

APPENDIX B

ITEM

APPLICATION NO.

2013/1441

WARD:

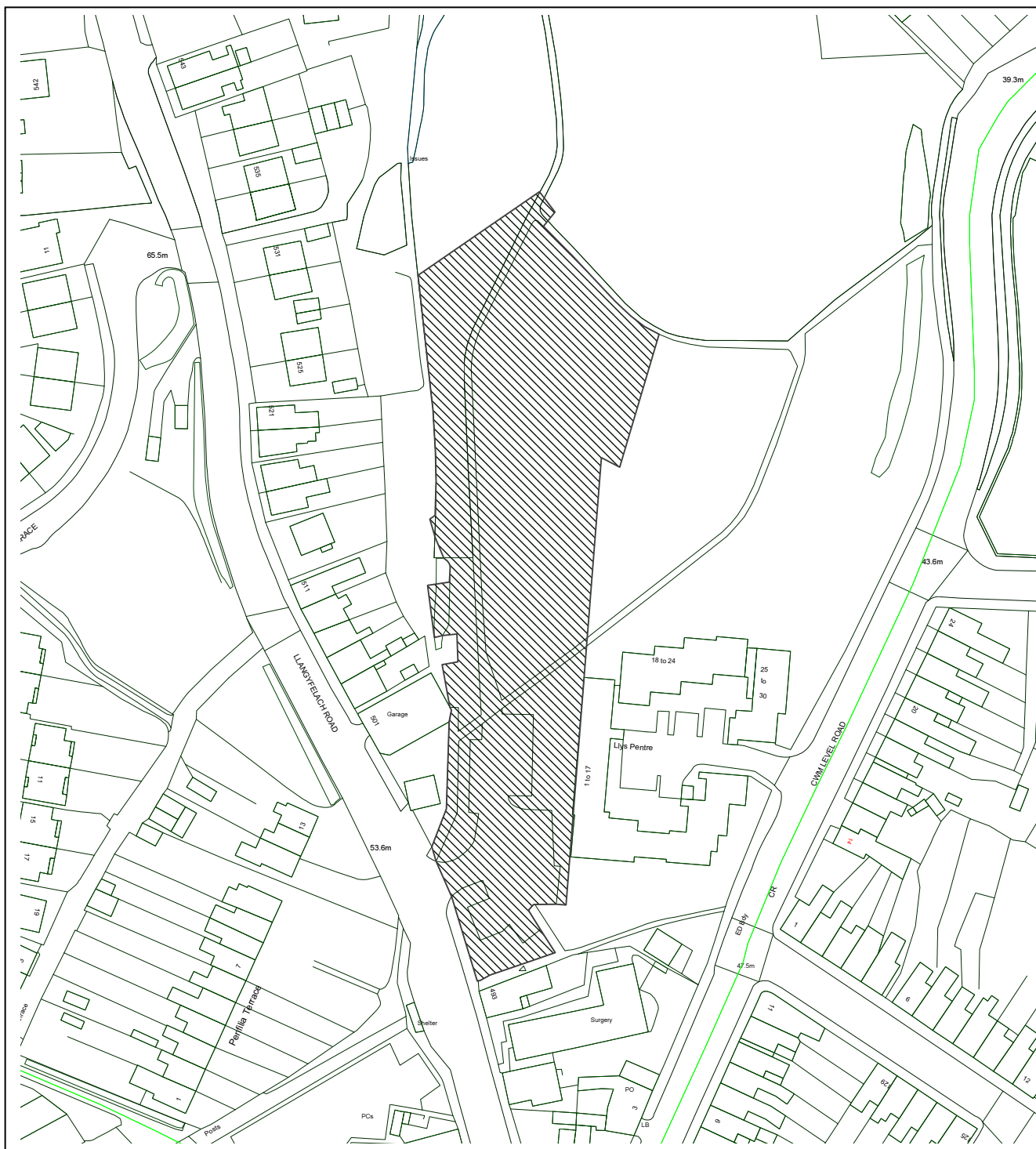
Mynyddbach

Area 1

Location: Land adjacent to Llys Pentre Llangyfelach Road Brynhyfyd Swansea

Proposal: New primary care centre with pharmacy associated parking and works

Applicant: HPC Wales



NOT TO SCALE

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BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy AS1	Accessibility - Criteria for assessing location of new development. (City & County of Swansea Unitary Development Plan 2008)
Policy AS2	Accessibility - Criteria for assessing design and layout of new development. (City & County of Swansea Unitary Development Plan 2008)
Policy AS6	Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)
Policy EC6	The provision of appropriate small-scale local shopping and neighbourhood facilities will be encouraged within local shopping centres and areas of acknowledged deficiency in order to meet local need. (City & County of Swansea Unitary Development Plan 2008)
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy EV24	Within the greenspace system, consisting of wildlife reservoirs, green corridors, pocket sites and riparian corridors, the natural heritage and historic environment will be conserved and enhanced. (City & County of Swansea Unitary Development Plan 2008)
Policy EV30	Protection and improved management of woodlands, trees and hedgerows which are important for their visual amenity, historic environment, natural heritage, and/or recreation value will be encouraged. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
90/1025/11	ENVIRONMENTAL IMPROVEMENT SCHEME - PROVISION OF CAR PARK AND ASSOCIATED LANDSCAPING Decision: *HGDP - GRANT DEEMED PERMISSION Decision Date: 21/08/1990

