

Report of the Head of Economic Regeneration and Planning

To Planning Committee : 14th April 2015

**Referral of Planning Application Ref 2014/0773
from the Planning Committee on 20th January 2015**

Land south of Beauchamp Walk (off Loughor Road) Gorseinon Swansea

**Construction of 25 residential dwellings and associated works including
underground pumping station and surface water attenuation pond.**

1.0 Background

- 1.1 This application was reported to the Planning Committee on the 20th January 2015, with the recommendation that planning permission be granted subject to the developer entering a Section 106 Obligation and conditions.
- 1.2 The Committee resolved to accept the recommendation for approval and granted planning permission subject to a Section 106 Agreement and conditions. A copy of my report to the Planning Committee on the 20th January 2015 is attached as appendix A.
- 1.3 A number of the planning conditions attached to the report required the submission & approval of the details PRIOR to the commencement of development.

2.0 Main Issues

- 2.1 Following the committee resolution referred to above, the Section 106 Agreement took some time to be completed due to legal matters, and as such, the formal planning permission has not yet been issued.
- 2.2 During this time, a complaint has been received from a local resident that works have commenced on the site. Enforcement Officers have visited the site and have confirmed that the works being undertaken on the site are works that 'constitute development' and are not 'enabling site works'.
- 2.3 As works have started on site, the planning permission cannot be issued due to the inclusion of a number of 'pre-commencement' conditions.
- 2.4 Therefore the description of development requires to be re-worded to the following "Retention and completion of 25 residential dwellings and associated works including underground pumping station and surface water attenuation pond", and a number of conditions require re-wording prior to the issuing of the permission, specifically the following conditions are required to be re-worded:

* Condition number in brackets () refers to original condition number

4 (5), 5 (6), 6 (7), 8 (9), 9 (10), 10 (11), 11 (12), 13 (14), 14 (15), 17 (19), 19 (21), 20 (22), 21 (23), 22 (24), 23 (27), 24 (28), and 25 (30)

- 2.5 The following conditions can be removed as they no longer considered to be necessary.
- Condition 1 – commencement within 5 years – the development has already commenced
 - Condition 16 - porous drive ways - this will be covered by the surface water drainage system required under condition 6
 - Condition 25 – replacement tree planting – this is now covered under condition 21
 - Condition 26 – replacement tree replacements – this is now covered under condition 21
 - Condition 29 – Japanese Knotweed – no longer required as it has been confirmed that there is no knotweed on the site
- 2.6 The applicant has submitted technical details in relation to condition
- 11 (12) – Construction Pollution Management Plan (CPMP),
- Response on the technical detail is currently pending from Pollution Control Officers.
- 2.7 A full set of the amended conditions are attached at Appendix B to this report

3.0 Recommendation

3.1 It is recommended that the Committee :

(i) Approve the rewording of the description of development to “Retention and completion of 25 residential dwellings and associated works including underground pumping station and surface water attenuation pond” and the rewording of conditions 4 (5), 5 (6), 6 (7), 8 (9), 9 (10), 10 (11), 11 (12), 13 (14), 14 (15), 17 (19), 19 (21), 20 (22), 21 (23), 22 (24), 23 (27), 24 (28), and 25 (30) as shown in the revised schedule of conditions at Appendix B.

(ii) Agree to the removal of conditions 1, 16, 25, 26, and 29 as per paragraph 2.5 above

(ii) Grant delegated authority to the Head of Economic Regeneration and Planning to amend the wording of condition 11 (12) pending confirmation from the Pollution Control Officers that the technical details are acceptable.

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 Planning Committee report

Appendices

Appendix A – Committee Report

Appendix B – Full set of amended conditions.

ITEM APPLICATION NO. 2014/0773
WARD: Kingsbridge

Location: Land south of Beauchamp Walk (off Loughor Road) Gorseinon Swansea

Proposal: Construction of 25 residential dwellings and associated works including underground pumping station and surface water attenuation pond.

Applicant: Persimmon Homes West Wales

BACKGROUND INFORMATION

POLICIES

| Policy | Policy Description |
|---------------|--|
| Policy AS1 | Accessibility - Criteria for assessing location of new development. (City & County of Swansea Unitary Development Plan 2008) |
| Policy AS2 | Accessibility - Criteria for assessing design and layout of new development. (City & County of Swansea Unitary Development Plan 2008) |
| Policy AS6 | Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008) |
| Policy 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 EV30 | Protection and improved management of woodlands, trees and hedgerows which are important for their visual amenity, historic environment, natural heritage, and/or recreation value will be encouraged. (City & County of Swansea Unitary Development Plan 2008) |
| 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 EV34 | Development proposals that may impact upon the water environment will only be permitted where it can be demonstrated that they would not pose a significant risk to the quality and or quantity of controlled waters. (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 HC1 | Allocation of housing sites for 10 or more dwellings. (City & County of Swansea Unitary Development Plan 2008) |
| Policy HC3 | Provision of affordable housing in areas where a demonstrable lack of affordable housing exists. (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) |

SITE HISTORY

| App No. | Proposal |
|-----------|---|
| 2012/0044 | Residential development comprising 86 dwellings, access off Loughor Road and associated works Decision: Perm Subj to S106 Agree Decision Date: 17/05/2013 |

RESPONSE TO CONSULTATIONS

Twenty five neighbouring properties were directly consulted and four site notices were placed close to the site. The application was also advertised in the press.

FOUR LETTERS OF OBJECTION have been received. The concerns raised are as follows:

- The development will bring further disruption on a regular and permanent basis to the residents of Loughor Road
- Further traffic pollution in the area
- By increasing the housing in this locality, it will have a detrimental bearing on local schools and medical facilities.
- The pumping station will not enhance the already over capacity of the present sewerage farm on Victoria Road.

- The traffic is already horrendous – the school traffic and buses going back and fore to the collage, plus vehicles using Loughor Road.
- Persimmon narrowly received approval for 86 homes in March 2013 for Kingsbridge Fields. Now they want another 25 for which no mention was made in the previous application.
- No account is taken of the wider picture – sites are approved here and there and the area becomes swamped with new developments. Please consider the knock on effect if this application can any other large scale developments on the whole of the area.
- The area is becoming overpopulated.

Loughor Town Council - No Objection

Natural Resources Wales (NRW)

Natural Resources Wales has no objection in principle to the proposed development, but would like to make the following comments.

Foul Drainage Proposals

Report received: '*Flood Consequence Assessment*', produced by QuadConsult Limited, dated April 2014 and plan received: '*Kingsbridge Fields – Phase 2, Preliminary Site Levels and Drainage Strategy Layout for Planning*', produced by Persimmon dated May 2014.

As your Authority is aware, the proposed site is located in an area where there are known foul and surface water sewerage problems. The sewerage network is hydraulically overloaded, which is resulting in additional pollution and nutrient loading spilling to the Burry Inlet (Carmarthen Bay and Estuaries) Special Area of Conservation (SAC) during wet weather/storm events. Despite these concerns, the preferred and most sustainable method of foul drainage remains disposal to the main public sewer. We are pleased to note that mains drainage is proposed for this application. We would recommend that you consult with Dwr Cymru Welsh Water (DCWW) to ensure they are satisfied that capacity exists to accommodate the flows generated without causing pollution. It should be noted that we would object to any proposals for a private treatment system at this location. We understand that the sewerage network in this area is only able to accommodate additional foul flows if surface water is removed from within the drainage catchment. In order to free up additional hydraulic capacity, we would encourage the developer to work with DCWW to identify a scheme to remove surface water from the sewerage network. Any agreements/commitments undertaken should be recorded on your Authority's Hydraulic Register. In addition to capacity and hydraulic overload issues, the Burry Inlet is understood to be sensitive to nutrient enrichment, notably to Phosphorus – a constituent of sewage-related discharges. Consequently, in addition to the Habitats Regulations considerations in respect of Phosphorus, the UK has an obligation under the Water Framework Directive to protect sensitive water bodies from deterioration. We would therefore recommend that a corresponding amount of Phosphorus is removed at the Llannant WWTW to that expected to be produced by this development at the time of completion. This would help prevent further deterioration in levels of Phosphorus in the Burry Inlet.

