 Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area.

3.38 The countryside is a dynamic and multi-purpose resource. In line with sustainable development and the national planning principles and in contributing towards placemaking outcomes, it must be conserved and, where possible, enhanced for the sake of its ecological, geological, physiographic, historical, archaeological, cultural, and agricultural value and for its landscape and natural resources. The need to conserve these attributes should be balanced against the economic, social, and recreational needs of local communities and visitors.

3.4 Design is an inclusive process, which can raise public aspirations, reinforce civic pride and create a sense of place and help shape its future. For those proposing new development, early engagement can help to secure public acceptance of new development. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales.

3.5 Good design is inclusive design. Development proposals should place people at the heart of the design process, acknowledge diversity and difference, offer choice where a single design solution cannot accommodate all users, provide for flexibility in use and provide buildings and environments that are convenient and enjoyable to use for everyone.

3.6 Development proposals must address the issues of inclusivity and accessibility for all. This includes making provision to meet the needs of people with sensory, memory, learning and mobility impairments, older people, and people with young children. There will often be wider benefits to be gained through the sensitive consideration of such provision, for example, whilst the presence of visual cues will be invaluable in assisting those with hearing loss to engage in a noisy environment, a navigable environment will benefit all.

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Good design can also encourage people to meet and interact with each other, helping to address issues surrounding loneliness. Good design must also involve the provision of measures that help to reduce the inequality of access to essential services, education and employment experienced by people without access to a car. Design measures and features should enable easy access to services by walking, cycling and public transport.

Environmental Sustainability

3.7 Good design promotes environmental sustainability and contributes to the achievement of the wellbeing goals. Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution. An integrated and flexible approach to design, including early decisions regarding location, layout, built form, the choice of materials, the adaptability of buildings and site treatment will be an appropriate way of contributing to resilient development.

3.8 Good design can help to ensure high environmental quality. Landscape and green infrastructure considerations are an integral part of the design process. Integrating green infrastructure is not limited to focusing on landscape and ecology, rather, consideration should be given to all features of the natural environment and how these function together to contribute toward the quality of places. This embraces the principles of 'ecosystems services' and sustainable management of natural resources where multiple benefits solution become an integral part of good design. In a similar manner, addressing environmental risks can make a positive contribution to environmental protection and improvement, addressing land contamination, instability and flood risk and providing for biodiversity, climate protection, improved air quality, soundscape, and water resources benefits.

Character

3.9 The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement.

Car Parking

4.1.49 Car parking provision is a major influence on how people choose to travel and the pattern of development. Where and how cars are parked can in turn be a major factor in the quality of a place. 4.1.50 A design-led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development. Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Planning authorities must support schemes, which keep parking levels down, especially off-street parking, when well designed. The needs of disabled people must be recognised, and adequate parking provided for them.

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4.1.51 Planning authorities must require good standards of car parking design, which do not allow vehicles to dominate the street or inconvenience people walking and cycling. Car parking should be overlooked by surrounding properties, to provide natural surveillance.

Integrating Green Infrastructure and Development

6.2.4 Green infrastructure plays a fundamental role in shaping places and our sense of wellbeing, and are intrinsic to the quality of the spaces we live, work, and play in. The planning system should protect and enhance green infrastructure assets and networks because of these multi-functional roles. The protection and enhancement of biodiversity must be carefully considered as part of green infrastructure provision alongside the need to meet society's wider social and economic objectives and the needs of local communities. The multiple benefits that resilient ecosystems and green infrastructure offer to society, including the economic and social contribution they make to local areas, should be taken into account when balancing and improving these needs.

6.2.5 The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, helping to overcome the potential for conflicting objectives, and contributing towards health and well-being outcomes. There are multiple ways of incorporating green infrastructure, dependent on the needs and opportunities a site presents. Landscaping, green roofs, grass verges, sustainable urban drainage and gardens are examples of individual measures that can have wider cumulative benefits, particularly in relation to biodiversity and the resilience of ecosystems as well as in securing the other desired environmental qualities of places.

National Parks and Areas of Outstanding Natural Beauty

6.3.5 The statutory landscape designations that apply in Wales are National Parks, and AONBs. Planning authorities have a statutory duty to have regard to National Parks and AONB purposes. This duty applies in relation to all activities affecting National Parks and AONBs, whether those activities lie within, or in the setting of, the designated areas. The designated landscapes should be drivers of the sustainable use and management of natural resources in their areas, and planning authorities should have regard to their identified special qualities in the exercise of their functions and any relevant management plans.

6.3.6 In National Parks, planning authorities should give great weight to the statutory purposes of National Parks, which are to conserve and enhance their natural beauty, wildlife, and cultural heritage, and to promote opportunities for public understanding and enjoyment of their special qualities.

6.3.8 National Parks and AONBs are of equal status in terms of landscape and scenic beauty and must both be afforded the highest status of protection from inappropriate developments.

Trees, Woodlands, and Hedgerows

6.4.25 Planning authorities should protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial and identified green infrastructure function. Planning authorities should consider the importance of native woodland and valued trees, and should have regard, where appropriate, to local authority tree strategies or SPG. Permanent removal of woodland should only be permitted where it would achieve significant and clearly defined public benefits. Where woodland or trees are removed as part of a proposed scheme, developers will be expected to provide compensatory planting.

Sustainable Drainage Systems (SuDS) and Development

6.6.17 New developments of more than one dwelling or where the area covered by construction work equals or exceeds 100 square metres also require approval from the SuDS Approval Body (SAB) before construction can commence. Adoption and management arrangements, including a funding mechanism for maintenance of SuDS infrastructure and all drainage elements are to be agreed by the SAB as part of this approval. This will ensure that SuDS infrastructure is properly maintained and functions effectively for its design life.

Swansea Local Development Plan (2010-2025)

The Development Plan for the area is the Swansea Local Development Plan (Adopted February 2019) and within which the following policies are considered to be relevant to the proposal;

PS2 - Placemaking and Place Management
CV2 - Development in the Countryside
CV3 - Replacement Dwellings in the Countryside
ER2 - Strategic Green Infrastructure Network
ER4 - Gower Area of Outstanding Natural Beauty (AONB)
ER8 - Habitats and Species
ER9 - Ecological Networks and Features of Importance for Biodiversity
ER11 - Trees, Hedgerows and Development
T1 - Transport Measures and Infrastructure
T5 - Design Principles for Transport Measures and Infrastructure
T6 - Parking
RP3 - Air and Light Pollution
RP10 - Sustainable Waste Management for New Development

Supplementary Planning Guidance

The following supplementary planning guidance document are also relevant to the determination of this application:

- Placemaking Guidance for the Gower AONB (Adopted October 2021)
- Trees Hedgerows and Woodlands (Adopted October 2021)
- Development and Biodiversity (Adopted February 2021)
- Parking Standards (Adopted March 2012)

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Consultation

Local Highways Authority - No objection

Tree Officer - No objection subject to standard condition.

Ecology Officer - No objection subject to standard condition and advisory notes.

Drainage Officer - Development proposal has been identified as requiring SuDS Approval Body consent irrespective of any other permissions given.

Dwr Cymru/Welsh Water - No objection subject to advisory notes.

Natural Resource Wales -

Initial Response

Object to the proposal as no details of how foul waste will be disposed of is provided

Final Response

Following the receipt from the applicant that foul water would be disposed to the main sewer system, NRW were re-consulted.

NRW has now withdrawn their initial objection to the application.

Publicity

Initial Publicity Exercise

The development was initially advertised by means of a Site Notice and two neighbouring properties were sent consultation letters.

A petition of objection of 40 signatures has been received together with five letters of objection from four individuals.