89/0703/11 RESIDENTIAL DEVELOPMENT.
Decision: *HGPC - GRANT PERMISSION CONDITIONAL
Decision Date: 25/08/1989

89/0816/11 RESIDENTIAL DEVELOPMENT.
Decision: *HGDP - GRANT DEEMED PERMISSION
Decision Date: 25/08/1989

87/1017/11 PUBLIC OPEN SPACE, INFORMAL GRASS AREAS, MASS TREE
PLANTING + SMALL CAR PARK.
Decision: *HGDP - GRANT DEEMED PERMISSION
Decision Date: 11/08/1987

89/1160/03 30 RESIDENTIAL UNITS FOR THE ELDERLY.
Decision: *HPS106 - PERMISSION SUBJ - S106 AGREEM.
Decision Date: 24/05/1990

78/0856/03 PUBLIC OPEN SPACE AND LANDSCAPING
Decision: *HGDP - GRANT DEEMED PERMISSION UNCOND
Decision Date: 31/08/1978

RESPONSE TO CONSULTATIONS

The application was advertised in the press, on site and seventeen neighbouring properties were consulted. TWO LETTERS OF OBJECTION have been submitted which include ONE PETITION OF OBJECTION WITH TWENTY FIVE SIGNATURES. The letters are summarised below:

1. Concerns there may be no rear access to properties on Llangyfelach Road.
2. Concerns the proposal may cause noise, disturbance and loss of light to residents of Llys Pentre.
3. Request a palisade fence is erected running along the back of 1-24 Llys Pentre.
4. Concerns cars could roll down from the car park to Llys Pentre.

Other consultation responses:

Coal Authority

The applicant has submitted a Geo-technical and Geo-environmental Report (April 2012) which accompanies this planning application. The Geo-technical and Geo-environmental Report (April 2012) covers a wider site area than the application site and therefore identifies risks which have not been identified in the Coal Authority records for the application site.

When considering this particular proposal; whilst there are recorded mining features within the application site, the specific part of the site where new development is proposed actually falls outside the defined Development High Risk Area.

The Coal Authority therefore has **no objection** to the proposed development. However, further more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building regulations application.

The Coal Authority would recommend that an Informative is included within the decision notice.

Pollution Control Division

Recommends a condition for the submission of a Construction Pollution Management Plan and informatives in relation to the construction period in order to minimise nuisance to neighbours.

Environment Officer

Recommends a condition for the submission of a scheme to eradicate the Japanese Knotweed on the site.

Drainage and Costal Management

The submitted strategy is entirely reliant on DCWW accepting a surface water connection from the development site and then on what rate they find acceptable. It may be that they consider the proposed rate of 5l/s too high for the receiving system which will increase the amount of attenuation storage required, our recommendation is that DCWW be contacted and agreement in principle for the connection and the rate is sought as soon as possible.

Subject to the caveat that DCWW agree to the surface water connection and the rate we recommend a standard surface water drainage condition be appended to any permission given, should DCWW permission not be given we ask to be re-consulted.

Dwr Cymru Welsh Water

Recommend, if approved, that standard conditions are included together with the specific requirement that Surface water discharges shall only be permitted to discharge to the public surface water sewerage system at an attenuated rate of 5 litres per second using a suitable flow control device.

Planning Ecologist's Comments

The surveyor found the area generally to be of low ecological value. However the surveyor did note that there are some areas around the periphery of the site that may contain reptiles. As reptiles are protected under the Wildlife and Countryside Act we should add a condition to any permission that a mitigation statement is drawn up and submitted to the LPA for approval. This should contain instructions for the reduction of the height of vegetation to encourage reptiles to leave the site, instructions for the removal of any likely refugia and the re-homing of any animals caught. The woodland edge is likely to be used by foraging bats any lighting scheme should be designed to prevent excessive light spill. Bats are deterred by increased light levels. There may be nesting birds in some of the scrub and trees to be cleared, as such a bird informative should be included with any planning permission.

South Wales Police Crime Prevention Design Advisor

Comments have been provided in respect of a number of general security issues the majority of which have been addressed in the submission or would be outside of the control of planning.

Natural Resources Wales

The ecological report states that the works will be mainly within an area of species-poor amenity grassland, although a small amount of woodland will be lost on the eastern side of the application site. The woodland to the east boundary are likely to provide communing and foraging opportunities for bats. NRW recommend the submission and implementation of a lighting scheme to be agreed with the LPA Ecologist, prior to the start of any works on site. The scheme shall include appropriate siting of lights, to ensure that woodland and boundary features are not illuminated. The scheme should address construction activities and the operational phase.

