

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 1

APPLICATION NO.

2014/1184

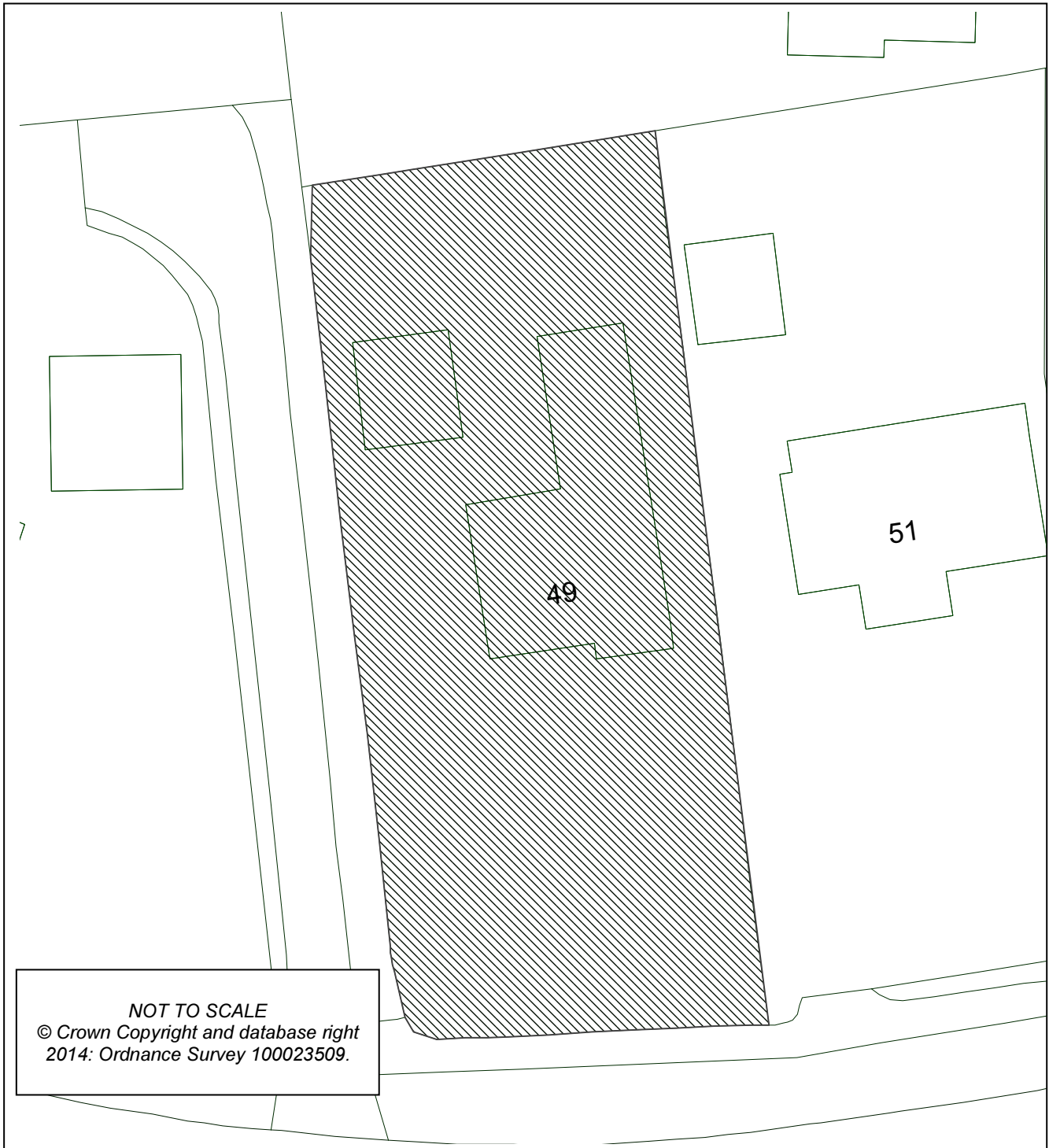
WARD:

Oystermouth
Area 2

Location: 49 Higher Lane Langland Swansea SA3 4NT

Proposal: Retention and completion of front patio

Applicant: Mr & Mrs R Phillips



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ITEM 1 (CONT'D)

APPLICATION NO.

2014/1184

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy HC7	Proposals for extensions and alterations to existing residential dwellings will be assessed in terms of; relationship to the existing dwelling, impact on the character and appearance of the streetscene, effect on neighbouring properties, and impact on car parking. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2013/1242	Single storey front extension, single storey side extension, part two storey, part single storey rear extension with balcony and detached garage Decision: Grant Permission Conditional Decision Date: 18/10/2013
2005/1404	Single storey rear extension Decision: Grant Advertisement Consent (C) Decision Date: 24/08/2005
2013/1793	Single storey front extension, single storey side extension, part two storey, part single storey rear extension with balcony and detached garage. Decision: Grant Permission Conditional Decision Date: 03/02/2014

CONSULTATIONS

Three neighbouring properties were individually consulted, and NINE LETTERS OF OBJECTION were received in response. Of these responses, three came from one couple and two from another individual. The objections can be summarised as follows:

- planned structure is overlooking several properties and overshadowing near property
- in front of the current building line, with potential future planning implications
- proposal is overbearing and out of character
- The patio is built adjacent to our boundary fence and directly overlooks our front entertaining rooms, private patio and gardens. In order to mitigate the structure a screen of over 3.4 meters would have to be constructed, out of keeping with the appearances at present.
- Respect the building line – the structure and built extension extend the building line by 6m, this would create a precedence for all properties in Higher Lane.

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- Overbearing – The structure is 8m x 6m with a height of 1.4m and occupies the majority of the front garden and is overbearing
- Overshadowing – To mitigate the structure a wooden fence of 3.4m would need to be constructed and this would result in significant overshadowing of our property and result in failure of the 45 deg. test from our front entertaining rooms.
- Overlooking – occupants of the neighboring property would look directly into our front garden, patio and entertaining rooms.
- It is clear that the patio would have a detrimental effect on our amenities by reason of overlooking and loss of privacy. The erection of a timber board fence on top of the patio (3.4meters in overall height) would have a detrimental effect on the visual amenities of our property and area in general. This would also create an unacceptable degree of overshadowing and loss of light to our garden area.
- I would urge you to refuse the application as submitted on sound planning policies and advice contained above. If you were still unclear we would welcome a site visit to assess the full impact on our property.
- It would be our view that any structure requires reduction in height and width with adequate screening by a fence/hedge between the two properties that allows maintenance of privacy and no loss of amenity.
- The existing consent given for the house extension at the front has already noticeably changed the housing line of that side of Higher Lane. To now retrospectively grant permission for a terrace of the height and magnitude envisaged will add to this change in the housing line and must make future such requests by other residents easier to achieve. This would fundamentally change the appearance of the area.
- The planning consent given has already resulted in a property size which now appears to overfill the site making it look crowded. Retrospective planning consent for what is now a substantial terrace would create even more of an overbearing appearance of the property as it would be easily visible from a number of directions.
- I would envisage that this development which is opposite our home would overlook directly those surrounding neighbours.
- In principle it would seem wrong that a terrace at the front of the property of the magnitude now envisaged that was not included in the original plan has now been constructed and retrospective planning sought. Clearly the parties involved would have known this to be the case and presumably left it out believing that its inclusion would have jeopardized the original application. This being the case it seems inappropriate to reward such behaviour by granting retrospective permission when a terrace of the height and dimensions of the scale originally envisaged would have given the applicants a substantial external terrace and would have been more in keeping with the surrounding area.
- It is clearly in breach of rules regarding the established building line on Higher Lane. The fact that the construction has taken place without planning consent in the belief that it will be authorised at a later date would seem to be a devious attempt at getting around rules which others have to abide by. If everyone carried on in this fashion there would be chaos everywhere and I strongly believe that the established rules should be adhered to if the system is to work fairly. If there are exceptions made on a selective basis I believe that the credibility of your planning department would be in question.

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- The structure now put in place, without planning permission, is not only well in advance of the building line along the street but is one of considerable dimensions and prominence. The structure clearly overlooks and overshadows neighbouring properties to an astonishing degree but will also have an adverse visual impact right along the street, as would the construction of any timber-board fence of the height required to mitigate the effect. This further addition to an already enlarged building will be overbearing and completely out of character with its local context in terms of scale and height.
- My understanding is that retrospective planning permission is a process suitable to be applied in a case where a minor departure from the original planning permission has occurred, probably unintentionally. It would appear inappropriate in a case where a major departure of a fundamental nature from the original planning permission has taken place, one which cannot be construed as a minor error but could, perhaps, be seen more accurately as the attempted presentation of a fait accompli.
- Granting of permission in this case for what could be termed a 'viewing platform' would give out an unfortunate message locally and make any future applications of this nature difficult to refuse.
- We own and live at 46 Higher Lane, which is directly opposite No 49. Whilst we do not share a boundary with No 49, and am not as badly affected as the immediate neighbours, particularly those at No 51, we too will be disadvantaged by the front patio as it appears to be approx. 5ft higher than the level of the original front garden and anyone on the patio will be looking directly into our front upstairs windows. If the boundary trees at the front of No 49 were reduced our ground floor windows would also be directly overlooked from the patio.
- We are also concerned about the overlooking from the 3 Velux Windows on the 2nd Floor of No 49. Whilst we appreciate that these were installed by the previous owner some years ago, they incorporate a balcony arrangement which would further aggravate the overlooking problem if used regularly.

APPRAISAL

This application is called to Committee for determination at the request of Councillor Anthony Colburn, in order to assess overlooking impacts. Cllr Colburn has also requested a site visit.

Full planning permission is sought for the retention and completion of a raised patio area to the front of No.49 Higher Lane, Langland.

Planning permission was previously given for extensions to the property (2013/1793 refers) and this work has been completed externally, including a front extension on the eastern side of the property. Prior to the construction of this front extension, there was a path and patio situated to the front of the property, which allowed access around the front and to the side of the house, as well as a sitting area to the front. What is now proposed is the addition of a new patio area to the front of the front extension, to once again allow a sitting-out area.

The originally submitted drawings forming part of this application showed the proposed (partially constructed) patio raised from the drive level by approximately 1.4m at the front, and the drawings also showed the supporting block wall at this height.

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It was also proposed that steps were to be constructed to the front of the patio, to allow access directly to the patio from the drive area, although these have not yet been constructed.

Following a site meeting with the agent/applicant/builder, amended plans have been received showing that the finished floor level of the patio area is to be reduced (by introducing steps down from the front extension onto the patio) from the 1.4m previously proposed, to a maximum height of approximately 0.7m, therefore removing half the height of the proposed patio. The steps to the front of patio are to be constructed in the manner originally proposed, to a height of 0.95m.

The applicants have also incorporated a raised planting bed along the eastern site boundary for the length of the patio area, which is 0.7m wide (i.e. so that the patio is set off the boundary by that distance). This planter rises above the top of the patio to a height of 0.5m along the boundary, and its top is approximately 0.5m below the top of the close-boarded fencing running along the boundary between Nos 49 and 51 Higher Lane.

It is acknowledged that supplementary planting which has recently taken place along the common boundary between Nos 49 and 51 Higher Lane has failed. However, the applicants are prepared to ensure that new planting in the planting bed takes the form of other boundary hedges present along the boundary (box hedging), to hopefully present a healthy continuity of hedging between the two properties, in line with what previously existed prior to building works commencing.

In this way, along with the reduction in the finished floor level of the proposed patio, it is considered that the perceived overlooking of neighbouring properties will be substantially reduced and that, in fact, coupled with the existing boundary treatments to the front and side boundaries, no issues of direct overlooking would arise.

Objectors refer to matters of overlooking which are addressed above, but also to the overshadowing and overbearing physical impacts of the patio area along with its visual impact, its impact on the streetscene in terms of the building line, and the setting of a precedent for other similar types of proposals. The other issues raised by the objectors are not material planning considerations and hence are not discussed below.

It is considered that the size and siting of the proposed patio area is such that it would not result in any overbearing physical impact or overshadowing of neighbouring properties. In reaching this view, consideration has been given to the patio being at a lower level than the host dwelling and lower than the recently constructed front extension, and is simply a raised platform with patio slabs on it.

Similarly, it is set behind the substantial brick boundary wall and hedging surrounding the property at No.49 Higher Lane, and would not generally be visible in the streetscene so that its impact in this respect would be minimal.