The petition objects to the application being determined under delegated powers. The signatories believe that such a large structure in such a prominent location is going to permanently change the character of the area and the merits of the proposed development should therefore be properly debated. For these reasons the signatories object to the application being approved by Officers using their delated powers and request that it be considered by a Planning Committee of the Council.

The points of objection contained within the five letters of objections are summarised as follows:

- The submitted DAS contains errors and inaccuracies.
- Not all neighbours have been consulted on the application.

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- Contradictions on the submission in relation to the retention/removal of two large trees to the north.
- 3.1 of the DAS illustrates buildings "typical" of the area surrounding the application site. None of the buildings illustrated are adjacent to Cobwebs. The two buildings close to the proposed development are Penmaen Cottage - a typical Gower dwelling part of which dates back to the 1800s, and Kenilworth. Both are directly opposite the proposed development within a few metres of the other side of the road. Moreover, Shorelands is illustrated although it has already been demolished and replaced by an obtrusive new dwelling which has given rise to some controversy within the community.
- On page 8 of the document a photograph has been taken with a caption "Existing house as seen from a Westerly approach is partly screened by the hedgerow". There are no photographs demonstrating that the development will be seen directly without any obstruction from both Penmaen Cottage and Kenilworth.
- 3.1.1 of the DAS states "The existing house is 1.2m lower than the road level and partially screened by two mature trees and hedgerow. The proposals retain the hedgerow and both trees as they are integral to the character of the site". This statement is in contradiction to para 2.5 which states that one of the two large trees is to be removed.
- 3.1.4 of the DAS states "The site is accessed by a shared lane off the main access Sheldons Lane to the East of the application site..." There is no lane, only a narrow dirt track (separating the site from Shorelands) leading a few metres down to the field where horses are currently kept. The depiction on Google maps shows no reference to "Sheldons Lane", but suggests that what used to be the lane is now the narrow public right of way leading down to the camp site. This is a frequently used public right of way (widely used by locals to gain access to the beach whilst avoiding the need to walk along the side of the busy main road) and it is difficult to understand how this could be described as access to the site (see picture).
- 3.1.6 of the DAS states "There was no overriding necessity in the development of the design to follow the style of the existing dwelling or that of the immediate properties". This appears to be an excuse to build a property that has no resemblance whatsoever to the surrounding properties which, other than Shorelands, are of a nature more in keeping with the Gower Area of Outstanding Natural Beauty.
- 3.1.9 of the DAS states "The height of the proposed two storey flat roof is lower than the existing ridge height". This is misleading. The North facing gable is the only part of the present building that is two storey. It is the end of the original cottage and represents only 20% of the existing frontage as seen from the road. The remainder of the building is single story over its entire length. The proposed development is to be two story over the whole of its length, charcoal black in colour, and far more obtrusive than the existing structure.
- The two trees are very close together and in effect form a single large tree that is well known on South Gower. (Under the Visual Representation of Development Proposals produced by rMa, viewpoint 1 from the elevated section of the Gower Way, the largest tree seen in the area adjacent to Cobwebs is in fact the two Cypress trees that have grown together to form a pleasing landmark. The same combined tree is also clearly seen from the South in Viewpoint 3).
- On page 20 of the Design and Access Statement, the manufactured image of the South Facing View of the development is misleading as it suggests that the building will be hidden from the North by trees. This is clearly not true and the property will be fully visible from the road and properties opposite, including Penmaen Cottage.

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- In the pre-planning application, a substantial annex was described to the West of the development. This was clearly a small second house with its own two bedrooms, a kitchen and a dining area. It did not appear to be attached to the main property. In the more recent Design and Access Statement, this appears to have become a garage and storage area. It is difficult to envisage from the information given, but still appears to be a substantial structure.
- Para 5.0 of the CEMP advises that the construction site will cause considerable noise and inconvenience to both Kenilworth and Penmaen Cottage in view of their close proximity. Furthermore, with a South-West prevailing wind, dust and debris will pass across the road directly towards these properties, requiring doors and windows to be kept shut during working hours over an extended period of about a year. Despite the good intentions expressed in this document, the experience during the recent construction of the property immediately to the East of Cobwebs over a period of approximately 12 months suggests considerable inconvenience to adjacent properties and this would have to be carefully monitored. The site is also situated on a dangerous corner on the A4118 main road where speeding is unfortunately commonplace.
- The blind corner on the A4118 and development site viewed from the end of the drive leading to Penmaen Cottage. To the left of the Cypress trees is the original Cobwebs, the only two storey section of the existing Cobwebs. The main construction access would have to be the entrance seen to the right of the trees. The signpost to the narrow right of way (Public Footpath PM12 on the LANDMAP evaluation) is outlined against the cottage. It would be difficult to envisage how this path might afford the construction access which has been mapped as being alongside the path to the South of the cottage.
- Of particular interest in the Arboricultural Report is the advice given on the two Monterey Cypress trees that are very close and whose crowns have merged to form a large iconic tree admired in the area ("Form a visual whole" - section 10 appendix 3). In appendix 1 (tree survey data) both trees are classified in a high B category (highly desirable for retention). There would be considerable intertwining of the two root systems. Under appendix 2 (The Tree Constraints Plan) the root protection areas (RPAs) are shown as a magenta circle on the attached site plan, indicating that to prevent root damage, no construction work should encroach on this area, no ground level alteration or site traffic should occur. Neither should the canopies be interfered with. The proposed construction appears to be very close to these root areas, and if allowed to proceed, there would be an argument to move the dwelling more to the South (down the garden) away from the trees to avoid root damage. The conclusion at para 7.0 seems sensible - "Adhering to the tree protection details in this report, the proposed development can be constructed without any significant long-term adverse impact on the retained trees or the areas amenity".
- 4.36 of the LVIA "Potential scope for mitigation". "The coniferous trees to the North of the site will also be retained". This contradicts paragraph 2.5 of the Design and Access Statement.
- 4.38 of the LVIA "Residential Properties - No nearby residential properties will have clear views of the development due to boundary or curtilage vegetation, or combinations of these landscape elements. The residential properties within Penmaen are all screened from the site by a combination of intervening built form, blocks of mature trees and hedgerow field boundaries". This is clearly nonsense as the picture taken from a window in Penmaen Cottage illustrates (figure 2).