NRW also recommend a condition in respect of the submission of a scheme to eradicate Japanese knotweed.

Highways Observations

1. Introduction

This application for the construction of a primary care centre with associated car parking works is proposed on land to the north of the existing Brynhyfryd Surgery and car park and to the rear of Brynhyfryd car sales.

The proposed health facility is located within the centre of Brynhyfryd and is supported by good public transportation links and local amenities. For a development of this size and nature, parking is an issue which must be thoroughly considered, and staffing levels (including a breakdown of practitioners and others) were needed to assess the required parking numbers in accordance with CCS adopted parking standards. The proposed staffing levels are 15 full time staff and 10 part time staff. The surgery opening hours are 08.30 to 18.00 Monday to Friday and the pharmacy will be open 09.00 to 18.15 Monday to Friday and 09.00 to 12.00 on a Saturday.

The applicants sought pre-application advice and were advised that a full Transport Assessment (TA) would be required in order to quantify the impact on the adjacent Highway Network. The subsequent Planning Application was supported by a full TA produced by Atkins.

Access to the site is directly off Llangyfelach Road using the existing priority junction access to the surgery and car park. The redevelopment of the current surgery building is not included within this application site although the existing car park is being retained and upgraded within this application. .

A pharmacy is included within the proposed uses.

2. Transport assessment

The trip calculation for the development has been carried out by the use of TRICS which is the nationally accepted methodology for predicting trip generation. The trips have been calculated on the basis that there are 7 full time practitioners, 7 ancillary staff and 4 part time staff.

Existing development

The existing surgery traffic/car park (which has five doctors) was surveyed in September 2013 and the following observations were made.

- The existing car park was busy most of the time and was close to or at capacity for periods between 10.30 and 11.30.
- Health care users accounted for 50% approximately of all vehicular movements into the car park.
- The independent surveys undertaken compare well when comparing to the CCS documented flows on the adjacent highway.
- The maximum a.m. peak flows currently are 32, with the p.m. peak generating 29. The maximum trips in any one hour is between 10.00 and 11.00 and that generates 47 two-way trips

Given that the existing surgery building is to be retained then all trips to the new development have been treated as 'new' on the Network. This should give a robust set of results. The split between vehicles travelling north and south have been proportioned using existing surveyed data to arrive at a total number of extra vehicles on the highway network.

Proposed development

Based on the TRICS staffing levels for Health surgery the anticipated traffic flows are calculated to be 55 in the am peak, 66 in the intermediate peak between 10.00 and 11.00 and 40 in the p.m. peak. This equates to a maximum average of just over one vehicle per minute in the intermediate peak between 10.00 and 11.00.

The priority junction access/egress to the site from B4489 Llangyfelach Road was assessed using Picady 8 which is standard software package for calculating queues at Priority Junctions. Using the geometry from the submitted plans in the report and also the traffic figures the results obtained in output shows that there are negligible queues and the RFC's (Ratio Flow Capacity) are well within the threshold values of 0.85.

The priority junction assessment demonstrates that it is well within capacity because there is negligible queuing within the site and the RFC values are so low. This means that this development has very little impact on movements into and out of the site.

The main junction at Brynhyfyd Square has been also been tested and remains approaching capacity as is the current situation. The access to the site is protected by 'Keep Clear' Markings on the road and these are to be retained.

It is not considered that the traffic resulting from the proposed development will give rise to any highway safety concerns.

3. Parking

Parking for 26 vehicles is available within the curtilage. There is disabled provision for 5 vehicles which is above the 5% minimum requirements but given the use as a surgery it is an appropriate level.

The proposed parking provision of 26 spaces is twelve spaces short of that required according to our adopted parking guidelines (38). The spaces however are incorrectly detailed at 2.4m width whereas the correct dimension should be 2.6m. This can be secured by condition although it may result in the loss of a few spaces and possibly require an amended layout. However, there is an existing car park housing approximately 20 cars (although four of the spaces are reserved for residential use) which is included within the red edged outline so it is assumed that the applicant has control over this area. On that basis it has been decided that parking provision in this instance is adequate subject to an amended layout. There is also a satisfactory cycle storage facility and disabled parking provision within the curtilage of the site.

There is parking being made available for an ambulance but no detail regarding servicing and deliveries. Since the car park is quite constrained with no through route I would suggest that a servicing management plan be submitted for approval outlining how the servicing and deliveries are to be managed. I would also suggest that this covers times of deliveries to avoid peak appointment times within the surgery

Access to the proposed development and associated car park will be via an existing public car park facility hence there are no highway safety issues regarding visibility. The current access is open plan and affords good visibility in both directions, I do not wish any changes to be made to this aspect.