Foul Drainage Pumping Station

We note that the developer intends to utilise a Pumping Station as part of the foul drainage disposal system, and therefore an Environmental Permit may be required from NRW. In this respect we would refer the developer to our Customer Contact Centre (Tel. 03000 653000) to discuss.

Surface Water Drainage Proposals

With regard to surface water drainage, due to the sewerage capacity issues in this area it is imperative that no surface water from this proposal is allowed to enter the existing infrastructure. We note that following site investigation field work it is considered unlikely that an infiltration type system to dispose of surface water is to be an option. The proposal is therefore to attenuate the surface water generated by the new development and discharge through a hydro brake to the manmade drainage channel along the northern boundary. Surface water will be discharged to the adjacent drainage channel via a hydro brake at a rate of 5l/s, as detailed in the accompanying drainage strategy layout drawing, PL01, dated April 2014. This is considered suitable for the development site of 0.77ha. We note that this pond has been designed to accommodate a 100 year rainfall event with a 30% allowance for climate change included which is acceptable. The attenuation pond is located offsite; therefore we advise that it is ensured that the land is within the applicant's ownership or that an agreement has been reached with the landowner. In addition, we advise your authority to agree on the proposed maintenance of the offsite attenuation and surface water features to ensure that their capacity is maintained in the future.

Ecology

We welcome that the majority of the trees on site are to be retained and note that the submitted survey report '*Extended Phase 1 Habitat Survey – Land at Loughor Road, Gorseinon*', dated March 2014, produced by Hawkeswood Ecology identified 3 trees with the potential to support roosting bats. We welcome that these will also be retained. We note that some trees and parts of the hedgerow will be removed as part of the development as outlined in the submitted '*Planting Plan – Loughor Road Extension*', dated May 2014. We also note the proposal for supplementary planting on site and advise the use of native plants, local to the area for these measures. Where possible, we encourage the translocation of the removed trees and hedgerows on site to be used in other areas of the site. We welcome the recommendations made in section 8 of the above report and advise that these are followed. As vegetation is proposed to be removed, the applicant should be aware that all wild nesting birds are protected by The Wildlife & Countryside Act 1981 (as amended). If any vegetation clearance is required for works to commence, we advise this should be avoided during the bird breeding season (March to August inclusive). Should any vegetation clearance be required to be carried out during this time, we advise that the areas to be cleared are checked thoroughly for any evidence of breeding birds prior to any clearance. Should any evidence be found, no works should continue and NRW contacted for advice.

Dwr Cymru / Welsh Water (DCWW)

We would request that if you are minded to grant Planning Consent for the above development that the Conditions and Advisory Notes provided below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Sewerage Condition

This proposed development is located in an area which has the potential to discharge into national and international designated waters. The Loughor Estuary forms part of the Carmarthen Bay & Estuaries European Marine Site which is the collective name for three European 'Natura 2000' designated areas, namely Carmarthen Bay & Estuaries Special Area of Conservation, Carmarthen Bay Special Protection Area and Burry Inlet Special Protection Area. A key fundamental issue associated with any proposed development(s) located on both the Carmarthenshire and Swansea side of the Estuary is the potential impact of any revised or additional water discharges, either foul or surface water, will have

on the local drainage systems and ultimately the designated waters. Dwr Cymru Welsh Water is contributing towards improving the water quality in the Estuary by undertaking key infrastructure improvements at its Northumberland Avenue and Llanant Waste Water Treatment Works which are designed to improve arrangements for dealing with surface water, provide ultra violet treatment and phosphate removal . Equally developers too, can also play a significant part in mitigation measures by incorporating sustainable drainage facilities within their proposals. It is essential therefore, that as a pre-requisite of any development being considered for approval that such matters are effectively controlled through planning conditions.

Therefore, we seek your Authority's co-operation in imposing the following condition to any grant of planning.

- No development shall take place until full details of a scheme for the foul and surface water sewerage disposal (incorporating sustainable drainage principles) of the whole site has been submitted to and approved in writing by the local planning authority and thereafter implemented in accordance with the approved details. Surface water shall not be connected to the foul sewerage system.
Reason: To ensure the integrity of the public sewerage system [and designated waters]is protected through the implementation of sustainable practices.
- 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 the environment.

Advisory Notes

If a connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Developer Services on 0800 917 2652. Some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal we request the applicant contacts our Operations Contact Centre 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.

Coal Authority

Initial Comments 25 June 2014

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area. The Coal Authority records indicate that within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application, specifically likely historic unrecorded underground coal mining at shallow depth and the zone of influence of three recorded mine entries extends into the site. The Coal Authority **objects** to this planning application, as the required Coal Mining Risk Assessment Report, or equivalent, has not been submitted as part of the application.

Additional Comments 2nd October 2014

The application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application, specifically likely historic unrecorded underground coal mining at shallow depth and the zone of influence of one recorded mine entry extends into the site. The Coal Authority previously objected to this planning application in a letter to the LPA dated 25 June 2014. The objection was raised on the grounds that a Coal Mining Risk Assessment had not been submitted as part of the application. The Coal Authority is therefore pleased to note the submitted Phase 2 Site Investigation Report (September 2014, prepared by Integral Geotechnique (Wales) Limited). The Report has been informed by appropriate and up-to-date coal mining information for the proposed development site; including a Coal Mining Report, BGS geological mapping and information from a recent site investigation, permission of which was obtained from us. Based on this review of existing sources of geological and mining information and the intrusive investigations, the Report concludes, that whilst the mine entry is remote and has been treated to an appropriate standard, confirmed shallow workings beneath the site where competent rock cover is insufficient to safeguard the development pose a significant risk to the stability of the development. Accordingly, appropriate recommendations are included in Section 11.2 for measures to remediate this mining hazard.

The Coal Authority is satisfied that the remedial measures proposed by the applicant following intrusive site investigation works set out in the submitted Phase 2 Site Investigation Report are appropriate to address the mining legacy issues present on the application site. The Coal Authority therefore has **no objection** to the proposed development. The Coal Authority recommends that the LPA impose a planning condition should planning permission be granted for the proposed development to ensure that these works are undertaken on site prior to commencement of development.

Highway Observations

This proposal is for the erection of an additional 25 dwellings on land south of Kingsbridge Fields development that was recently granted consent under application number 2012/0044. The Kingsbridge Fields development did not develop fully the land allocated for housing.

Access and Traffic Impact : A transport statement has been submitted in support of the application which considers the transportation impact of the development. Access is to be gained from the road serving the previously approved development and is known as

Beauchamp Walk. The road is of a sufficient standard to accommodate the additional development. In terms of traffic generation, it is estimated that the additional dwellings will generate 16 and 17 further traffic movements in the am and pm peaks respectively. This is unlikely to have any significant detrimental impact when added to the main site traffic generation. The impact of the main site traffic was considered previously and the level of impact considered acceptable. Access from Loughor Road has already been improved as part of the main site development and this additional 25 dwellings will have little impact on its operation. Therefore no additional improvements are considered necessary.

In considering the main site, the current congestion with school traffic was taken into consideration and the developer, along with all other significant developments in the area, was required to contribute towards local highway safety enhancements. This included for a scheme to reduce the impact of the school traffic on Loughor Road immediately outside the site. As this development will also generate additional traffic movements, albeit significantly less than the main site, a similar contribution should be made and to that end I would recommend a contribution of £17,425 which is commensurate with the level of impact the development traffic will have.

Accessibility Considerations : The accessibility of the main site was considered acceptable and therefore as this is part of the larger site the same conclusions must be drawn.