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- 4.8 of the LVIA "There are no listed buildings within 1Km of the site. The nearest is the Grade 1 listed building of Penrice Castle over 2.5 Km away...". This is untrue. The nearest listed building is Penmaen Farm, only about 150 metres from the development site. This seems to have been recognised later in the document at para 8.9. (It should be noted that Penmaen Cottage, Cobwebs and Penmaen Farm/Jasmine Cottage are all listed on the Tithe Map of 1844).
- 8.6 of the LVIA "Residential receptors are amongst the most sensitive to visual effects. There would be no residual adverse visual effects predicted for residential receptors in Penmaen, including the adjacent property of Shorelands". Again, there appears to be a deliberate attempt to avoid the obvious visual impact of the development on Penmaen Cottage and Kenilworth.
- The summary of the submitted Preliminary Roost Assessment notes that six species of bat were observed foraging or commuting around the property. It was concluded that a maternity roost is situated not far from the site. We have noted bat activity in this vicinity for many years although a maternity roost has never been identified.
- The proposed development is considerably more obtrusive than the existing Cobwebs. Its appearance will be quite unlike any other property along the length of the South Gower Road (A4118) through Penmaen and Nicholaston. It is debatable whether the development would meet the criteria laid down in the Placemaking Guidance for the Gower Area of Outstanding Natural Beauty.
- Neither of the Cypress trees should be removed and this should be clarified as there are contradictions in the planning documents noted above. To avoid damage to the roots of the trees, the building should be moved further South away from the trees and the main road.
- The methods of accessing the site via "Sheldons Lane" should be clarified.
- The nature of the annex which has now become a garage and storage area also requires further clarification.
- There are clearly errors and misleading statements in some of the documents attached to this application. A site visit is strongly recommended and these errors investigated.
- Placemaking Guidance for the Gower Area of Outstanding Natural Beauty - Supplementary Planning Guidance October 2021: Para A1.51 a) Replacement dwellings should not have a more significant impact than the existing buildings. b) Large, square or overly long rectangular shaped plans should be avoided as they result in single "boxy" building forms. Clearly the plans do not meet these criteria.
- The new proposed site being too close to Shorelands property. It is moved further East and further South which now blocks our view Westward and blocks our evening sun.
- The new site appears to inhibit the public foot path and encroaches onto the field access that's jointly owned by Shorelands, Cobwebs and Alderwood.
- We'd expect no alterations or use of the shared access during the build as we have young children and the foot path is in constant use for access.
- The public footpath is in constant use.
- As per the design document, it states all neighbours will be consulted. As of writing, we have not been consulted.
- We are concerned that the intention of the property is to be used as an AirBnB or holiday let.
- It is out of scale and character with Gower's relatively modest and traditional architecture, will be very visible from beautiful cliff walks, is obscenely huge for a family home and resembles a car park/office development rather than a house.

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- If developments like this are given planning permission, the Council can hardly then complain about the lack of affordable housing in Gower.
- I find it unusual that in a full planning application that there are no measurements/dimensions in any of the drawings? However, looking at the plans without this vital information, I find the design of this building is totally out of scale with the neighbouring houses, it's too overbearing, too brutal and does not integrate with the local ANOB landscape with it's rectangular box shape, "charred larch walls, concrete panels" (neither local materials) and a wall of glass. (There will be a huge amount of light emitted from this proposed building - not good for wildlife and Gower's dark skies).
- This proposed building is not an architectural triumph. The proposed building shows no respect for the character, or appearance of the area, does not enhance the landscape and does not sit well in the street scene.
- Only one house is referred to in a comparison - the house next door, which has recently been redeveloped with the roof line too high, there is no mention of the two houses directly opposite who will be impacted by this development the most. This development goes against so much that is advised in the Placemaking Guide for the Gower AONB (too many examples to list) and it seems that very little of this guidance has been taken on board in the design of this dwelling.
- This type of development proves how much we need the protection of AONB status. I strongly object to this development.
- I write in connection to the full planning application above. I read through the pre-planning application and various other documents connected to this application and found them very misleading. Reading through this full planning application, things are still very vague and not a lot clearer. I am unable to get access, on the portal, to the "Pre Application Design and Access Statement" which is a more comprehensive application and lists details of materials, (e.g. charred larch, concrete panels - neither are local materials), "green" credentials (e.g. solar panels that don't appear on the full plans). There are only the 41 documents on the portal from 19th December onwards. There were no measurements in the Pre-Application and there are no measurements in this FULL Application, surely the dimensions are vital when submitting plans?

The Gower Society - OBJECT - We write to object to the above application which is damaging to the Gower AONB and our reasons are as follows:

1. It is our opinion that modern and fashionable designs such as that proposed are constructed at great expense with little thought to the real impact upon their setting, local communities and further diluting the character of Gower. To demolish an original historic cottage which has scope for inexpensive restoration and suitable additions is not acceptable. It is a trend that we find disturbing because we are losing our Gower history to create oversized and expensive houses with limited markets.
2. Gower did not have the benefit of the excellent Design Guide back in pre-West Glamorgan times. Such a document was a mere planner's dream of such people as the likes of your late colleague Bryan Graham and Society member Bernard Morris. It is important not to forget this fact.

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3. The core historic cottage has been unsympathetically added to over the years by low level development. This is not an excuse to demolish and erase part of Gower's history and character for a larger inappropriate modern construction at this conspicuous location. The additions are hardly conspicuous in the landscape. The tithe map of about 1750 shows the cottage and very few others of the period.
4. We do have the Design Guide in force today and it is our view that the present application ignores this. The proposal certainly does not enhance the landscape as is required by the Guide.
5. The new building will appear large and discordant visually within the existing road scene. Even though some aspects of the proposal are compliant with policy, the result is not a building that should be supported. The scheme does not comply with the Placemaking Guidance for the Gower Area of Outstanding Natural Beauty - Supplementary Planning Guidance October 2021:
Para A1.51 a) Replacement dwellings should not have a more significant impact than the existing buildings. b) Large, square or overly long rectangular shaped plans should be avoided as they result in single "boxy" building forms. In the circumstances the proposal does not meet the approved guidance and should be refused.
6. The application is disingenuous with the facts concerning the elevations and true size of the proposal within the landscape. The proposed footprint is stated as being less than the existing. However, we have not been able to verify this because of scaling difficulties. But the building volume is certainly greater due to the increased height of 'the box' construction and associated volume. This will impinge greatly onto the street scene with a more 'brutal' dark and overbearing presence. We can determine from the existing site section, (the only drawing with dimensions shown and we are able to readily use) that the existing ridge height is 4m above the highway verge level. Using the CAD measuring system (with difficulty) the highest roof level of the box is roughly 6m and the longer lower area about 4.7m.
7. The most important drawing missing from this application is a comparison between existing and proposed elevations from the highway and none is shown. This is because the average height seen from the road (of the existing structures) appears to be roughly 3.0m and that of the proposed is an estimated 5.3 m. The mass of structure seen from the road above the South verge level will therefore replace that of the end of the original cottage, low rise buildings either side, sky, trees and shrubs to the extent of at least 60%. The fact that the applicant compares the proposed footprint as being less than the existing is erroneous. We ask that the applicant is instructed to produce elevations from the road (North) showing exactly what will be visible as existing and proposed - that is drawing outline for E06 with P16 superimposed with actual levels shown on the drawings. This is essential for us and others to be able to determine the true effect of this development.
8. The lack of a measurable scale attached to each, and every drawing and inclusion of key dimensions is a continuous complaint by our Society. It is an essential requirement for all application drawings and should be specified in the application requirements. Many applicants comply with this requirement. Such an essential enables simple rapid scaling-of dimensions without worrying about screen magnification variations. Please forgive us when we state that this is entirely unacceptable and that it is a simple matter for any applicants to correct and to comply with. It leaves the door wide open for deliberate obscuration.

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9. It is not clear if the two mature Monterey Cypress trees (or indeed exactly which other trees) are to be destroyed. If so, it will be a gross error of judgement by the applicant and the CCS if allowed.
10. We object to the construction of the garage structure crammed in between boundary and main building. The proposed residential annex has been abandoned but if the proposed garage structure is allowed, a clause preventing future change of use must be added.
11. We are intrigued by the statement 'old masonry being crushed for use on site' and yet the core cottage will certainly be local stone bedded in locally with burnt lime mortar and should be recycled and not crushed as hardcore. Imported and inappropriate stone as deployed in the adjacent house (Shore Lands) boundary wall must not be accepted again here at this location.
12. The amount of glazing to the South will not only present the risk of vast areas of reflective glass but also risk being seen from many points from SE to SW at night and possibly more than as depicted in the application landscape assessment. It would be interesting to see an impression of a view at night from the South. We firmly believe that the Dark Skies status will be compromised as is predicted in the Appraisal. The artists impression of the North elevation needs explanation as there are a plethora of lighting features shown. The proposal looks unacceptable, and the Dark Skies initiative requires further consideration must be adhered to.
13. The application quotes examples of contemporary houses that are hardly relevant to this location and ignores local historical listed buildings. A simple drive from Northhills to Perris Wood shows a wealth of traditional 'non progressive' historical dwellings that are the character and history of the area in which they sit.

