

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

**Planning Committee - 20 January 2015**

**Referral of Planning Application Ref: 2014/0417  
From the Area 2 Planning Committee on 29<sup>th</sup> July 2014  
And the Development and Management Control Committee  
on 14<sup>th</sup> August 2014.**

**Land off Monksland Road, Scurlage, Gower, Swansea**

**Construction of 14 no. residential dwellings and associated works**

**1.0 Background**

- 1.1 This application was reported to the Area 2 Development Control Committee on the 29<sup>th</sup> July 2014, with the recommendation that planning permission be granted as an acceptable departure from the provisions of the Development Plan, subject to the developer entering into a Section 106 Obligation in respect of the provision of 100% affordable housing and conditions.
- 1.2 The Committee subsequently resolved to accept the recommendation of approval and the application was referred to the Development Management and Control Committee on the 14<sup>th</sup> August 2014 where a resolution to grant planning permission subject to a Section 106 agreement securing the long term use of the dwellings for local need affordable housing was made. A copy of my report to Area 2 Development Control Committee on 29<sup>th</sup> July 2014 and my report to the Development and Management Control Committee held on the 14<sup>th</sup> August 2014 are attached as Appendix A and B respectively.

**2.0 Main Issues**

- 2.1 Following comments from the Council's Legal department, it has been confirmed that the Council cannot covenant with itself in a Section 106 agreement on land within its ownership. Therefore, as a way forward, the Council's Legal Officer recommends that an additional condition and informative (see below) be included in the planning consent instead of the requirement for the signing of a Section 106 Planning Obligation prior to the grant of planning permission. This will have the effect of securing the necessary obligations as no development can commence until a planning obligation is completed. The Council currently own the land but does not intend to develop the land itself. Planning permission runs with the land so once the Council cease to have a legal interest in the site then it will be able to covenant with the developer to secure the obligations by way of Section 106 agreement. It is not a practise that would be utilised in respect of land not owned by the Council and is only suggested here to bridge an anomalous gap in the planning legislation which only affects unitary authorities.
- 2.2 In addition, proposed Conditions 17, 18 and 19 relate to requirements in respect of the Code for Sustainable Homes which were withdrawn by Welsh Government on the 1<sup>st</sup> August 2014. As such, it is recommended that these Conditions are removed.

- 2.3 Further, it is recommended that proposed Conditions 2, 8, 13, 16 and 20 are amended for clarity and consistency.
- 2.4 It would appear that proposed Condition 5 is a duplicate of the more detailed proposed Condition 20 and should be removed in the interest of clarity and consistency.

### 3.0 Recommendation

- 3.1 It is recommended that:

The application is approved as a Departure from the provisions of the Development Plan subject to:

- (i) the removal of proposed Condition 5;
- (ii) the removal of proposed Code for Sustainable Homes Conditions 17, 18, 19;
- (iii) the amendment of proposed Conditions 2, 8, 13, 16 and 20 for clarity and consistency;
- (iv) inclusion of the following additional Condition (to be numbered accordingly); and
- (iv) subject to the remaining Conditions set out in my report to the Area 2 Development Control Committee on 29<sup>th</sup> July 2014 attached as Appendix B:-

Condition [ ]

*'The development shall not commence until a scheme for the provision of affordable housing to contribute to the provision of local needs affordable housing in accordance with Policy EV18 of the City and County of Swansea Unitary Development Plan 2008 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:*

- (i) the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 100% of housing units;*
- (ii) the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;*
- (iii) the arrangements for the transfer of the affordable housing to an affordable housing provider (if no RSL involved);*
- (iv) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and*
- (v) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.*

Reason: *To ensure the development contributes to the provision of affordable housing in accordance with policy EV18 of the City and County of Swansea Unitary Development Plan 2008.*

*Informative 7*

*Written approval of such scheme referred to at Condition [ ] would be secured by entering into an appropriate Section 106 Agreement.*

## **BACKGROUND PAPERS**

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

The following documents were used in the preparation of this report:  
Application file, together with the files and documents referred to in the background information section of the appended Development Control committee report.

<b>Contact Officer:</b>	<i>Ryan Thomas</i>	<b>Extension No:</b>	<i>5731</i>
<b>Date of</b>	<i>12<sup>th</sup> January</i>	<b>Document</b>	
<b>Production:</b>	<i>2015</i>	<b>Name:</b>	<i>Monksland Road</i>

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

**To Development Management & Control Committee – 19<sup>th</sup> June 2014**

**Referral of Planning Application Ref: 2014/0417**

**From Area 2 Development Control Committee on 29<sup>th</sup> July 2014**

**LAND OFF MONKSLAND ROAD, SCURLAGE, GOWER  
SWANSEA**

**CONSTRUCTION OF 14 NO. RESIDENTIAL DWELLINGS AND ASSOCIATED WORKS**

<b>Purpose:</b>	To determine the planning application for the construction of 14 no. residential dwellings and associated works.
<b>Policy Framework:</b>	National and Local Planning Policies
<b>Reason for Decision:</b>	Statutory responsibility of the Local Planning Authority
<b>Consultation:</b>	Statutory consultations in accordance with planning regulations as set out in the planning application report contained in Appendix B
<b>Recommendation(s):</b>	Approve subject to a S106 Planning Obligation as set out in the report
<b>Report Author:</b>	Ryan Thomas
<b>Finance Officer:</b>	<i>Not applicable</i>
<b>Legal Officer:</b>	<i>Not applicable</i>

### **3.0 Background**

- 3.1 This application was reported to Area 2 Development Control Committee on the 29<sup>th</sup> July 2014, which resolved that this application be referred to Development, Management and Control Committee with a recommendation that planning permission be approved as an acceptable Departure from the provisions of the Development Plan subject to conditions and to a S106 Obligation in respect of the provisions of 100% affordable housing which shall be DQR compliant.
- 3.2 A plan showing the location of the application site is attached as Appendix A. The report was verbally amended to correct a typographical error and amend the wording of condition 6 and a copy of my updated report to the Area 2 Development Control Committee on the 29<sup>th</sup> July 2014 attached as Appendix B.