General Safety and Construction Issues : During the early part of construction of the main site, technical issues prevented the expedient completion of the site access and this resulted in some delay and congestion issues affecting local residents. Construction traffic was unable to access the main site as intended and so caused disruption on Loughor Road. Now that the site access is in place, there is no reason that a similar issue should arise however to further minimise construction traffic impact, a construction traffic management plan needs to be conditioned.

Conclusions and Recommendation: The likely traffic generated by this additional 25 dwellings has been quantified and considered not to have any significant detrimental impact. Access into this site extension is in place and suitable for the level of traffic likely to be generated. I recommend no highway objection subject to the following;

- i. Prior to any works commencing on site, a contribution towards local highway safety improvements shall be made by depositing the sum of £17,425 with the Council.
- ii. 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.
- iii. No building works 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].

Note : The applicant is advised that to discharge this condition that the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

Drainage Observations - No Objection subject to conditions relating to surface water drainage.

Pollution Control Observations -The ground investigation report refers to basic radon protection measures to be used, with which I agree. Elevated concentrations of arsenic, chromium and lead have been discovered in the made ground which it states shall be quarantined prior to being 'placed under hard standings or buildings' should this occur the developer must ensure that the pathway has been removed. The ground investigation report also makes reference to additional Arsenic testing will be carried out.

Unforeseen Contamination -

If, during the course of development, contamination not previously identified is found to be present at the site no further development [unless previously agreed in writing with the Local Planning Authority] shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a detailed strategy for dealing with said contamination. Reason: To ensure that the safety of future occupiers is not prejudiced.

Provision of Company details

Prior to the commencement of demolition/construction works on the application site (including all access roads) the applicant shall provide the details, with regard to the Company Secretary and the registered company address, for the Company ultimately responsible for the application site. Reason: To ensure service of documentation upon appropriate persons.

Demolition/Construction Site Management Plan

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

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

Note: items g – j inclusive need to take particular account of the potential for statutory nuisance arising from site related activities [see Informatives]. Note: If, during the writing of the CPM, any specific issue needs to be discussed/clarified the applicant should contact the

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

Informatives

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.

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.

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.

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

Ecology Observations

The development site has been subject to an ecological survey. The grassland area is presently of low ecological value mainly due to the existing management regime. The surrounding hedges with trees are of value and should be retained. There are three trees growing in the southern hedge that have been identified as having bat roost potential (described in target note 5 of the survey) if any work is intended to be carried out on these they must be subject to a bat survey prior to any work starting. In order to mitigate against loss of habitats on the site please could we add a condition requiring the remaining hedges are to be planted up using suitable native species, they are at the moment gappy. The surveyor listed a series of recommendations in section 8 of their report please could we add a condition requiring these to be followed.

Housing Enabling Observations

The land south of Beauchamp Walk (off Loughor Road) Gorseinon falls within the Greater North West Swansea area. The Local Housing Market Assessment indicates a need for affordable housing within the area. The Housing Service would be seeking 30% affordable housing units on this site. We would ask for a range of unit types, 2 & 3 bedroom houses being the preferred property type, built to DQR standard. The design and specification of these units should be equivalent quality to those used in the open market units, to include social rent, intermediate rent and sale such as Low Cost Home Ownership (to be determined/negotiated).

Education Observations

In accordance with the provisions of the SPG, 25 dwellings proposed equates to: 7.7 places for primary schools and 5.5 places for secondary schools. The Schools in the catchment area for the site are:

Primary : Pontybrennin Primary (English) and YGG Pontybrennin (Welsh).

Secondary : Penyrheol Comprehensive (English) and Ysgol Gyfun Gwyr (Welsh).

At present there is spare capacity at all the 4 schools (2 Welsh & 2 English) for 2012 and 2013. With regard to future capacity (2021) both of the English schools have capacity as shown in the following table:

| School | January 2014 | January 2021 |
|---------------------|--------------|--------------|
| Pontybrenin Primary | 30 | 70 |
| | | |
| Penyrheol Secondary | 47 | 114 |

As such it is not necessary to ask for contributions for the English schools. With regard to the years 2014-2021 the table below shows the projected surplus capacity in both the Welsh medium schools. (based on the 2014 updated figures)

| School | January 2014 | January 2021 |
|-----------------|--------------|--------------|
| YGG Pontybrenin | 55 | -40 |
| | | |
| YG Y Gwyr | 182 | -197 |

The projected capacities above suggests that there will be a deficiency in Welsh school places. It is calculated that approx 14% of total school places are Welsh places. Applying this 14% figure to the school places required by this development equates to 1.0 place for primary (14% of 7.7 places) and 0.7 place for secondary (14% of 5.5 places). The S106 contribution for the Welsh school places therefore would equate to: £10,372 for primary (£10,372 x 1.0) and £11,093 for secondary (£15,848 x 0.7) : Total £21,465.

Arboricultural Observations

The site for proposed development is an agricultural site consisting of a small field bordered on the north by an outgrown hedgerow which is protected under Area Order TPO 562:A001. The site is bordered on the south and east by small woods and on the west by an outgrown hedgerow and public footpath. (Measurements given have been taken from the barbed wire field boundary and not the board fence).

- It is important that the trees are looked at not only individually but in the context of their groupings as woods or hedgerows and their contribution visually and ecologically to the surrounding landscape.
- I have classified the majority of the trees bordering this site as Class B2 according to BS5837:2012 [trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals] and the remainder of the trees as A2, C2 or U category. Many of the trees have damage from fence wire and animal grazing which is to be expected and the amount of deadwood present is to be expected from trees which have been unmanaged.

- Trees along north boundary (TPO 562). The proposed extent of cutting back is too excessive. T27 has a crown spread of 10m to the south – to reduce this to 4m is too much (see attached photo).
- There is scope for limited reductions or crownlifts on these trees and trees that have collapsed into the field can be removed.
- The trees here are already under pressure from the buildings on the north side of the fence.
- It has been noted that a large root has been severed on T26 to place the board fence in situ and that the site office is directly under the canopies of T26 and T27 damaging a branch on T26.
- I would like to avoid the trees becoming placed in a ‘no-mans land’ between two high fences. This strip of trees should form the garden boundaries or there should be a low fence on the south side to allow for maintenance.
- There are access paths marked to the rear of properties 21, 2 and 3. These paths are within 0.5m of the field boundary and if the paths are constructed they will encroach into the bases of the trees along this line. These paths will need to be moved.
- East boundary – the trees along here form part of a small woodland which is on the tithe map dated 1839 and successive Ordnance Survey maps. T22 and T21 are mature trees in fair condition and should be preserved as part of the woodland.
- The development is encroaching into the woodland edge by at least 5m losing all of the trees along the woodland edge and also the strip of hedge running from the woodland to the hedge and copse at the southern end of the site.
- The pumping station is proposed to be placed in the south-west corner of the woodland which would mean losing a number of trees here.

Southern boundary – these trees border a small copse and have mainly been classified as B2 in terms of their contribution to the landscape as a group.

Western boundary – these trees have mainly been classed as B2 trees. It is important to retain the hedgerows as opposed to singling out individual trees. This means encouraging regrowth of hedgerow species such as hazel, hawthorn and holly.

APPRAISAL

This application is reported to Committee for decision at the request of Councillor Will Evans to assess the impact of the development on local residents.

Full planning permission is sought for the construction of 25 residential units and associated works, including underground pumping station and surface water attenuation pond.

Site and Surroundings

The site comprises an area of greenfield grazing land measuring approximately 0.73ha which is set behind the recently constructed houses within Beauchamp Walk which is accessed from the new roundabout on Loughor Road. The site is bound to the north by the new dwellings, to the south and east by open fields and to the west by a public footpath (Llwchwr 37) and dwellings in Maes Dafydd. The fields to the east are within the ‘Green Wedge’

The site slopes gently from west to east and comprises one large field bounded by mature hedging. The trees within the northern hedgerow are protected by a group Tree Preservation Order (TPO 562).

The site is allocated within the wider housing allocation HC1 (103). The first phase of this development was granted permission for 86 houses under planning permission 2012/0044 on 17/05/2013.