Further Publicity Exercise (following receipt of amended plans/information)

The development was re-advertised by means of a Site Notice and 10 individual letters to neighbouring properties were sent:

THREE letters of OBJECTION from TWO individuals received which re-iterate points raised above and raise the following additional points:

- The revised drawing is misleading in that it suggests that Cobwebs is on higher ground than Shorelands whereas the exact opposite is the case, and Cobwebs is lower, as the ground slopes down towards the West from Shorelands.
- Drawing P16 revision B suggests that the proposed height of the new build shown will now be almost as high as the ridge of the black roof of Shorelands (far right of the photograph). This means that the plan now is to greatly increase the height of the development far beyond that which was claimed in the previous Design and Access Statement dated 10/12/23.
- The submitted photograph suggests that the height will now be some 5 meters higher than the existing ridge of the existing cottage. This would mean that the development would be hugely greater in size than the existing property, and is in effect a three-storey house.
- It may be that there has been a mistake in the preparation of the drawing of P16 revision B, but otherwise it is difficult to conclude other than that this is a deliberate attempt to significantly increase the height and bulk of the building, just before the end of the consultation process.

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- It should be recalled that in the previous Design and Access Statement dated 10/12/23 para 3.1.9. states that "The height of the proposed two storey flat roof is lower than the existing house ridge..." (the height of the original Cobwebs cottage). That should remain the case. Despite the previous submitted comments on the application, at no stage have the actual dimensions in metres of the building, including its height, been revealed. These must be made available.
- To add to suspicions para 3.1.9 of the latest revised Design and Access Statement reads: "the proposed 2 storey flat roof is only slightly(word missing) than the existing ridge height and lower than the neighbouring property, Shorelands". What was the missing word? Is this a typo, or an attempt to conceal the real height of the replacement structure? Why have all the diagrams and pictures not been included in this latest Design and Access Statement? We cannot be certain that the illustrations have not been altered in some way from those in the previous Statement.
- A further observation on the revised statement is that on para 3.1.4. "The site is accessed by a shared lane off the main access, Sheldons Lane, to the East of the application site". There is no change proposed to the existing situation". There is no Sheldons Lane. As I have previously stated, old maps suggest that Sheldons Lane was once what has now become the narrow public right of way along the East boundary of Cobwebs down to the campsite. It is a dirt path no more than 3-4 feet wide frequently used for access from the main road down to the campsite and beach by locals and tourists. It is incorrectly shown as a wide track on P16 revision B. The other short but considerably wider track to the east leads a few yards down to the field containing horses and is jointly owned by the residents of Shorelands and Alderwood as well as Cobwebs. It is separated from Cobwebs by the narrow public right of way. How could this provide access to Cobwebs without destroying the public right of way?
- The front of the proposed development would be very close to the large cypress trees and lie over the roots. The construction process would very likely damage the tree roots, and this might well lead to the death of one or both trees. I suggest that any new structure should be no further forwards (northwards) than the existing front door.
- Finally, para 1.5 of the document states: "The proposal fits in well with the surrounding area and has been developed in line with the Placemaking Guidance for the Gower AONB". This is quite obviously not the case: Reference: Placemaking Guidance for the Gower Area of Outstanding Natural Beauty - Supplementary Planning Guidance October 2021: Para A1.51 a) Replacement dwellings should not have a more significant impact than the existing buildings. b) Large, square or overly long rectangular shaped plans should be avoided as they result in single "boxy" building forms.
- Clearly the plan does not meet these criteria. The plan would replace a small traditional two storey Gower Cottage with a vast black box structure of indeterminate height over its whole length. It would have a considerably more significant impact on the area than the present Gower cottage.
- The position and nature of this proposed building is clearly not in the interest of either the Community or the Gower Area of Outstanding Natural Beauty. The planning statements have been inconsistent and even misleading. Residents in properties around the development have not at any stage been consulted. Whilst there have been a few other "contemporary" developments around the area of Penmaen and Three Cliffs, they have all been distant from any main roads and not overlooked by other properties.

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- This development would set a precedent as it will be on the main South Gower Road, and the only property of its kind on the stretch of main road extending West from Parkmill, through Penmaen, and on to Nicholaston and beyond.
- The proposed development is a dark rectangular flat roofed building with box like appearance. It is 2 storeys high across its entire length. Due to the planned cantilever design and dark front the second floor it will protrude towards the road and will therefore have a significantly obtrusive impact.
- P16 suggests the new building will be higher than the gable of the existing cottage. It will only be slightly lower than the adjacent house "Shorelands" which is in fact 3 storeys high. Actual measurements for height, east-west dimensions and distance to the road are not given anywhere. Also the distance to the existing large trees that are to be kept is not given either.
- The proposed double garage plus storage is not a replacement building but a second new building that sits very close to the road and the western boundary.
- In the previous statements para 3.1.9 it notes "The height of the proposed 2 storey flat roof is lower than the existing house ridge height and lower than the neighbouring property, Shorelands". However, the superimposed ridge height on Drawing P16 shows that the flat roof is now higher than the existing house ridge. Moreover, there is a raised section of the new build that is higher than the flat roof quoted, and it is these combined heights that I believe to be 1.2 metres.
- Perhaps of significance in para 3.1.9 of the latest Statement, as in the previous Statement, is that the wording has been altered perhaps to suggest a "typo". The present para 3.1.9 now reads "The height of the proposed 2 storey flat roof is only slightly (word missing) than the existing house ridge height". As in the previous Design and Access Statement the word lower has been omitted between "slightly" and "than". Does this suggest a degree of "Mission Creep", increasing the height of the proposed development by stealth?
- In para 3.1.2 it states "The application site is fronted by 2 substantial mature trees which mask the site when viewed from the road". This is quite untrue. The two large Cypress trees only partially mask the raised Eastern section of the property from the main road. The majority of the building to the West will be open and clearly seen from the road.
- The photomontage kindly prepared by the Prell family showing what the development would look like from the 1st floor window of their house - Kenilworth. I would assess this to be fairly accurate although the scale of a photomontage cannot be entirely guaranteed.
- The present entrance to Cobwebs from the main road is seen at the bottom left demonstrating how obvious the development would be from the main road which is just the other side of the hedge in the foreground. The Cypress trees are on the left. A white section of the present Cobwebs may be seen on the right by the Magnolia, indicating the height of the predominately single storey present Cobwebs. Please note that this image does not include the proposed garage/annex to the right of the building.
- A further concern of the local community is that the number of proposed bedrooms and their on-suite configuration suggests that this property would be used for holiday lets, particularly as the initial plan was for an annex containing an additional two en suite bedrooms, although this has now been altered to become a "garage".
- Another issue raised within the community is the threat to the two large Cypress trees which are well regarded locally. The concern is that despite the claim that both trees are to be preserved, an excuse would be found to remove one or both trees to facilitate the construction of the new building.