With regard to the building line, the neighbouring properties on Higher Lane do not generally respect a building line – No.51 to the east is set back behind the pre-existing building line of No.49, and No.41 to the west is orientated at an angle to the application property as it follows the curvature of Higher Lane.

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However, whilst it is acknowledged that the recently constructed front extension already projects forward of the original front building line of the host dwelling, it is not considered that the addition of the patio area to the front exacerbates the situation to such an extent that warrants the refusal of the application. In this respect it should be noted that the proposal only constitutes an elevated paved level area to the front of the house and not a further extension of the property.

On the question of precedent, it must be remembered that each application is considered on its own individual merits and against prevailing development plan policies, so that the granting of planning permission for the current proposal would not set a precedent for allowing similar proposals elsewhere, if they did not comply with those adopted development plan policies.

On balance, therefore, it is considered that the amended scheme, subject to the imposition of a condition regarding the provision of screening along the boundary between 49 and 51 Higher Lane, would not give rise to an adverse overlooking impact upon neighbouring properties which would warrant a refusal of planning permission in this instance. Furthermore, it is not considered that screening of a minimum height of 1.8m above the level of the patio would represent a discordant feature that in itself would be unacceptable in planning terms.

In conclusion, and having regard to all material considerations including the Human Rights Act, the proposal is considered to represent an acceptable form of development which complies with the criteria of Policies EV1 and HC7 of the adopted City & County of Swansea Unitary Development Plan 2008, and the guidance provided in the adopted Supplementary Planning Guidance document 'A Design Guide for Householder Development' (2008).

RECOMMENDATION

APPROVE, subject to the following condition;

- 1 Notwithstanding the submitted details, details of a method of screening (a minimum height of 1.8m above the level of the patio hereby approved), to be provided along the eastern site boundary (adjacent to No.51 Higher Lane) for the whole length of the patio area, shall be submitted to and approved in writing by the Local Planning Authority before works relating to the patio re-commence on site. The agreed method of screening shall be provided within one month of the patio being completed and shall be retained at all times thereafter.

Reason: To safeguard the privacy of the occupiers of neighbouring residential properties.

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: Policies EV1 and HC7 of the adopted City & County of Swansea Unitary Development Plan 2008 and the guidance contained in the Supplementary Planning Guidance document 'A Design Guide for Householder Development' (2008).

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- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.

PLANS

863-L(90)102 site location plan, 863B-L(99)201 existing ground floor plan, 863B-L(99)202 existing front and rear elevations, 863B-L(99)203 existing side elevations, dated 13th August 2014; Amended plans: 863B-L(99)205A - proposed front and rear elevations, 863B-L(99)204A - proposed ground floor plan, 863B-L(90)201A - block plan, 863B-L(99)206A - proposed side elevations, received 8th October 2014

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ITEM 2

APPLICATION NO.

2014/0909

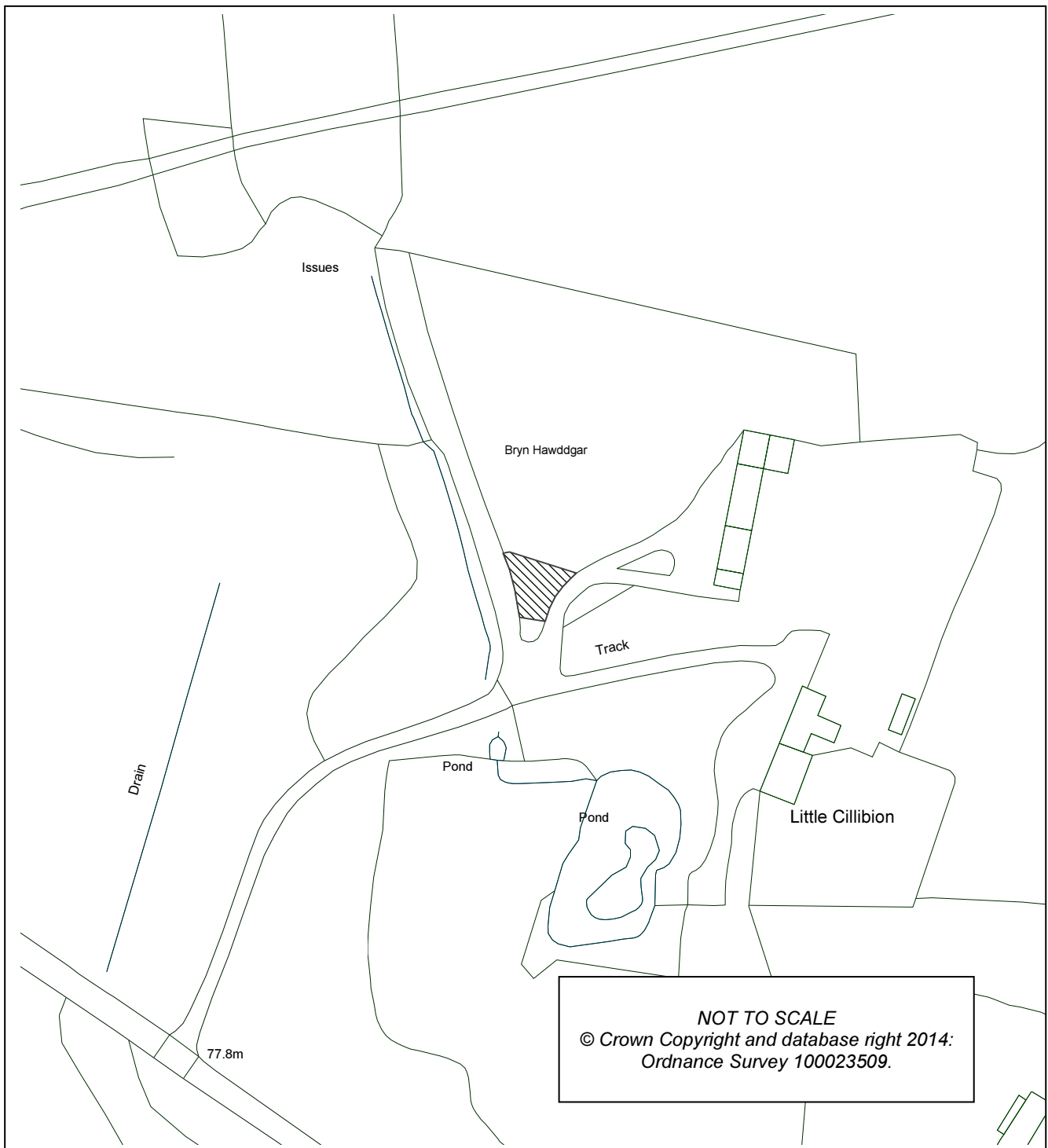
WARD:

Gower
Area 2

Location: Gerdinen Llanrhidian Swansea SA3 1ED

Proposal: Detached garage and Incorporation of land into residential curtilage

Applicant: Mr Geraint Norman



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ITEM 2 (CONT'D)

APPLICATION NO.

2014/0909

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
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Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
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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).
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Policy EV21	In the countryside non-residential development will only be permitted where it can be demonstrated that it is beneficial for the rural economy, or it meets overriding social or economic local needs, or it is appropriate development associated with farm diversification, sustainable tourism or nature conservation, or it provides an acceptable economic use for brown field land or existing buildings, or it is essential for communications, other utility services, minerals or renewable energy generation. (City & County of Swansea Unitary Development Plan 2008)
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Policy EV22	The countryside throughout the County will be conserved and enhanced for the sake of its natural heritage, natural resources, historic and cultural environment and agricultural and recreational value through: i) The control of development, and ii) Practical management and improvement measures. (City & County of Swansea Unitary Development Plan 2008)
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Policy EV26	Within the Gower AONB, the primary objective is the conservation and enhancement of the area's natural beauty. Development that would have a material adverse effect on the natural beauty, wildlife and cultural heritage of the AONB will not be permitted. (City & County of Swansea Unitary Development Plan 2008)
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SITE HISTORY

App No.	Proposal
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2005/0906	Detached garage and store with first floor storage and play area Decision: Refuse Decision Date: 09/08/2005
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2006/2791	Two storey side extension incorporating integral double garage, single storey side extension, first floor front extension and rear porch extension Decision: Refuse Decision Date: 25/01/2007
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ITEM 2 (CONT'D)

APPLICATION NO.

2014/0909

2013/1766 Single storey garage/store
Decision: Withdrawn
Decision Date: 30/06/2014

CONSULTATIONS

The application was advertised on site and in the local press as development not in accordance with the Development Plan. No responses were received to these methods of publicity.

Llanrhidian Lower Community Council – No Objection

Head of Transportation and Engineering comments - Proposals are for a detached garage and incorporation of land into residential curtilage. The property is situated on a large plot accessed by a private track off the adopted highway. There is no interaction with the adopted highway and there are no highway objections.

APPRAISAL

This application is reported to Committee at the request of Councillor Richard Lewis in order to assess the impact of the proposal upon the AONB. Cllr Lewis has also requested a visit to the site.

Full planning permission is sought for the construction of a detached single storey garage/store at Gerdinen, Llanrhidian. The area of land upon which the proposed garage is to be constructed - although within the applicant's ownership - has never formally been granted planning permission or regularised as part of the residential curtilage serving the applicant's dwelling. Therefore this application also includes the change of use of the land upon which the garage will be sited to residential curtilage.

The main issues for consideration in this instance therefore relate to the principle of the siting of the building, together with the visual impact of the proposal upon the immediate vicinity and the wider AONB, together with highway safety considerations. UDP Policies EV1, EV2, EV21, EV22, and EV26 are relevant to the determination of this application. In summary, they seek to protect the natural beauty of the countryside and AONB, as well as safeguarding the amenities of neighbouring occupiers and maintaining highway safety standards. There are in this instance no additional issues for consideration under the provisions of the Human Rights Act.

Firstly with regard to the issues of principle. In terms of planning history, planning permission has been sought twice in the past for a detached garage/store (2005/0906 and 2006/2791 refer).

The 2005/0906 planning application was refused for the following reasons:

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2014/0909

- The proposed garage/playroom would introduce a visually intrusive suburbanising form of development within this isolated rural area which is unrelated to the existing converted barn and would therefore be contrary to the provisions of Policy C1 of the West Glamorgan Structure Plan and Policies CL1 and CL3 of the Swansea Local Plan Review No.1, which seeks to preserve, protect and enhance the open countryside of the Gower AONB.
- The proposal fails to respect the original dwelling in terms of siting, scale and massing and would detract from the original character of the existing converted barn which would result in the unacceptable impact on the visual amenities and rural character of the open countryside and AONB.

The later application (2006/2791) proposed an integral garage as part of a larger scheme for a two storey side extension (incorporating a double garage) single storey side extension, first floor extension and rear porch. This application was refused for the following reason:

- The proposal by virtue of its form, scale and design is out of keeping with the character of the existing dwelling and detrimental to the character and appearance of Gower AONB. The proposal therefore conflicts with the provisions of Policy C1 of the West Glamorgan Structure Plan and Policies V2, CL1 and CL3 of the Swansea Local Plan Review No.1.

A subsequent appeal against this refusal was dismissed. However, during his deliberations, the appeal Inspector acknowledged a dispute over the extent of residential curtilage as defined by the red line boundary that delineated the application site at that time. The original Little Cilibion Farm site, consisted of one farmhouse and a number of outbuildings/barns, which have been converted to residential units (90/1403 refers). These resultant conversions to residential units have led to the establishment of three well designed properties at this location, of which Gerdinen is one.

The original extent of the domestic curtilages originally approved and defined under the aforementioned planning permission was fairly tightly contained immediately forward (west) and to the rear (east) of the buildings. The applicant has however acquired a substantial area of land to the south-west of the three dwellings, which has been annexed for domestic purposes without planning permission.

The use of the land as curtilage has remained since the previous refusals, albeit no attempt to regularise this by means of a Certificate of Lawful Use application has ever been made (despite the Inspector indicating that this would be an appropriate course of action).

In contrast to the previous refusals, the red line boundary (which indicates the extent of this application site) has in this instance been drawn tightly around the site upon with the garage is to be sited and excludes the more substantial area of currently unauthorised curtilage.

Based on the evidence available and that held on public record, it is likely that the land upon which the garage is to be sited has been used as domestic curtilage since at least 2005. It is therefore highly possible that the use of this land as residential curtilage is immune from planning enforcement action.

