

CITY AND COUNTY OF SWANSEA

MINUTES OF THE MEETING OF THE PLANNING COMMITTEE

HELD AT COMMITTEE ROOM 3A, GUILDHALL, SWANSEA ON TUESDAY
11 AUGUST 2015 AT 2.00 P.M.

PRESENT: Councillor P Lloyd (Chair) presided

Councillor(s):

A C S Colburn
D W Cole
M H Jones

Councillor(s):

E T Kirchner
A S Lewis

Councillor(s):

I M Richard
T M White

ALSO PRESENT:

Councillor R V Smith - Upper Loughor Ward Member

44. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors A M Cook, C L Philpott, P B Smith and D W W Thomas.

45. **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS**

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

Councillor D W Cole - Minute No. 54 - Local Development Plan Petitions and Proposed Housing Allocations - Site Reference UL008 - land off Borough Road, Loughor - I know one of the beneficiaries should the application be granted - personal and prejudicial and left the meeting prior to discussion of this item.

46. **MINUTES**

RESOLVED that the Minutes of the Special Planning Committee Meeting held on 6 July 2015 and Planning Committee Meeting held on 14 July 2015 be approved as correct records.

(**NOTED** comments from the Committee in relation to more detail being provided regarding Local Ward Member comments on applications.)

47. **ITEMS FOR DEFERRAL/WITHDRAWAL**

There were none.

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

The Head of Economic Regeneration and Planning submitted a series of planning applications.

Amendments to this schedule were reported and are indicated below by (#).

RESOLVED that:

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

(#) **(Item 1) Planning Application No. 2015/0070 - demolition of existing food store (1082 sq. metre gross internal floor space) and construction of a new food store (2130 sq. metre gross internal floor space) with associated access, parking and servicing arrangements at Lidl UK GmbH, Trallwn Road, Llansamlet, Swansea, SA7 9WL**

- Application approved in accordance with the recommendation.
- A site visit to the location had been undertaken by Members of the Committee prior to the meeting.
- A visual presentation was provided.
- The report was updated as follows:-
 - Page 23, section 2, first paragraph - 10823 should read 1082;
 - Page 24, section 4, second paragraph - 128 are proposed not 131 as stated.

(Item 2) Planning Application No. 2015/0036 - mixed use development comprising of demolition of existing properties at 229/230 High Street and construction of a 4 storey block to High Street incorporating 3 no. ground floor retail units (A1) (with the option to include 1 no. Class A3 unit) and 27 residential units on upper floors (incorporating the reconstruction of the Bush Hotel), 7 storey block to The Strand elevation comprising basement car parking, plant, refuse store and 30 residential units on the upper floors, with landscaped court yard, infrastructure and associated works at 229-233 High Street and 49-51 The Strand, Swansea

- Application approved subject to a section 106 obligation, in accordance with the recommendation.
- A visual presentation was provided.
- A site visit to the location had been undertaken by Members of the Committee prior to the meeting.

(#) **(Item 3) Planning Application No. 2015/0073 - demolition of the former Bush Hotel in conjunction with the proposed urban quarter mixed use development (incorporating the reconstruction of the building's façade) (application for Listed Building Consent) at 229-233 High Street and 49-51 The Strand, Swansea**

- The application was referred to CADW.
- Application approved subject to any direction by CADW.
- A site visit to the location had been undertaken by Members of the Committee prior to the meeting.
- The report was updated as follows:

The recommendation should read:

That the City and County of Swansea refer this application for determination to the Welsh Government/ CADW, in accordance with the Planning (Listed Building and Conservation Areas) Regulations 1990, with the recommendation that the application be approved subject to the following conditions:

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- Late letter of objection from Swansea Civic Society which read as follows:

“Having reviewed the documentation accompanying this application, the Swansea Civic Society strongly objects to this attempt to retrospectively authorise the indiscriminate total demolition of the Bush Hotel, a Grade 2 Listed Building.