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- Certainly, it is difficult to envisage how the new build could be undertaken in the position indicated in the planning without putting the trees at risk. Any build must be relocated further away from the road (to the South) to avoid damage the Cypress trees.
- The two houses that will be most significantly impacted by the proposed development have not been mentioned in the document. Both Kenilworth and Penmaen Cottage are situated directly opposite the proposed development on the other side of the road some 20 metres away.
- The planning application states in various places that the proposed dwelling has a significantly lesser footprint to the existing property and the development will sit nicely in the plot and not on it. On the proposed site-map it is apparent that even though the footprint may be smaller, the entire structure (two storeys instead of one storey) has been moved to the west which brings it directly in front of the houses on the other side of the road, Kenilworth and Penmaen Cottage.
- 2.4 of the DAS "The Occupiers of the neighbouring dwellings will be consulted as part of the application process". Penmaen Cottage and Kenilworth have not been consulted.
- 2.5 of the DAS "It is proposed to remove one of the two large trees located in the north front driveway." This contradicts para 3.1.1.
- 3.1 of the DAS Illustrates buildings "typical" of the area surrounding the application site. None of the buildings illustrated are adjacent to Cobwebs. The two buildings close to the proposed development are Penmaen Cottage - a typical Gower dwelling part of which dates back to the 1800s, and Kenilworth. Both are directly opposite the proposed development within a few metres of the other side of the road. Moreover, Shorelands is illustrated although it has already been demolished and replaced by an obtrusive new dwelling which has given rise to some controversy within the community.
- On page 8 of the DAS document a photograph has been taken with a caption "Existing house as seen from a Westerly approach is partly screened by the hedgerow". There are no photographs demonstrating that the development will be seen directly without any obstruction from both Penmaen Cottage and Kenilworth.
- 3.1.1 of the DAS "The existing house is 1.2m lower than the road level and partially screened by two mature trees and hedgerow. The proposals retain the hedgerow and both trees as they are integral to the character of the site". This statement is in contradiction to para 2.5 which states that one of the two large trees is to be removed.
- 3.1.6 of the DAS "There was no overriding necessity in the development of the design to follow the style of the existing dwelling or that of the immediate properties". This appears to be an excuse to build a property that has no resemblance whatsoever to the surrounding properties which, other than Shorelands, are of a nature more in keeping with the Gower Area of Outstanding Natural Beauty.
- It may be seen that the two trees are very close together and in effect form a single large tree that is well known on South Gower. (Under the Visual Representation of Development Proposals produced by rMa, viewpoint 1 from the elevated section of the Gower Way, the largest tree seen in the area adjacent to Cobwebs is in fact the two Cypress trees that have grown together to form a pleasing landmark. The same combined tree is also clearly seen from the South in Viewpoint 3).
- On page 20 of the Design and Access Statement, the manufactured image of the South Facing View of the development is misleading as it suggests that the building will be hidden from the North by trees. This is clearly not true and the property will be fully visible from the road and properties opposite, including Penmaen Cottage.

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- The construction site will cause considerable noise and inconvenience to both Kenilworth and Penmaen Cottage in view of their close proximity. Furthermore, with a South-West prevailing wind, dust and debris will pass across the road directly towards these properties, requiring doors and windows to be kept shut during working hours over an extended period of about a year.
- Despite the good intentions expressed in the CEMP document, the experience during the recent construction of the property immediately to the East of Cobwebs over a period of approximately 12 months suggests considerable inconvenience to adjacent properties and this would have to be carefully monitored. The site is also situated on a dangerous corner on the A4118 main road where speeding is unfortunately commonplace.
- The proposed construction appears to be very close to these root areas of the Cypress trees, and if allowed to proceed, there would be an argument to move the dwelling more to the South (down the garden) away from the trees to avoid root damage. The conclusion at para 7.0 of the Arboricultural Report seems sensible - "Adhering to the tree protection details in this report, the proposed development can be constructed without any significant long-term adverse impact on the retained trees or the areas amenity".
- 4.38 of the LVIA "Residential Properties - No nearby residential properties will have clear views of the development due to boundary or curtilage vegetation, or combinations of these landscape elements. The residential properties within Penmaen are all screened from the site by a combination of intervening built form, blocks of mature trees and hedgerow field boundaries". This is clearly nonsense as the picture taken from a window in Penmaen Cottage illustrates (figure 2).
- 4.8 of the LVIA "There are no listed buildings within 1Km of the site. The nearest is the Grade 1 listed building of Penrice Castle over 2.5 km away...". This is untrue. The nearest listed building is Penmaen Farm, only about 150 metres from the development site. This seems to have been recognised later in the document at para 8.9. (It should be noted that Penmaen Cottage, Cobwebs and Penmaen Farm/Jasmine Cottage are all listed on the Tithe Map of 1844).
- 8.6 of the LVIA "Residential receptors are amongst the most sensitive to visual effects. There would be no residual adverse visual effects predicted for residential receptors in Penmaen, including the adjacent property of Shorelands". Again, there appears to be a deliberate attempt to avoid the obvious visual impact of the development on Penmaen Cottage and Kenilworth.
- Preliminary Roost Assessment and Observation Surveys - the summary in which it is noted that six species of bats were observed foraging or commuting around the property. It was concluded that a maternity roost is situated not far from the site. We have noted bat activity in this vicinity for many years although a maternity roost has never been identified.
- The proposed development is considerably more obtrusive than the existing Cobwebs. Its appearance will be quite unlike any other property along the length of the South Gower Road (A4118) through Penmaen and Nicholaston. It is debatable whether the development would meet the criteria laid down in the Placemaking Guidance for the Gower Area of Outstanding Natural Beauty
- Neither of the Cypress trees should be removed and this should be clarified as there are contradictions in the planning documents noted above. To avoid damage to the roots of the trees, the building should be moved further South away from the trees and the main road.
- The methods of accessing the site via "Sheldons Lane" should be clarified.

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- The nature of the annex which has now become a garage and storage area also requires further clarification.
- There are clearly errors and misleading statements in some of the documents attached to this application.

The Gower Society - We thank you for the additional Drawing P16B showing the street views of the proposed development with superimposed existing outlines of what is there now. This is what we requested in our original letter. In our opinion it would have been more revealing if the outline of the new had been superimposed upon that of the existing.

We can but advise you that this information confirms our worst fears. The proposal, in conjunction with the existing recent addition to the East of the site, at Shorelands, creates a totally unacceptable addition to the street scape. Also the apparent loss of the existing trees compounds the damage. We do not have the facilities or knowledge to accurately measure the built additional area into the landscape, but we estimate that it is at the very least a 250% increase which is unacceptable. Before this matter goes any further, we request that the applicant is instructed to provide accurate and independently confirmed calculations of this increase and that they are supplied to all parties who have objected.

We stand by what was written in our original letter of objection and regret to say that we suspected the hiding of the increased area could be a deliberate tactic. It is still impossible for third parties to carry out important calculations for themselves, due to lack of a simple measurable scale on each drawing. We refer to Existing Site Section AA No E10B, the only drawing that has clear levels of various key points identified upon it. The existing ridge height 94m and roadside level of 90m are but two such key dimensions. The latest addition of Drawing No P16B refers to the same points but without the essential actual levels being shown, such as proposed dimensions and horizontal measurements. We must draw our own conclusions as to why this was carried out and express our disappointment that you are not able to instruct the applicant to add these.

Our attention has been drawn to the latest letter sent to you by Mr David Patton that we fully support and state that we agree with his well observed comments.

We therefore record our continued objection to this proposal.

APPRAISAL

Main Issues

The main issues to consider in the determination of this application relate to the principle of the proposal, its visual impact, impact upon residential amenity, highway safety and ecological interests having regard to the prevailing provisions of the relevant development plan policies and National Policy guidance. There are considered to be no additional issues arising from the provisions of the Human Rights Act.

Principle of Development

The site is located within the countryside area of the Gower AONB and as such the proposal must be assessed having regard to LDP Policy ER4 (development in the Gower AONB).

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The proposal must have regard to the purpose of the designation to conserve and enhance the natural beauty of the area. In assessing the likely impact of development proposals on the natural beauty of the AONB cumulative impact will also be taken into consideration. The adopted Placemaking Guidance for the Gower AONB - particularly modules 5A, G H and I - will be taken into consideration in the assessment of this application.