4. Conclusion

I do not consider that the development will give rise to any highway safety concerns. Whilst there will be additional traffic on the road it has been shown that the relatively small scale impact of the development will not lead to any significant increase in congestion given the existing high volume of traffic movements through Brynhyfryd Square. Overall there is adequate parking taking into consideration the existing car park. The travel plan will help highlight alternative forms of transport to the site, and the proximity of the site to local bus services together with the provision of cycle parking will help provide viable alternatives to driving to the surgery.

5. Recommendations

On balance, I recommend no highway objection to this application subject to:

1. The five car parking spaces shown for disabled use to be laid out in accordance with the current British Standard.
2. The cycle parking to be implemented prior to beneficial occupation of any part of the units.
3. The car park (both the existing and proposed) to be laid out in accordance with the details to be submitted for approval to the LPA showing the car parking spaces in at the correct dimensions of 2.6m width by 4.8m length (and not as shown on the submitted drawings) prior to beneficial occupation of any part of the development.

4. In the interests of both pedestrians and vehicles accessing the site the car parking area shall be lit in accordance with details to be submitted for approval to the LPA, prior to beneficial occupation of any part of the development.
5. I recommend therefore that if consent is granted, that the applicant be required to submit a Travel Plan for approval within 12 months of consent and that the Travel Plan be implemented prior to the beneficial use of the building commencing.
6. The boundary along Llangyfelach Road shall remain open plan and unimpeded in the interests of visibility and to allow two way movements into and out of the site at all times to minimise any obstruction being caused on Llangyfelach Road.
7. A servicing management plan be submitted for approval to the LPA outlining how the deliveries are to operate to avoid peak times on the highway network and at the surgery itself.

APPRAISAL

This application is reported to Committee for decision at the request of Councillor Ceinwen Thomas in order that Members can consider access and highway safety issues.

This application seeks planning permission for the construction of a new primary health care centre, including a pharmacy, with associated parking and works at land adjacent to Llys Pentre, Llangyfelach Road.

The application site forms part of a green area which runs to the rear of Llangyfelach Road it also includes the public car park which is used in association with the existing surgery. The existing Brynhyfryd Surgery is located to the south of the existing car park and would no longer be used for this purpose, should planning permission be granted and the development brought into use.

The proposal would consist of a part single storey part two storey mono-pitched design building that would accommodate Brynhyfryd Surgery, a treatment room and supporting spaces for Abertawe Bro Morgannwg Health Board together with an associated pharmacy. Externally there will be a new parking area, a re-arrangement of the existing parking area, the provision of a footpath to the west of the building, engineering works to facilitate a level platform for the development and a boundary enclosure around part of the perimeter of the site.

The application is accompanied with details of alternative sites that were considered to accommodate the proposed development and there have been extensive consultations with the Council's Estates section in this regard. According to the submission, the site is considered to be the preferred location which best meets the criteria of accessibility, sustainability, complementary adjacent uses, availability and affordability.

A public consultation event was undertaken in November 2010 and a summary of the results are outlined in the design and access statement. The consultation identified that the existing surgery is too small. The location for the development was considered by respondents to be acceptable and the inclusion of a pharmacy was considered to be of benefit.

Main Issues

The main issues in respect of the consideration of this application are as follows: the appropriateness of the proposed development in this location given its designation as greenspace land under City and County of Swansea (UDP) policy EV24 (Greenspace System) and having regard to the appropriateness of the development and its compliance with UDP policy HC15 (Community and Health Facilities); the impact on the character and appearance of the area; the impact on the residential amenity of neighbouring occupiers and the impacts of the development on access and highway safety.

In addition to the above UDP policies the following policies are relevant to the consideration of this proposal: EV1 (Design), EV2 (Siting and Location), EV3 (Accessibility), EV30 (Trees, Woodland and Hedgerow Protection), AS1 (New Development Proposals), AS2 (Design and Layout), AS6 (Parking) and EC6 (Local Shopping Centres and Neighbourhood Facilities).

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.

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.

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 above 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.

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.

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.

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.

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.

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. In this respect the proposed development is considered to be an acceptable departure to the provisions of UDP policy EV24.

As indicated above, UDP Policy HC15 is a key policy consideration in the determination of this application. It states that proposals for new and improved local community and health facilities will be supported provided:

- (i) The facility is accessible to the community it is intended to serve, and where practicable located within a District, Local or Village Centre,
- (ii) The proposal will have no significant impact on the amenity of surrounding uses, particularly residential, by reason of visual appearance, scale and noise,
- (iii) There would be no significant adverse impact on natural heritage and the historic environment, and
- (iv) The site and surrounding road network is capable of accommodating any additional vehicular traffic likely to be generated by the proposal without damage to the local environment or road safety.

Dealing with the main aspect of the proposal; the development proposes a modern care facility that, in principle, would provide improved health facilities for the local and wider community.