The Proposal

The application consists of 25 residential units with the following dwelling mix:

- 4no. three bedroom (2 storey) detached houses
- 3no. four bedroom houses (2.5 storey) detached houses
- 10no. three bedroom houses (2.5 storey) semi-detached & terraced houses
- 6no. three bedroom houses (2 storey) semi-detached & terraced houses
- 2no. two bedroom (2 storey) semi-detached houses

Four dwellings are proposed to be 'affordable housing' which equates to 16% provision across the site. It will comprise of 4 low cost ownership houses (2no. three bedroom houses and 2no. two bed houses). The percentage of affordable housing in the original consented scheme was 17%.

Car parking is provided in the form of private drives and small parking courts.

The new access will lead off an existing spur in Beauchamp Drive which in turn is accessed from the new mini roundabout proposed on Loughor Road. The access and estate road will be private roads and will not be offered for adoption. The applicant has stated that the new roads will be maintained by a private management company.

A public footpath is proposed linking the application site to the existing public right of way (Llwchwr 37).

A surface water attenuation pond and a pumping station would be located to the east of the development site within the 'green wedge' area. The future maintenance of the ponds is also proposed to be managed by a private management company.

A number of TPO trees within the TPO hedgerow on the northern boundary are proposed pruned as part of the application and part of the existing hedgerow adjacent to Beauchamp Walk would need to be removed to accommodate the new access road. The hedgerows and trees forming the western and southern boundary would be retained.

An Environmental Impact Assessment (EIA) was not required.

Main Issues

The main issues for consideration with regard to this application relate to the acceptability of residential development at this greenfield site in terms of the impacts of the development on the character and appearance of the area, residential amenity impacts on neighbouring occupiers, impact of the development on access, parking, highway safety and impacts upon environmental interests having regard to the provisions of the policies of the City and County of Swansea Unitary Development Plan 2008 (UDP) listed within the previous pages. The SPG – Places to Live : Residential Design Guide is also relevant to this proposal.

There are in this instance no additional overriding issues for consideration under the provisions of the Human Rights Act.

Principle of Development

The site forms part of an allocated housing site within the current UDP under Policy HC1 (Housing Sites) (103) 'Land South of Loughor Road' where the potential for 110 homes is indicated. This site represents approximately 0.73ha of the wider allocation – 86 homes have already been constructed as part of phase 1 (2012/0044).

The site allocated within the Greater North West Swansea housing policy zone. The amplification to the policy confirms that it is not necessary to phase the release of greenfield land given the relatively low levels of release proposed. These greenfield sites (including this site) are all within this housing policy zone where there would otherwise be a housing land shortage due to the lack of available alternative sites within existing settlements. Having regard to Policy HC1, the principle of residential development on this greenfield site is acceptable in accordance with the UDP housing strategy.

It is noted however that the scheme does not include the whole of the housing allocation site HC1 (103) as it excludes the land to the south. However it is noted that within the proposed layout, provision is made for future access to this land.

Visual Amenity and Urban Design

The character of the built form in the area is mixed and there is no specific architectural style or development pattern that the proposal would need to adhere to. The site sits immediately adjacent to the new Persimmon Homes site which has recently been constructed. Policy EV1 requires developments to be appropriate to their local context in terms of scale, height, massing, elevational treatment, materials, detailing, layout, form, mix and density.

The layout and design of the development was subject to pre-application discussions and further amendments have been made during the course of the planning application to improve the overall layout and address officer concerns in respect of the design of the parking areas, the design of corner plots, impacts upon the retained trees, and front and rear boundary treatments.

The scheme comprises of a short access road running from the north east to south west which terminates at a dead end for possible future access to the south to the remainder of the housing allocation area. Running orthogonally off either side of this road in a staggered manner is a short cul-de-sac to the west, which provides for a pedestrian link through to an existing north-south footpath running down the western side of the site, and a short section of road to the east which also terminates at a dead end. Also coming off the eastern side of the main access road is access to a rear parking court area. All dwellings front onto one of these roads or the parking court area. A mixture of parking arrangements are proposed including rows of frontage parking, side drives, and a small rear parking court area. All dwellings have rear gardens except for the 2 dwellings at the site entrance (plots 1 & 25) which have side gardens. It is proposed to retain much of the existing hedgerow vegetation around the northern, southern and western site boundaries.

Focal buildings have been used to terminate important vistas within the site and amendments have been made to two of the corner plots to provide windows in their side elevations to improve the relationship of these buildings to the street.

The development would consist of twelve, two storey dwellings and thirteen, two storey with loft room dwellings (2.5 storey) in a mix of detached, semi-detached and terraced houses facing the street. It is considered that the houses would have a positive relationship with the public realm and would create an attractive traditional streetscene that maximises natural surveillance; and that layout and design would provide a good mix of houses within the development with a traditional appearance in respect of their detailing and roof forms. The materials consist of a mix of brick, render, reconstituted stone and smooth grey roof tiles. Prominent boundaries are proposed to be brick screen walls which would provide a quality and robust boundary treatment.

The development of part of this wider allocated site is welcomed. The proposed layout is legible and the homes would have a positive relationship to the street.

Notwithstanding the above paragraphs, concern has been raised by the Tree Officer with regard to the proximity of plots 19, 20, 21, 22 and 23 and the protected trees along the northern boundary. The applicant has shown a line of pruning / crown lifting of these trees which is considered to be too severe and would harm the longevity of the trees. As such the applicant has agreed to amend the layout to ensure that the above numbered plots are positioned so that the works to the trees would be within acceptable parameters. In addition, the rear foot paths to plots 3, 4, 20 and the car parking spaces for plot 25 are within 0.5m of the field boundary which would encroach on the base of the trees along this line. Therefore these paths and car parking spaces will need to be carefully constructed and/or amended to prevent them harming the bases and roots of these trees. This and the layout amendments can be secured by way of a condition to the permission.

An area of land between the curtilages houses at plots 19, 18, 12, 11, 10 and 9 and the boundary of the site (western & southern boundary) which contains hedgerows and trees is to be managed and maintained by the Management Company which will be secured via the S106.

As such it is considered that the proposed design and layout of the estate is acceptable and complies with the provisions of Policy EV1 and EV2 of the UDP and the SPG – Places to Live: Residential Design Guide.

Residential Amenity

With regard to the amenity of existing residents in Beauchamp Walk which back on to the application site, sufficient separation distances would be maintained to ensure that existing privacy levels would not be compromised by the proposed development. Each of the dwellings which would abut the northern boundary would have a garden length of 10m to ensure that privacy levels are not detrimentally impacted upon. In terms of overbearance and overshadowing, sufficient distance would be maintained to ensure that none of the properties within Beauchamp Walk would be adversely affected by the new development. As such the application is considered to be acceptable in this regard.

The existing houses to the west within Maes Daffydd are located approximately 21m from the site and are separated by the existing public footpath and as such would not be adversely affected by this development.

In terms of the residential amenities of the future occupiers of the development, the site layout has been amended to ensure a minimum separation distance of 21m from rear to rear elevations of all the dwellings. In addition the vast majority of the proposed plots would

have rear gardens of a length of 10m. On this basis, it is considered that the proposed layout would not give rise to any harmful impacts on the residential amenities of the future occupiers.

Having regard to the above, it is considered that the proposed development would not result in any significant impacts on the amenities of existing residents in Beauchamp Walk or Maes Dafydd and would not raise adverse impacts in respect of the residential amenities of the proposed development. The proposal would therefore be in accordance with Policy EV1 of the UDP.

Highway Impacts

The Head of Transport and Engineering considers that the likely traffic generated by this additional 25 dwellings has been quantified and considered not to have any significant detrimental impact, as detailed in the Highway Observations section of this report. The applicant has agreed to pay £17,425 towards local highway safety improvements. Access into this site extension is in place and is considered to be suitable for the level of traffic likely to be generated by this development. As such, no highway objections have been raised subject to conditions.