Residential development proposals beyond settlement boundaries (in the countryside) must be made having regard to LDP Policy CV 2 which seeks to make sure that outside settlement boundaries development must ensure the integrity of the countryside is conserved and enhanced. Policy CV 2 aligns with national planning policy, and seeks to protect the countryside from inappropriate development and ensure that only in exceptional circumstances will development be acceptable. The policy seeks to achieve an important balance between the need to support appropriate development in the countryside and the need to protect the local distinctiveness and character of the County's countryside.

The replacement of existing houses is not specifically identified as an appropriate exceptional form of countryside development by Policy CV2, however the principle of replacing an existing residential dwelling with a new property for the same use can align with LDP and PPW objectives, subject to there being no significant intensification of the use and subject to the development being acceptable in placemaking terms including extent of integration with the landscape.

Furthermore, LDP Policy CV 3 deals specifically with proposals for replacement dwellings in the countryside. This policy permits the replacement of dwellings, where the existing dwelling does not make a particular positive contribution to the rural character of an area (criterion i a) and/or where the original dwelling has not been demolished or abandoned (criterion i b). The policy also requires that a replacement dwelling be of high quality in terms of sustainability (including resource efficiency) and design and respects and/or enhances its countryside location (criteria ii and iv). The text supporting this policy makes it clear that proposals for larger replacement dwellings will be considered favourably only where the new building fully respects or enhances the landscape quality and in all cases the siting of the replacement dwelling is expected to be similar to the existing house in order to maintain the overall landscape character (LDP para 2.10.25). Furthermore, LDP para 2.10.26 states that replacement dwellings should be exemplars of sustainability, exceeding building regulations requirements where feasible.

Having regard to the above policy criteria and supporting text, it is significant that the submitted plans show a dwelling sited in broadly the same position as the existing dwelling, albeit that the new dwelling is a completely different shape and sited centrally within the plot. The proposal is in accordance with Policy CV 3 iii, as it retains the existing residential curtilage and does not seek to extend it. The dwelling will be designed to achieve high energy efficiency credentials and will include up-to-date renewable energy sources with air source heat pumps, solar panels, high insulation levels, passive design throughout with reflecting pool/s, mechanical heat recovery system, whole house integrated heating strategy, rainwater harvesting and green roofs all ensuring a highly resource efficient development.

Overall therefore, the principle of the proposal is considered acceptable. The specific merits of the proposal are discussed in the sub-sections below.

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Placemaking/Visual Impact

The Development Plan places significant emphasis on the importance of placemaking and defines key principles in this regard for all proposals to seek to incorporate.

Future Wales Policy 2 sets out that:

- development should adhere to key placemaking principles in order that it positively contributes towards building sustainable places that support well-being objectives, and
- opportunities should be taken to ensure that multifunctional GI is fully integrated into development schemes wherever possible.

Swansea LDP Policies PS 2 and ER 2 highlight that:

- all proposals should adhere to key placemaking principles and development criteria, to ensure that proposals make a positive contribution to the experience and enjoyment of places.
- development should enhance the quality of places and spaces and respond positively to aspects of local context and character.
- the design, layout and orientation of proposed buildings, and the spaces between them, should provide
- for an attractive, legible, healthy, accessible, and safe environment, and must not cause unacceptable impacts on people's amenity, and that.
- development must take opportunities to maintain and enhance the County's GI network, having regard to the extent, quality, and connectivity of the GI resource.

LDP Policy PS2 states that development should enhance the quality of places and spaces and respond positively to aspects of local context and character that contribute towards a sense of place.

In addition, the adopted Placemaking Guidance for Gower AONB (adopted October 2021) outlines the placemaking issues, which need to be considered for proposals for new and replacement dwellings in the countryside, such as this.

Paragraph A1.40 of the Placemaking Guidance for Gower AONB advises that in instances where a replacement dwelling is considered appropriate in principle, then the replacement must be of high quality and seek to enhance its setting in terms of siting, scale, design, and character by comparison to the existing house which is to be demolished.

Paragraph A1.41 Placemaking Guidance for Gower AONB states that it is not the intention of the LDP or the Guidance to stifle appropriate modern or innovative designs which are sensitive to the AONB (see Policy PS2), or to restrict proposals which would complement the character of Gower (see Policies ER4 and CV3). It would be a missed opportunity for example not to replace an existing non-descript or poorly designed dwelling with a better designed dwelling that enhances the appearance and character of the locale and the AONB.

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The existing dwelling, although a traditional building, is not an exemplar of Gower Vernacular, and not of particularly high architectural quality or amenity value, such that its loss would be considered unacceptable. The proposal seeks to replace this with a family home of contemporary design using local materials wherever possible. The existing hedgerows along the 4 boundaries will be retained with additional planting where required. It is also proposed to retain the 2 large trees located in the north front driveway, these trees are considered to be of significant amenity value.

The application site levels fall away from the road by 6.5m (north to south) and the existing access arrangements will be utilised with enhanced vision 'splays' proposed for improved visibility and safety.

It is proposed to retain the existing low stone wall to the left hand side of the street facing boundary with additional hedgerow planting on its inside edge to increase privacy. It is proposed that the block wall section (to then right hand side) be replaced with a new locally sourced stone wall to match the existing. A new electric black aluminium sliding gate is proposed in a recessed/set back position in a central location within the plot frontage (providing vehicle access). New 'splayed' walls will serve the access point, similar to the arrangements currently on site.

A contemporary approach is taken to the proposal. The proposed dwelling and its square plan form enables it to sit more comfortably on the plot with a more 'rational' design and layout than the current house (with its multiple poor design quality extensions). The proposed new dwelling footprint of 209m² whilst the existing dwelling has a footprint of 400m².

The height of the proposed 2 storey flat roof central section of the proposed dwelling at 6.6m, is some 0.16m higher than the ridge height of the existing dwelling. The height of the proposed dwelling increases to 7.4m at its highest part (left hand side) and so is circa 0.96m higher than the ridge of the existing dwelling. However, the proposed dwelling will still be 0.76m lower (at its highest) than the neighbouring property, Shorelands and is not considered to be unduly high.

The additional height and mass of the proposed dwelling relative to the dwelling it is to replace is acknowledged. However, the plot is capable of comfortably accommodating the new dwelling, without it appearing cramped or overdeveloped. Furthermore, the distance and relationship with neighbouring properties is such that, the increased mass would not impact so unacceptable as to warrant the refusal of the application (this is discussed further and in more details later in the report under 'Residential Amenity')

The use of high-quality materials is critical to the overall authenticity and integrity of the design and it is noted that the palette of finishes in this instance include vertically hung charred larch cladding, local stone laid in dry stone wall effect and green roofs, all of which are considered appropriate. Low reflection glazing and canopy overhangs are specified on both floors, to minimise light pollution, which is welcomed.

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As stated above, it is noted that the replacement dwelling will be re-positioned slightly within the plot, albeit more because of its form rather than simply re-siting it. Paragraph A1.42 of the Placemaking Guidance for the Gower AONB advises that the siting of a replacement dwelling will in most cases be expected to be similar to the position of the existing house, in order to maintain the overall landscape character. In exceptional cases, a building may be positioned differently within a site, if it results in a more sensitively sited building than the existing building but must remain within the same curtilage. There is a limit to the 'visual/environmental capacity' of every site and some sites will inherently not lend to changes.

