

**Report of the Head of Economic Regeneration & Planning**

**Development Management & Control Committee – 19 June 2014**

**Referral of Planning Application Ref: 2013/1441**

**From Area 1 Development Control Committee on 27 May 2014**

**LAND ADJACENT TO LLYS PENTRE LLANGYFELACH ROAD BRYNHYFRYD  
NEW PRIMARY CARE CENTRE WITH PHARMACY ASSOCIATED PARKING  
AND WORKS**

<b>Purpose:</b>	To determine the application for a new primary care centre with pharmacy associated parking and works
<b>Policy Framework:</b>	National and Local Planning Policies
<b>Reason for Decision:</b>	Statutory responsibility of the Local Planning Authority
<b>Consultation:</b>	Statutory consultations in accordance with planning regulations as set out in the planning application report contained in Appendix B
<b>Recommendation(s):</b>	Approve as set out in the report
<b>Report Author:</b>	Ryan Thomas
<b>Finance Officer:</b>	<i>Not applicable</i>
<b>Legal Officer:</b>	<i>Not applicable</i>

**1.0 Background**

- 1.1 This application was reported to the Area 1 Development Control Committee on 27<sup>th</sup> May 2014, with the recommendation that the proposal was an acceptable departure from the provisions of the Development Plan and that planning permission should be granted, subject to an additional condition to provide advertisement signage at the site entrance and that the application be advertised as a departure to the provisions of the development plan. The application has been advertised in this respect although the consultation period has not, as yet, expired.
- 1.2 The Committee subsequently resolved to accept my recommendation. A plan showing the location of the application site is attached as Appendix A and a copy of my report to the Area 1 Development Control Committee is attached as Appendix B.

## **2.0 Planning Policy Issues**

- 2.1 The site is located within the greenspace system where EV24 seeks to resist development proposals which would be likely to have a significant adverse effect on the greenspace system or which do not provide for appropriate compensatory or mitigation measures. The proposal would result in the loss of a wedge of greenspace comprising a relatively flat parcel of amenity grassland and bordering trees. There is also a large area of Japanese knotweed sited within and adjacent to the site. The site forms part of a wider EV24 designation that stretches from the rear of the car garage to the north of No.639 Llangyfelach Road.
- 2.2 The areas covered by EV24 have been defined on the basis of one or more values as defined in the policy. The parcel of land the subject of this application is considered to principally have nature conservation value, local amenity benefit and informal recreation potential.
- 2.3 The nature conservation value has been considered by the Council's planning ecologist having regard to the information submitted in the applicant's ecological assessment. The conclusions of the assessment are that the vegetation to be cleared is of low ecological value. Subject to mitigation measures as detailed in the planning ecologists comments in relation to bats and reptiles, it is considered the proposal would not have a significant impact on the nature conservation value of the greenspace system.
- 2.4 Turning to the local amenity benefit and informal recreation value, the nature of the open space being flat, surrounded by trees and accessible to the local community means that the land has high value in this respect. In terms of the local impact there is a similar sized flat parcel of land abutting the site to the east which leads onto a wooded area. This parcel of land would be unaffected by the development and would be retained as greenspace area that provides local amenity and informal recreation benefit to the local community. The Council has undertaken an open space assessment to inform the Local Development Plan. This assessment identifies that Mynyddbach has a surplus of formal open space provision when assessed against the Fields In Trust standard of 2.4 hectares of open space per 1000 head of population. It is further noted that the area surrounding the application site is well served by both open space and outdoor play provision and the potential loss of the greenspace land would not result in any material deficiency in this area of the ward where the majority of properties are sited within 300 metres of open space provision.
- 2.5 Notwithstanding this given the scale of the proposal, and the associated loss of an area which has amenity value and informal recreation value to the community, it is considered that the development would have a significant impact on the greenspace system. The acceptability of the development must therefore be balanced against the compensatory and mitigation proposed by the developer together with the community benefit that would arise from the proposed development in terms of providing a modern health care facility.

- 2.6 The mitigation proposed would amount to the treatment of Japanese knotweed within the site area, and improvements proposed to the exist car park including the provision of street lighting. The treatment of the Japanese knotweed within the application site would not result in any wider improvements to the remaining areas of greenspace within the locality. Whilst the improvements to the existing car park are noted and welcomed, these measures would not, it is considered, provide satisfactory mitigation for the loss of the greenspace area proposed.
- 2.7 An appropriate balance must therefore be struck when weighing up the loss the greenspace area and the associated impacts this would have on the community against the positive benefits that would arise from the development. In light of the good level of usable and accessible open space provision within the area as described above, on balance, it is considered the loss of this greenspace area would not be so significant upon the community that it would outweigh the positive benefits that would arise from the development. In making this assessment some weight has been given to the responses from the applicant's public consultation event and the responses to the planning application consultation, which have not raised any significant concerns in respect of the loss of the greenspace area.
- 2.8 Having regard to these material considerations, on balance, it is considered the impact of the development would not be so materially adverse to the greenspace system, or to the community which it serves, to warrant the refusal of the application for this reason. It is therefore considered that the principle of the proposed development is acceptable in this instance as a Departure from the provisions of the Unitary Development Plan.

### **3.0 RECOMMENDATION**

- 3.1 That, subject to there being no new material planning objections in relation to the principle of development on the greenspace system, planning permission be granted subject to the conditions detailed in my report to the Area 1 Development Control Committee on 27<sup>th</sup> May 2014 attached as Appendix B together with an additional condition to provide advertisement signage at the site entrance.

### **Background Papers**

#### **Local Government Act 1972 (Section 100) (As amended)**

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

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

### **Appendices**

Appendix A – Map

Appendix B – Committee Report