With regards to criteria (i), the amplification to the policy states that the Council recognises the importance of locating community and health facilities in close proximity to the communities they are intended to serve, so they can be more readily reached by walking, cycling and public transport. The application site is located on the edge of the Llangyfelach Road local centre. It is close to surrounding residential areas and the shops in the local centre. The site is also highly accessible for a range of transportation modes. In this respect the proposal would accord with criteria (i) of policy HC15.

With regards to criteria (ii), the proposal is for a modern design building comprising of two mono-pitched structures connected by a small flat roof element. The building would be part single storey, part two storey in scale and the low pitched roof elements would serve to minimise its prominence and impact on the surrounding residential context. The form and the scale of the monopitched roofs mark this building as a community facility.

Brynhyfryd Surgery and staff facilities would be placed in the two storey block parallel to the eastern boundary. The pharmacy, health board treatment room, support room and ancillary facilities would be accommodated in the wider single storey block parallel to the western boundary. Between the two blocks is a wedge shaped waiting area with the Surgery's treatment room and operations room on the northern edge.

The materials for the development will comprise a mix of brick and coloured renders to define and break up the various components of the building. The Colours have not yet been finalised but the brick is intended to take local stone as a starting point and the render will inject colour to the elevations. The roof will be aluminium standing seam to give a modern but muted natural finish which will weather to a mid grey. Windows are proposed to be aluminium framed in a mid/dark grey colour.

The front (south) elevation of the building would face onto and provide natural surveillance of the new car park area. The rear (north) elevation would face onto the footpath to the rear with the greenspace beyond. The west side elevation would face a new footpath to be constructed around the western perimeter of the building with the properties on Llangyfelach Road beyond. The east elevation would face onto the woodland which stretches down to Cwm Level Road.

The modern design of the building and the choice of materials should ensure that the development is clearly identifiable as a modern community facility, whilst being sympathetic to the scale of the residential context and the natural backdrop within which the development would be sited. The Council's urban designer has noted that improvements should be made to the scheme through the provision of lighting to the footpath along the western perimeter and the provision of a more visually appropriate boundary enclosure for the development in place of the proposed palisade style fencing. Furthermore it is considered the addition of vertical panels to the front elevation (south) elevation of the building would serve to break-up the elevation and provide a contrast to the proposed brick finish. These elements can be secured by planning conditions.

Overall in terms of its visual impact the development is considered to be of good design quality, is appropriate to the local context, and has regard to the physical features and topography of the site. In this respect it is not considered that the development would have a significant detrimental impact on the character or appearance of the area and is considered to be in accordance with UDP policies EV1 and EV2.

In terms of the impacts of the development on the residential amenities of surrounding occupiers, the development does have the potential to introduce some additional noise and disturbance to surrounding occupiers on Llangyfelach Road and Llys Pentre. This would mainly be in the form of noise from cars and other vehicles. In view of the separation distances to the properties on Llangyfelach Road to the west, whose gardens and dwelling are sited at a higher land level than the application site, it is considered that any resultant additional noise and disturbance would not be so materially adverse to living conditions of these occupiers that it would justify the refusal of the application for this reason. In making this assessment consideration has also been given to the relatively high ambient noise levels in this area given the proximity of Llangyfelach Road which is a main arterial route into Swansea together with the noise and general activity that is to be expected in such close proximity to a local centre. The nature of the use is such that it would not be open in the late evenings which would also serve to mitigate any significant impacts to neighbouring occupiers. In this respect it is recommended that the hours of opening for the development are restricted by a planning condition.

Turning to the impacts on the residents of Llys Pentre, the existing footpath from the site to Cwm Level Road separates the development and Llys Pentre. It is considered a satisfactory separation distance would be maintained from the new parking area to the flats to ensure that there would be no significant noise or disturbance to the occupiers of this development.

The siting of the proposed building at over 30 metres from neighbouring dwellings would ensure that the development would not result in any overbearing, overshadowing or overlooking impact to neighbouring occupiers. Car park users would have some views of the rear of the properties on Llangyfelach Road, given the elevated siting of these dwellings above the application site, however, in view of the separation distances achieved and the change in levels, it is not considered there would be any significant loss of privacy to the occupiers of these dwellings. Similarly it is not considered the proposed use would result in any significant loss of privacy to the residents of Llys Pentre over and above that already experienced due to the proximity of the existing footpath which runs from the site to Cwm Level Road.

In view of the above, it is considered that the proposed development would be in accordance with criteria (ii) of UDP policy HC15 and would accord with UDP policies EV1 and EV2.

In respect of criteria (iii) which relates to the impacts of the development on natural heritage and the historic environment, the impact on nature conservation are discussed above. The submission includes a Tree Report which identifies a number of trees which may need to be removed, in particular on the eastern side of the new car parking area in order to facilitate the development. These trees are identified as T1, T2, T25, T26 and T27, T28, and G5 (tree). Whilst these trees are not protected by a Tree Preservation Order, their removal would have a detrimental impact on the appearance of the area, although this would not be significant given the wider wooded backdrop of the development. Notwithstanding this, any loss of trees in this area would need to be mitigated through replacement planting. It is recommended that a landscaping condition is included with any planning permission to ensure there is satisfactory mitigation planting for the loss of these trees and to provide satisfactory landscaping for the site in general. Furthermore, suitable tree protection measures will need to be put in place to ensure the trees surrounding the site to be retained are suitably protected during the construction phase.