#### **4.0 Planning Policy Issues**

- 2.1 The site is situated outside the village, on the periphery of Scurlage and the proposal would result in the rounding off of the northern end of the village. The site forms part of larger parcel of land which was identified in the previously extant Swansea Local Plan Review No1 for affordable housing. Whilst Policy EV16 allows for small scale development within named settlements such as Scurlage, this policy alone would not render the proposal acceptable in principle. However when read in conjunction with Policy EV18 – Local Needs Affordable Housing and in particular Amplification 1.6.9, this acknowledges that Scurlage has the potential to provide local needs affordable housing on land adjacent to the Health Centre.
- 2.2 Having consulted the Director of Regeneration and Housing, it is acknowledged that there is a high demand for affordable housing in the Gower area and as a consequence there is support for bringing forward this site for affordable housing as a departure from the provisions of the Development Plan. It would be a requirement however that the site be developed for 100% affordable housing units would be flexible to meet the tenure requirement at occupation (i.e tenure neutral). All affordable housing units would have to be DQR compliant.
- 2.3 In terms of sustainability the site is situated adjacent to the identified small village of Scurlage along a main bus route to Swansea and is within close proximity to the local school and other community facilities and as such the future residents would not be solely reliant on private car as a method of transport.
- 2.4 Therefore given the identified need for affordable housing in the area given that the proposal is considered to satisfactorily address issues relating to ecology, residential amenity, visual amenity, ecology, drainage and highway safety the principle of local need affordable housing at this location is considered acceptable in this instance and the release of this land as a departure from Policy EV16 is supported in principle.

#### **3.0 Financial Implications**

- 3.1 There are no financial implications associated with this report.

#### **4.0 Legal Implications**

- 4.1 There are no legal implications associated with this report.

#### **5.0 Recommendation**

- 5.1 It is recommended that the application be approved as a Departure from the provisions of the Development Plan subjected to the developer entering into a Section 106 Obligation to provide 100% affordable housing units on the site, which shall be DQR compliant and subject to the updated conditions detailed in my report to Area 2 Development Control Committee on the 29<sup>th</sup> July 2014 attached as Appendix B.

## **BACKGROUND PAPERS**

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

The following documents were used in the preparation of this report:  
Application file, together with the files and documents referred to in the background information section of the appended Development Control committee report.

#### **Appendices:**

Appendix A – Location Plan

Appendix B – Committee Report

Contact Officer: Ryan Thomas

Extension No.: 5731

Date of Production: 1<sup>st</sup> August 2014

Document Name: Scurlage

ITEM

APPLICATION NO.

2014/0417

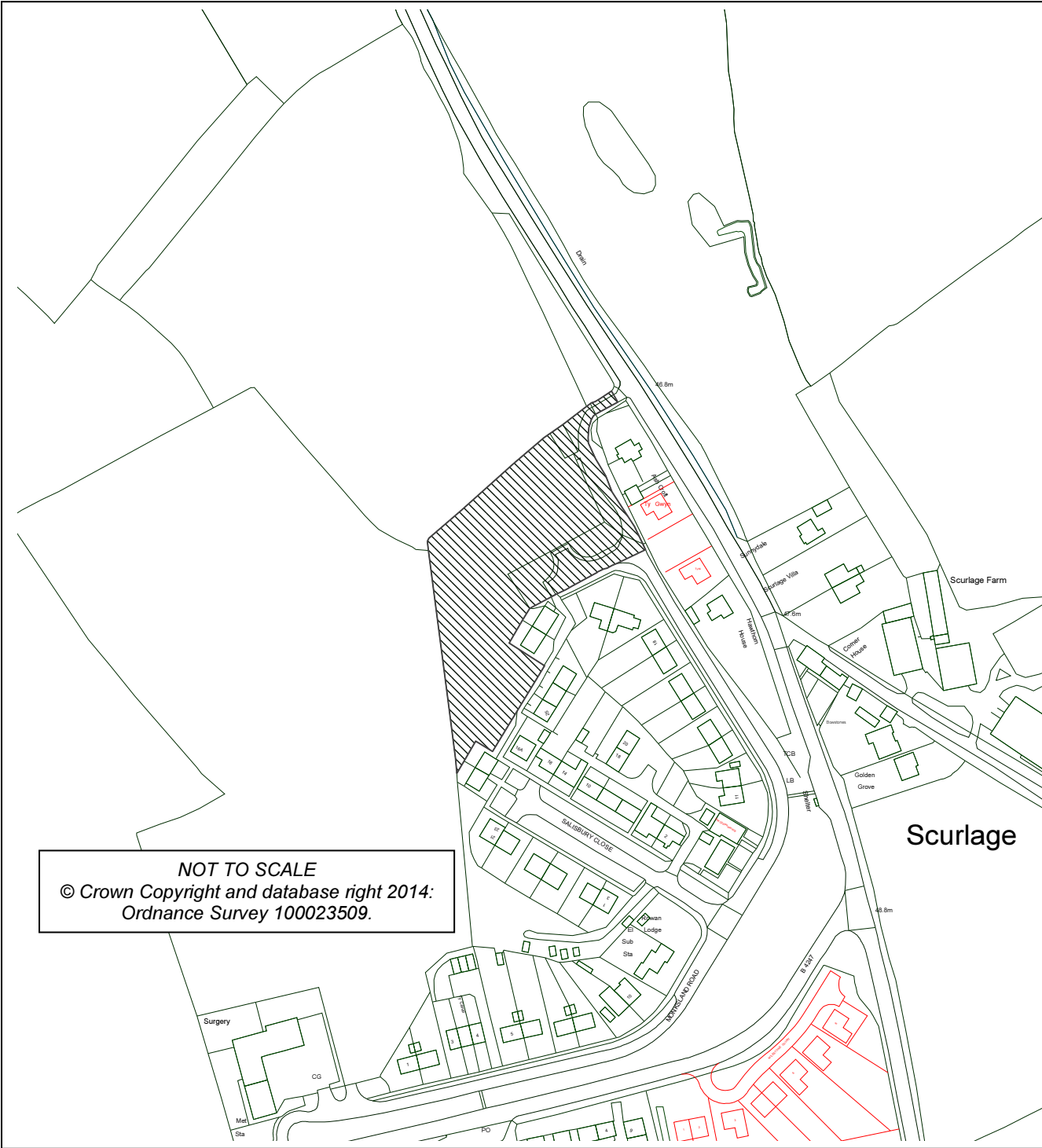
WARD:

Gower  
Area 2

Location: Land off Monksland Road, Scurlage, Gower, Swansea SA3 1AY

Proposal: Construction of 14 no. residential dwellings and associated works

Applicant: Mr Lyn Davies



## **BACKGROUND INFORMATION**

### **POLICIES**

<b>Policy</b>	<b>Policy Description</b>
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 EV16	Within the small villages identified on the Proposals Map, small-scale development will be approved only where it is appropriate to the location in terms of the defined criteria. (City & County of Swansea Unitary Development Plan 2008)
Policy EV18	In exceptional circumstance permission maybe granted for the development of small local needs affordable housing sites within and adjoining settlements. (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)
Policy EV33	Planning permission will normally only be granted where development can be served by the public mains sewer or, where this system is inadequate, satisfactory improvements can be provided prior to the development becoming operational. (City & County of Swansea Unitary Development Plan 2008)
Policy EV35	Development that would have an adverse impact on the water environment due to: i) Additional surface water run off leading to a significant risk of flooding on site or an increase in flood risk elsewhere; and/or, ii) A reduction in the quality of surface water run-off.



Will only be permitted where it can be demonstrated that appropriate alleviating measures can be implemented. (City & County of Swansea Unitary Development Plan 2008)

Policy HC17 The Council will negotiate with developers to secure improvements to infrastructure, services, and community facilities; and to mitigate against deleterious effects of the development and to secure other social economic or environmental investment to meet identified needs, via Section 106 of the Act. (City & County of Swansea Unitary Development Plan 2008)

Policy AS1 Accessibility - Criteria for assessing location of new development. (City & County of Swansea Unitary Development Plan 2008)

Policy AS6 Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)

## **SITE HISTORY**

<b>App No.</b>	<b>Proposal</b>
75/1599/03	ERECTION OF 135 DWELLINGS AND ONE SHOP Decision: Withdraw Decision Date: 25/08/1976

## **RESPONSE TO CONSULTATIONS:**

**Neighbours:** The application was advertised on site in the form of a site notice and in the press as a departure from the provisions of the Development Plan. In addition to this 11 properties were individually consulted. 11 LETTERS OF OBJECTION were received which raised the following issues:

1. Overdevelopment.
2. Drainage.
3. Lack of amenities.
4. Vehicular traffic.
5. Contrary to the provisions of the Development Plan.
6. Sewerage concerns.
7. Congestion.
8. No provision for affordable housing.
9. Lack parking.
10. Concern that housing would not be allocated to local people.
11. Development would put a strain on local amenities and facilities.
12. Flooding.
13. Inaccuracies and discrepancies with the submission.
14. Concern that the dwellings will become holiday homes.
15. No work in Gower for residents of these proposed houses.
16. Proposal does not conform to minimum highway standards.
17. Loss of privacy.
18. Development fails to comply with Councils separation distances.
19. This development will tilt the balance of Scurlage towards social housing.
20. Unacceptable impact on character and appearance of the area.
21. Lack of rear amenity space for future occupiers.
22. Garden areas below minimum standards.

23. No need demonstrated for affordable dwellings provided.
24. Access road etc not to adoptable standards.
25. Parking spaces are not wide enough.
26. Properties are too small.
27. Roof design not in accordance with the Gower AONB Design Guide.
28. Scheme fails to comply with Gower Design Guide.
29. Concern over loss of natural wildlife and habitats.
30. Too much hardstanding proposed.
31. Lack of public transport to serve the development.
32. Lack of natural surveillance.
33. Inconvenience for neighbours during construction.
34. Noise and air pollution.
35. Inadequate private amenity space.

**Welsh Water/Dwr Cymru:** No objection subject to conditions and informatives.

Glamorgan Gwent Archaeological Trust: Scurlage and the surrounding area over the last few years has produced thousands of worked flint implements, ranging in date from the Mesolithic period to the later Bronze Age, which approximates to 8,000 years. The area is clearly of great importance; although as yet no structures relating to settlement have been located in the area, the concentration of the amount of flints and the range of tool types and ages shows that it was a centre utilising what may be material deposited by the retreat of the ice sheets during the period approximately 10,000 years BC. However, archaeological evaluation nearby has shown limited evidence for this. As the application area is within the known areas of flints, towards the northern known extent, which in the main have been found by walking ploughed areas, it is possible that such material may be found during the proposed works.

The area is also within the Registered Historic Landscape of West Gower, within character area HLCA040 Scurlage and Berry, characterised as: Post-medieval/medieval agricultural landscape and former manorial centres (Scurlage Castle - secular; Berry - monastic); post-medieval semi-regular fieldscape; shrunken medieval/post-medieval clustered settlement of Scurlage Castle and linear settlement of Berry; relict and buried archaeology; limestone extraction and processing. The development will be of residential nature within a residential setting and of a scale not inappropriate and it is our opinion that the proposals will not require an Assessment of the Impact of a Development on a Historic Landscape; however, Cadw should be consulted as to their opinion.

It is therefore our opinion as the archaeological advisors to your Members that we recommend a condition for an archaeological watching brief to be attached to any consent granted in respect of the current application. This recommendation is made following the advice given in Welsh Office Circular 60/96, Section 22.

**The Coal Authority:** No Comment.

**Drainage Officer:** We have reviewed the application as submitted and based on the information contained therein must recommend that the application be withdrawn or deferred.

The application has failed to demonstrate a sustainable and viable means of draining the site in accordance with TAN15, all planning applications submitted must include a Drainage Strategy appropriate to the size and nature of the development.

We acknowledge we have had some discussions with the applicant's consultants however we have not agreed any strategy as of yet. Our last discussions involved looking at discharging all surface water arising as a result of the development to the local watercourse network at the greenfield rate of run off and with the permission of the riparian landowner, who has not been identified. This application indicates that soakaways are proposed to use to drain this site however we understand from the pre application discussions this is not a recommend solution due to the risk of dissolution features forming.

Further comments - We have reviewed the application and the additional information and find it acceptable, therefore we recommend no objections subject to conditions.