To this end, the current submission is accompanied by a Landscape Visual Impact Assessment (LVIA) which takes account of the construction stage, immediately after construction and when the proposed mitigation planting has become fully established. The LVIA displays an understanding of landscape character, referring in detail to both published LANDMAP and National Landscape Character Areas, and Supplementary Planning Guidance. The LVIA concludes that no significant adverse effects are predicted as a result of the proposal on the landscape. This conclusion is agreed with. The area is already characterised by residential built form and the proposed dwelling would not introduce a new element into this landscape, nor would it result in any indirect adverse effects on the adjacent area of rural landscape. Furthermore, the proposed tree planting, together with the retained boundary hedgerows and mature trees on the site, will help to assimilate the property into the local landscape.

The proposed detached garage is approx. 75m² in area and is situated forward of the dwelling on an area currently occupied by a detached outbuilding. The proposed garage is suitably subservient in scale and form to the parent property and is of a similar contemporary design and finish to the main dwelling and is considered acceptable in visual terms.

Residential Impact

The application property is bound on the east side by a pathway. To the other side of this pathway is the residential property known as Shorelands. The proposal sees the replacement dwelling moved considerably away from this eastern site boundary. Given the separation between the proposed dwelling and the Shorelands property, it is not considered that the proposal will give rise to any overshadowing or overbearing impacts on the occupiers of Shorelands.

The eastern side elevation of the proposed dwelling includes full height glazing at both ground floor and first floor and a corner window detail at first floor, together with a rear balcony area. The side elevation of the dwelling achieves a separation distance of some 12m from the boundary with Shorelands, which is considered adequate to avoid any undue levels of overlooking onto the neighbouring garden.

It is also noted that the side windows of the proposed dwelling will face the side elevation of Shorelands and whilst the side elevation of Shorelands does feature a window at first floor level, this window is required via a planning condition to be fitted with obscure glazing and retained as such. Consequently, there will not be overlooking impacts between the two sets of windows.

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It is noted that the proposal includes substantial glazing to the southern elevation. This however overlooks the open landscape and coast beyond and is clearly designed to maximise the expansive coastal views enjoyed from the site and presents no impact in residential amenity terms.

There are not considered to be any other residential properties close enough to the site, to be directly affected by the proposed development.

Highway Safety/Active Travel

The site is located between Nicholaston Farm Caravan and Campsite to the west and a detached property (Shorelands) to the east. The site is served by the A4118, which runs in an east-west direction through the Gower ANOB. Within the vicinity of the site, the A4118 is subject to a 30mph speed restriction and has a solid double centreline, preventing overtaking along this stretch of carriageway.

The site has an existing vehicular access onto the A4118 to serve the residential dwelling. The point of access is proposed to remain the same. Although the proposed garage/store fails to meet the minimum sizes set out in Manual for Street, there is adequate parking and turning provision provided. The Head of Transportation and Engineering consequently does not consider there to be any highway safety issues arising and raises no objection to the proposal.

Ecology and Biodiversity

Complementary to the need to align with placemaking requirements, developments are required to take opportunities to enhance biodiversity and integrate nature-based solutions to the design process wherever possible, in line with Development Plan policy and having regard to Council adopted SPG on Biodiversity and Development. This reflects the Council's duty under Section 6 of the Environment (Wales) Act 2016 ('the S6 duty').

Future Wales Policy 9 and PPW require that:

- all applications demonstrate the actions that have been taken where possible to maintain and enhance biodiversity and ecosystem resilience, as well as relevant GI assets.
- a clear and proportionate approach is taken to considering biodiversity and securing overall enhancement.

The application is accompanied by a Preliminary Roost Assessment (PRA) in accordance with LDP Policies ER 8 and ER 9. The Preliminary Roost Assessment and Observation Surveys (by Hawkeswood Ecology) concludes that there is no evidence to suggest bats use the existing building for roosting purposes. The PRA includes recommendations to ensure safe demolition and biodiversity gains.

In terms of ecological enhancements, Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated. Policy ER 9 of the LDP supports this and states that proposals will be expected to maintain, protect, and enhance ecological networks and features of importance for biodiversity.

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Swallows were found to have been nesting in an outbuilding labelled as Unit 3 in the PRA report. Since the building was sealed, no access has been possible for returning birds. Therefore, mitigation measures are required. It is noted that 2 swift boxes are proposed as enhancements rather than mitigation. However, it is recommended that 3 swift boxes are provided this can be controlled via an appropriately worded condition ensuring a suitable scheme of ecological enhancement is achieved. Green roofs have been integrated into the design of the new house as a strategic approach to anchor the house within the landscape, but also contribute significantly to further enhancing biodiversity. The first floor roof and garage roof will incorporate a sedum mat over an extensive growing medium (100mm deep). The system is supplied by Lindum and incorporates the Sedum mat, growing medium and drainage layer. The ground floor roof will incorporate a wildflower mat over an extensive growing medium (100mm deep). The system is also supplied by Lindum and incorporates the Wildflower turf mat, growing medium and drainage layer.

The Gower AONB has applied to become an international dark sky community. Dark skies contribute to tranquillity, wellbeing and help biodiversity. Any development within the Gower AONB must utilise low-level external down lighting. Light pollution can have a detrimental impact on the natural environment, particularly protected species such as bats and therefore external lights should be less than 300 kelvin (Policies ER8 and PS 2 xiv). A suitable worded condition is recommended, to control all external lighting.

It is acknowledged that the proposed dwelling, with its large window voids has the potential to emit significant light spill from internal lighting sources. However, the submission confirms low reflection glazing and canopy overhangs specified on both floors, to minimise light pollution in order to overcome the detrimental impacts on tranquillity and biodiversity. This approach is considered acceptable. However a condition is recommended requiring further and specific detail of the glazing system to be used is recommended.

The submission is accompanied by a Construction Environmental Management Plan (CEMP) which includes sufficient detail on how construction will be managed to ensure pollution prevention and protection of habitats and species on and adjacent to the site.

Trees and Hedgerows

There are two established mature trees to the site frontage considered to be of some amenity value, both of which will be retained as part of the proposal. Similarly all existing boundary hedges are to be retained. The submission is accompanied by an Arboricultural Impact Assessment. The Council's Tree Officer has been consulted and raises no objection to the proposal subject to a standard condition requiring compliance with the Arboricultural Method Statement and the Tree Protection Plan detailed in the submitted document.

Drainage

Proposed surface water and waste-water treatment mechanisms must meet statutory SUDS standards and the proposed development must ensure that Policies PS 2(xvii), EU 4 and RP 4 are complied with.

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Under the provisions of Schedule 3 of the Flood and Water Management Act 2010, the development will require Sustainable Drainage Approval before any construction work commences.

Dwr Cymru/Welsh Water have commented on the application and advise that the proposed development site is crossed by a public distribution watermain. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs. However, having regard to the submitted 'Proposed Site Plan' (Drawing No. 2023/COBWEBS/P01), it appears the proposed development would be situated outside the protection zone of the public watermain, measured 3 metres either side of the centreline. Nonetheless, an advisory note to this effect is recommended. Subject to this Dwr Cymru/Welsh Water raise no objection to the proposal.

Natural Resource Wales initially expressed some concern over the proposal as there was no detail of how foul drainage would be managed included in the application. The applicants' advisors have since confirmed that foul drainage will utilise existing mains connections, on this basis NRW raise no further objection.

The development proposal is identified as requiring SuDS Approval Body consent irrespective of any other permissions given.

Comments Received

The objections received refer largely to the siting, scale and design of the proposal which are addressed in detail above. The inconsistencies within the submission surrounding the two large mature trees at the front of the property are recognised, however, the agents have confirmed that the two trees are to remain and the error within the DAS amended. Similarly, the incorrect reference to access being derived from 'Sheldon Lane' has been removed from the amended DAS.

