

CITY AND COUNTY OF SWANSEA

MINUTES OF THE PLANNING COMMITTEE

**HELD AT COMMITTEE ROOM 3A, GUILDHALL, SWANSEA ON
TUESDAY, 13 OCTOBER 2015 AT 2.00 PM**

PRESENT: Councillor P Lloyd (Chair) presided

Councillor(s)

A C S Colburn

D W Cole

A M Cook

Councillor(s)

M H Jones

E T Kirchner

C L Philpott

Councillor(s)

I M Richard

D W W Thomas

T M White

Also Present: Councillors S E Crouch & D Phillips

Apologies: Councillors P B Smith & M Thomas

59 **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 E T Kirchner – Minute No. 62 – Planning Applications

2015/1498(Item1), 2013/1405(Item 3) & 2013/1403(Item 4) – Personal as Ward Member.

60 **MINUTES.**

RESOLVED that the Minutes of the Planning Committee meeting held on 8 September 2015 be approved as a correct record.

61 **ITEMS FOR DEFERRAL / WITHDRAWAL.**

None.

62 **APPLICATION NO.2731(S) - APPLICATION TO REGISTER LAND KNOWN AS
CASTLE ACRE GREEN, NORTON, SWANSEA AS A TOWN OR VILLAGE
GREEN.**

The Head of Legal, Democratic Services & Procurement presented a report which outlined the findings and recommendations of the Inspector.

The background history to the application, the legal tests undertaken, the consultation undertaken and representations of both support and opposition received, the inquiry held, the legal advice received and the conclusion of the Inspector were all outlined and detailed to the Committee.

Dr Robert Leek addressed Committee and spoke to in support of the application.

RESOLVED that

1) the application for the above registration be granted.

2) the land of the application site be added to the Register of Town or Village Greens under Section 15 of the Commons Act 2006.

63 **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 REFUSED** for the reasons indicated in the report and/or below:

#(Item 1) Application No.2015/1498 - The Boat Yard, adjacent to Fishmarket Quay, Trawler Road, Maritime Quarter, Swansea.

Jon Woolliscroft & Frank Bowen(objectors) and Robin Williams(agent) addressed the Committee.

A visual presentation was provided.

Councillors S E Couch and D Phillips(Castle Ward Members) addressed the Committee and spoke against the application.

The Committee were informed of the following updates to the report:

Remove Condition 21 to be replaced with the following new condition:

The development shall not commence until a scheme for the provision of affordable housing as part of the development has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex B of Technical Advice Note:2 Planning and Affordable Housing or any future guidance that replaces it. The scheme shall include:

- i. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units/bed spaces;
- ii. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- iii. the arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved);
- iv. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- v. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: In order to ensure that adequate provision is made for affordable housing within the proposed development.

Informative 2 be amended to refer to Condition 21.

Add the following additional condition:

Prior to the commencement of development, elevational drawings of the western elevation of the building shall be submitted to and approved in writing by the Local Planning Authority. The approved development shall be carried out in accordance with the agreed elevational drawings.

Reason: To control the appearance of the western elevation of the building, in the interests of the visual amenities of the area.

Application refused contrary to Officer Recommendation for the following reasons:

1) The introduction of this intensive form of residential development in close proximity to existing business uses would be detrimental to the residential amenity that future residents of the proposed residential apartments could reasonably expect to enjoy, by virtue of the noise, smells and air pollution generated by the existing business operations. The proposal is therefore contrary to Policies EV2, EV40, HC2 and CC1 of the City and County of Swansea Unitary Development Plan (2008).

2) The introduction of this intensive form of residential development within close proximity to existing business activities, namely the marina boatyard (including the boat hoist operation) and commercial fish market would likely result in nuisance complaints from future occupiers of the proposed residential apartments, which in turn could unduly impact on the operations of those existing businesses, which are of strategic importance to the City and County of Swansea and its adopted vision to make Swansea a vibrant, attractive and distinctive 21st century Waterfront City which capitalises on its waterfront location. The proposal is therefore contrary to Policies EV2, EV40, HC2 and CC1 of the City and County of Swansea Unitary Development Plan (2008).

#(Item 2) Application No. 2014/1906 - 31 Hebron Road and land opposite 59-63 Hebron Road, Clydach, Swansea.

Jayne Lewis(objector) addressed the Committee.

Further letter from Canal & River Trust reported requesting additional conditions.

The Committee were informed of the following updates to the report:

Add informative 6:

"The applicant/developer is advised to contact Desmond Harris on 01827 252038 in order to ensure that any necessary consents are obtained and that the works comply with the Canal & River Trust "Code of Practice for Works affecting the Canal & River Trust".