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ITEM 2 (CONT'D)

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Whilst this application does not seek to regularise the entire area, it is considered that the small portion of land in question, sited in the far south-western corner of the extended curtilage, is completely concealed behind the mature screening that defines the western boundary. The land in question being located immediately off the access drive, is considered to relate far more to the immediate domestic context than the wider surrounding open countryside. On this basis, approval of the change of use of this small portion of land is not considered to have such a significantly urbanising affect as to warrant the refusal of the application. This having been said however, it is important to note that this relates only to the area of land upon which the garage is to be sited, and the much larger area of land annexed as curtilage remains to be regularised. This is a matter for the applicants to pursue via the submission of an application for a Certificate of Lawful Use.

With regard to the scale and design of the actual garage (6.3m x 6.3m x 3.8m maximum height), it is noted that the current proposal illustrates a building of a domestic scale and design, whereas the previously refused schemes did not. The garage's external finishes will be a combination of dressed stone with slate roof covering, samples of which will be required for approval via a suitably worded condition.

Although the siting is relatively isolated from the main dwelling, the site is completely screened by high dense mature planting and as such the proposed garage is not considered visually intrusive into the surrounding landscape. It is further considered that given that the majority of authorised private curtilage is sited to the west of the main dwelling, to site the outbuilding closer to the dwelling within this area, may result in the building appearing shoe-horned in, to the detriment of the attractive visual qualities of the host property.

Due to its isolated position, it is not considered that the garage will have any impact on the living conditions of nearby residents. In this respect it should be noted that no objections have been received.

In terms of highway safety, the property is situated on a large plot accessed by a private track off the adopted highway. There is no interaction with the adopted highway and therefore the Head of Transportation and Engineering raises no highway objections to the proposal.

In conclusion therefore and having regard to all of the above, the proposal is considered an appropriate form of development that will have a limited impact upon the residential amenities of the area, and will not have any significant demonstrable effect upon the visual qualities of the application site or the wider AONB. The proposal is therefore considered to comply with the provisions of Policies, EV2, EV2, EV21, EV22 and EV26 of the Swansea Unitary Development Plan 2008. Approval is therefore recommended.

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.

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ITEM 2 (CONT'D)

APPLICATION NO.

2014/0909

- 2 Samples of all external finishes shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced. The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity.

- 3 The garage hereby approved shall be retained for the parking of vehicles and for the storage of domestic items and shall not be used as or converted to domestic living accommodation.

Reason: To clearly define the scope of this permission and the use of the building.

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: Policies EV1, EV2, EV21, EV22 and EV26 of the Swansea Unitary Development Plan 2008.

- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.

- 3 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 in use or being built

- Take or destroy an egg of any wild bird

Care should be taken when working on buildings particularly during the bird nesting season March-August.

PLANS

Site location plan, block plan, G1/13 proposed elevations and floor plans dated 24th June, 2014.

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ITEM 3

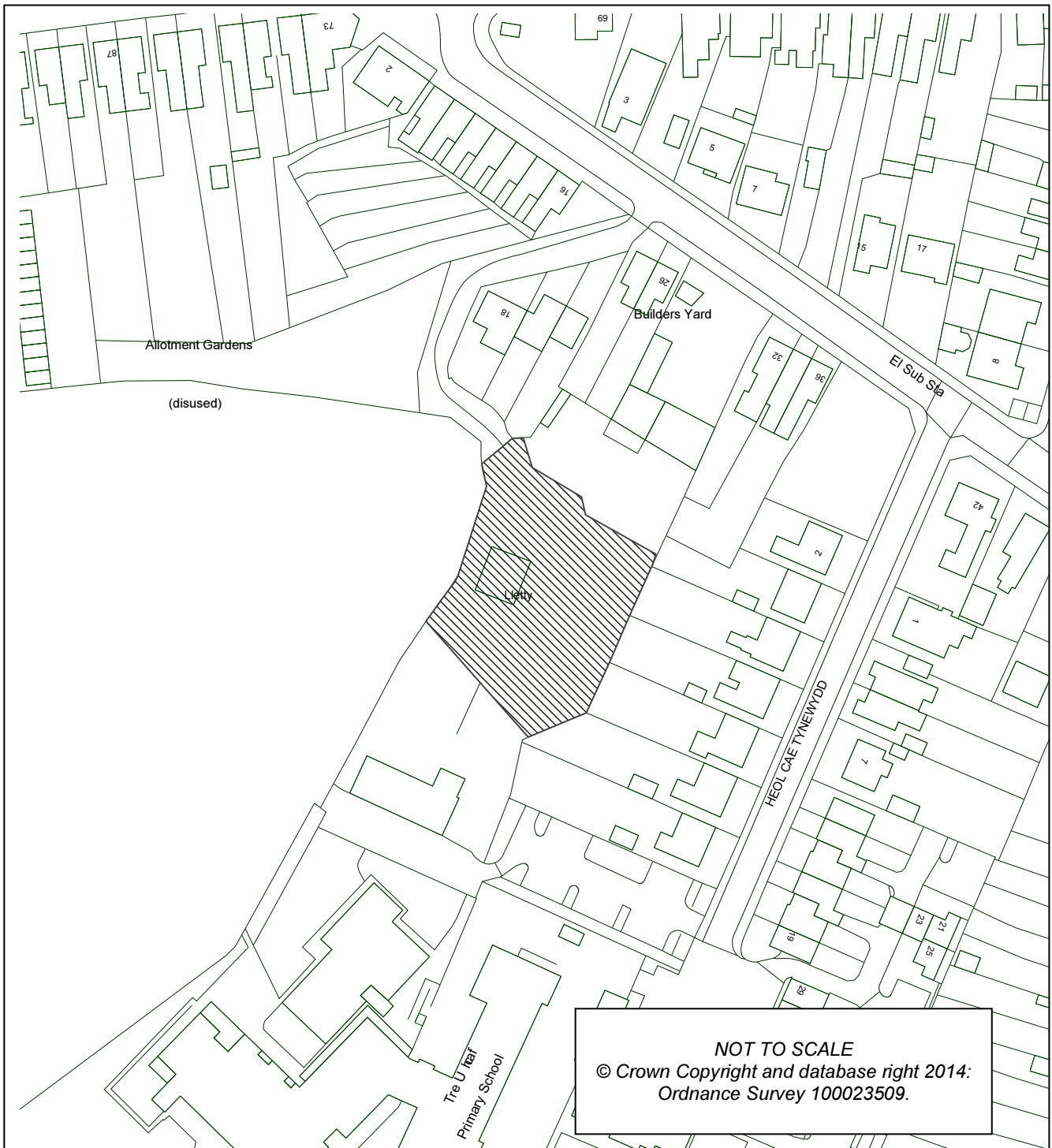
APPLICATION NO. 2014/1239

WARD: Upper Loughor
Area 2

Location: Y Lletty Pengry Road, Loughor, Swansea, SA4 6PN

Proposal: Increase in ridge height/rear roof extension and side dormer to provide accommodation in roof space, rear windows with Juliet balcony at second floor level and attached side garage

Applicant: Mr R Smith



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ITEM 3 (CONT'D)

APPLICATION NO.

2014/1239

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
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Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
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Policy HC7	Proposals for extensions and alterations to existing residential dwellings will be assessed in terms of; relationship to the existing dwelling, impact on the character and appearance of the streetscene, effect on neighbouring properties, and impact on car parking. (City & County of Swansea Unitary Development Plan 2008)
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SITE HISTORY

App No.	Proposal
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2006/0888	Detached dwelling with integral garage (outline) Decision: Grant Permission Conditional Decision Date: 25/07/2006
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CONSULTATIONS

The neighbouring occupants at 4, 6, 8, 10 and 12 Heol Cae Tynewydd, No. 22 Pengry Road, Tre Uchaf Annexe Site and the Scout Hall on Heol Cae Tynewydd were sent letters of consultation on 29th August 2014. A site notice was displayed outside the application site on 29th August 2014.

- No representations have been received to date.

The **Head of Transportation and Engineering** was consulted and responded with the following comments:

Proposals are for an increase in ridge height to provide accommodation in the roof space and an attached side garage. There is no increase in demand for parking and a garage is being provided. There are no highways objections.

The Council's **Ecologist** has stated that there may be bats and birds present within the property and its grounds and if the application were to be approved the following informatives should be included:

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 2010. 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 the damage or destroy the breeding site or resting place of such animal.

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ITEM 3 (CONT'D)

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If evidence of bats is encountered e.g. live or dead animals or droppings, work must cease immediately and the advice of Natural Resources Wales sought before continuing with any work (01792 634960)

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

Care should be taken when working on buildings, trees and clearing brushes, particularly during the bird nesting season, March - August

APPRAISAL

This application is reported to Committee for decision at the request of Councillor Robert Smith so that Committee can assess the impact of the proposal on the street scene. A site visit has also been requested by Councillor Smith.

The application site comprises of a detached dwelling along Pengry Road, which is situated in the local ward of Upper Loughor. The site benefits from off road parking and a fairly large curtilage.

This application seeks full planning permission to increase the ridge height of the dwelling, construct a rear roof extension, construct a dormer to the side elevation of the proposed extended roof and erect a garage to the side of the house.

The proposed alterations to the roof involve increasing the existing ridge line by some 1.5m by means of extending a section of the front roof plane and forming a rear roof extension that will measure approximately 5.3 metres deep and approximately 10.2 metres wide. There are three windows proposed within the rear elevation of the roof extension. One of these windows will incorporate a Juliet balcony which will project approximately 0.2 metres out from the dwelling.

The proposed dormer will be constructed to the side of the proposed rear roof extension and will measure approximately 2 metres wide and 2 metres deep, it will feature a pitched roof measuring approximately 1 metre to the eaves and approximately 1.3 metres to the ridge.

The proposed attached garage will measure approximately 4.8 metres wide and approximately 6.3 metres deep. It will comprise of a pitched roof measuring approximately 2.8 metres to the eaves and approximately 5.1 metres to the ridge. A dormer is proposed within the front elevation of the roof slope and two rooflights are proposed to the rear elevation. These elements have been incorporated as the first floor of the garage is proposed to be a further bedroom.

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ITEM 3 (CONT'D)

APPLICATION NO. 2014/1239

The primary issues in the consideration of this application relate to the impact of the proposed development on visual and residential amenity, having regard to Policies EV1 and HC7 of the City and County of Swansea Unitary Development Plan (2008). The application is also considered with regard to the Council's Supplementary Planning Guidance document entitled 'A Design Guide for Householder Development'.

Due to the secluded location of the application property, the proposed development will not be highly visible from public vantage points but will be visible on approach to the dwelling from Pengry Road.

Section 5.18 of the Design Guide for Householder Development states that "any extension to the roof will need to respect the character, proportions and scale of the existing house." It is considered that the proposed increase in ridge height, rear roof extension and side dormer (which is located within the proposed rear roof extension), do not respect the character, proportions or scale of the existing house. It is considered that the proposals represent an unacceptable form of development by virtue of their excessive size and inappropriate height, design. The ridge height of the host dwelling will be increased, but only the central section of its roof will be subject of this change. This is due to the inappropriate scale, siting and design of the rear roof extension. The alteration of the roof form in this manner is considered wholly unacceptable as it contravenes specific guidance contained within the Design Guide for Householder Development and Policy EV1 of the City and County of Swansea Unitary Development Plan.

Section 7.3 of the Design Guide for Householder Development states that "a garage must be smaller in scale and subservient to the main house." It is not considered that the proposed attached garage is sufficiently subservient to the host dwelling, particularly given its height and overall massing. Furthermore, Section 7.7 of the Design Guide for Householder Development states that "traditional front opening up and over doors are much more in keeping with a residential setting than roller shutter doors". The proposed attached side garage incorporates roller shutter doors, which contravenes the guidance contained within the Design Guide for Householder Development.

Due to the location of the application property, it is not considered that the proposed development would adversely affect the residential amenity of any neighbouring occupants by virtue of any overlooking, overbearing or overshadowing impact. It is noted that no objections have been received from local residents.

There are no highway objections and there are no overriding issues with regards to the Human Rights Act.

In conclusion, it is considered that the proposal represents an unacceptable form of development. The proposed development bears a significant detrimental impact upon the character and appearance of the host dwelling and the visual amenities of the surrounding street scene. Therefore, the development fails to comply with Policies EV1 and HC7 of the City and County of Swansea Unitary Development Plan and the Design Guide for Householder Development.