Affordable Housing

UDP Policy HC3 (Affordable Housing) highlights that where a demonstrable lack of affordable housing exists, the Council will seek to negotiate the inclusion of an appropriate element of affordable housing on suitable sites. The evidence base for this need is the Local Housing Market Assessment which assessed the dynamics of the housing market in around Swansea and underpins the Council's Housing Strategy. The affordable housing provisions has been subject to negotiations which has resulted in a total of 4 affordable housing units (2no. three bedroom houses and 2no. two bed houses) being agreed, comprising of low cost home ownership units, which equates to 16% provision across the site which is considered to be an appropriate level in this instance. The percentage of affordable housing in the original consented scheme was 17%. These units have been identified on the submitted plans and have been sited throughout the site. The provision of the agreed level of affordable housing can be secured by a S106 planning obligation.

Education

The Director of Education has requested a financial contribution for local the following schools within the catchment of the application site:

Primary : Pontybrennin Primary (English) and YGG Pontybrennin (Welsh).

Secondary : Penyrheol Comprehensive (English) and Ysgol Gyfun Gwyr (Welsh)

At present there is spare capacity at all the 4 schools (2 Welsh & 2 English) for 2012 and 2013. With regard to future capacity (2021) both of the English schools have capacity. As such it is not considered reasonable to require contributions for the English schools. The projected capacities suggest that there will be a deficiency in Welsh school places. The S106 contribution for the Welsh school places therefore would equate to: £10,372 for primary (£10,372 x 1.0) and £11,093 for secondary (£15,848 x 0.7) : Total £21,465.

Ecological Issues

The development site has been subject to an ecological survey. The grassland area is presently of low ecological value mainly due to the existing management regime. The

surrounding hedges with trees are of value and should be retained. The Council's Ecologist has noted that there are three trees growing in the southern hedge that have been identified as having bat roost potential (described in target note 5 of the survey) and has asked that if any work is intended to be carried out on these they must be subject to a bat survey prior to any work starting – these trees are shown to be retained. No objections are raised, therefore, subject to conditions.

Trees

The site contains a number of trees – the trees within the northern boundary are subject to Tree Preservation Orders (TPO). A Tree Survey report, and a planting plan which includes works to the TPO trees was submitted which provides details regarding the quality, condition and constraints of the trees and hedgerows on this site.

The Council's Tree Officer considers that the details submitted provide adequate space for many of the retained trees and hedgerows on this site. Some trees and hedgerows as identified have been highlighted to be removed and some branch pruning work will be required to many of the boundary trees/hedgerows on this site. It is considered that the proposal is acceptable in arboricultural terms subject to the inclusion of the planning conditions and informatives.

Notwithstanding the above paragraphs, concern has been raised by the Tree Officer with regard to the proximity of plots 19, 20, 21, 22 and 23 and the protected trees along the northern boundary. The applicant has shown a line of pruning / crown lifting of these trees which is considered to be too severe and would harm the longevity of the trees. As such the applicant has agreed to amend the layout to ensure that the above numbered plots are positioned so that the works to the trees would be within acceptable parameters. In addition, the rear foot paths to plots 3, 4, 20 and the car parking spaces for plot 25 are within 0.5m of the field boundary which would encroach on the base of the trees along this line. Therefore these paths and car parking spaces will need to be carefully constructed and/or amended to prevent them harming the bases and roots of these trees. This and the layout amendments can be secured by way of a condition to the permission.

Coal Mining Issues

The Coal Authority considers that the content and conclusions of the Site Investigation Report are sufficient for the purposes of the planning system and meets the requirements of Planning Policy Wales in demonstrating that the application site is, or can be made, safe and stable for the proposed development. As such, the Coal Authority has no objection to the proposed development.

Water Quality Issues

This application is located within the area where ongoing concerns raised by Europe and Welsh Government regarding the water quality of the Loughor Estuary which is part of the following European protected sites: Carmarthen Bay and Estuaries Special Area of Conservation; Carmarthen Bay Special Protection Area; and Carmarthen Bay RAMSAR (CBEEMs). The City and County of Swansea as Local Planning Authority has followed the precautionary approach advised by its statutory advisor CCW towards all development that drains into CBEEMs, and carried out the following Habitat Regulations Assessment

Burry Inlet Habitat Regulations Assessment

Introduction

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 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.

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).

The LPA has therefore satisfied its obligations as the 'competent authority' under the Habitats Directive and associated Habitat Regulations. This is in line with the requirements of National Policy Guidance and Policy EV25 of the Unitary Development Plan.

Hydraulic Capacity Issues in Gowerton WwTW Drainage Network

Whilst the LPA is satisfied that it has addresses the issues relating to the Habitat Regulations on this site, there are still outstanding issues in the Gowerton Waste Water Treatment Works (WwTW) catchment area.

In 2011 Dwr Cymru Welsh Water adopted the findings of a study commissioned to investigate the problems and solutions relating to foul drainage in this drainage catchment area. They have also prepared a plan of improvements works for Gowerton WwTW catchment area to start in 2020 (AMP7). In the meantime they are prepared to bring forward schemes if developers finance them.

In addition, the Council has kept a register of savings made on brownfield sites and some of these have been completed. The register is required by the Memorandum of Understanding 2011 agreed and signed by the City & County of Swansea, together with its partners Carmarthenshire County Council, Dwr Cymru Welsh Water, and Natural Resources Wales.

Foul Drainage

This development will separate surface water and land drainage from foul water, so the only drainage impact on the existing sewerage drainage system to Gowerton WwTW would be the foul connections. It is estimated that the maximum foul flow from this site can easily be accommodated by potential surface water removal schemes or compensatory water savings already made from other brownfield developments in the area.

Dwr Cymru Welsh Water has not objected to this scheme. Whilst Natural Resources Wales raised concerns last autumn regarding the impact of new residential development on the water quality of the estuary, there is no conclusive evidence that supports this view, and the Agency has since agreed to the Council's adopted Habitats Regulation Assessment. The HRA conclusions are based on objective information available through the 2010 Environment Agency's own Review of Consents of Gowerton WwTW.

The current application if approved will be subject to planning conditions controlling drainage, including the use of SUDs, on this basis, there is no known evidence to justify refusal on drainage grounds. Subject to further control by conditions, it is considered that the drainage arrangements for this scheme are acceptable and can meet the overarching aims of sustainable development in this area, and satisfy the provisions of Policies EV33, EV34, and EV35 of the UDP.

Land and Surface Water Drainage

The arrangements for surface water drainage have been submitted and have been considered by the Council's Drainage Officer and NRW. Surface water from the roofs, hard surfaces and roads will be discharged via an attenuation pond at greenfield rates.

The details provided are considered to be satisfactory in principle, but it is considered necessary to secure further details of the drainage arrangements via conditions, prior to the commencement of development on site, to ensure there is no potential future harm to the water environment of the estuary or the amenities of existing and future residents. On the basis of the information submitted to date, it is considered that there are no overriding reasons to warrant a refusal of permission on drainage grounds alone.

Subject to further control by conditions, it is considered that the drainage arrangements for this scheme are acceptable and are in accordance with the provisions of Policies EV33, EV34 and EV35 of the UDP.

Section 106 Contributions

Education : The S106 contribution for the welsh school places therefore would equate to: £10,372 for primary (£10,372 x 1.0) and £11,093 for secondary (£15,848 x 0.7) : Total £21,465.

Affordable Housing : Four units (16%) low cost home ownership houses (2 x 3 bed and 2 x 2bed)

Highways : a contribution of £17,425 towards local highway safety improvements

Management plans for future maintenance and management of the:

- attenuation pond & pumping station,
- the footpath between the site and the existing public right of way (LLwchwr 37),
- the land between the curtilages of houses at plots 19, 18, 12 11, 10 and 9 and the boundary of the site (western & southern boundary)

Management and monitoring fee for the S106 – this will be based on either 20% of the planning application fee (£1,650) or 2% of the value of the obligations of the S106 agreement (which ever is the greater and subject to a minimum charge of £150).