**Pollution Control:** No objection subject to conditions.

The Gower Society: We refer to the above application and supporting documents that we have studied closely and we have the following comments to make:

1. As a Housing Association Development we expect that:
  - The houses will remain within the Associations ownership in perpetuity.
  - Wherever possible the houses will only be available for local people from Gower.
  - Under no circumstances must any house be allowed to become second home or be sub let for holiday purposes.
2. The sewerage system and treatment works at Fairy Hill is already overloaded and Welsh Water must be satisfied that there network will accept the additional demand along with the recent eight new dwellings in the Sports Field and additional loading from the Gower Holiday Village.
3. The dry stone walling as shown does not indicate the type of stone to be used. It is essential that a none vernacular construction is not allowed or built, as at the North Gower Hotel Whitford View site. The stonework there is entirely unsatisfactory. It is also pointed out that the drawing does not reflect the local style either because a cock and hen capping cannot be achieved in this way with the local limestone. We would also have thought that a concrete block wall with a faced rubble limestone finish and a rendered and wet dashed finish on the inside would have achieved all that is required in this location.

Following concerns expressed by the Councils Urban Design and Highways Officers amended plans were submitted in order to address these concerns. All previous consults were carried out and the following responses were received:

**Neighbours:** No letters of response received.

**Gower Society:** Original comments still apply.

**Highways:**

1 Background

1.1 This proposal is for the erection of 14 new dwellings on land at the end of Monksland Road, Scurlage. In terms of the number of dwellings, this is a relatively small development and does not qualify for needing a formal transport assessment.

1.2 Monksland Road currently terminates at a turning head and it is intended to continue the road onwards in the form of a shared surface road to access a new turning head at the

end of the development. A further Access in the form of a shared private drive will serve 5 of the new dwellings.

## 2 Traffic Impact

2.1 Monksland Road varies in width and is approximately 4.5m wide on the approach to the site. Most estate roads are 5.5m wide and this access therefore is below that standard. On street parking by residents does create some congestion and often cars are seen to be parked straddling the kerb.

2.2 Monksland Road currently serves in the region of 52 dwellings along its length and in Salisbury Close, more recently consent was granted for additional dwellings near to this application site.

2.3 Comparison with national data for residential traffic, it is estimated that the development would likely generate 8 two-way movements in each peak hour. This would be made up of 5 movements out and 3 movements in during the morning peak and the reverse in the afternoon peak. I consider this to be a low number of traffic movements unlikely to have any detrimental impact.

## 3 Access Alterations

3.1 In order to extend Monksland Road to serve the site, the existing turning head will be removed and this will necessitate stopping up of that part of the highway no longer required. The applicant will need to apply to Welsh Government under recognised procedures for this aspect.

3.2 Monksland Road will be widened from the bend just before the turning head to 5.5m wide in order to satisfactorily accommodate movements and more easily allow for on-street parking in that vicinity. The new extension of the road will then go on at a standard width of 5.5m, albeit that this will be a shared surface which is an option recommended in current guidelines. The road is intended to be offered for adoption.

3.3 From the bend previously referred to, Monksland Road enters into a lane which joins onto the main A4118. This lane is currently unrestricted and is part of the highway network, so provides an alternative for vehicles leaving Monksland Road. The lane is currently unmade and of uneven surface and the applicant will be required to improve this by resurfacing the lane to avoid any further deterioration through any additional use that might be brought about by the new development. This will also be of benefit to existing users.

## 4 Parking

4.1 Parking is provided within each plot in accordance with adopted parking standards. Each two bedroom property has two spaces and the three bedroom properties located off the shared private drive have access to three parking spaces. The third space in each case can be used for visitor parking or to assist turning. As all access roads within the development are to be 5.5m wide, on street parking for visitors is also available whereas on the existing estate this is far more difficult due to the narrower road.

## 5 Conclusion and Recommendation

5.1 Additional traffic movements will be generated by this development, however the number of movements associated with the erection of 14 dwellings is quite small and in itself unlikely to result in unacceptable safety implications. Improvements to the road and

access are proposed at the development site and parking is being provided in accordance with adopted standards.

5.2 I recommend no highway objection subject to the following;

i. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. [The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established].

ii. No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

iii. Prior to any works commencing on the site, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved traffic management plan shall be implemented and adhered to at all times unless otherwise agreed by the Local Planning Authority.

iv. No work shall commence on that part of the site which requires the highway to be stopped up until the stopping up procedure has been completed. (current turning head).

v. No soakaway shall be sited with 5m of any adopted highway.

vi. The site shall not be brought into beneficial use until the lane connecting Monksland Road with the A4118 to the east of the site has been resurfaced in accordance with details to be agreed. (Note this is work to the existing highway which will need to be secured through a Section 278 Agreement and undertaken by the Highway Authority at the expense of the developer).

vii. Notwithstanding the submitted plans, the service strip opposite plots 7 and 8, shall be repositioned to follow the realigned kerb line.

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 . Please contact the Senior Engineer (Development), e-mails to: jim.marshall@swansea.gov.uk or the Team Leader, e-mails to mark.jones@swansea.gov.uk, tel. no. 01792 636091

Pollution Control: I have no additional conditions to attach. My main concern related to the construction activities and colleagues have responded regarding drainage etc.

#### **APPRAISAL:**

This application is reported to Committee for decision as a Departure from the provisions of the Development Plan and at the request of Councillor Richard Lewis in order to assess the intensity of the development upon the visual amenities of the area.

#### Description

Full planning permission is sought for the erection of 14 semi-detached two storey properties at land off Monksland Road, Scurlage. The proposal will also involve the creation of a new access to serve the properties. The site currently forms part of the countryside which surrounds the designated named settlement of Scurlage which is situated within the heart of the Gower AONB.

### Main Issues

The main issues for consideration during the determination of this application relate to the principle of development at this location and any subsequent planning obligations and the resultant impact of development upon the visual amenities of the area and the wider Gower AONB, the residential amenities of the neighbouring properties, highway safety, drainage and ecology having regard for the provisions of the City and County of Swansea Unitary Development Plan 2008 (UDP) and the Supplementary Planning Guidance documents entitled 'Gower AONB Design Guide', 'Planning Obligations' and 'Residential Design Guide'.