RECOMMENDATION

REFUSE, for the following reasons

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ITEM 3 (CONT'D)

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- 1 The proposed increase in ridge height, rear roof extension and side dormer window, by virtue of their inappropriate projection above the ridge line of the existing dwelling and their inappropriate scale and design, are considered to represent an unacceptable form of discordant development, which fail to respect the character of the host dwelling and the visual amenities of the area generally, contrary to Policies EV1 and HC7 of the City and County of Swansea Unitary Development Plan (2008) and the Supplementary Planning Guidance document entitled 'A Design Guide for Householder Development'.
- 2 The proposed attached side garage, by virtue of its inappropriate height, scale and design, fails to constitute a subservient building that respects the scale and proportions of the host dwelling, to the detriment of its character and the visual amenities of the area generally, contrary to Policies EV1 and HC7 of the City and County of Swansea Unitary Development Plan (2008) and the Supplementary Planning Guidance document entitled 'A Design Guide for Householder Development'.

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 and HC7.

PLANS

Site location plan, block plan, existing & proposed floor plans & elevations dated 26th August 2014.

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ITEM 4 (CONT'D)

APPLICATION NO.

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BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
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 HC2	Housing development within the urban area will be supported where the site has been previously developed, its development does not conflict with other policies, does not result in ribbon development, and the coalescence of settlements, overintensive development, loss of residential amenity, adverse effect on the character and appearance of the area, loss of urban green space, harm to highway safety, adverse effects to landscape, natural heritage, security and personal safety, infrastructure capacity, and the overloading of community facilities and services. (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 HC15	Proposals for new and improved local community and health facilities will be supported subject to compliance with a defined list of criteria including access ability, impact on amenity, effect on natural heritage and historic environment and impact on adjacent road network. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2012/0760	Addition of 2.4m high palisade fencing Decision: Grant Permission Conditional Decision Date: 06/07/2012
LV/94/0201/11	PROPOSED CHANGE OF USE Decision: Withdraw Decision Date: 23/05/1994

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LV/94/0412/06 ILLUMINATED BOX SIGN

Decision: *HGPCU - GRANT PERMISSION UNCONDITIONAL

Decision Date: 09/11/1994

CONSULTATIONS

The application was advertised on site and ONE HUNDRED AND NINETY neighbouring properties were consulted. FOUR LETTERS of OBJECTION were received which are summarised as follows:

- Concern that nowhere in the application is it mentioned that this proposed development is for a young offenders unit. The use of the term 'supported living facility' is used to make the local community think that this will be used by people with disabilities not young offenders;
- Concerns regarding the nature of the intended users, and its inappropriate location and that it would import the potential for more anti-social behaviour at a time when cost-cutting measures (e.g. loss of CCTV cameras) would leave local residents more at risk than ever;
- Concerns the development would be totally out of character with its location as it is directly opposite and adjacent to private houses and Tabernacle Church, a retirement complex and Gorseinon Junior School are all in close proximity;
- Concerns that there is insufficient car parking and no consideration of overspill parking. The new development will have reduced car parking facilities compared to the current provision;
- Concerns that there are no plans for a designated disabled parking space for the meeting rooms for public use at the front of the building, or indeed potential disabled residents of the building;
- Concerns that the future use of this building has not been considered should anything happen to SYSHP;
- Concerns that the proposal, in particular the first floor staff quarters, could have an adverse effect on privacy to No. 30 Alexandra Road. If approved some of the windows forming part of the new building should be obscured glazed to maintain privacy.

In addition to the above, TWO LETTER OF SUPPORT were also received:

- It will remove an eyesore near the centre of Gorseinon and further aid the regeneration of the town;
- It will provide help to young people that would otherwise find themselves largely unsupported in the community;
- The additional community facilities will further help integration of young residents and the local community.
- Some ill-advised and misinformed comments have been made locally about the development and the people who will be living there, despite the facts being explained several times.

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ITEM 4 (CONT'D)

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Council's **Head of Transportation & Engineering** – This proposal is for the redevelopment of the site to accommodate an assisted living unit for single homeless people. Clients will not, by their very nature, be car drivers and therefore no on-site parking is proposed for their use. There will however be 3 parking spaces for staff use on the forecourt.

It is unlikely that any further visitor spaces are required, however should visitors need to attend the premises, then parking would have to take place in public parking facilities on street or in car parks in the area. Similarly, any additional staff requirement would also need to use public facilities. Assessment of the need however, does not highlight the need for any more than the three spaces provided.

Access to the parking spaces will be directly from Alexandra Road as it is currently and will necessitate some reversing manoeuvres. Due to the low number of spaces, this is unlikely to present any significant safety issues.

Cycle parking is being provided within the site and the site is located in an accessible location, with local facilities and the bus station being close by. The proposed use is unlikely to generate any significant traffic movements or parking demand and is likely to have a lesser impact than previous uses of the site.

I recommend no highway objection subject to:

1. The construction of a vehicular crossing to Highway Authority Specification;
2. The removal of the footway along the site frontage where necessary following access alterations.

Note: The Developer must contact the Highway Management Group, The City and County of Swansea, Penllergaer Offices, c/o The Civic Centre, Swansea, SA1 3SN before carrying out any work.

Council's **Drainage Section** – The site is proposed to maintain its existing connection to the combined sewer, albeit at a lower rate, thus offering betterment to the local sewerage catchment. We recommend the following surface water condition is appended to any permission given:

1. No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how 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 and to minimise surface water run-off.

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ITEM 4 (CONT'D)

APPLICATION NO. 2014/1235

Council's **Ecologist** – The site and building have been subject to an ecological survey. The site is of low ecological value and the building has no evidence of bat use. In sections 9.4-9.10 of the ecological report the surveyors have suggested a series of suggested enhancements to increase the wildlife value of the site, these should be followed. Also recommend the inclusion of standard informatives.

APPRAISAL

This application is reported to Committee for decision at the request of Councillor David Lewis in order to assess the effect and impact on nearby residents, businesses and the wider community. A site visit has also been requested. Additional neighbour consultations were also undertaken at the request of the ward member.

Full planning permission is sought for the demolition of the former Gower College Outreach Centre, 26 Alexandra Road, Gorseinon and its replacement with an 8 bed supported living facility incorporating public, private and communal spaces and associated works. The proposed scheme is a collaborative partnership between Coastal Housing Group and the Swansea Young Single Homeless Project (SYSHP). SYSHP is a local registered charity set up in 1987 by a group of people concerned about the lack of accommodation and support for vulnerable people.

The Planning Statement submitted as part of the planning application explains that the site has recently been purchased by Coastal Housing who are engaged in a collaborative partnership with SYSHP, an organisation dedicated to providing a range of housing and support services to young people aged between 16 and 21. The objective of SYSHP is to support local young homeless people, by offering temporary accommodation whilst the individual learns the skills necessary to enable independent living. Coastal Housing will undertake the construction works and will retain ownership of the building, whilst SYSHP will occupy the building and operate the service.

Site Location & Description

The application property is located approximately 40metres to the west of Gorseinon District Shopping Centre. The building has been unoccupied since its last use as a teaching centre for the local Gorseinon College ended approximately 3 years ago. The building is set back from the main road by approximately 5 metres and comprises of an area of hard-standing to the front which has been used for staff and visitor parking, whilst a courtyard lies to the rear of the building which is accessed via a secure gateway along the western boundary of the site. The existing pedestrian entrance is via a glazed lobby to the front of the building.

The current building is composed of three sections, comprising of a single storey hipped roof front section with concrete tiles and a parapet wall arrangement, a single storey central section and a part two storey rear section with a simple flat roof. The building is of typical utilitarian form and has a white render finish. The north and east boundaries of the site are defined by the external walls of the existing building, whilst the front portion of the eastern boundary also comprises of iron railings which delineates the public footpath which runs between the site and the boundary of the neighbouring Tabernacle Presbyterian Church.

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The western boundary is formed predominately of a masonry wall which measures approximately 2.5 metres in height from the ground level of the site (owing to a change in land levels this is approximately 1.2m when measured from the adjacent residential property at No. 30 Alexandra Road). The wall is secured above this level via a chain link fence. A steel framed canopy covers much of the rear courtyard beyond which lies an electrical sub station to the north of the site.

The site lies within the urban area and is located within a mixed land use context comprising of a range of commercial and residential properties. The Tabernacle Presbyterian Church lies immediately due east of the site, beyond which lie further residential and commercial properties. To the west and opposite the site, Alexandra Road is lined by a number of residential properties. To the north of the site (beyond the sub station) lies a single storey scout hall. Gorseinon Junior School is located approximately 0.5km further to the north.

Whilst the immediate street scene may be characterised as a predominately Victorian context, with neighbouring properties comprising of a mix of two storey semi-detached and detached dwellings, with a range of facing materials, there have also been a number of recent new developments in the area. These include the Cwrt Hywel retirement apartments to the north-east of the site, which feature a traditional design with a mixture of brick and render elevations. Two new detached dwellings with gated access and garaging have also been built on land to the rear of No. 30 Alexandra Road, due west of the site.

Main Issues

The main issues for consideration in this instance therefore relate to the acceptability of the use and the impact upon visual and residential amenities and highway safety, having regard to Policies EV1, EV2, EV3, HC2, HC15 and AS6 of the City and County of Swansea Unitary Development Plan 2008. There are in this instance no additional issues to be considered under the provisions of the Human Rights Act.

Proposed Building

The proposal will consist of a new-build facility which will be divided into three distinct zones, comprising of the public/formal front element, a central communal area and private accommodation at the rear of the building. The front element will serve as the new reception area for the whole unit and will comprise of an office, 2 interview rooms, 2 WCs, 2 tea point rooms, a store room and function room. This zone will be open to residents and members of the public, which is intended to promote the integration of the residents into the community.

The central section of the building will comprise of communal areas for residents which will include a large kitchen area, dining room, sitting room, store and an external area comprising of a garden with workshop. These areas are designed to create a homely environment and provide residents with a sense of independence through their learning of practical skills, ready for independent living in the wider community.

The rear section of the building will comprise of the main accommodation, including 8 bedrooms, as well as a boiler room and laundry room and a small office.

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Each room will comprise of basic facilities including an en-suite shower room and WC and a workspace. This private area has a narrower, intimate courtyard directly relating to the residents' individual apartments.

The proposed development will comprise of an overall ground floor footprint measuring approximately 350 square metres which is comparable to the footprint of the existing building. The majority of the proposed building will be single storey in height with the exception of the two-storey end elevations, which will include a first floor area for the proposed staff accommodation in the rear section of the building and that of the community facilities which are housed in the front part of the building.

As part of the proposal, the existing dropped kerb serving the site will be widened and a new dropped kerb installed in order to provide 3 car parking spaces within the site (off Alexandra Road). The development will also include a mix of soft and hard landscaping throughout the site, including a small garden area in the communal zone with a patio area and raised planting border.

The proposed building is designed to meet the needs of SYSHP, young people and the local community. To support the development there will be 24 hour on-site staff, a manager on call, managed access to the building and staff accommodation on the upper floor.

With respect to the principle of development, the application site comprises of an unoccupied and redundant building within a sustainable location close to the centre of Gorseinon. The site benefits from easy access to the existing road network as well as public transport modes and is conveniently located close to existing services and facilities. The proposed building will be comparable in scale to that of the existing building. It is considered the proposal represents an appropriate form of infill development in compliance with Policies EV1, EV2 and HC2 of the UDP.

Visual Amenity

Turning to impact on visual amenity, the existing building has little architectural character and because of its redundant nature, it appears as an incongruous structure within the street scene. The proposed development comprises of a building with a broadly rectangular footprint which is comparative in scale to that of the existing building. The development reflects the height of the existing building, comprising predominantly of a single-storey structure which links the two storey end elevations. It is therefore considered that the proposed building, given its modest height, will not appear oppressive or dominant within the street scene.

The proposed building will replicate the configuration of the existing building, in that it will comprise of three distinct zones. The contemporary design of the building evidenced by its dynamic elevations and varied roof profile, which together with the proposed use of mixed materials culminates in a building with an interesting urban fabric. The use of timber and metal cladding promote a modern aspect to the building, whilst the use of brickwork and render seek to harmonise with the character of the surrounding street-scene.

It is therefore considered the proposal represents an appropriate form of development in accordance with Policies EV1, EV2 and HC2 of the City and County of Swansea UDP.