Other Material Considerations

The concerns raised by third parties are summarised above and have been addressed within the above appraisal. This includes reference to UDP policy considerations, the current status of this greenfield site, its acceptability for development and impacts upon schools and local services The highway access and public safety concerns relating to traffic (including during the course of construction) are considered in the Highways section above. The design and layout considerations have been carefully assessed and amendments have been made to ensure that the design and layout would be acceptable. The impact on trees, local wildlife and ecology has been properly assessed by NRW, the Council's Ecologist and the Council's Arboricultural Officer and subject to conditions is considered to be satisfactory in this respect.

Concerns have been raised with regard to air quality from car fumes – the site is not located in a specified area of concern with regard to air quality and the Pollution Control Team have raised no objections to this development.

The management of the attenuation pond & pumping station will be secured under the Section 106 Planning Obligation Agreement.

Conclusion

Having regard to all material planning considerations, including the provisions of the Human Rights Act, the proposal for residential development of 25 dwellings on a site allocated for housing in the UDP is considered to be acceptable in terms of its impacts on the character and appearance of the area, impacts on residential amenity and impacts on access, parking and highway safety. The layout and design of the development will create a distinctive

development that has had regard to the hedgerows bounding the site and, and will provide connections to the wider sections of the allocated housing site.

The drainage proposals have been considered in the above report including the foul connections and the hydraulic capacity issues, as well as the land / surface water drainage issues. It is considered that the requirements of DCWW and NRW for compensatory surface water savings in the Gowerton WwTW catchment area can be accommodated for by potential surface water removal scheme or the Council's Register of savings made from brownfield sites within the Gowerton WwTW catchment area.

As such the application is considered to comply with the provisions of policies AS1, AS2, AS6, EV1, EV2, EV3, EV30, EV33, EV34, EV35, HC1, HC3, HC17 of the City & County of Swansea Unitary Development Plan 2008 and the SPG – Places to Live: Residential Design Guide.

RECOMMENDATION

That planning permission be granted subject to the following conditions and the applicant entering into a S106 Planning Obligation to provide:

- **4 units of affordable housing on the site;**
- **an education contribution of £21,465,**
- **a highways contribution of £17,425**
- **management plans for future maintenance and management of the:**
 - **attenuation pond & pumping station,**
 - **the footpath between the site and the existing public right of way (Llwchwr 37),**
 - **the land between the curtilages of houses at plots 19, 18, 12 11, 10 and 9 and the boundary of the site (western & southern boundary)**
- **Management and monitoring fee for the S106 – this will be based on either 20% of the planning application fee (£1,650) or 2% of the value of the obligations of the S106 agreement (which ever is the greater and subject to a minimum charge of £150).**

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 dwelling hereby approved shall be occupied until the surface water removal strategy as indicated on drawing C/110 Rev 4 (Engineering Layout) dated 20th January 2015 has been implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with the details thereby approved.
Reason To provide satisfactory surface water removal for 6 dwellings to prevent hydraulic overloading of the public sewerage system and pollution of the environment.
- 3 Prior to the commencement of the construction of the 7th dwelling hereby approved either,

a) a surface water removal strategy delivering sufficient compensation for the foul flows from the development shall have been implemented in accordance with details which have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, or,

b) Works to upgrade the sewage infrastructure at Gowerton WwTW have been implemented in full and written confirmation of this has been issued by the Local Planning Authority.

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

- 4 Unless otherwise agreed in writing with the Local Planning Authority, foul water and surface water discharges must be drained separately from the site and no surface water or land drainage shall be allowed to connect (either directly or indirectly) to the public foul sewerage system.

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

- 5 Surface water from the site shall discharge at no greater than 5 l/s as stated using an approved flow control device as per drawing no. C/110 Rev 4 (Engineering Layout) dated 20th January 2015.

Reason : To reduce surface water loading to the watercourse network and reduce surface water flood risk downstream.

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

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

- 7 Prior to the commencement of any development, a scheme for the ownership and maintenance of the surface water system shall be submitted and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans / specification at such time(s) as may be specified in the approved scheme.

Reason: To ensure the satisfactory long-term operation of the surface water management scheme to prevent the increased risk of flooding to the development itself and surrounding third parties.

- 8 The development shall be completed in accordance with the recommendations in section 8 (Recommendations) of the approved Extended Phase 1 Habitat Survey by Hawkswood Ecology dated 31 May 2014 .

Reason :In the interests of protecting the ecology of the site and surrounding area.

- 9 Prior to any works being carried out to the three trees growing in the southern hedge that have been identified as having bat roost potential (described in target note 5 - para 6.10 of the approved Extended Phase 1 Habitat Survey by Hawkswood Ecology date 31 May

2014) a full bat survey shall be submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in strict accordance with the details thereby approved.

Reason :In order to ensure the protection of a European Protected Species.

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

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

- 11 Prior to the commencement of development on site full details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing 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.

Reason: To ensure that the development is provided with satisfactory vehicular access in the interests of public safety.

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

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

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

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.

- 13 If, during the course of development, contamination not previously identified is found to be present at the site no further development [unless previously agreed in writing with

the Local Planning Authority] shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a detailed strategy for dealing with said contamination.

Reason : To ensure that the safety of future occupiers is not prejudiced

- 14 Prior to the commencement of development on site full details of the remediation works as set out in Section 11.2 of the approved Site Investigation Report by Integral Geotechnique dated 26th September 2014 shall be submitted to and approved in writing by the Local Planning Authority. The remedial works to treat any mine entries or other coal mining legacy features, shall undertaken and completed prior to the construction of the development and shall be completed in accordance with the details thereby approved.

Reason: In order to establish the exact situation regarding coal mining legacy issues on the site.

- 15 Prior to the commencement of development full details of the pumping station, including the means of enclosure and access point, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the details thereby approved.

Reason: To ensure a satisfactory means of drainage.

- 16 Unless otherwise agreed in writing by the Local Planning Authority, the proposed parking area hereby approved/illustrated on the submitted plan shall be:

- (i) porous or permeable; or
- (ii) constructed to direct run-off water from the hard surface to a porous or permeable area or surface within the curtilage of the dwellinghouse; and
- (iii) be permanently maintained so that it continues to comply with the requirements of paragraph (i) and (ii).

Reason: In the interests of sustainability.

- 17 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no fences, gates or walls shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road.

Reason: To ensure that the overall open plan housing layout is not prejudiced by uncontrolled development.

- 18 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, D and E of Schedule 2, Part 1 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.

- 19 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 unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

- 20 No part of the development hereby permitted shall be occupied until street lighting has been installed in accordance with a detailed scheme to be agreed with the Local Planning Authority.

Reason: To ensure a convenient and safe form of development.

- 21 Notwithstanding the details shown on the approved plans, 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.

- 22 Notwithstanding the details shown on the approved plans, no development or other operations shall take place except in accordance with the guide on "The Protection of Trees on Development Sites" attached to this planning permission. No trees, shrubs, or hedges shall be felled or cut back in any way, except where expressly authorised by the landscaping scheme as approved by the Local Planning Authority until two years after the completion of the development. Any trees, shrubs or hedges removed without such authorisation, or dying, or being seriously damaged or diseased before the end of that period shall be replaced by plants of a size and species as may be agreed with the Local Planning Authority.

Reason: To secure the protection of trees growing on the site whilst the development is being carried out.

- 23 The tree works to which this permission relates must be completed in their entirety no later than 2 years from the date of this consent, after which time the consent is no longer valid.

Reason: In the interests of visual amenity and safety, and the continued health of the tree.

- 24 The Local Planning Authority shall be notified a minimum of 7 days in advance of the date and time when tree the works are to be carried out.

Reason: To give the Local Authority the opportunity to inspect the work being carried out.

- 25 The replacement trees must be planted during the first planting season (October-March) immediately following the felling of the trees authorised by this consent. The planting shall be carried out in accordance with the Code of Practice for General Landscape Operations BS4428:1989 Section 7.