### Principle of Development

The site is situated outside the village, on the periphery of Scurlage and the proposal would result in the rounding off of the northern end of the village. The site forms part of larger parcel of land which was identified in the previously extant Swansea Local Plan Review No1 for affordable housing. Whilst Policy EV16 allows for small scale development within named settlements such as Scurlage, this policy alone would not render the proposal acceptable in principle. However when read in conjunction with Policy EV18 – Local Needs Affordable Housing and in particular Amplification 1.6.9, this acknowledges that Scurlage has the potential to provide local needs affordable housing on land adjacent to the Health Centre.

Having consulted the Director of Regeneration and Housing, it is acknowledged that there is a high demand for affordable housing in the Gower area and as a consequence there is support for bringing forward this site for affordable housing as a departure from the provisions of the Development Plan. It would be a requirement however that the affordable housing units would be flexible to meet the tenure requirement at occupation (i.e tenure neutral). All affordable housing units would have to be DQR compliant.

In terms of sustainability the site is situated adjacent to the identified small village of Scurlage along a main bus route to Swansea and is within close proximity to the local school and other community facilities and as such the future residents would not be solely reliant on private car as a method of transport.

Therefore given the identified need for affordable housing in the area subject to the proposal satisfactorily addressing issues relating to ecology, residential amenity, visual amenity, ecology, drainage and highway safety the principle of local need affordable housing at this location is considered acceptable in this instance and the release of this land as a departure from Policy EV16 is supported in principle.

Policy HC17 allows the Local Planning Authority to enter into negotiations with developers to deliver planning obligations under Section 106 of the Town and Country Planning Act 1990, and these provisions should be fairly and reasonably related in scale and kind to the individual development. It is noted that the Council has adopted Supplementary Planning Guidance on S106 negotiations in March 2010. As referred to above the Housing Service supports the provision of local need affordable housing at this site and any successful

scheme would be subject to a Section 106 agreement which would retain these affordable units in perpetuity.

In terms of any other likely planning obligations with the proposed development, in light of the fact that the site will be for 100% affordable housing and the drainage costs associated with the redevelopment of the site it is considered too onerous to request any further Section 106 obligations for this site.

It is recommended, however, that the Section 106 Agreement will specifically require the occupiers to strictly adhere to the set criteria identified below:

- Applicants who are resident within the area who have been resident for a continuous period of at least 5 years immediately before making an application

or

- Applicants who have been resident within the area for any period of (or periods totalling) 7 years or more within the previous 10 years immediately before making an application,

or

- Applicants who were previously resident in the area and who have an immediate family member(s) currently resident in the area and where the immediate family member(s) have been resident within the area for a continuous period of at least 10 years immediately before the housing application was made and intend to remain. "Immediate family" means a parent or parents, a child or children, or a sibling or siblings."

- Applicants who currently live in the area needing separate accommodation, for example married couples and people living in tied accommodation on retirement.

- Applicants who work either full-time, or, part-time within the area. Part-time in this case is defined as being a minimum of 10 hours each week.

- Applicants who need to move into the area to take up full or part-time employment (a minimum of 10 hours per week) within the area.

- Applicants who need to move to the area to enable them to either give or receive support to or from an immediate family member. "Immediate family" means a parent or parents, a child or children, or a sibling or siblings or other relationships where a genuine need to give or receive support is demonstrated to the satisfaction of the City & County of Swansea.

In the event that none of the above can be met by the applicants, the Authority may consider individuals from surrounding areas, communities that border the area. This will be defined on a site by site basis if necessary.

#### Character and appearance of the area

The site comprises of a roughly L-shaped parcel of land abutting the northern edge of the small village of Scurlage. The site is accessed via Monksland Road which comes off the western side of the main A4118 road running roughly north – south through the village. Monksland Road serves as the main access road for the majority of the village providing

either direct frontage access to dwellings or access via secondary roads coming off this. To the east the application site incorporates land which directly abuts the northernmost part of this road. To the north and west the site backs onto open agricultural fields. Due to its L-Shaped form the southern boundary of the site is staggered and backs onto the rear of existing one and two storey dwellings in its western part and is bounded by an existing turning head coming off Monksland Road in its eastern part.

The village of Scurlage comprises of a mixture of detached and semi-detached dwellings as well as a few instances of short rows of terraced dwellings. The majority of dwellings are 2 storeys in nature although there are some bungalows. The dwellings are traditional in character and form and predominantly comprise of pitched roof properties with roofs running parallel to the road. The majority of dwellings have chimneys. Front boundaries along Monksland Road comprise of a low red brick wall whilst boundaries to the properties fronting onto Salisbury Close comprise of a mixture of stone, blockwork, wooden fencing and open boundary treatments.

The application proposes the construction of 14 no. 2 storey dwellings as well as associated access, landscaping, parking and other external works. The site measures approximately 0.5 ha and the scheme would have a density of 28 dwellings per hectare. The density is considered necessary in order to fully utilise the sites accessibility potential and the provision of a large area of open space for residents will provide a high level of environmental quality for residents.

The development comprise of seven pairs of semi-detached dwellings finished in render with a traditional pitched roof, pitched roof porches faced in stone and rendered chimneys. The scheme comprise of 2 bed/4person and 3 bed/5 person house types. Given the limited opportunities for vehicle connections around the site the access takes the form of two short cul-de-sacs terminating at turning heads. Pedestrian connections are provided within the site. Parking for the dwellings is predominantly in the form of side drives with some instances of orthogonally orientated bays abutting the access road. It is proposed that the boundary between the road edge and the houses is to be finished with a 1200mm natural dry stone boundary wall with cock and hen capping. A green open space area is proposed to the eastern most boundary of the site.

### Layout

The site presents a strong building line parallel to the western and northern edges of the site which creates a sense of legibility and strong building line. Critically the revised scheme ensures plot 1, 2, 3, 4, 5 and 6 overlook the areas of public realm which helps improve natural surveillance whilst also improving the outlook from these properties. Furthermore the removal of visitor parking and re-siting of properties has helped create a large informal area of public open space which helps improve the visual appearance of the proposal.