Residential Amenity

Turning to the impact on residential amenity, the scale of the proposal is considered to be in keeping with the current building that occupies the site. The site is bound by neighbouring residential properties to the west, which lie on a higher ground level than the application site. Whilst it is noted that the highest part of the building (the front elevation) is higher than the neighbouring residential property to the west, its mono-pitched design, and its setting off this common boundary ensures that any physical impact is minimised. Furthermore, given that the proposed building is comparable in scale to the footprint of the building currently on site, it is not considered that the proposal would result in unacceptable overshadowing or overbearing impacts on neighbouring properties.

The layout of the building provides for a largely inward facing development with a central courtyard providing communal facilities for the residents. Whilst there are a number of windows within the western side elevation, given the change in land levels, these are located at a lower level than the immediate neighbouring property at No. 30 Alexandra Road. There is one first floor window on the western elevation towards the front of the building which looks towards 30 Alexandra Road (which serves a stairwell). It is proposed to include a condition to ensure that this window if fitted with fixed and obscured glazing. There is a further window at first floor level towards the rear of the building which serves the staff quarters (kitchen/dining area) and which is designed to overlook the central courtyard of the building. Concern has been raised that there is potential for this window to overlook the rear garden of No. 30 Alexandra Road. However a separation distance of over 10 metres is maintained to the side boundary of No. 30 Alexandra Road which is considered satisfactory to mitigate any significant impacts.

The inward facing nature of the scheme has been designed to have minimal impact on the neighbouring residential properties. Furthermore, given its location within the urban area, close to the District Centre, it is not considered the proposal would introduce any additional noise or disturbance over and above the existing lawful D1 use of the building. It is therefore considered the proposal will not have a significant adverse effect on residential amenity by virtue of overlooking or loss of privacy, noise or disturbance, that would warrant the refusal of the application. The proposal is therefore considered to be in accordance with Policies EV1, EV2 and HC2 of the City and County of Swansea UDP.

Access and Highway Safety

Turning to access and highway safety, the Head of Transportation & Engineering has advised that the residents will not, by their very nature, be car drivers and therefore no on-site parking is proposed for their use. There will however be 3 parking spaces for staff use on the forecourt. It is not considered that any further spaces are required. However should visitors need to attend the premises, then parking would have to take place in public parking facilities on street or in car parks in the area. Similarly, any additional staff requirements would need to be met by the use of public facilities. Assessment of the need however, does not highlight the need for any more than the three spaces provided.

Access to the parking spaces will be directly from Alexandra Road as it is currently and will necessitate some reversing manoeuvres. Due to the low number of spaces, this is unlikely to present any significant safety issues. Cycle parking is being provided within the site and the site is located in an accessible location, with local facilities and the bus station being close by.

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The proposed use is unlikely to generate any significant traffic movements or parking demand and is likely to have a lesser impact than previous uses of the site. Accordingly, the Head of Transportation & Engineering has raised no highway objection to the proposal.

Community Engagement

Prior to the submission of the planning application, a public exhibition was held to present the scheme to members of the public. The scheme was also presented to members of Gorseinon Town Council. The consultation exercise helped to dispel the common misunderstanding that the project was for a young offender's institute, rather than an assisted living scheme for young people aged 16-21.

Response to Consultations

Concerns have been raised in letters of objection regarding the nature of the proposal, its intended users and a potential for an increase in anti-social behaviour. The scheme is for a supported housing scheme for young homeless people. As indicated above, the design team behind the project undertook a consultation event within the local community ahead of the planning application being submitted, in order to provide information and background to the proposal. It should also be noted that the facility will be managed 24 hours by on-site staff. There will also be a manager on call.

Concerns have been raised regarding the level of parking proposed. The Head of Transportation & Engineering is satisfied with the level of car parking proposed and its location in an accessible and sustainable location.

Concerns have been raised regarding the potential future use of the building. The development proposed is a mixed residential and community use which is considered to be a sui generis use. As such any subsequent change of use of the building would require planning permission. Other concerns raised have been addressed above.

Other Issues

Drainage

The application is accompanied by a Drainage Strategy Report, in view of known difficulties in the locality relating to foul and surface water draining to the Burry Inlet via Gower Waste Water Treatment works. The site is proposed to maintain its existing connection to the combined sewer, albeit at a lower rate thus offering betterment to the local sewerage catchment. In terms of surface water, the Council's internal drainage section has requested the inclusion of a surface water condition on the grant of any planning permission to ensure a satisfactory means of drainage is achieved and to minimise surface water run-off.

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ITEM 4 (CONT'D)

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Burry Inlet Habitat Regulations Assessment

The City and County of Swansea, as the competent authority, is required under Regulation 61(1) of the Conservation of Habitats and Species Regulations 2010 (known as the 'Habitat Regulations') to undertake a Habitat Regulations Assessment of any project likely to have an effect on a European Site, or candidate/proposed European Site, either alone or in combination with other plans or projects, that is not necessary to the management of the site for nature conservation.

In this instance, the European sites potentially affected are the Carmarthen Bay and Estuaries European Marine Site (CBEEMS), the Carmarthen Bay Special Protection Area (SPA) and the Burry Inlet SPA and RAMSAR site. Before deciding to give permission we must therefore first consider whether this development is likely to have a significant effect on the CBEEMS either alone or in combination with other plans or projects in the same catchment area.

Following an investigation of likely significant effects on the CBEEMS features, water quality was identified as the only factor that might have an effect this is discussed below.

Water Quality:

With regard to the water quality issues in the Burry Inlet and Loughor Estuary, the City and County of Swansea has followed the advice of their statutory advisor, and has commissioned a preliminary assessment under the above Regulations which is limited to the assessment of potential wastewater effects only.

This assessment notes that as part of their review of consents (RoC) under regulation 63, the Environment Agency (EA) undertook a detailed Habitats Regulations assessment in relation to the effects of their consented activities. Consent modifications were identified to enable the Environment Agency to conclude no adverse effect on the integrity of the CBEEMS in respect of their consents operating at their maximum consented limits.

As the consents in question have already been subject to a full assessment (alone and in-combination) under the provisions of the Habitat Regulations, there is no need for the City and County of Swansea to undertake a further assessment where development can be accommodated within the post RoC discharge consent limits.

It is the opinion of the authority that this development can be accommodated within the post RoC discharge consent limits, and will not be likely to have a significant effect either alone or in-combination on the Carmarthen Bay and Estuaries SAC, the Carmarthen Bay SPA, or the Burry Inlet SPA and RAMSAR. Such effects can be excluded on the basis of the objective information available through the Environment Agency review.

Other Possible Effects on CBEEMS features:

In addition, it is considered that there are no other potential adverse effects from this development proposal, either alone or in combination with other plans or projects on the above protected European sites.

Conclusion:

On this basis there is no requirement to make an appropriate assessment of the implications of the proposed development in accordance with regulation 61(1).

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Ecology

An extended phase 1 ecological survey has been undertaken. The findings of the survey demonstrate that the site is of low ecological value and the building has no evidence of bat use. The surveyors have suggested a series of enhancements to increase the wildlife value of the site and it is proposed to include conditions to this effect.

Conclusion

In conclusion and having regard to all material planning considerations, including the provisions of the Human Rights Act, the application is considered to be an appropriate form of development that would not result in significant harm to the visual amenities of the area or the residential amenities of neighbouring occupiers. Furthermore the application is considered to be satisfactory in terms of access, parking and highway safety, in accordance with Policies EV1, EV2, EV3, AS6, HC15 and HC2 of the City and County of Swansea Unitary Development Plan.

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 No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how 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 and to minimise surface water run-off.

- 3 No development shall take place until details of the provision of a minimum of three bird boxes within the scheme have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented before the development hereby approved is brought into beneficial use and shall be retained at all times unless otherwise agreed in writing by the Local Planning Authority.

 Reason: In the interests of biodiversity and to ensure new provision is made for breeding birds.

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- 4 No development shall take place without the prior written approval of the Local Planning Authority of a scheme for the landscaping of the site. 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 two 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.

- 5 The residential element of the premises shall be used for supported residential accommodation only and for no other purpose (including any other purpose in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: The development hereby approved is such that the Council wish to retain control over any future development being permitted in order to ensure that a satisfactory form of development is achieved at all times.

- 6 The materials used for the external surfaces of the development shall be in accordance with details submitted to and approved in writing by the Local Planning Authority before the development is commenced.

Reason: In the interests of visual amenity.

- 7 The first floor window in the western elevation serving a stairwell as indicated on Plan No: HG.13.09.24 Rev C shall be fitted with fixed and obscure glazed and shall be retained as such at all times unless otherwise agreed in writing with the Local Planning Authority.

Reason: To safeguard the privacy of the occupiers of neighbouring residential properties.

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, HC2, HC15, AS6).

- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.

- 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 2010. 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. It is also an offence to recklessly / intentionally to disturb such an animal.

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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 (01792 634960).

- 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 in use or being built
 - Take or destroy an egg of any wild birdCare should be taken when working on buildings particularly during the bird nesting season March-August.
- 5 Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste must be licensed waste carriers.
- 6 A vehicular crossing shall be constructed to Highway Authority Specification. The Developer must contact the Highway Management Group, The City and County of Swansea, Penllergaer Offices, c/o The Civic Centre, Swansea, SA1 3SN before carrying out any work.

PLANS

HG.13.09.01A site location plan, HG.13.09.02 proposed block plan, HG.13.09.04 existing plans and sections, HG.13.09.05 existing elevations, HG.13.09.06 existing block plan, HG.13.09.07 existing location plan, HG.13.09.20 proposed floor plans, HG.13.09.24 proposed elevations, HG.13.09.26 proposed sections, HG.13.09.28 perspectives, HG.13.09.29 proposed impression, HG.13.09.30 proposed impression, HG.13.09.43 proposed elevations, HG.13.09.45/46/47 proposed impressions, HG.13.09.50/51/52 proposed axo, HG.13.09.54/55 proposed model dated 21st August 2014

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 5

APPLICATION NO.

2014/1179

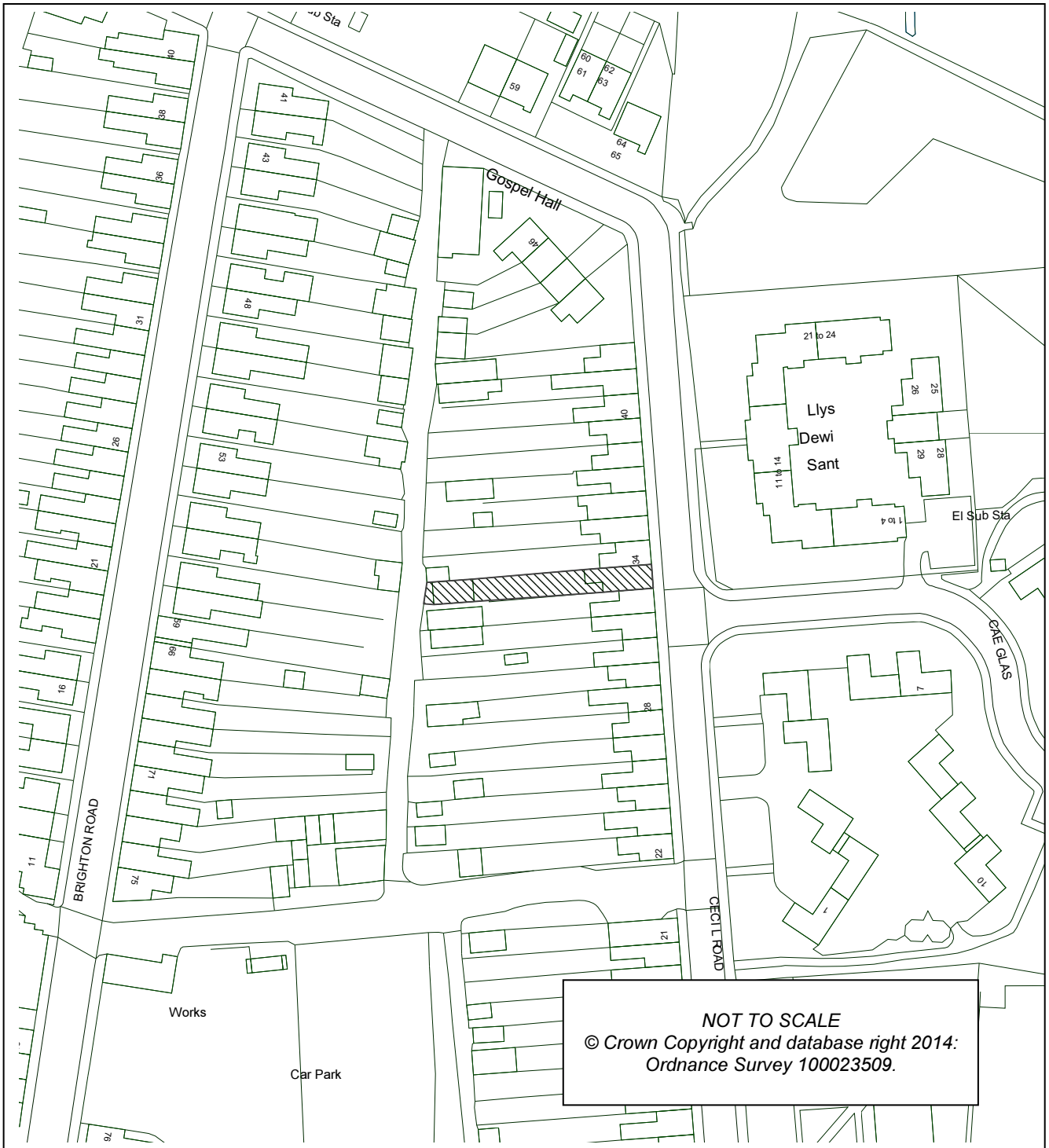
WARD:

Gorseinon
Area 2

Location: 33 Cecil Road, Gorseinon, Swansea, SA4 4BY

Proposal: First floor rear extension

Applicant: Mr Malcolm Evans



AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 5 (CONT'D)

APPLICATION NO. 2014/1179

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy HC7	Proposals for extensions and alterations to existing residential dwellings will be assessed in terms of; relationship to the existing dwelling, impact on the character and appearance of the streetscene, effect on neighbouring properties, and impact on car parking. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2014/0771	First floor rear extension Decision: Refuse Decision Date: 23/07/2014

BACKGROUND

The proposal is for the construction of a first floor rear extension to 33 Cecil Road, Gorseinon and represents a re-submission application, following the refusal of a similar development at this site in July of this year. The previous application (Ref 2014/0771) was refused for the following reasons:

- 1. The proposed rear first floor extension by virtue of its scale and design would be out of keeping with the character and appearance of the existing dwelling to the detriment of the visual amenity of the dwelling.*
- 2. The proposed rear first floor extension would have a negative impact on the residential amenities of neighbouring occupiers by virtue of increased overbearing and overshadowing impacts contrary to the provisions of Policies EV1 & HC7 of the City and County of Swansea Unitary Development Plan and the Design Guide for Householder Development.*

The reasons for refusal arose, in part, due to the proposed length of the first floor extension, in addition to concerns relating to the design and overall size of the proposed extension. It was considered by Officers to be an overly large extension which would be insensitive to the proportions of the main dwelling. In addition, by virtue of its excessive size, an overbearing and overshadowing effect would be created, causing significant detrimental impact to the amenities of neighbouring occupiers.

Following the refusal of this application, the applicant met with a Senior Planning Officer in order to discuss possible amendments to the scheme, in an attempt to overcome concerns. In addition, the applicant was advised of their right to appeal the refusal decision notice.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 5 (CONT'D)

APPLICATION NO. 2014/1179

However, the Officer was limited in the advice that could be provided due to the extent of the concerns raised and the preference of the applicant to maintain the length of the proposed extension. Although it was possible to offer advice on one design change to the roof structure, significant concerns still remained. These mainly arose from the proposed length, which in turn contributed to the overall bulk and massing of the proposed extension. The applicant was made aware at the time that any further submission which did not sufficiently address all of the main concerns, and in particular the length proposed, would not be likely to receive Officer support and would therefore be recommended for refusal.

CONSULTATIONS

The neighbouring properties were consulted individually on 29 September 2012. At the time of this report no comments have been received. Should any comments be received within the statutory period, these will duly be reported to the Committee on the day of the meeting.

The Council's **Head of Transportation & Engineering** raised no objection to the proposal.

The Council's **Ecology Officer** was also consulted, but raised no objection to the proposal.

Gorseinon Town Council offered no objection to the application.

APPRAISAL

This application is reported to Committee for decision at the request of Councillor David Lewis as the Ward Member, in order to assess the impact of the rear extension on neighbours.

The site currently comprises a traditional terraced dwelling with an access lane to the rear. The host dwelling benefits from an existing two storey rear projection which measures 3.5m long. Beyond this two storey projection is a single storey flat roofed rear extension measuring 3.2m long.

Full planning permission is again sought for the construction of a first floor rear extension above the single storey extension. The proposed first floor extension features a mono-pitched roof.

However, there is no alteration made to the depth of the extension now being proposed as part of this application, when compared to the previous refusal. The only change is to the design of the roof structure. Thus, it is not considered that the proposal is significantly different to the proposal that was previously refused.

The main issues for consideration when determining this application again relate to the impact of the proposal upon visual and residential amenities in respect of Policies HC7 and EV1 of the City and County of Swansea Unitary Development Plan and the Supplementary Planning Guidance document entitled "A Design Guide for Householder Development". There are in this case considered to be no additional issues arising from the provisions of the Human Rights Act.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 5 (CONT'D)

APPLICATION NO. 2014/1179

The proposed first floor extension would extend a total of 6.7m from the main rear wall of the host property and therefore exceeds the 4m length recommended in the Design Guide for Householder Development by 2.7m. The excessive size of the proposal is not considered in keeping with the character of the area in which it is sited, and would have a negative impact on the character of the host dwelling by reason of its disproportionate size and scale. Whilst the roof structure of the extension has been altered following the advice of the Planning Officer, and now has a mono-pitched design, this does not overcome the fundamental concerns relating to the scale of the development.

With regard to residential amenity, the proposed extension, by reason of its excessive projection of 6.7m from the main back wall of the host building would have an unacceptable overshadowing impact on neighbouring occupiers. The proposed extension is also sited hard on the common boundary with 34 Cecil Road and is therefore considered to have an overbearing impact on the residential amenities of the occupiers of this property. In terms of overlooking, the extension does not involve the installation of any windows to its side elevation and therefore no increase in negative overlooking will occur.

CONCLUSION

In conclusion, although the design issue of the roof has been addressed, in all other respects this application is not significantly different to the previously refused application. Therefore having regard to all material considerations including the Human Rights Act, the proposal is considered to represent an unsatisfactory form of development which fails to comply with Policies HC7 and EV1 of the City and County of Swansea Unitary Development Plan 2008 and the Supplementary Planning Guidance document entitled "A Design Guide for Householder Development". Therefore the extension is considered to have an unacceptable impact on the character of the host dwelling and the visual amenities of the area in which it is situated, and the residential amenities of neighbouring occupiers. Refusal is therefore recommended.

RECOMMENDATION

REFUSE, for the following reason:

- 1 The proposed rear first floor extension, by virtue of its scale and excessive length when measured from the main back wall of the host dwelling, fails to harmonise with the character of the host building, and would be insensitive to the proportions of the host dwelling and the terrace of which it is part, to the detriment of the visual amenities of the area generally, contrary to Policies EV1 and HC7 of the City and County of Swansea Unitary Development Plan and the Design Guide for Householder Development.
- 2 The proposed rear first floor extension would have a negative impact on the residential amenities of neighbouring occupiers, by virtue of increased overbearing and overshadowing impacts, contrary to Policies EV1 and HC7 of the City and County of Swansea Unitary Development Plan and the Design Guide for Householder Development.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 5 (CONT'D)

APPLICATION NO.

2014/1179

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 and HC7.

PLANS

Existing floor plans, proposed floor plans dated 11th August 2014. Site location, block plan dated 14th August 2014 Existing and proposed elevations dated 23rd September 2014

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 6

APPLICATION NO.

2014/0747

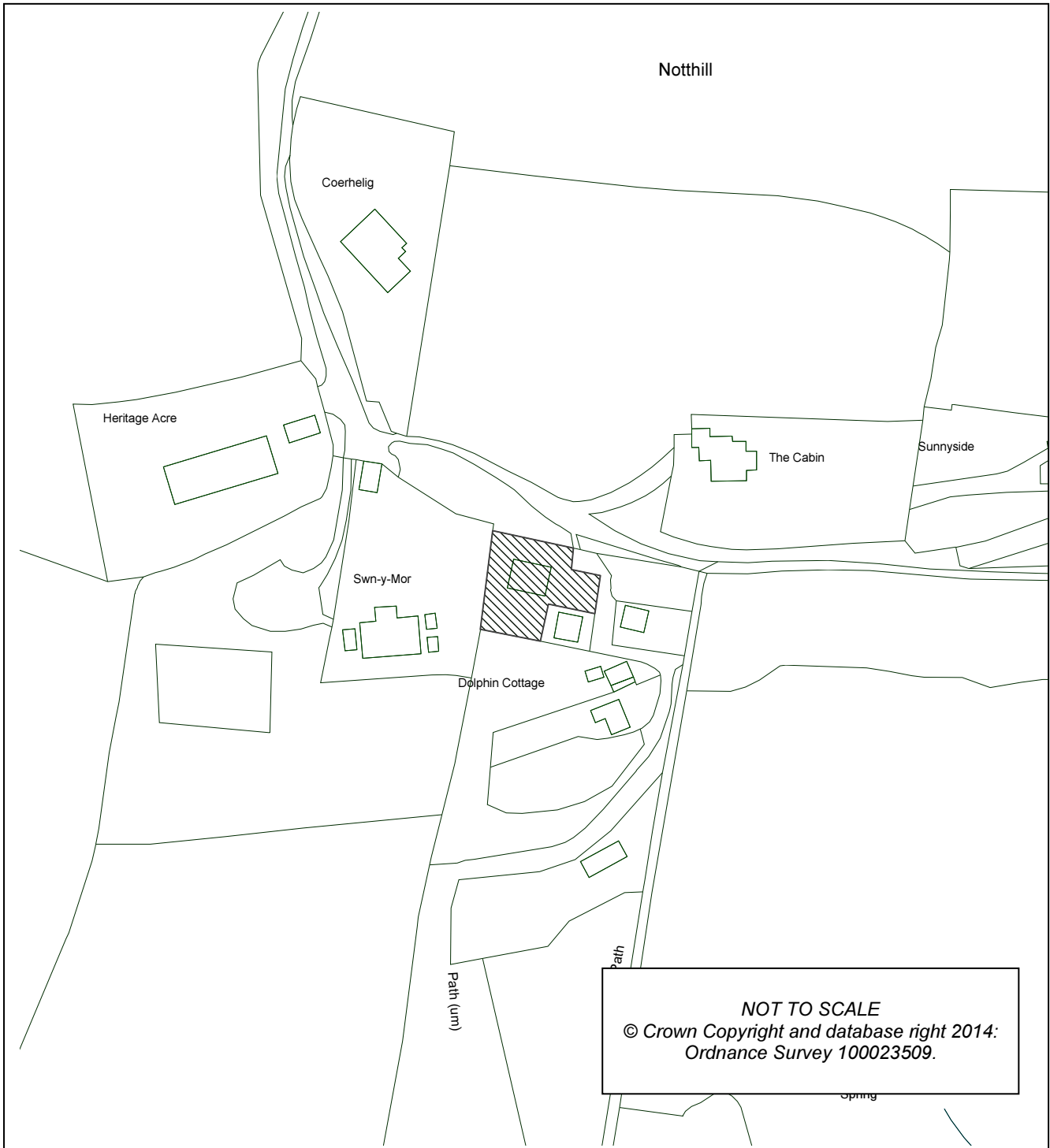
WARD:

Gower
Area 2

Location: Beach View Stone's Field Three Cliffs Swansea SA3 2HD

Proposal: Demolition of existing cottage and replacement with single-storey, two bed cottage

Applicant: Mr Christopher Stone



AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 6 (CONT'D)

APPLICATION NO.

2014/0747

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
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 EV19	Replacement dwellings in the countryside, including residential chalets, will only be permitted where the residential use has not been abandoned, the proposed new dwelling is similar in terms of siting, scale, design and character and compliments the character of the surrounding area. (City & County of Swansea Unitary Development Plan 2008)
Policy EV22	The countryside throughout the County will be conserved and enhanced for the sake of its natural heritage, natural resources, historic and cultural environment and agricultural and recreational value through: i) The control of development, and ii) Practical management and improvement measures. (City & County of Swansea Unitary Development Plan 2008)
Policy EV26	Within the Gower AONB, the primary objective is the conservation and enhancement of the area's natural beauty. Development that would have a material adverse effect on the natural beauty, wildlife and cultural heritage of the AONB will not be permitted. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2009/0224	Two replacement single storey oak framed detached chalets Decision: Grant Permission Conditional Decision Date: 29/10/2009
96/1064	ERECTION OF A REPLACEMENT HOLIDAY CHALET Decision: *HGPC - GRANT PERMISSION CONDITIONAL Decision Date: 04/03/1997
84/0887/07	ESTABLISHED USE CERTIFICATE TO USE SITE FOR 25 CHALETS. Decision: *HUE - USE ESTABLISHED Decision Date: 28/02/1985

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 6 (CONT'D)

APPLICATION NO.