Reason: In the interests of visual amenity, and to accord with Section 197 of the Town and Country Planning Act 1990.

- 26 Should any of the replacement trees be removed, die or become severely damaged or seriously diseased all within 5 years of planting, it shall be replaced by a tree of similar size and species to that originally planted.

Reason: In the interests of visual amenity, and to accord with Section 197 of the Town and Country Planning Act 1990.

- 27 Prior to any tree works commencing on site, the precise details of the works to be undertaken to the tree(s) shall be agreed and clearly identified on site by the Local Planning Authority in consultation with the contractor commissioned to undertake the

works. The works shall then be undertaken in accordance with the details thereby agreed.

Reason: In the interests of visual amenity, and to accord with Section 197 of the Town and Country Planning Act 1990.

28 Prior to the commencement of work on site, full details of the proposed footpath link in front of plot 19 from the application site to the existing public footpath Llwhwr 37 including a cross section showing its gradient, the surface treatment and its relationship to all existing trees and their root protection areas shall be submitted to and approved in writing by the Local Planning Authority. The path shall be completed in accordance with the details thereby approved prior to the construction of the last dwelling.

In Reason: the interests of the amenity of the area.

29 A detailed scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority, and shall be implemented prior to the commencement of work on site.

Reason: In the interests of the ecology and amenity of the area.

30 Notwithstanding the details shown on the approved plans, the paths to plots 3, 4 and 20 and the car parking spaces for plot 25 shall be relocated / redesigned to ensure that do not harm the base of the trees and root protection area. Full details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on site. The development shall then be implemented in accordance with the details thereby approved.

Reason: To ensure that the trees along the northern boundary are adequately protected

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: AS1, AS2, AS6, EV1, EV2, EV3, EV30, EV33, EV34, EV35, HC1, HC3, HC17

2 Please be aware that under the Flood and Water Management Act 2010 the City and County of Swansea is now classified as the Lead Local Flood Authority (LLFA) and as part of this role is responsible for the regulation of works affecting ordinary watercourses. Our prior written consent for any works affecting a watercourse may be required irrespective of any other permissions given and we encourage early engagement with us to avoid any issues.

3 The applicant is advised that to discharge condition 11 that the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

4 The applicant is advised to provide the LPA with details of the Company Secretary and the registered company address for the Company ultimately responsible for the application site to ensure serving of documentation upon appropriate persons.

5 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.

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.

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.

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

- 6 The developer is advised to contact Dwr Cymru (Welsh Water) Telephone Swansea 772200 Ext. 2562 with regard to adequacy of water supply and position of water distribution mains in the area.
- 7 To protect the integrity of the Public Sewerage System, foul water and surface water discharges shall be drained separately from the site.
- 8 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, 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.
- 9 To prevent hydraulic overload of the public sewerage system and pollution of the environment, land drainage run-off shall not be permitted to discharge, either directly or indirectly, into the public sewerage system.
- 10 If connection is required to the public sewerage system, the developer is advised to contact Dwr Cymru Welsh Water's Developer Services on 0800 917 2652.
- 11 The developer is advised that the Welsh Government are planning to introduce new legislation that will make it mandatory for all developers who wish to connect to the public sewerage to obtain an adoption agreement for their sewerage with Dwr Cymru Welsh Water (DCWW) (Mandatory Build Standards). Further information on the Mandatory Build Standards can be found on the Developer Services Section, DCWW at www.dwrcymru.com or on the Welsh Government's website www.wales.gov.uk.

- 12 The developer is advised that some public sewers and lateral drains may not be recorded on Dwr Cymru Welsh Water's (DCWW) maps or public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. DCWW advise that the applicant contacts their Operations Contact Centre on 0800 085 3968 to establish the location and status of the sewer. Under the Water Industry Act 1991 DCWW has rights of access to its apparatus at all times.
- 13 Natural Resources Wales (NRW) note that the developer intends to utilise a Pumping Station as part of the foul drainage disposal system, and therefore an Environmental Permit may be required from NRW. In this respect NRW would refer the developer to the NRW Customer Contact Centre (Tel. 03000 653000) to discuss
- 14 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
- You 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.
- 15 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).
- 16 The applicant is advised that the development must be carried out in accordance with the approved plans. If, prior to or during the implementation of this permission, any particulars are found to be inaccurate then the Local Planning Authority must be informed and works shall not commence or be continued until the matter has been resolved. Failure to do so could lead to the serving of an enforcement or stop notice.
- 17 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 18 The Council is responsible for the naming and numbering of streets within the administrative area. All new property addresses or changes to existing addresses arising from development for which planning consent is sought must be cleared through the Council's Street Naming and Numbering Officer as soon as building work commences. Street naming and numbering proposals must be agreed with

the Council prior to addresses being created or revised. Please note that there is a charge for the provision of some street naming and numbering services.

For further information please visit www.swansea.gov.uk/snn or contact the Council's Street Naming and Numbering Officer, City & County of Swansea, Room 2.4.2F, Civic Centre, Swansea, SA1 3SN. Tel: 01792 637127; email snn@swansea.gov.uk

- 19 The applicant or his contractor should contact the Council's Tree Officer (Tel. No. 01792 635724) with regard to the discharging of any of the conditions of this consent.
- 20 The applicant or his contractor should follow the advice given in BS 3998 (2010) 'Recommendations for Tree Work'.
- 21 The Developer must contact the Team Leader, Highways Management, City & County of Swansea (Highways), Penllergaer Offices, c/o Civic Centre, Swansea, SA1 3SN (Tel: 01792 636091) before carrying out any work.

PLANS

BK-WD16 Rev ? Bickleigh (village) plans & elevations,
HB-WD16 Rev I, Hanbury (village) plans & elevations
LY-WD16 Rev J Lumley (village) plans & elevations
MR-WD16 Rev F Morden (village) plans & elevations
received 31 May 2014.

CA-WD16 Rev B - Clayton (village) plans and elevations;
CCA-WD16 Rev E - Clayton Corner (village) plans and elevations
received 26th September 2014

LOUGH-15-04-01 Rev E Site location plan
LOUGH-15-04-02 Rev F Proposed planning layout
LOUGH-15-04-03 Rec D Materials / Enclosures Plan
received 19 January 2015,

14079 C/110 Rev 4 - Engineering Layout
830.01 Rev F - Planting Plan
received 20th January 2015

* Condition number in brackets () refers to original condition number

New Condition number

- 1 (2) No dwelling hereby approved shall be occupied until the surface water removal strategy as indicated on drawing 14079 C/110 Rev 4 (Engineering Layout) dated 20th January 2015 has been implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The development shall then be completed in accordance with the details thereby approved.
Reason: To provide satisfactory surface water removal for 6 dwellings to prevent hydraulic overloading of the public sewerage system and pollution of the environment.
- 2 (3) Prior to the commencement of the construction of the 7th dwelling hereby approved either,
 - a) a surface water removal strategy delivering sufficient compensation for the foul flows from the development shall have been implemented in accordance with details which have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, or,
 - b) Works to upgrade the sewage infrastructure at Gowerton WwTW have been implemented in full and written confirmation of this has been issued by the Local Planning Authority.Reason: To prevent hydraulic overloading of the public sewage system and pollution of the water environment.
- 3 (4) Unless otherwise agreed in writing with the Local Planning Authority, foul water and surface water discharges must be drained separately from the site and no surface water or land drainage shall be allowed to connect (either directly or indirectly) to the public foul sewerage system.
Reason : To prevent hydraulic overloading of the public sewerage system and pollution of the environment.
- 4 (5) Surface water from the site shall discharge at no greater than 5 l/s using an approved flow control device as per drawing no. 14079 C/110 Rev 4 (Engineering Layout) received on 20th January 2015 February 2015.
Reason : To reduce surface water loading to the watercourse network and reduce surface water flood risk downstream
- 5 (6) No drainage works shall commence on site until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how foul water, surface water and land drainage will be dealt with and this has been approved in writing by the Local Planning Authority. This scheme shall include details of a sustainable drainage system (SuDS) for surface water drainage and/or details of any connections to a surface water drainage network. The development shall not be brought into beneficial use until the works have been completed in accordance with the approved drainage scheme, and this scheme shall be retained and maintained as approved unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that a satisfactory comprehensive means of drainage is achieved and that no adverse impact occurs to the environment or the existing public sewerage system and to minimise surface water runoff.