Where possible the proposal incorporates areas of front garden space which helps improve the setting and relate to its rural context through the provision of low lying front boundary walls, which helps soften and personalise the public realm.

The proposed roadway will be treated as a shared home zone surface which helps it form part of the communal public realm.

### Garden and Amenity Space

The scheme proposes some variety in garden sizes which helps create a more informal layout appropriate to its rural setting. However it is noted that whilst plots 1, 2, 3, 4, 5, 6, 7



and 14 have amenity spaces well in excess of the minimum standards required by the Supplementary Planning Guidance documents entitled 'Residential Design Guide', Plots 8, 9, 10, 11, 12 and 13 only just about meet the minimum requirements set out within this guide. It is noted that garden depth with units 7-14 are reduced by the hedge which is being retained. This hedge is an important ecological habitat and visual landscape feature which softens the relationship of the development with the wider countryside. It is considered acceptable a condition is considered necessary in order to ensure the hedge is retained and further details required for its long term management.

In order to address the minimal area of rear amenity space for the properties a large area of public open space is proposed which will provide an area for recreation for the future residents.

### House Types

The proposed scale and form of the proposed houses are considered to be appropriate to their Gower context and take reference from the simple form and detailing of traditional pitched roof Gower houses within Gower as defined within the Gower AONB Design Guide. The rough cast render and riven edge slates are welcomed, as are the clipped eaves and mucked eaves. This is a welcome approach in general given that the development is for a Housing Association.

The revised scheme incorporates one house type which will match the appearance of traditional semi-detached dwellings in the locality and the wider Gower area. The proposed natural stone porches are considered proportionate to the size, scale and design of the proposed dwellings and as such are appropriate to the Gower vernacular. In addition to this the porches incorporate a timber lintel which is welcome.

The primary elevations of the proposed dwellings incorporate a pattern of fenestration with vertical windows which is supported and helps create a more harmonious elevation. The meter cupboards are located in the side elevations off the drives, away from the prominent front elevations which helps reduce visual clutter.

The proposed natural dry stone boundary walls are welcomed to provide character to the scheme and to enhance the nature of the Gower location. The exact source of the natural stone and detailing will need to be conditioned.

As such it is considered that the proposal responds to the character of its rural setting and incorporates Gower vernacular in accordance with the Gower AONB Design Guide. Therefore the proposal is considered to respect the visual amenities of the area and the wider Gower AONB and whilst not fully in accordance with the provisions of Policy EV16 of the Swansea UDP the scheme is considered to comply with the provisions of Policies EV1, EV2, EV18, EV22 and EV26 of the Swansea UDP and the Supplementary Planning Guidance document entitled 'Gower AONB Design Guide'.

### Residential Amenity

Turning to the impact of the proposal upon residential amenity, it is considered that ground floor overlooking will be mitigated via the proposed boundary treatment and furthermore the majority of side ground floor windows will mainly overlook the parking bays which will improve natural surveillance. It is considered that plots 2, 3, 4, 5, 6, 7 and 8 are all sited a significant distance from the boundaries with the adjoining neighbouring properties and as such these units will not impinge upon the residential amenities of these neighbouring properties by virtue of overbearing, overshadowing or overlooking.

In terms of the impact on one another, plots 2, 3, 4, and 5 are staggered in terms of their relationship with one another and as such the flank facing 1st floor habitable room windows will not directly overlook private amenity space or into adjacent habitable room windows to unacceptable degree. Again plots 7-8 and 9-10 are staggered and will have an acceptable relationship with one another and will not result in unacceptable overlooking. Plots 9-10, 11-12 and 13-14 however will run parallel with one another and will have 1st floor flank windows which will overlook into the adjacent rooms. Furthermore Plot 14's gable facing 1st floor windows would be within 10m from the boundary with the neighbouring property and as such a condition recommended requiring these secondary bedroom windows to be obscurely glazed and fixed shut in order to mitigate unacceptable overlooking.

The primary front and rear windows of Plot 1 will overlook the rear amenity space of the proposed dwelling and the area of public open space. Ground floor overlooking will be mitigated via an agreed boundary treatment and the east facing windows which overlook Ash Croft and the adjacent property are in-excess of 14m from the curtilage of these properties which is considered a sufficient distance from these properties in order to mitigate any potential unacceptable overlooking. As such Plot 1 is considered to respect the residential amenities of the neighbouring properties and will not result in unacceptable overbearing, overshadowing or overlooking.

The rear windows of Plots 9, 10, 11, 12, 13 and 14 will overlook the private amenity space of the proposed dwellings and as such these will raise no issues relating to overlooking. Plots 9, 10, 11, 12, 13 and 14 are all sited a minimum of 12m from the boundaries with the adjoining properties which is considered a sufficient distance in order to ensure there will not be unacceptable overbearing, overshadowing or overlooking which could warrant the refusal of this application.

Therefore subject to conditions, it is considered that the proposed development would have an acceptable impact upon the residential amenities of the neighbouring properties in compliance with Policies EV1 and EV18 of the Swansea UDP.

### Highways

Having consulted the Head of Transportation and Engineering it is acknowledged that Monksland Road currently terminates at a turning head and the proposal will continue the road onwards in the form of a shared surface road to access a new turning head at the end of the development. A further access in the form of a shared private drive will serve 5 of the new dwellings.

Monksland Road varies in width and is approximately 4.5m wide on the approach to the site. Most estate roads are 5.5m wide and this access therefore is below that standard. On street parking by residents does create some congestion and often cars are seen to be parked straddling the kerb. Monksland Road currently serves in the region of 52 dwellings along its length and in Salisbury Close, more recently consent was granted for additional dwellings near to this application site.

Comparison with national data for residential traffic, it is estimated that the development would likely generate 8 two-way movements in each peak hour. This would be made up of 5 movements out and 3 movements in during the morning peak and the reverse in the afternoon peak. It is considered that this is a low number of traffic movements which is unlikely to have any detrimental impact.

In order to extend Monksland Road to serve the site, the existing turning head will be removed and this will necessitate stopping up of that part of the highway no longer required. The applicant will need to apply to Welsh Government under recognised procedures for this aspect.