In term of the impact of the development on the historic environment, it is not considered the proposal would raise any issues in this respect.

Having regard to the above and subject to conditions it is not considered that the proposed development would have no significant adverse impact on natural heritage or nature conservation and would therefore be in accordance with criteria (iii) of UDP policy HC15 and EV30.

In respect of criteria (iv) the Head of Transportation and Engineering has considered the applicants transport assessment (TA) and accompanying plans. The trip calculation for the development has been carried out by the use of TRICS which is the nationally accepted methodology for predicting trip generation. The anticipated traffic flows are calculated to be 55 in the am peak, 66 in the intermediate peak between 10.00am and 11.00am and 40 in the pm peak. This equates to a maximum average of just over one vehicle per minute in the intermediate peak between 10.00am and 11.00am.

The priority junction access/egress to the site from B4489 Llangyfelach Road was assessed using Picady 8 which is standard software package for calculating queues at Priority Junctions. Using the geometry from the submitted plans in the report and also the traffic figures the results obtained in output shows that there are negligible queues and the RFC's (Ratio Flow Capacity) are well within the threshold values of 0.85.

The priority junction assessment demonstrates that it is well within capacity because there is negligible queuing within the site and the RFC values are so low. This means that this development has very little impact on movements into and out of the site.

The main junction at Brynhyfryd Square has also been tested and remains approaching capacity as is the current situation. The access to the site is protected by 'Keep Clear' Markings on the road and these are to be retained.

In light of the above, it is not considered that the traffic resulting from the proposed development will give rise to any highway safety concerns.

Turning to parking considerations, the proposed parking provision of 26 spaces is twelve spaces short of that required according to our adopted parking guidelines. Furthermore the spaces are incorrectly detailed at 2.4m width whereas the correct dimension should be 2.6m. This discrepancy can be secured by a planning condition, although it may result in the loss of a few spaces and possibly require an amended layout. However, there is an existing car park adjacent to the site which accommodates approximately 20 cars (although four of the spaces are reserved for residential use) and a further public car park on the opposite side of Llangyfelach Road, accessed via Penfilia Road. On this basis, on balance, it is considered that the parking provision for the development is adequate subject to the submission of an amended layout. There is also a satisfactory cycle storage facility and disabled parking provision within the curtilage of the site.

There is parking being made available for an ambulance but no details regarding servicing and deliveries. Since the car park is quite constrained with no through route the Head of Highways and Transportation has recommended that a servicing management plan should be submitted for approval outlining how the servicing and deliveries are to be managed.

Access to the proposed development and associated car park will be via an existing public car park facility hence there are no highway safety issues regarding visibility. The current access is open plan and affords good visibility in both directions.

In light of the above and subject to the requirements specified in the Highways Observations detailed above, which may be secured by planning conditions and informatives, the proposed development is considered to be acceptable in terms of parking and highway safety and would be in accordance with UDP policies EV3, AS1, AS2, AS6 and criteria (iii) of HC15.

The proposal includes an associated pharmacy. Whilst this would be located outside of the local centre it would be sited in close proximity to and easily accessible from the local centre. There is an existing pharmacy in the local centre which is likely to be affected by the proposals, however, the overall impact of the development would not, it is considered, have a detrimental impact on the vitality, viability and attractiveness of the shopping centre, indeed the provision of an enlarged care facility in this location may serve to increase associated activity and footfall within the local centre. In this respect it is considered that the proposal would not be contrary to UDP policy EC6 which seeks to encourage small scale local shopping and neighbourhood facilities within local shopping centres.

Other Issues

Concerns have been raised in a letter of objection that the development may remove access to the rear of properties on Llangyfelach Road. Whilst this is not a planning matter it is noted a footpath is being provided along the western boundary of the site as such access to the rear of properties on Llangyfelach Road should not be affected by the development.

A request has been made by the residents of Llys Pentre for the provision of a fence sited to the rear of the existing car park and within the grounds of Llys Pentre. The grounds of Llys Pentre are outside of the application site area and there is vegetation at the rear of the existing car park which serves as a buffer to the flats. Therefore there is not considered to be satisfactory justification on planning grounds to require the provision of a new fence in this location.

Concerns have been raised in a letter of objection regarding the potential for cars to roll down to Llys Pentre from the development. Whilst this scenario is considered to be highly unlikely it is noted a kerb upstand will be sited at the rear of the proposed car park nearest to Llys Pentre which should serve to prevent this situation arising.