- 6 (7) Prior to the commencement of any drainage works on site a scheme for the ownership and maintenance of the surface water system shall be submitted and agreed in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans / specification at such time(s) as may be specified in the approved scheme.
To ensure the satisfactory long-term operation of the surface water management scheme to prevent the increased risk of flooding to the development itself and surrounding third parties.
- 7 (8) The development shall be completed in accordance with the recommendations in section 8 (Recommendations) of the approved Extended Phase 1 Habitat Survey by Hawkswood Ecology dated 31 May 2014 .
Reason : In the interests of protecting the ecology of the site and surrounding area.
- 8 (9) No works are to be carried out to the three trees growing in the southern hedge that have been identified as having bat roost potential described in target note 5 – para 6.10 of the approved Extended Phase 1 Habitat Survey by Hawkeswood Ecology date 31 May 2014) without a full bat survey being submitted to and approved in writing by the Local Planning Authority. The works shall then be carried out in strict accordance with the details thereby approved
Reason : In order to ensure the protection of a European Protected Species
- 9 (10) The Construction Traffic Management Plan (CTMP) submitted to the Local Planning Authority on 12th March 2015 shall be implemented and adhered to at all times unless otherwise agreed in writing by the Local Planning Authority.
Reason : To ensure minimal nuisance impact on local residents/ businesses from construction traffic activities.
- 10 (11) No part of the development hereby permitted shall be occupied until full details of the proposed arrangements for the future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing 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.
Reason : To ensure that the development is provided with satisfactory vehicular access in the interests of public safety
- 11 (12) Prior to any further works being undertaken on site (including all access roads) a Construction Pollution Management Plan (CPMP) shall be submitted to and approved in writing by the LPA. The CPMP shall to include the following:
- a) Demolition/Construction programme and timetable
 - b) Detailed site plans to include indications of temporary site offices/ compounds, materials storage areas, proposed compounds, delivery and parking areas etc
 - c) Traffic scheme (access and egress) in respect of all demolition/construction related vehicles;
 - d) An assessment of construction traffic generation and management in so far as public roads are affected, including provisions to keep all public roads free from mud and silt;
 - e) Proposed working hours;
 - f) Principal Contractor details, which will include a nominated contact for complaints;

- g) Details of all on site lighting (including mitigation measures) having regard to best practicable means (BPM);
- h) Details of on site dust mitigation measures having regard to BPM;
- i) Details of on site noise mitigation measures having regard to BPM;
- j) Details of waste management arrangements (including any proposed crushing/screening operations); and
- k) Notification of whether a Control of Pollution Act 1974 (Section 61) Notice is to be served by Principle Contractor on Local Authority.

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

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.

- 12 (13) If, during the course of development, contamination not previously identified is found to be present at the site no further development [unless previously agreed in writing with the Local Planning Authority] shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a detailed strategy for dealing with said contamination.
Reason: To ensure that the safety of future occupiers is not prejudiced
- 13 (14) The remediation works as set out in Section 11.2 of the approved Site Investigation Report by Integral Geotechnique dated 26th September 2014 and the information submitted on 12th March 2015 comprising the Integral Geotechnique Letter and Plan dated 05/02/15; Integral Geotechnique Report No. 11392/DPD/14 – Phase 2 Loughor Road, Gorseinon: Ground Stabilisation of Shallow Mineworkings Specification; and Quad Consult Dwg No. 14079/207 Rev 1 – Mine Shaft Cap shall be undertaken and completed before the commencement of construction of the first dwelling.
Reason : To ensure that the coal mining legacy issues on the site are adequately addressed.
- 14 (15) No part of the development hereby permitted shall be occupied until full details of the pumping station, including the means of enclosure and access point, have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the details thereby approved.
Reason : To ensure a satisfactory means of drainage.
- (16) (condition not necessary and has been removed)
- 15 (17) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no fences, gates or walls shall be erected within the curtilage of any dwelling house forward of any wall of that dwelling house which fronts onto a road.
Reason : To ensure that the overall open plan housing layout is not prejudiced by uncontrolled development.
- 16 (18) 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, D and E of Schedule 2, Part 1 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

- 17 (19) Samples of all external finishes shall be submitted to and approved by the Local Planning Authority in writing before construction commences above damp proof course. The scheme shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority

Reason : In the interests of visual amenity.

- 18 (20) No part of the development hereby permitted shall be occupied until street lighting has been installed in accordance with a detailed scheme to be agreed with the Local Planning Authority.

Reason : To ensure a convenient and safe form of development

- 19 (21) The landscaping scheme shall be completed in accordance with Dwg No. 830.01 Rev F received on the 20th January 2015. 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.

- 20 (22) No development or other operations shall take place except in accordance with the guide on "The Protection of Trees on Development Sites" attached to this planning permission. No trees, shrubs, or hedges shall be felled or cut back in any way, except where expressly authorised by the landscaping scheme shown on Dwg No 830.01 Rev F received on 20th January 2015 as approved by the Local Planning Authority until two years after the completion of the development. Any trees, shrubs or hedges removed without such authorisation, or dying, or being seriously damaged or diseased before the end of that period shall be replaced by plants of a size and species as may be agreed with the Local Planning Authority during the first planting season (October-March) immediately following the felling of the trees, shrubs or hedges authorised by this consent. The planting shall be carried out in accordance with the Code of Practice for General Landscape Operations BS4428:1989 Section 7 and should any of the replacement trees be removed, die or become severely damaged or seriously diseased all within 5 years of planting, it shall be replaced by a tree of similar size and species to that originally planted.

- 21 (23) The tree works to which this permission relates must be completed in their entirety no later than 2 years from the date of this consent, after which time the consent is no longer valid unless otherwise agreed with the Local Planning Authority

Reason : In the interests of visual amenity and safety, and the continued health of the tree.

- 22 (24) The Local Planning Authority shall be notified a minimum of 7 days in advance of the date and time when tree works are to be carried out to any trees covered by a Tree Preservation Order.

Reason : To give the Local Authority the opportunity to inspect the work being carried out.

- (25) condition removed as wording has been included in condition 21 (22)

- (26) condition removed as wording has been included in condition 21 (22)

23 (27) The contractor commissioned to undertake the works to the trees on site as agreed with the Local Planning Authority on site on Wednesday 25th February and as set out in the Treescene Tree Survey Report dated 15th December 2014 and the Tree Works Schedule dated 5th February 2015 shall be undertaken in accordance with the details thereby agreed unless otherwise agreed in writing by the Local Planning Authority.

Reason : In the interests of visual amenity, and to accord with Section 197 of the Town and Country Planning Act 1990

24 (28) Prior to the construction of Plot 19, full details of the proposed footpath link in front of plot 19 from the application site to the existing public footpath Llwhwr 37 including a cross section showing its gradient, the surface treatment and its relationship to all existing trees and their root protection areas shall be submitted to and approved in

writing by the Local Planning Authority. The path shall be completed in accordance with the details thereby approved prior to the construction of the last dwelling.

Reason : In the interests of the amenity of the area,

(29) Condition removed as it is not necessary

25 (30) Notwithstanding the details shown on the approved plans, the paths to plots 3, 4 and 20 and the car parking spaces for plot 25 shall use no-dig methods to ensure that they do not harm the base of the trees and root protection area. Full details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of work on plots 3, 4 and 20 and the car parking spaces for plot 25. The development shall then be implemented in accordance with the details thereby approved.

Reason : To ensure that the trees along the northern boundary are adequately protected