The issue of shared access and access arrangements are also addressed above, however, for the avoidance of doubt exiting access arrangements will be retained, and any shared arrangements with neighbouring residents is a civil matter for agreement between interested parties and not material to the consideration of this application.

Several points relating to the quality of the submission and the "lack" of measurable plans are raised. However the application is accompanied by a full suite of plans all drawn to a recognised scale and to an architectural standard.

Finally, concern over the future use of the premises as an Airbnb are noted, but the proposal is for a detached family home.

Conclusion

In conclusion and having regard to all of the foregoing the proposal is considered an appropriate form of development that satisfies the principles of LDP Policy CV 3.

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The scale and proposed design of the dwelling on the plot are significant issues, however the supporting information demonstrates that the proposal will not impact upon residential amenity, highway safety, and will not detrimentally impact on the immediate landscape character nor the wider nationally designated landscape and will also safeguard existing mature trees and hedgerows and will not prejudice any ecological interests at the site in accordance with prevailing Development Plan Policies.

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 decision, 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

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:

2023/CBWEBS/SLP - Site Location Plan, 2023/COBWEBS/P01 - Proposed Site Plan, 2023/COBWEBS/P12 - Proposed First Floor Plan, 2023/COBWEBS/P13 - Proposed Roof Plan, 2023/COBWEBS/P15 - Proposed Front (North) Elevation, 2023/COBWEBS/P17 - Proposed Side (East) Elevation, 2023/COBWEBS/P18 - Proposed Rear (South) Elevation, 2023/COBWEBS/P19 - Proposed Side (West) Elevation and 2023/COBWEBS/P20 - Proposed Garage/Store, received 19th December 2023. 2023/COBWEBS/P11 - Proposed Ground Floor Plan, received 26th February 2024. 2023/COBWEBS/P16 B - Proposed Front (North) Elevation - Street View, received 4th March 2024.

Reason: For the avoidance of doubt and to ensure compliance with the approved plans.
- 3 No development shall commence until details and/or samples of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.
Reason: To ensure a proper standard of development and appearance in the interests of conserving the amenities and architectural character of the area.

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4 Prior to the construction of the new dwelling hereby approved, a plan indicating the positions, heights, design, materials and types of boundary treatment to be erected and/or retained shall be submitted to and approved in writing by the Local Planning Authority. The boundary treatments shall be completed as approved before the dwelling hereby approved is occupied and shall thereafter be retained as such.
Reason: In the interest of maintaining a satisfactory scheme of landscaping and to protect the visual amenity of the area.

5 No external lighting shall be installed to the new buildings hereby approved without details of the proposed external lighting first being submitted to and approved in writing by the Local Planning Authority. Only external lighting that has been approved by the Local Planning Authority shall be installed to the new buildings. All other external lighting is prohibited.
Reason: To ensure that the development hereby approved does not result in unacceptable levels of light pollution to neighbouring premises and/or the ecological interests of the surrounding area.

6 Before development works commence, full details of the internal lighting and glazing serving the new dwelling (including details of any photo-absorbent/reflective film to be fitted to the glazing) shall be submitted to and agreed in writing by the Local Planning Authority.

Only internal lighting and glazing that has been approved by the Local Planning Authority shall be installed to the new dwelling. All other internal lighting and glazing is prohibited.

Reason: To ensure that the development hereby approved does not result in unacceptable levels of light pollution to the detriment of the visual amenities of the area and/or to the ecological interests of the surrounding area.

7 No development or site clearance works shall take place until there has been submitted to and approved in writing by the Local Planning Authority a fully detailed scheme of landscaping including species, spacings and height when planted of all new planting. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first beneficial occupation of the new dwelling or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value.

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- 8 The construction phase of the development hereby approved shall be carried out in accordance with the recommendations/actions contained within the Tree Protection Plan that forms part of the submitted Arboricultural Report produced by ArbTS - Arboricultural Technician Services Ltd (dated 5th December 2023).
Reason: To prevent detrimental impact to trees, hedges and other landscape features which contribute to the amenity, landscape and biodiversity of the site and surrounding area.
- 9 Prior to the commencement of development, a scheme of Ecological Enhancement Measures and an Implementation Timetable shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall make provision for a minimum of one bat box and three swift boxes. The Ecological Enhancements Measures shall thereafter be undertaken in accordance with the approved scheme and Implementation Timetable and retained thereafter for the lifetime of the development.
Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales and Policy ER 9 of the Swansea Local Development Plan (2010-2025).
- 10 The green roofs forming part of the proposed development shall be provided and maintained in accordance with the details contained within the submitted document entitled 'Green Roof Design Statement - Rev A' produced by Victoria Wade Landscape Architecture (dated 16th February 2024).
Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales and Policy ER 9 of the Swansea Local Development Plan (2010-2025).
- 11 The construction phase of the development hereby approved shall be carried out in accordance with the recommendations and actions contained within the Construction Environmental Management Plan received on the 19th December 2023.
Reason: In order to control and mitigate the impacts of the construction phase of the development.

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 national development plan is Future Wales: The National Plan 2040. The following policies were relevant to the consideration of the application: Policies 1, 2, 4, 5 and 9

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, PS3, CV2, CV3, ER2, ER4, ER8, ER9, ER11, RP3, RP10, T1, T5 and T6
- 3 Bats may be present. All British bat species are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2017.

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This legislation implements the EC Habitats & Species Directive in the UK making it an offence to capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal whether a bat is present at the time or not. It is also an offence to recklessly / intentionally to disturb such an animal.

If evidence of bats is encountered during site clearance e.g. live or dead animals or droppings, work should cease immediately and the advice of the Natural Resources Wales sought before continuing with any work (0300 065 3000).

4 Birds may be present in this building and grounds please note it is an offence under the Wildlife & Countryside Act 1981 (as amended) to intentionally (intentionally or recklessly for Schedule 1 birds) to:

- Kill, injure or take any wild bird
- Take, damage or destroy the nest of any wild bird while that nest is in use or being built
- Take or destroy an egg of any wild bird

No works should be undertaken between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests either in vegetation or buildings immediately before the vegetation is cleared and/or work commences on the building to ensure that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

5 It is an offence under the Wildlife & Countryside Act 1981 (as amended) to intentionally (intentionally or recklessly for Schedule 1 birds) to:

- Kill, injure or take any wild bird
- Take, damage or destroy the nest of any wild bird while that nest is in use or being built
- Take or destroy an egg of any wild bird

You are advised that any clearance of trees, shrubs, scrub (including gorse and bramble) or empty buildings should not be undertaken during the bird nesting season, 1st March - 31st August and that such action may result in an offence being committed.

6 All trenches and excavations shall be fenced off or covered-over at night to prevent any animals (especially hedgehogs) from falling in and becoming trapped. If this is not possible, an adequate means of escape shall be provided (i.e. a gently graded side wall or provision of gently sloped wooden plank or equivalent). Any exposed pipes and trenches shall be checked for trapped wildlife each morning before starting construction activities.

7 Under the provisions of Schedule 3 of the Flood and Water Management Act 2010, your development may require Sustainable Drainage Approval before any construction work commences. Further details can be found on the Authority's website:- <https://www.swansea.gov.uk/sustainabledrainage> and the SuDS Approval Team can be contacted via SAB.Applications@swansea.gov.uk for further advice and guidance.

8 The proposed development is crossed by a distribution watermain. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. We enclose our Conditions for Development near Watermain(s).

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It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.

- 9 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.
 - 10 Public Right of Way Penmaen 12 (PM12) runs to the east and south and appears to cross the site. This must always remain open and unobstructed.
-