As noted above there is Japanese knotweed on the site and it is recommended that a planning condition is placed on any planning permission for a scheme to eradicate this invasive plant within the site. However, it should be noted the treatment of the Japanese knotweed outside of the application site can not be secured by a planning condition.

In terms of drainage, the applicant has, upon request, provided additional drainage information which confirms that the applicant will be discharging surface water at an attenuated rate to the public sewer. DCWW have confirmed this is acceptable subject to conditions, which will be included, should planning permission be granted, together with a standard surface water drainage condition recommended by the Council's drainage officer.

The Pollution Control Division has recommended that a construction pollution management plan be submitted in order to ensure the development is constructed having regard to the potential for pollution and nuisance to surrounding occupiers. This is considered to be a reasonable request in view of the proximity of surrounding residential properties to the development.

The potential impact of the development on foraging bats has been noted by the Council's planning ecologist and NRW, furthermore, there are some areas which may contain reptiles. It is therefore recommended that planning conditions are included with any planning permission in respect of the requirements for a lighting scheme to be provided and the provision of a mitigation statement to address the potential for reptiles at the site.

Conclusion

The proposed development is considered to be satisfactory in terms of its impacts on visual amenity, residential amenity, access and highway safety. The proposal would be sited on a greenspace area, the loss of which must be balanced against the benefits to the community associated with the provision of a modern health care facility for the community. Having regard to all material planning considerations the development is considered to be an acceptable departure to UDP EV24 and would be in accordance with the residual UDP policies identified above. It is not considered the provision of the Human Right Act would raise any further material planning considerations as such the application is recommended for conditional approval.

RECOMMENDATION

That the application be referred to the DEVELOPMENT MANAGEMENT & CONTROL COMMITTEE prior to being advertised as departure to the Development Plan with a recommendation that it be APPROVED 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 Notwithstanding the details indicated on the approved plans prior to any superstructure works commencing on site the materials used for the external surfaces of the development, which shall include the provision of vertical banding to the front (south) elevation, shall be submitted to and approved in writing by the Local Planning Authority . The development shall be completed in accordance with the approved details.
Reason: In the interests of visual amenity.

- 3 A detailed scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority, and shall be implemented and completed in accordance with the approved scheme.
Reason: In the interests of the ecology and amenity of the area.

4 No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water, and land drainage will be dealt with and this has been approved in writing by the Local Planning Authority. This scheme shall include details of a sustainable drainage system (SUDS) for surface water drainage and/or details of any connections to a surface water drainage network. The development shall not be brought into beneficial use until the works have been completed in accordance with the approved drainage scheme, and this scheme shall be retained and maintained as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a satisfactory comprehensive means of drainage is achieved and that no adverse impact occurs to the environment or the existing public sewerage system and to minimise surface water run-off.

5 Surface water discharges shall only be permitted to discharge to the public surface water sewerage system at an attenuated rate of 5 litres per second using a suitable flow control device, unless otherwise agreed in writing with the Local Planning Authority.

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

6 Unless otherwise agreed in writing with the Local Planning Authority, foul water and surface water discharges must be drained separately from the site.

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

7 Prior to the commencement of development, or unless otherwise agreed in writing, details of a lighting scheme for the development during the construction phase and a scheme for permanent lighting at the development, which shall include the provision of lighting for the car park and along the western boundary adjacent to the footpath shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be implemented prior to the beneficial use of the development hereby approved.

Reason: In the interests of ecology and residential amenity

8 Notwithstanding the details indicated on the approved plans the means of enclosing the boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the beneficial occupation of the development. The development shall be completed in accordance with the approved details.

Reason: In the interests of visual amenity.

9 Prior to the commencement of development a mitigation statement to address the presence of reptiles on site during the construction phase shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details (see Informative 7 for further details).

Reason: In the interests of ecology

10 Prior to the commencement of demolition/construction works on the application site (including all access roads) a Construction Pollution Management Plan (CPMP) shall be submitted to and approved in writing by the LPA. The CPMP is to include the following:

- a) Demolition/Construction programme and timetable
- b) Detailed site plans to include indications of temporary site offices/ compounds, materials storage areas, proposed compounds, delivery and parking areas etc
- c) Traffic scheme (access and egress) in respect of all demolition/construction related vehicles;
- d) An assessment of construction traffic generation and management in so far as public roads are affected, including provisions to keep all public roads free from mud and silt;
- e) Proposed working hours;
- f) Principal Contractor details, which will include a nominated contact for complaints;
- g) Details of all on site lighting (including mitigation measures) having regard to best practicable means (BPM);
- h) Details of on site dust mitigation measures having regard to BPM;
- i) Details of on site noise mitigation measures having regard to BPM;
- j) Details of waste management arrangements (including any proposed crushing/screening operations); and
- k) Notification of whether a Control of Pollution Act 1974 (Section 61) Notice is to be served by Principle Contractor on Local Authority.

Note: items g – j inclusive need to take particular account of the potential for statutory nuisance arising from site related activities [see Informatives].

