

CITY AND COUNTY OF SWANSEA

MINUTES OF THE PLANNING COMMITTEE

**HELD AT COMMITTEE ROOM 3A, GUILDHALL, SWANSEA ON
TUESDAY, 8 SEPTEMBER 2015 AT 2.00 PM**

PRESENT: P Lloyd (Chair) Presided

Councillor(s)	Councillor(s)	Councillor(s)
A C S Colburn	M H Jones	I M Richard
D W Cole	E T Kirchner	D W W Thomas
A M Cook	C L Philpott	T M White

ALSO PRESENT:

Councillors CR Doyle, PM Matthews, RA Clay & UC Clay – Llansamlet Ward Members

53 **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors PB Smith and M Thomas.

54 **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTEREST.**

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

Councillor DW Cole – Minute No.57 – Personal - Planning Application No. 2015/1171 - this is a similar to a possible application that may come up in the near future in my ward, and did not vote on the application.

Councillor DWW Thomas – Minute No.57 – Personal - Planning Application No. 2015/1171 – as Deputy Cabinet Member for Education.

55 **MINUTES.**

RESOLVED that the Minutes of the Planning Committee meeting held on 11 August 2015 be approved as correct record.

56 **ITEMS FOR DEFERRAL / WITHDRAWAL.**

None.

57 **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) Application No.2015/0393 – Land to the South of Heol Dulais, Birchgrove.

Sarah Edwards(agent) addressed the Committee.

Councillor R A Clay (Llansamlet Ward Member) addressed the Committee and outlined the questions and concerns of the Local Members regarding the amended scheme.

The Committee were informed of the following updates:

Response to Consultations

A further re-consultation exercise was undertaken on 17th August 2015, 85 neighbours were consulted. ONE late letter of objection has been received which indicates flooding has occurred in the area and asks Committee to postpone any decision on further development of the site until all of the drainage issues have been rectified

Confirmation has been received that the monies required by the Section 106 agreement attached to planning permission 2013/1114 has been received by the Council. Consequently, there is no longer a requirement for the applicant to enter into a Section 106 agreement on this application.

The recommendation should therefore be amended to read :

APPROVE subject to the conditions contained in the report and the following amendments:

Condition 1 be amended to read:

1. The development shall be carried out in accordance with the following approved plans and documents: Morden – MR-WD16 Rev. J, 1104 Unit - 1104-V2, Chedworth – CD-WD10 Rev M, Hanbury - HB-WD16 Rev P, Hatfield – HT-WD16 Rev P, Rufford - RF-WD16 Rev P, Roseberry – RS-WD16 Rev S, Souter - SU-WD16 Rev R, Garages - SGD-01 received 27th February 2015. Carriageway narrowing at Heol Cledwyn - SK022 received 28th July 2015. Planning Layout - PL-01B Rev. C received 5th August 2015. Landscaping strategy LS-01 Rev. A, Boundary Enclosures

Layout - BE-01, External Works Layout - EW-01 Rev. A,
Materials Layout - MAT-01 received 13th August 2015.
Site location plan SLP-01 Rev. A received 14th August 2015.
Engineering Layout 202-004 Rev. M, Engineering Layout
202-005 Rev. N, Engineering Layout 202-005 Rev. M received
28th August 2015. Clayton Corner CCA-WD10 Rev.
G received 7th September 2015

Condition 2 be amended to read:

2. The remedial measures to treat the mine workings identified in the Supplementary Site Investigation Report dated June 2013 and any subsequent amendments to those measures made in consultation with the Coal Authority, shall be implemented prior to the development of any house plots within the zone of influence of any mine workings on the site. A verification report shall be submitted to the Local Planning Authority within two months of the completion of the remedial works.

Condition 16

Notwithstanding the details indicated on the approved plans, prior to the occupation of any dwelling hereby approved a detailed scheme for landscaping the site, including a timescale for completion of the works, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall follow the principles of the landscaping scheme approved under planning permission 2013/1114 (Drawing Nos. 821.01/01 Rev A and 821.01/02 Rev A). The approved scheme shall be carried out in accordance with the approved details. Any trees or shrubs planted in accordance with this condition which are removed, die or become seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

Add the following conditions:

Open Space

19. Prior to the occupation of any residential unit hereby approved, the following information relating to the provision of open space at the site shall be submitted to and approved in writing by Local Planning Authority

- a plan defining the open space areas,
- details, including a timescale, of the provision, management and maintenance of the areas of open space.

The open space as approved shall be laid out and planted in accordance with the approved timescale and landscaping scheme and shall be managed and maintained as approved at all times.

Road and Footpaths

20. Prior to the occupation of any residential unit hereby approved, the

following information relating to the provision of roads and footpaths at the site shall be submitted to and approved in writing by the Local Planning Authority:

- a specification, including a timescale, for the
- construction of the roads and footpaths
- details of the management and maintenance of the
- roads and footpaths

The roads and footpaths within the development shall be constructed and maintained in accordance with the approved details at all times.

Land Contamination

21. The land contamination remediation scheme for the site shall be carried out in accordance with the details indicated within the Site Investigation Report 10903/RB/11 dated September 2011 and the Supplementary Site Investigation report 10903/VA/13 dated June 2013 prior to the occupation of any residential unit hereby approved.

Reason: In the interests of health and safety.

22. Prior to the occupation of any residential unit hereby approved, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation strategy shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring to demonstrate that the site remediation criteria have been met.

