

CITY AND COUNTY OF SWANSEA

MINUTES OF THE AREA 2 DEVELOPMENT CONTROL COMMITTEE

HELD AT THE COUNCIL CHAMBER, CIVIC CENTRE, SWANSEA ON
TUESDAY, 23 SEPTEMBER 2014 AT 2.00 PM

PRESENT: P Lloyd (Vice Chair) Presided

Councillor(s)	Councillor(s)	Councillor(s)
J E Burtonshaw	M H Jones	J A Raynor
A C S Colburn	S M Jones	T H Rees
D W Cole	R D Lewis	R V Smith
A M Cook	D J Lewis	R J Stanton
W Evans	K E Marsh	G J Tanner
E W Fitzgerald	J Newbury	C M R W D Thomas
R Francis-Davies	G Owens	M Thomas
T J Hennegan	C L Philpott	J C Bayliss
L James		

25 **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors NS Bradley, RA Clay, JP Curtice, C Richards & M Theaker.

26 **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS FROM MEMBERS.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interests were declared:

Councillor L James – Personal – Planning Application No.2013/1565(Item 1) – Member of the Gower Society.

Councillor G Owens – Personal – Planning Application No.2013/1565(Item 1) – I know one of the objectors.

27 **MINUTES.**

RESOLVED that the Minutes of the meeting of the Area 2 Development Control Committee held on 26 August 2014 be approved as a correct record.

28 **ITEMS FOR DEFERRAL / WITHDRAWAL.**

RESOLVED that the undermentioned planning application be deferred in order to allow the applicant's agent to discuss amendments to the scheme with the Planning Department and for site visit to be undertaken.

(Item 2) Planning Application 2014/0960 – The Elms, Porteynon, Swansea.

29 **DETERMINATION OF PLANNING APPLICATIONS UNDER THE TOWN AND COUNTRY PLANNING ACT 1990.**

The Head of Economic Regeneration and Planning submitted a series of Planning applications. Amendments to this schedule were reported and are indicated below by (#).

RESOLVED that:

(1) the undermentioned planning applications **BE APPROVED** subject to the conditions in the report and/or indicated below

(#)(Item 1) Planning Application No.2014/1565 –Retention & completion of picking station at Clyne Civic Amenity Site, Ynys Newydd Road, Sketty, Swansea.

Mr Collier(objector) and Mr Lawrence(on behalf of applicant) addressed the committee.

Report updated as follows:

Five additional letters of concern/objection have been raised since the report was written. The relevant issues of concern/objection are summarized below.

1. It appears that the Council (via its various Officers) is determined to approve the application despite the concerns raised by local residents and the Warwick Road Residents Association.
2. The report contains “material misstatements” about what currently happens to black bags at the site and the black bag sorting process proposed by the planning application contains basic errors, which create a erroneous impression of what is actually intended. The consequence of this is that the appropriate impact assessments have yet to be requested and carried out. There is also a danger that the Planning Committee will be asked to make their decision on the basis of incorrect and incomplete information.
3. The planning application does not contain the necessary level of information to enable an informed and sustainable decision to be made.
4. The report states that the picking station is not a material change of use, but in fact it does, as waste will be treated on site, thus introducing a new process. This process will result in increased smells and vermin.
5. The Council’s policy of collecting no more than 3 black bin bags per household will result in the public taking any excess waste to the site, which will result in more traffic to the site.
6. The proposal will result in more noise.
7. When the trees (that are near the site) are bare in the winter, the structure will be visible from the surrounding area.
8. The Council’s Pollution Control section have provided inaccurate, misleading and erroneous comments relating to the proposal.
9. The proposed process will pose a new risk of contaminants being dropped on the floor, blown in the wind and sticking to the conveyor system, resulting in increased probability of infestations and odours, similar to when the sorting of black bags at the site was previously trialed (prior to the installation of the sorting station). The process will require ‘after hours’ cleaning of the compactors with pressure washers to remove foul smelling contaminants (as was required during the trial period), but is not required when bags are not opened.
10. A ‘Health Impact Assessment’ should have been carried out, but has not.
11. An ‘Environmental Impact Assessment’ has not been carried out.

12. A proper assessment of the impact of the proposal on the local residential roads has not been carried out.
13. A 'Noise Assessment' has not been carried out.
14. The report incorrectly states that the picking station is a replacement for a 'marquee' that was previously used at the site.
15. The opening of black bags in front of the person bringing them to the site is wrong, as the bags content may contain items which may reveal the personal lifestyle requirements of the resident which the resident has the right to keep private, contrary to the Human Rights Act.

The following comments are made to these points.

1. The application has been considered based on its planning merits only.
2. The 'Appraisal' section of the planning report correctly described the proposal and its associated processes.
3. It is considered that the application contains sufficient information for a proper and informed determination of the application.
4. The proposed picking station will introduce a new process to the site, although the fundamental use of the site will remain the same.
5. It is not considered that the proposed development will give rise to additional vehicular movements. This is already explained in the report.
6. This is dealt with in the report.
7. It is accepted that the structure may be more visible when trees are bare in winter months. However, the nearest residential curtilage is still some 70m away from the structure.
8. The comments made by the Pollution Control are not considered to be misleading.
9. The main issues contained within the first part of these observations are dealt with in the report. The applicant has advised that the 'trial sorting process' did not require additional cleansing of the compactors.
10. This is dealt with in the report.
11. This is dealt with in the report.
12. The Highways Officer has already provided comprehensive observations on the proposal, which are contained within the report. In summary, it is not considered that the proposal will give rise to additional vehicular movements to/from the site.
13. The Pollution Control section has provided comprehensive comments on the application and did not request that a Noise Assessment be carried out.
14. The 'Appraisal' section of the report does not suggest that the proposal is a replacement for the temporary marquee and tables that were used during the 'trial period' of sorting at the site. The 'Original Pollution Control Observations' do however make reference to this.
To be clear, the trial period of sorting waste at the site (which took place for some 8 months in 2012/13) was operated simply in order to establish whether the sorting of waste at the site was a worthwhile exercise. Thus the sorting station does not replace the marquee, but is a development that should be considered in its own right.
15. It is intended that black bags will be opened in front of the member of public, in order to alert them to the items that they could have recycled. It is anticipated that the member of public will be alerted to this, before the bag black is opened. At that point, they could either elect to take the bag black away from the site or ask that it not be opened in front of them.

Application approved in accordance with recommendations subject to amendment to condition 2, plus additional conditions 5-7.

2. The use of the picking station shall be restricted to between 0900hrs and 1600hrs on any day, except Christmas day when it shall not be used.

Reason: In the interests of residential amenity

5. Planning permission is granted for a limited period only, expiring 12 months from the date that the picking station is brought in beneficial use. At the end of this period, the use of the picking station shall cease and the structure shall be removed from the site.

Reason: Planning permission is granted for a temporary period only in order to allow the Local Planning Authority to assess the impact of the picking station whilst is being operated.

6. The applicant shall provide written notification to the Local Planning Authority of the date that the picking station has been brought into beneficial use, no later than 14 days from the date that the beneficial use of the picking station has commenced.

Reason: To ensure that the Local Planning Authority is aware of the date that the picking station is brought into beneficial use.

7. The picking station structure hereby approved shall be painted or sprayed green within 3 months of the date of this decision notice, in a shade to be first agreed in writing by the Local Planning Authority. It shall remain in the agreed colour at all times thereafter.

Reason: In the interests of the visual amenities of the locality.

The meeting ended at 3.14 pm

CHAIR