Reason: To ensure minimal nuisance impact on local residents/ businesses from construction activities.

11 No development shall take place, unless otherwise agreed in writing, without the prior written approval of the Local Planning Authority of a scheme for the landscaping of the site which shall include the provision of replacement tree planting for any trees which are proposed to be removed during the construction of the development. The landscaping scheme shall be carried out within 12 months from the completion of the development. Any trees or shrubs planted in accordance with this condition which are removed, die, become seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Reason: To ensure that the site is satisfactorily landscaped having regard to its location and the nature of the proposed development, and to accord with Section 197 of the Town and Country Planning Act 1990.

- 12 No development including demolition work shall commence on site until a scheme for the protection of trees has been submitted to and approved in writing by the Local Planning Authority. This shall include full details of all works that impact on the original ground conditions within the tree's rooting area and in particular details of protective fencing, ground protection, construction method, required tree surgery operations, service trenching position and any changes in ground level within the rooting area of all retained trees. No development shall take place except in complete accordance with the approved scheme, and the works required by that scheme are in place. All protective fencing, ground protection etc shall be retained intact for the full duration of the development hereby approved, and shall only be removed, or altered in that time with the prior written approval of the Local Planning Authority.
- Reason: To ensure the protection of retained trees on site during construction works
- 13 No development including demolition work shall commence until all tree protection measures as detailed in the approved scheme have been implemented, inspected and approved in writing by the Local Planning Authority.
- Reason: To ensure the protection of retained trees on site during construction works
- 14 The premises shall not be used by patients before 7:00am nor after 20:00pm on any day.
- Reason: To safeguard the amenities of the occupiers of neighbouring properties.
- 15 Prior to their installation details of the siting and specification for the proposed condenser units shall be submitted to and approved in writing with the Local Planning Authority. The development shall be completed in accordance with the approved details.
- Reason: In the interests of visual amenity and residential amenity.
- 16 Prior to the occupation of the development hereby approved, details of the refuse storage enclosure shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details and retained as such at all times.
- Reason: In the interests of visual amenity
- 17 Prior to any superstructure works commencing on site, a revised parking layout shall be submitted to and approved in writing by the Local Planning Authority. The revised layout shall ensure that all parking spaces (with the exception of disabled spaces which shall be laid out to current British Standards) shall measure 2.6m in width by 4.8m in length. The parking area shall be laid out in accordance with the approved details and retained as such at all times.
- Reason: In order to provide a satisfactory parking layout for the development.

- 18 The cycle parking as indicated on the approved plans shall be constructed prior to the beneficial use of the building hereby approved commencing and retained as approved at all times.
Reason: In order to promote alternative modes of transportation to the development.
- 19 A travel plan for the development shall be submitted to and approved in writing by the Local Planning Authority prior to the beneficial use of the building hereby approved commencing. The travel plan shall be implemented as approved.
Reason: In the interests of promoting alternative modes of transportation to the development
- 20 No boundary enclosure shall be erected along the Llangyfelach Road frontage unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of visibility and to allow two way movements into and out of the site at all times to minimise any obstruction being caused on Llangyfelach Road.
- 21 Prior to the beneficial use of the development hereby approved commencing a servicing management plan outlining how deliveries to the premises will be managed shall be submitted to and approved in writing by the Local Planning Authority. The development shall operate in accordance with the approved plan.
Reason: In order to ensure that the servicing arrangements would not result in unnecessary obstruction within the site.
- 22 The footpath along the western boundary shall be constructed and available for use prior to the beneficial occupation of the development.
Reason: To provide a satisfactory footpath link through the site in a timely manner.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: EV1, EV2, EV3, EV30, HC15, AS1, AS2 and AS6.
- 2 The following restrictions should be applied to all works of demolition/ construction carried out on the development site

All works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of 08.00 and 18.00 hours on Mondays to Fridays and between the hours of 08.00 and 13.00 hours on Saturdays and at no time on Sundays and Public Holidays and Bank Holidays.

The Local Authority has the power to impose the specified hours by service of an enforcement notice. Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

- 3 No burning of any material to be undertaken on site. The Local Authority has the power to enforce this requirement by service of an abatement notice. Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.
- 4 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.
- 5 During construction work the developer shall operate all best practice to minimise nuisance to locals residences from on site lighting. Due consideration should be taken of the Institute of Lighting [www.ile.org.uk] recommendations
- 6 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 birdYou 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.
- 7 The reptile mitigation statement should contain instructions for the reduction of the height of vegetation to encourage reptiles to leave the site, instructions for the removal of any likely refugia and the re-homing of any animals caught.

PLANS

L(00)001A site location plan, L(00)002A topographical survey, L(00)100A block plan, L(00)110B proposed ground floor plan, L(00)111C proposed first floor plan, L(00)112B proposed roof plan, L(00)120A proposed north and south elevations, L(00)121A proposed east and west elevations, L(00)130A proposed sections dated 18th February 2014