Reason : In the interests of health and safety.

23. Any topsoil (natural or manufactured, subsoil, aggregate (other than virgin quarry stone) or recycled aggregate material to be imported onto the site shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved in writing by the Local Planning Authority shall be imported. All measures specified in the approved scheme shall be undertaken in accordance with the Welsh Local Government Association guidance '*Requirements for the Chemical Testing of Imported Materials for Various End Uses*'.

Subject to written approval of the above, sampling of the material received at the development site to verify that

the imported soil is free from contamination shall be undertaken in accordance with the approved scheme.

Reason : In the interests of health and safety.

The application was approved subject to the amended conditions outlined above.

(#) (Item 2) Application No.2015/1171 – YGG Lonlas, Walters Road, Llansamlet.

Councillor R A Clay (Llansamlet Ward Member) addressed the Committee and outlined the concerns of the Local Members particularly around the parking problems associated with the current and proposed new school.

The Committee were informed of the following updates:

The Legal Officer has advised that condition 12 does not appear to satisfy the Circular tests for planning conditions. The TRO process sits outwith the planning process. There is nothing preventing the Highway Authority making a TRO which will be subject to the statutory process that allows for representations to be made. If the TRO was successfully opposed then it is unlikely that the LPA would seek to enforce a condition that is desirable rather than a material requirement necessary to make the development acceptable in planning terms – particularly as the TRO process involves elements beyond a developer's control. Further, the Highways consultation response identifies an existing problem at the junction. It has not stated that the development (a *replacement* of the existing school) would exacerbate the existing problem – which is already within the Highways Authority's ambit to remedy. Remove condition 12 and re-number conditions 13-19 accordingly.

Following receipt of further comments from Pollution Control, the following conditions should be added:

19) Prior to the commencement of development, a remediation strategy options appraisal, to include all measures to be taken to reduce the environmental and human health risks identified in the submitted Phase 1 and Phase 2 Geo-Environmental and Geotechnical assessments to an acceptable level, in a managed and documented manner, to best practice and current technical guidance, shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological

systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

20) The development hereby permitted shall not be occupied until the measures approved in the scheme in condition 19 above have been implemented and a suitable validation/ verification report has been submitted to and approved in writing by the Local Planning Authority unless written consent is given to any variation.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

The application was approved subject to the additional conditions outlined above.

(#) (Item 4) Application No.2015/1107 – Plots E2 and E3a, Langdon Road, Swansea Docks.

Sarah Edwards(agent) addressed the Committee.

A visual presentation was provided.

The Committee were informed of the following updates:
Condition 1 to be amended to read:

The development shall be carried out in accordance with the following approved plans and documents: [Site Location Plan PL-02, Apartment Floor & Elevations -24023 APT- A-01, Apartment Floor & Elevations -24023 APT- A-02, Apartment Floor & Elevations -24023 APT- B-01, Apartment Floor & Elevations -24023 APT- C-01, Sample House Type Elevation HT-00, , Design and Access Statement, Transport Statement - (Plans received 23 May, 2015);

Street Scene - 24023 -SS-01 rev. A, Landscaping Layout 24023 PL-06 rev. B, (amended plans received 23 June, 2015);

House types plans and elevations HT-548 type 01 rev. A, HT-548 type 02 rev. B, HT-739 type 01 rev. B, HT-739 type 2 rev. B, HT-739 type 03 rev. B, HT-739 type 04 rev. B, HT-739 type 05 rev. A, HT-739 type 06, HT-739 type 07, HT-739 type 08, HT-911 type 01 rev. B, HT-B type 01 rev. C, HT-B type 02 rev. C, HT-B type 03 rev. C, HT-B type 41 rev. A, - (Amended Plans received 27 Aug. 2015);

Site Layout 24023 PL-03 Rev. G, Preliminary Ground Floor Plan
- House type B - Amended plans received 28 Aug. 2015]

Materials Plan -24023 PL-04 rev. F, Site Sections 24023 SE-01
Rev. A, Bin Stores 22 -24023 rev. B, Engineering Layout rev. H
10059 -001 - (Amended plans received 28 August, 2015).

Amend Condition 17 –

.....approved in writing by the Local Planning Authority prior to
the commencement...

Amend Condition 18 –

.....has been submitted to (delete by the applicant) and
approved.....

The application was approved subject to the amended
conditions outlined above.

- (2) the undermentioned planning applications **BE DEFERRED** for
the reasons indicated below:

**(Item 3) Application No. 2011/0758 – Land to the West of
Parc Y Bont, off Trinity Place, Pontarddulais.**

Reason

To request an updated flood consequences assessment and for
re-negotiation of the design and layout of the scheme in the light
of current adopted SPG. Members did not consider that the
previous resolution to approve 32 dwellings on the application
site was sufficient grounds to allow this development.

58 **PROPOSED REVOCATION OF 10 NO. TREE PRESERVATION ORDERS.**

The Head of Economic Regeneration & Planning presented a report which outlined
consideration of the revocation of a number of Tree Preservation Orders for the
reasons outlined in the report.

RESOLVED that

(1) the following Tree Preservation Orders be revoked : -
TPOs 46, 56, 57, 63, 74, 75, 87, 90, 148 & 347.

(2) the Council's practice and review currently being undertaken in relation to Tree
Preservation Orders be referred to the Scrutiny Programme Committee for
discussion.

The meeting ended at 3.22 pm

CHAIR