We totally agree with the very detailed assessment provided by the Ancient Monument Society in their submission dated 24th February 2015. In addition we would bring the following to your attention:

The historical origins of the Bush Hotel have been understated in the documents, identifying it as recorded in 1842 and making the presumption that this is close to the date of construction. The AMS confirm the probability of the Georgian façade being applied to an earlier structure which is supported by the following:

The City's own publication 'Swansea City Centre Heritage Trail' states that 'it was here on the 4th July 1804 that Sir John Morris (1745-1819) Baronet of Clasemont informed the shareholders of the Oystermouth Railway Company that a link should be created between Swansea and Mumbles.'

The Evening Post article of 16th July 2013 also identifies 'the building was said to have been the site which hosted Oliver Cromwell when he visited the city in 1648 and 1649 and was used to host a summer ball that was the culmination of a week of horse racing at Crymlyn Burrows'.

The Coastal Housing Association was fully aware of the Grade 2 listed status at the time of their purchase and should therefore have taken full responsibility for the duties and implications of such ownership.

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The timeline of study work identifies that in April and May of 2012 CHA and their consulting structural engineer ATEB were well aware of the issues relating to the building and as a result instigated periodic monitoring. Further surveys by ATEB and M Williams Consulting Engineers were then instructed. Despite the findings of the surveys CHA failed in their duties to undertake any repairs or temporary works to prevent further deterioration. CADW have confirmed that the proper regulatory mechanism for demolition of a listed building is through the LBC process and any application must be able to fully justify demolition, which should be the option of last resort. This was not done.

CADW have also confirmed that CHA was advised that they should only undertake the minimal work required to make the building safe. This was not adhered to.

CADW have confirmed that they have not been contacted by the Council to date as a consultee under the application process. Hence agreements relating to a replica façade appear at best, informal.

As the building was demolished in advance of a Listed Building Consent, but with the full prior knowledge of the status of the building and responsibilities, there is no alternative but that action should be taken against the owner. To fail to do so would set a precedent and make possible the unauthorised demolition of more of the city's listed buildings currently deemed at risk e.g. Danbert House, The Palace Theatre, Scott's Pit, The Ivy Tower and many others already identified by the city's Conservation Officer.

This application should be refused.”

(Item 4) Planning Application No. 2015/1293 - revised layout to Phase 2 Student Accommodation (340 bedrooms) including 'handing' Block D and incorporating rearrangement of management suite/plant room and external layout of court yard comprising landscaping, circulation and site access, car parking and cycle provision, refuse stores and sub-station (reserved matters approved pursuant to the outline planning permission 2007/2829 granted on 19 December 2008) at land at New Cut/Morfa Road, Swansea SA1 2EN

- Application approved in accordance with the recommendation.

49. **PLANNING APPLICATION REF: 2014/1837 - CONSTRUCTION OF A 4 MW SOLAR FARM COMPRISING c14790 INDIVIDUAL PANELS AND ASSOCIATED STRUCTURES AND WORKS - LAND AT COCKETT VALLEY, WAUNARLWYDD ROAD, SWANSEA SA5 4RQ**

The Head of Economic Regeneration and Planning submitted a report which outlined that the application was reported to Planning Committee on 14 July 2015 with the recommendation that planning permission be approved subject to conditions. The Planning Committee did not accept the recommendation but resolved that the application be deferred under the two stage voting process in order that further advice could be provided on the reasons for refusal. It was added that the application had not been refused until the reasons for refusal had been recorded and approved by the Committee. A copy of the report to the Planning Committee on 14 July 2015 was provided at Appendix A.

Mr Huw Davies (applicant) addressed the Committee.

It was proposed that the application be approved subject to the conditions outlined in the report to Planning Committee on 14 July 2015.

RESOLVED that the application be approved subject to the conditions as outlined in the report to Planning Committee on 14 July 2015 as set out in Appendix A.

50. **WELSH GOVERNMENT - DEVELOPMENT MANAGEMENT PROCEDURES CONSULTATION**

The Head of Economic Regeneration and Planning presented a consultation report which sought the Council's views on secondary legislation which was summarised within the report. The response to the consultation was provided at Appendix A.