Monksland Road will be widened from the bend just before the turning head to 5.5m wide in order to satisfactorily accommodate movements and more easily allow for on-street parking in that vicinity. The new extension of the road will then go on at a standard width of 5.5m, albeit that this will be a shared surface which is an option recommended in current guidelines. The road is intended to be offered for adoption.

From the bend previously referred to, Monksland Road enters into a lane which joins onto the main A4118. This lane is currently unrestricted and is part of the highway network, so provides an alternative for vehicles leaving Monksland Road. The lane is currently unmade and of uneven surface and the applicant will be required to improve this by resurfacing the lane to avoid any further deterioration through any additional use that might be brought about by the new development. This will also be of benefit to existing users.

Parking is provided within each plot in accordance with adopted parking standards. Each two bedroom property has two spaces and the three bedroom properties located off the shared private drive have access to three parking spaces. The third space in each case can be used for visitor parking or to assist turning. As all access roads within the development are to be 5.5m wide, on street parking for visitors is also available whereas on the existing estate this is far more difficult due to the narrower road.

Additional traffic movements will be generated by this development, however the number of movements associated with the erection of 14 dwellings is quite small and in itself unlikely to result in unacceptable safety implications. Improvements to the road and access are proposed at the development site and parking is being provided in accordance with adopted standards.

Therefore there are no highway objections subject to conditions and the proposal is considered to respect highway safety and provide sufficient car parking in compliance with Policies EV1, EV3, AS1 and AS6 of the Swansea UDP.

### Drainage

The applicant commissioned a drainage consultant to conduct permeability testing on the application site. Furthermore a CCTV drain survey was carried out on a collapsed pipe feeding into the existing soakaway located on the site. The submitted evidence suggests that the site is capable of accommodating soakaways and having consulted the Councils Drainage Officer there is no objection to the positive determination of this application subject to appropriately worded planning conditions. Therefore the proposal is considered to comply with the provisions of Policies EV33 and EV35 of the Swansea UDP.

### Ecology

Having consulted the Councils Ecologist to assess the submitted ecological survey in support of this application, it is considered that subject to a condition protecting the future retention of the hedgerows on site the proposal will have an acceptable impact on ecology and biodiversity in compliance with Policy EV2 of the Swansea UDP.

### Response to Consultations

Notwithstanding the above, 11 letters of objection and 15 letters of comment were received which raised concerns relating to the impact of the proposal upon residential amenity, visual amenity, principle of development, drainage, ecology, highway safety, parking, congestion, impact on Gower AONB, type of affordable housing, compliance with Policy and Gower AONB Design Guide. The material issues pertaining to which have been addressed above.

Concern was raised that the properties would be used as holiday lets. The dwellings are local need affordable housing which will be ensured in perpetuity via a Section 106 Agreement.

Concern has been raised regarding inaccuracies with the applicants submission, however it is considered that sufficient information has been provided by the applicant in order to enable the Local Planning Authority to reach a decision on this proposal.

In addition to this concern has been raised with respect inconvenience associated with the construction of the development. This is a temporary measure and will not be a long term issue associated with this development.

### Conclusion

Therefore subject to the signing of a Section 106 obligation restricting the housing availability to low cost purchase or rent, and for the retention of the housing in the long term as low cost housing to meet local needs and appropriately worded conditions it is considered that the development of this small site adjoining the settlement of Scurlage would fulfil a proven local need within the locality. Furthermore the proposal in terms of its design, form, elevational treatment, detailing and use of materials is considered to be sympathetic to the character of the village. The proposal is identified as countryside and would not result in the loss of land of important recreational, natural heritage or amenity value. The submitted information that the scale of the development would be in accord with the character of the area and that the site would be developed without giving rise to an unacceptable impact upon the residential amenities of the neighbouring properties, drainage, ecology and highway safety in compliance with the provisions of Policies EV1, EV2, EV3, EV18, EV22, EV23, EV33, EV34, EV35, HC17, AS2 and AS1 of the Swansea UDP and the Supplementary Planning Guidance document entitled 'Planning Obligations' and as such is recommended for approval as a Departure from the provisions of Policy EV16 of the Swansea UDP.

### **RECOMMENDATION**

**The application be referred to DEVELOPMENT MANAGEMENT & CONTROL COMMITTEE with a recommendation that it be APPROVED ad a departure from the provisions of the Development Plan subject to the following conditions and to the developer entering into a Section 106 Obligation in respect of the provision of 100% affordable housing which should be DQR compliant:**

### **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. Prior to the commencement of the stonework on site, a sample panel showing the stonework shall be submitted to and/or constructed on site and approved by the Local Planning Authority in writing. The boundary walls and pillars shall be implemented in accordance with the approved details.

2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or amending that Order), Classes A and E of Part 1 of Schedule 2 shall not apply.

Reason: The development hereby approved is such that the Local Planning Authority 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.

3 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.

4 The first floor window(s) in the side elevations of plots 9, 10, 11, 12, 13 and 14 as indicated on the approved plans shall be obscurely glazed and unopenable below a height of 1.7m from internal floor level, 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.

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

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

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

Note: If, during the writing of the CPM, any specific issue needs to be discussed/clarified the applicant should contact the Pollution Control Division, Housing and Public Protection Service, Rm 401 Guildhall SA1 4PE 01792 635600

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

- 6 The hedgerows on the northern and western boundaries of the site shall be retained in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Should any part die or be damaged during the course of development, replacement planting shall be undertaken in accordance with a scheme to be submitted to and agreed in writing by the Local Planning Authority.

Reason: Permission is granted having regard to the present screening and boundary planting in existence, the retention of which will ensure a satisfactory visual appearance.

- 7 Prior to the commencement of the stonework on site, a sample panel of the stonework shall be submitted to and/or constructed on site and approved by the Local Planning Authority in writing. The boundary walls and pillars shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity.

- 8 No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the local planning authority.

Reason: In the interest of highway safety.

- 9 No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety.

- 10 Prior to any works commencing on the site, a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved traffic management plan shall be implemented and adhered to at all times unless otherwise agreed by the Local Planning Authority.

Reason: In the interest of highway safety.

- 11 No work shall commence on that part of the site which requires the highway to be stopped up until the stopping up procedure has been completed.

Reason: In the interest of highway safety.

- 12 No soakaway shall be sited within 5m of any adopted highway.