2014/0747

CONSULTATIONS

The application was advertised on site and five neighbouring properties consulted. No responses were received.

The Gower Society –

1. We can not help but draw a comparison to a previous nearby application 2014/0503 for The Cabin. Not connected with this proposal other than by its location and similarity in terms of the proposal for demolition and rebuild.
2. This application is a simple replacement of modest form whilst The Cabin was a greatly different proposition.
3. We do point out that there is a serious lack of dimensions that do not greatly assist the comparison between new and old.
4. However we do note the extremely small plot that is occupied and attach a recent aerial photograph that demonstrates this. It is essential that the proposal is in keeping with the Design Guide and current legislation on such chalet bungalows.

Ilston Community Council – No objection

Dwr Cymru/Welsh Water – No Objection

Natural Resource Wales – No objection subject to standard conditions and advisory notes.

Head of Transportation and Engineering - Proposals are for demolition of the existing cottage and replacement with a single storey, 2 bed cottage. The new dwelling will be accessed via the private access track serving a number of dwellings with parking for 2 vehicles to match the existing set up. There are no highway objections.

APPRAISAL

This application is reported to Committee for decision at the request of Councillor Richard Lewis in order to assess the impact upon the AONB.

Full planning permission is sought for a replacement single storey oak framed detached chalet at Stonesfield, North Hills Lane, Penmaen. The site is located overlooking Three Cliffs Bay, in a prominent location on the headland. The application site forms part of a group of chalets scattered on the headland, some of which have been altered and extended overtime. Councillors may recall a similar application for two nearby chalets (Dolphin and Hillcrest Cottages) in 2009 (2009/0224 refers).

The main issues for consideration during the determination of this application are the impact of the proposal upon the visual amenity of the immediate and the wider area, the impact upon the Gower AONB and views from the protected coastline, the impact upon the residential amenities of the neighbouring occupiers and highways safety, having regard for the provisions of both Planning Policy Wales (PPW) and the prevailing Development Plan. It is not considered that the provisions of the Human Rights Act or the content of the submitted Design and Access Statement raise any additional issues.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 6 (CONT'D)

APPLICATION NO. 2014/0747

When considering applications within the highly protected Gower AONB, regard must be had for Policies EV22 and EV26 of the City and County of Swansea UDP, which seek to ensure development proposals conserve and enhance the area's natural beauty. Proposals which fail to do this will not be permitted.

Policy EV19 of the UDP specifically relates to replacement dwellings/chalets in the countryside (which this site clearly is) and clearly identifies set criteria which proposals must comply with. Development will only be supported where:

- (i) The residential use has not been abandoned.
- (ii) The proposed new dwelling is similar in terms of siting, scale, design and character with the dwelling it is to replace.
- (iii) The development complements the character of the surrounding area.

Policy EV19's objective is to avoid the replacement of rural dwellings with inappropriate new development that detracts from the character of the countryside to which it relates. Whilst any proposal for the increase in the number of chalets is viewed as unacceptable intensification, replacement chalets are supported in principle providing they comply with the aforementioned criteria.

When determining applications of this kind, regard must also be had for the provisions of Policies EV1 and EV2 of the Swansea UDP, which add further weight to the aforementioned policies with regard to siting and design of the proposal and its impact upon visual and residential amenity in particular.

Following an Officer visit to the site, it is clear that the chalet is in use and therefore it is not considered that any abandonment issues arise, and as such the proposal is considered to satisfy criteria (i) of Policy EV19 of the UDP. In terms of its design and aesthetic appearance, the proposed chalet occupies the same position as the existing building (albeit a slightly larger footprint) with the front of the proposed set back from the front of the neighbouring "White Cottage" to the east. The form of the building has been designed to be similar to the recently constructed Dolphin and Hillcrest Cottages, with its principle elevation matching Dolphin Cottage, thus ensuring that when viewed from the beach the proposal matches the surrounding built form. The proposed building has a 'T' shaped footprint with the rear section (annex) remaining subservient to the main part of the building. The ridge height remains as existing and the same as Dolphin Cottage and Hillcrest Cottage.

The building will be constructed from a traditional hand crafted oak timber frame and finished externally in natural materials, including stained timber cladding to its external walls. Slate will be used to the upper sections of the building's roof, whilst standing seam metal will be used on the lower sections of the roof. It is considered that the proposed chalet is of a high quality design and will replace an existing chalet of little architectural merit.

The height of the proposed building will match the ridge height of the existing chalet at 4m, as well as matching the ridge heights of both Hillcrest and Dolphin Cottages. In terms of footprint, the existing chalet measures approximately 56m² and the new chalet will measure approximately 84m².

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 6 (CONT'D)

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Whilst it is acknowledged that the new building is larger than the existing building in terms of its size and scale, it is considered comparable with the more recently constructed chalets subject of the 2009/0224 planning permission. Furthermore, it is considered that due to its design and the proposed pallet of materials, it will undoubtedly complement the character and appearance of the surrounding area. There is an existing open aspect forward of the building, which dictates that the building is visible from public vantage points and the wider Gower AONB. Notwithstanding this, the proposal is not considered to have any detrimental impact upon these public views over and above that of the existing chalet, which along with the other surrounding chalets are an accepted existing feature. Overall, it is considered that the proposed replacement of the chalet is an acceptable form of development which complies with the principles of Policy EV19 of the UDP and given its quality design and aesthetic appearance, will have a positive impact upon the character and appearance of this part of the Gower AONB, in compliance with Policies EV1, EV2, EV19, EV22 and EV26 of the UDP.

Given the siting of the proposed replacement chalet, it is unlikely that the proposal would have an unacceptable impact upon the residential amenities of neighbouring properties over and above that of the existing chalets. It is noted that no objections have been received following the consultation exercise carried out.

Having consulted the Head of Transportation and Engineering, it is considered that as the proposal is to replace an existing building, and will be accessed via the existing private access track which already serves a number of dwellings, together with the proposal making provision for 2 vehicular parking spaces (as existing), no highway objection is raised.

Although difficulties are likely to be encountered during the construction phase of the development, due to the remoteness of the site, this is a temporary issue and cannot form the basis of a sustainable objection. The same restrictions apply also for the routine maintenance of all buildings in remote locations.

Having consulted the Council's Ecologist and Natural Resource Wales (NRW) in relation to the submitted proposal, a protected species survey was submitted by the applicant. In this instance, NRW does not object to the application, as there will not be a detriment to the maintenance of the favourable conservation status of the local bat population present within the locality of the site, providing that:

- The works are carried out in accordance with a method statement (MS) to be agreed with the LPA prior to any work commencing at the site (as this proposal will also require a European Protected Species (EPS) licence, a MS will in any case be required in support of that application. The same MS can be submitted for both purposes).
- The MS should include, but not be limited to, timing of works, measures to avoid killing & injuring bats during works, use of materials (such as timber, roofing felt), dimensions & positioning / locations of roosting areas and access points, vegetation retention / management, and proposals for lighting as appropriate. The MS should be implemented as agreed.
- A suitable roosting resource is retained or provided for the bats, appropriate to the species & its use of the structure.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 6 (CONT'D)

APPLICATION NO. 2014/0747

The existing building is served by a septic tank and unless the applicant is able to demonstrate that the existing one is providing adequate treatment in accordance with current relevant British Standards, NRW would expect a new septic tank to be installed. The applicant has confirmed a willingness to install a new septic tank and a suitably worded condition is attached securing this.

In conclusion, it is considered that the siting and orientation of the new chalet would result in the introduction of an acceptable form of development which complies with the Unitary Development Plan Replacement Dwellings policy (Policy EV19) and fundamentally conserves and enhances the character and appearance of the Gower AONB. Furthermore subject to a condition controlling the existing chalet's demolition, in order to protect the protected species identified within the ecological survey, the proposal is considered to comply with the objectives of Policies EV1, EV2, EV19, EV22 and EV26 of the Swansea Unitary Development Plan. Approval of this planning application is therefore recommended.

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 Samples of all external finishes shall be submitted to and approved by the Local Planning Authority in writing before the development is commenced. The scheme shall be implemented in accordance with the approved details.
Reason: In the interests of visual amenity.
- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or amending that Order), Classes A, B C and D of Part 1 of Schedule 2 shall not apply.
Reason: The development hereby approved is such that the Council wish to retain control over any future development being permitted in order to ensure that a satisfactory form of development is achieved at all times.
- 4 Where any species listed under Schedule 2 and 4 of the Conservation (Natural Habitats) Regulations 1994 is present on the site (or other identified part) in respect of which this permission is hereby granted, no works of site clearance, demolition or construction shall take place in pursuance of this permission unless a license to disturb any such species has been granted in accordance with the aforementioned Regulations and a copy thereof has been produced to the Local Planning Authority.
Reason: In the interest of protecting species listed under Schedule 2 and 4 of the Conservation (Natural Habitats) Regulation 1994.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 6 (CONT'D)

APPLICATION NO.

2014/0747

- 5 The works hereby approved shall be carried out in accordance with a method statement (MS) to be submitted to and agreed in writing by the Local Planning Authority prior to any works commencing on site. The MS should include, but not be limited to, timing of works, measures to avoid killing and injuring bats during works, use of materials (such as timber, roofing felt), dimensions and positioning/locations of roosting areas and access points, vegetation retention/management, and proposals for lighting as appropriate. The MS should be implemented as agreed.

Reason: In the interest of protecting species listed under Schedule 2 and 4 of the Conservation (Natural Habitats) Regulation 1994.

- 6 Before development works commence on site, details of a suitable bat roosting resource to be provided within the site shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented prior to the beneficial occupation of the new building hereby approved and shall be retained as such thereafter.

Reason: In the interest of protecting species listed under Schedule 2 and 4 of the Conservation (Natural Habitats) Regulation 1994.

- 7 No development approved by this permission shall be commenced until a Construction Management Plan (CMP), detailing all necessary pollution prevention measures for the construction phase of the development, is submitted to and approved in writing by the Local Planning Authority. The contents of the agreed CMP shall be fully complied with during the full course of construction works.

Reason: Prevention of pollution to controlled waters and the wider environment

- 8 No development approved by this permission shall be commenced until a Site Waste Management Plan has been submitted and agreed in writing by the Local Planning Authority. The contents of the agreed Site Waste Management Plan shall be implemented thereafter.

Reason: To ensure waste at the site is managed in line with the Waste Hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal option.

- 9 Construction works relating to the new building hereby approved shall not commence until details of the septic tank to serve the building have been submitted to and approved in writing by the Local Planning Authority. The building shall not be brought into beneficial use until the works have been completed in accordance with the approved details.

Reason: To ensure a satisfactory means of foul disposal.

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: Policies EV1, EV2, EV19, EV22 and EV26 of the Swansea Unitary Development Plan 2008.

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 6 (CONT'D)

APPLICATION NO.

2014/0747

- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 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 2010. 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. 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 (01792 634960).
- 4 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.