RESOLVED that the content of the consultation response set out in Appendix A be approved.

51. **WELSH GOVERNMENT - DEVELOPMENTS OF NATIONAL SIGNIFICANCE CONSULTATION**

The Head of Economic Regeneration and Planning submitted a report which outlined details of a new category of development called Developments of National Significance contained within the Planning (Wales) Bill. The proposed list of Developments of National Significance Thresholds was provided at Annex A, the list of Secondary Consents was provided at Annex B and the Consultation Response form was provided at Annex C of the report.

RESOLVED that the content of the Consultation Response set out at Annex C be approved.

52. **LOCAL DEVELOPMENT PLAN PROPOSED HOUSING ALLOCATIONS**

The Head of Economic Regeneration and Planning submitted a report which sought to finalise recommended sites for inclusion in the Deposit Plan after considering representations received.

It was outlined that through the hearings process 79 sites had been recommended for inclusion in the Deposit LDP and 8 sites had been rejected. When added to existing commitments i.e. sites granted planning permission or built out since 2010 (LDP base date), the total contribution to the required 17,100 units, housing land supply amounted to 16,376 units (i.e. a shortfall of 724 units) which was outlined at Table 1 of the report. A schedule of the Planning Committee's recommendations on the sites proposed for inclusion in the LDP after considering all representations received was attached at Appendix 1. The indicative development capacities were recorded against each site and the representations received from petitioners and site promoters were set out in full in Appendix 2.

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The Committee considered the following:

- GO007 - land at Parc Melin Mynach. 150 units.
- KB015 - land south of Loughor Road. 60 units.
- LS021 - Heol Ddu Farm, Llansamlet. 10 units.
- MB005 - land at Clasemont Road, Morryston. 75 units.

(**NOTE:** Councillor A S Lewis, Morryston Ward Member voted against this site proposal.)

- PD001 - land at Cadle, Fforestfach. 50 units.
- PD024 - land north of Milford Way. 40 units.

(**NOTE:** Councillor A S Lewis, Morryston Ward Member did not vote on this item.)

- PD039 - Cefngyfelach strategic site. 600 units.
- UL001 - land south of former Cae Duke Colliery Site. 30 units.

(**NOTE:** Councillor R V Smith, Upper Loughor Ward Member expressed concern in relation to access issues to the site and future potential intrusion into the green wedge.)

- UL008 - land off Borough Road, Loughor. 40 units.

(**NOTE:** Councillor R V Smith, Upper Loughor Ward Member spoke against this site being included within the Deposit Plan on access and over development grounds.)

(**NOTE:** A late petition containing 7 signatures against the site being included in the Deposit Plan was reported.)

- NE0011 - land at Summerland Lane, Caswell. 60 units.

RESOLVED that:

- (1) the findings of the Planning Committee in relation to the proposed allocations as set out in Appendix 1, as amended by recommendations (2) to (4) below, be reported to Council with a recommendation that they be included in the Deposit Local Development Plan, subject to the required housing allocation figure being achieved;

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- (2) candidate site GO007 - land at Parc Melin Mynach not be recommended for inclusion in the Deposit Plan and that it instead be shown as undesignated (white land) within the settlement boundary;
- (3) candidate site KB015 - land south of Loughor Road, as amended in Appendix 3, be recommended for inclusion in the Deposit Plan;
- (4) the proposed additional/alternative sites set out in Appendix 4 be recommended for inclusion in the Deposit Plan subject to the exclusion of site UL008 - land off Borough Road, Loughor and the reduction of 10 no. units proposed on each of NE011 - land at Summerland Lane, Caswell and UL001 - land south of former Cae Duke Colliery site;
- (5) the recommendation did not apply as the required housing allocation figure was achieved;
- (6) the agreed housing allocation figure be forwarded to Council for agreement and a revised LDP Delivery Agreement be prepared and agreed with the Welsh Government.

The meeting ended at 3.58 p.m.

CHAIR