Reason: In the interest of highway safety.

- 13 The site shall not be brought into beneficial use until the lane connecting Monksland Road with the A4118 to the east of the site has been resurfaced in accordance with details to be agreed. (Note this is work to the existing highway which will need to be secured through a Section 278 Agreement and undertaken

by the Highway Authority at the expense of the developer).

Reason: In the interest of highway safety.

- 14 Notwithstanding the submitted plans, the service strip opposite plots 7 and 8, shall be repositioned to follow the realigned kerb line in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety.

- 15 Prior to the commencement of work on site the results of the soakaway tests shall be submitted to and carried out in strict accordance with BRE Digest 365 or the equivalent CIRIA document. Any surface water drainage system must be designed to accommodate the 1 in 100 year critical storm including an appropriate allowance for climate change unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that an appropriately designed surface water management system is implemented so as to avoid creating surface water flood risk to the development itself and adjacent third parties.

- 16 No development shall commence until the developer has submitted 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.

- 17 The dwelling(s) shall be constructed to achieve a minimum of Code for Sustainable Homes Level 3 and achieve a minimum of 1 credit under category "Ene1 - Dwelling Emission Rate" in accordance with the requirements of the Code for Sustainable Homes: Technical Guide (November 2010 - Version 3). The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: In the interests of sustainability.

- 18 The construction of the dwelling(s) hereby permitted and any external works shall not begin until an "Interim Certificate" has been submitted to the Local Planning Authority, certifying that a minimum Code for Sustainable Homes (Level 3) and a minimum of 1 credit under "Ene1 - Dwelling Emission Rate", has been achieved in accordance with the requirements of the Code for Sustainable Homes; Technical Advice Guide (November 2010 - Version 3).

Reason: In the interests of sustainability.

- 19 Prior to the occupation of the dwelling(s) hereby permitted, a Code for Sustainable Homes "Final certificate" shall be submitted to the Local Planning Authority

certifying that a minimum Code for Sustainable Homes (Level 3) and a minimum of 1 credit under "Ene1 - Dwelling Emission Rate", has been achieved in accordance with the requirements of the Code for Sustainable Homes; Technical Advice Guide (November 2010 - Version 3).

Reason: In the interests of sustainability.

- 20 The proposed landscaping shall be carried out using the native species which are identified in the Extended Phase 1 Habitat and Species Assessment by Just Mammals Consultancy unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of visual amenity and biodiversity.

## **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, EV16, EV22, EV26, EV33, EV35, EV18, HC17, AS1, 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 1 Construction Noise

The following restrictions should be applied to all works of demolition/ construction carried out on the development site

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

The Local Authority has the power to impose the specified hours by service of an enforcement notice.

Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

- 2 Smoke/ Burning of materials

No burning of any material to be undertaken on site.

The Local Authority has the power to enforce this requirement by service of an abatement notice.

Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

- 3 Dust Control:

During construction work the developer shall operate all best practice to minimise dust arisings or dust nuisance from the site. This includes dust and debris from vehicles leaving the site.

The Local Authority has the power to enforce this requirement by service of an abatement notice.

Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

- 4 Lighting

During construction work the developer shall operate all best practice to minimise nuisance to locals residences from on site lighting. Due consideration should be



taken of the Institute of Lighting [www.ile.org.uk ] recommendations

- 4 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 . Please contact the Senior Engineer (Development), e-mails to : jim.marshall@swansea.gov.uk or the Team Leader, e-mails to mark.jones@swansea.gov.uk , tel. no. 01792 636091
- 5 Foul water and surface water discharges shall be drained separately from the site.

Reason: To protect the integrity of the public sewerage system.

No surface water shall be allowed to connect either directly or indirectly, to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.

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

Land drainage run-off shall not be permitted to discharge, either directly or indirectly into the public sewerage system.

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

If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Network Development Consultants on 0800 917 2652.

Some public sewers and lateral drains may not be recorded on Dwr Cymru Welsh Water maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry Regulations 2011. The presence of such assets may affect the proposal. In order to assist Dwr Cymru Welsh Water in dealing with the proposal you should contact them on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The Welsh Government have introduced new legislation that will make it mandatory for all developers who wish to communicate with the public sewerage system to obtain an adoption agreement for their sewerage with Dwr Cymru Welsh Water (DCWW). The Welsh Ministers Standards for the construction of sewerage apparatus and an agreement under Section 104 of the Water Industry Act (WIA) 1991 will need to be completed in advance of any authorisation to communicate with the public sewerage system under Section 106 WIA 1991 being granted by DCWW.

Welsh Government introduced the Welsh Ministers Standards on the 1st October 2012 and we would welcome your support in informing applicants who wish to communicate with the public sewerage system to engage with us at the earliest opportunity. Further information on the Welsh Ministers Standards is available for viewing on our Developer Services Section of our website - [www.dwrcymru.com](http://www.dwrcymru.com)

Further information on the Welsh Ministers Standards Can be found on the Welsh Government website - [www.wales.gov.uk](http://www.wales.gov.uk)

### Sewage Treatment

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

### Water Supply

No problems are envisaged with the provision of water supply for this development.

A water supply can be made available to serve this proposed development. The developer may be required to contribute, under sections 40-41 of the Water Industry Act 1991, towards the provision of new off-site and/or on-site watermains and associated infrastructure. The level of contribution can be calculated upon receipt of detailed site layout plans which should be sent to the address above.

Our response is based on the information provided by our application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

- 6 Birds may be present. 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.
- 7 The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

## PLANS

3335/PA/001 location plan, 3335/PA/002 A existing topographical survey, 3335/PA/005 boundary & external works details, 3335/PA/006 porch details dated 19th March, Geotechnical and Geo-environmental report, Soakaways (2), 18443/01 - Existing Site Survey Plan, 18443/04 Rev A site cross/long section, 3335/SK/002 - Existing topographical survey, Draintech Survey dated 28th March 2014, 3335/PA/004 REV B - Floor Plans and Elevations, 18443/03 REV B - Autotrack Swept Plans dated 5th June 2014 and 18443/02 Rev F- Proposed Engineering Site Plan, 3335/PA/003 REV H - Proposed Site Plan dated 7th July 2014.