PLANS

P101 block plan, P104 site section dated 21st May 2014. P100 site location plan, P102 proposed plans, P103 proposed elevations, dated 27th May 2014

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 7

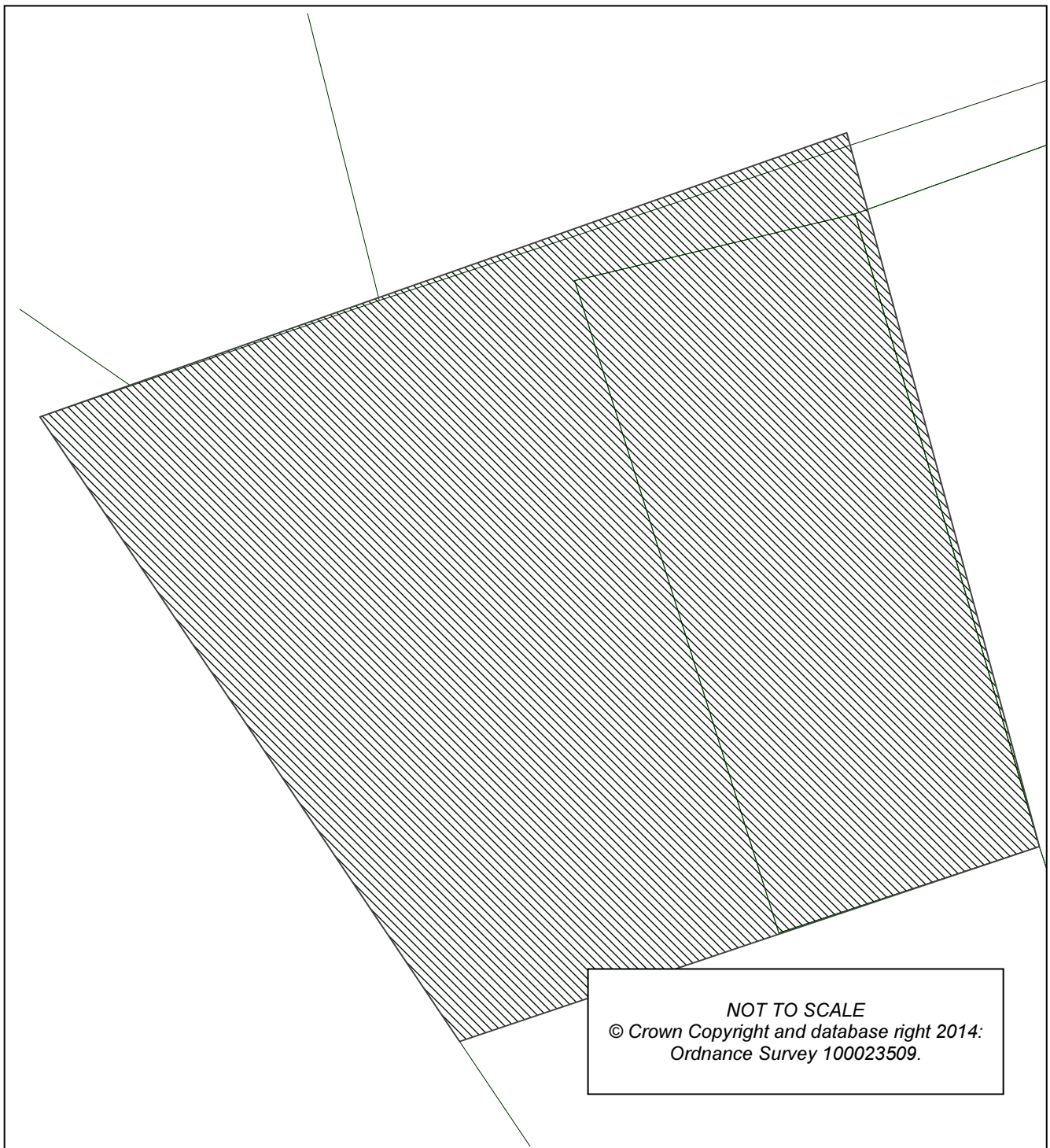
APPLICATION NO. 2014/1048

WARD: Gower
Area 2

Location: Hardingsdown Farm, Llangennith, Swansea, SA3 1HT

Proposal: Conversion and extension of barn to provide holiday accommodation
(amendment to planning permission 2012/1667 granted 20th March 2013)

Applicant: A Tyrrell



AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 7 (CONT'D)

APPLICATION NO.

2014/1048

BACKGROUND INFORMATION

POLICIES

Policy	Policy Description
Policy EV22	The countryside throughout the County will be conserved and enhanced for the sake of its natural heritage, natural resources, historic and cultural environment and agricultural and recreational value through: i) The control of development, and ii) Practical management and improvement measures. (City & County of Swansea Unitary Development Plan 2008)
Policy EV26	Within the Gower AONB, the primary objective is the conservation and enhancement of the area's natural beauty. Development that would have a material adverse effect on the natural beauty, wildlife and cultural heritage of the AONB will not be permitted. (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 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 EC11	Appropriate small scale rural business development or home based employment within, and in exceptional circumstances adjoining, existing villages or closely associated with suitable groupings of farm buildings will be permitted subject to a defined set of criteria including loss of amenity, transportation considerations, impact on landscape and village scene, and natural heritage and historic environment etc. (City & County of Swansea Unitary Development Plan 2008)
Policy EC12	The conversion of existing buildings in the countryside to new uses that contribute to the local economy and the extensions of such buildings will be permitted subject to a defined set of criteria including the building's structural integrity, its ability to be converted without prejudicing the character of the building or its locality, the building's compatibility with its surroundings, issues of access and highway safety, and the building's past uses etc. (City & County of Swansea Unitary Development Plan 2008)

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 7 (CONT'D)

APPLICATION NO.

2014/1048

- Policy EC17 Proposals for tourism and recreation developments of an appropriate scale in locations which relate acceptably to the existing pattern of development and/or their surroundings in terms of the nature of the proposal concerned will be permitted provided they comply with a specified list of criteria including standard of design, effect on landscape and nature conservation, effect of visitor pressure on sensitive locations, provide acceptable and safe access, would not cause a loss of best agricultural land. (City & County of Swansea Unitary Development Plan 2008)
- Policy EC19 The creation of well-designed un-serviced tourist accommodation through the conversion of existing appropriate rural buildings will be supported. (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).

SITE HISTORY

App No.	Proposal
2005/0685	Formation of stone track and new entrance Decision: Prior Approval Is Not Required Decision Date: 27/04/2005
2007/0870	Installation of a polytunnel, a detached outbuilding for retail purposes and car parking area for use in association with tree and shrub nursery Decision: Grant Permission Conditional Decision Date: 18/06/2007
2012/0411	Installation of additional polytunnel Decision: Grant Permission Conditional Decision Date: 21/05/2012
2012/0707	Construction of stables/store Decision: Grant Permission Conditional Decision Date: 31/10/2012
2012/0888	Detached outbuilding to accommodate plant area and drying facilities Decision: Grant Permission Conditional Decision Date: 02/10/2012
2012/1667	Conversion and extension of barn to provide holiday accommodation. Decision: Grant Permission Conditional Decision Date: 20/03/2013

AREA 2 DEVELOPMENT CONTROL COMMITTEE – 21ST OCTOBER 2014

ITEM 7 (CONT'D)

APPLICATION NO. 2014/1048

CONSULTATIONS

A Site Notice was displayed within the vicinity of the application site. However no representations have been received to date.

Llangennith Community Council responded with No Objection to the proposal.

The **Head of Transportation and Engineering** was consulted and responded with the following comments:

Proposals are for the conversion and extension of a barn to provide holiday accommodation (amendment to planning permission 2012/1667 granted 20th March 2013) to provide dormer windows to the first floor bedroom area of a proposed holiday let unit. There were no highway objections to the original application given that parking provision was sufficient for the proposed dwelling. There are no highway objections to these proposals.

APPRAISAL

This application has been called in to Committee at the request of Councillor Richard Lewis in order to assess the impact of the proposed development on the Gower Area of Outstanding Natural Beauty (AONB).

The application site comprises of Hardingsdown Farm in Llangennith which is situated in the local ward of Gower.

Llangennith comprises of approximately 115 dwellings and is located on the edge of Tankeylake Moor, approximately one mile west of the coast. This exposed west facing position has influenced the village's form and character. The relationship between buildings and the street is mixed. Whilst many properties are focused upon the movement routes, often with little or no set back, later developments are typified by increasingly deeper front gardens and a more standardised building line. Development within the village is generally two storey, however differing storey heights provide variation in ridge and eaves heights.

Planning application 2012/1667 was granted planning permission on the 20th March 2013 for the conversion of the barn (subject of this application) to holiday accommodation and the erection of a front extension.

This current application again seeks full planning permission for the conversion of the barn to provide holiday accommodation and the erection of an identical extension to that approved as part of the 2012/1667 planning permission.

However, this current application also now proposes three dormer windows within the front roof plane of the building (whereas the previously approved scheme only proposed the use of five rooflights within the front roof plane). The proposed conversion and extension would provide a kitchen/dining room, a living room, a disabled bedroom, an accessible shower room and a shower room to the ground floor and four bedrooms and a shower room to the first floor.

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The conversion and extension of the barn was considered in detail when planning application 2012/1667 was determined, and it was found that this was an acceptable form of development, in accordance with Policies EC11, EC12, EC17 and EC19 of the City and County of Swansea Unitary Development Plan. It was also found that the proposal did not have an adverse impact upon residential amenity or highway safety.

On the basis that the barn has only recently been granted planning permission for its conversion and extension, it is therefore considered to be pragmatic to concentrate the determination of this application on the proposed three dormer windows to the front elevation.

The primary issues in the consideration of this application relate to the impact of the proposed development on visual and residential amenity, having regard to Policies EV1, EV2, EV3, EV22, EV26, EC11, EC12, EC17 and EC19 of the City and County of Swansea Unitary Development Plan (2008). The application is also considered with regard to the Council's Supplementary Planning Guidance document entitled the 'Gower AONB Design Guide'.

Module D of the Gower AONB Design Guide refers directly to the conversion of existing rural buildings. Section D1.7 states that the "primary guiding principle is that the original character and integrity of the building and its setting should both be respected and ultimately that the original character is enhanced by the conversion." It is not considered that the proposed dormers would retain the original character of the barn.

Section D1.9 states that there are certain principles which should be considered when proposing the conversion of any building. The relevant criteria are listed below;

- (b) The building should be capable of conversion without prejudicing the original character of the building or rural character of the locality, it should remain largely intact, retain its form, and its design should be in keeping with its surroundings
- (c) the scale and massing of the existing building should be respected and external alterations should be kept to a minimum
- (d) a sense of the building's original overall volume should be retained internally as well as externally

Section D1.10 states that there are certain principles which should be considered in relation to the openings of converted buildings. Criterion (b) is relevant;

- (b) new openings should be kept to a minimum and the proportions of existing openings should be used as a basis for design of new ones.

Section D1.12 states that there are certain principles which should be considered in relation to doors and windows of converted buildings. Criterion (b) is relevant;

- (b) the introduction of dormer windows is rarely an acceptable approach when converting a building unless they are an existing feature, due to the impact upon the character and form of the original building.

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Whilst it is recognised that there is existing holiday accommodation with dormer windows adjacent to the application building, this was approved under planning application 2002/1408 and was granted planning permission on 4th November 2002, before the adoption of the current Unitary Development Plan and Gower AONB Design Guide. Therefore the appearance of this building should not act as a precedent when the current application is determined, as the current application must be assessed against the current UDP Policies and Gower AONB Design Guide.

It is considered that the proposed dormers do not adhere to the guidance contained within the Gower AONB Design Guide. It is considered that the proposed dormers fail to respect and retain the rural scale of the barn and result in the over domestication of the barn. It is therefore considered that the proposed amendments to the originally proposed scheme will have a significant harmful effect upon the character and appearance of the barn and the wider Gower AONB. As such it is not considered that the proposed development would accord with Policies EV1, EV2, EV3, EV22, EV26, EC11, EC12, EC17 and EC19 of the City and County of Swansea Unitary Development Plan or the Gower AONB Design Guide.

It is not considered that the dormers have any impact on the users of nearby buildings, nor are there any highway implications associated with the three dormer windows.

CONCLUSION

In conclusion it is considered that the amendments proposed to the scheme forming part of planning permission 2012/1667 are not acceptable. The proposed dormers do not retain the rural scale and character of the barn. The proposed dormers contravene specific guidance contained within the Gower AONB Design Guide and Policies EV1, EV2, EV3, EV22, EV26, EC11, EC12, EC17 and EC19 of the City and County of Swansea Unitary Development Plan (2008). The following recommendation is therefore made.

RECOMMENDATION

REFUSE, for the following reason:

- 1 The proposed dormer windows would result in the over domestication of the barn and would have a significant, detrimental impact upon its original character and form and the rural appearance of the wider Gower AONB, contrary to Policies EV1, EV2, EV3, EV22, EV26, EC11, EC12, EC17 and EC19 of the City and County of Swansea Unitary Development Plan (2008) and the Gower AONB Design Guide.

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, EV22, EV26, EC11, EC12, EC17 and EC19.

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ITEM 7 (CONT'D)

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PLANS

1348-02-site location plan & block plan, 1348-01-proposed plans elevations & section dated 23rd July 2014