Add at end of condition 4 '*...and shall be retained at the approved height for the duration of the use hereby approved.*

Application refused contrary to Officer Recommendation for the following reasons:

1) The application provides insufficient amenity space within the curtilage of the site for future residents of the proposed care home to the detriment of the residential amenity they can reasonably be expected to enjoy. The development is therefore contrary to policy EV1 of the City and County of Swansea Unitary Development Plan (2008).

2) The provision of inadequate car parking may lead to users of the premises parking on the highway in close proximity to the proposed care home to the detriment of the safety of highway users. The development is therefore contrary to the criteria set out in Policies AS6 and HC15 of the City and County of Swansea Unitary Development Plan 2008.

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

#(Item 5) Application No. 2008/0912 - Former Walters Yard, Pontlliw, Swansea.

Russel Price(solicitor on behalf of the one of the objectors) and Keri Thomas(agent) addressed the Committee.
A visual presentation was provided.

The Committee were informed of the following update to the report:
Late correspondence received from local resident.

Committee was advised that a request had been made from education for a contribution to Pontlliw School due to capacity issues. They were further advised that planning officers did not consider such a contribution to be reasonable in this instance due to the limited financial contribution that would be available and the limited opportunity to increase capacity within the school. However, any decision on whether an education contribution should be made was a matter for committee.

#(Item 6) Application No. 2015/0217 - 81 Gower Road, Sketty, Swansea.

David Williams(agent) addressed the Committee.

The Committee were informed of the following update to the report:
Add the following condition:

13: Each unit of the residential development hereby permitted shall be occupied only by:

- i) persons of age 55 years or over;
- ii) persons living as part of a single household with such a person or persons;

iii) persons who were living as part of a single household with such a person or persons who have since died.

Reason: The proposed parking provision falls below the standard required for unrestricted residential accommodation.

#(Item 7) Application No.2013/1522 - Swansea Gors TEC site Heol y Gors Cockett Swansea.

Paul Vining(agent) addressed the Committee.

The Committee were informed of the following update to the report:

Final sentence of Condition 6 should read as follows:

“..The approved scheme shall be completed prior to the occupation of the 20th dwelling unless otherwise agreed in writing by the Local Planning Authority.”

Amend the requirements of bullet point 1 of the S106 as follows:

1. a management plan for the future maintenance and management of the public open space which shall be secured for use by the general public in perpetuity,

(Item 8) Application No.2014/1189 - Land at Upper Bank, Pentrechwyth, Swansea.

(Item 9) Application No.2015/1222 - Penyfro, Penuel, Llanmorlais, Swansea.

James Morgan(objector) and Jason Evans(agent) addressed the Committee.

A visual presentation was provided.

(Note: Committee Adjourned for a 5 minute comfort break at 5.05pm.)

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

#(Item 3) Application No.2013/1405 – Former Castle Cinema, Worcester Place, Swansea

Late Letter of observation reported.

Request from applicant for deferral of the application reported.

Prior to deferral:-

Richard Jones(agent) addressed the Committee, as did Councillor D Phillips(Castle Ward Member) who supported a deferral.

Reasons for Deferral

To allow the submission of revised plans and an archaeological evaluation assessment.

#(Item 4) Application No.2013/1403 – Former Castle Cinema, Worcester Place, Swansea

Request from applicant for deferral of the application reported.

Reasons for Deferral

To allow the submission of revised plans and an archaeological evaluation assessment.

64 **2011/0758 - LAND TO THE WEST OF PARC Y BONT OFF TRINITY PLACE, PONTARDDULAIS, SWANSEA.**

The Head of Economic Regeneration and Planning submitted a report following the deferment of the matter at the previous meeting in September.

He indicated that the objections from NRW had now been withdrawn and the applicant had submitted a revised site layout and design statement.

Carl Lewis(agent) addressed the Committee.

RESOLVED that the application **BE APPROVED** subject to:

1. the completion of a Section 106 Planning Obligation in respect of an education contribution (£50,000) with the agreed phased payments (trigger points) consisting of £25,000 to be paid on completion of 50% of the dwellings (i.e. 17 units) with the remaining £25,000 to be paid on completion of the development,
2. the Section 106 Planning Obligation being completed within 6 months of the date of the Committee resolution to approve planning permission,
3. the education contribution being index linked from the date of the Committee resolution to approve planning permission.
4. to the conditions outlined in the report, subject to the amendment to below:

Amend condition 12 as follows: “No development approved by this permission shall be occupied..” should read “No development approved by this permission shall be commenced...”

65 **DRAFT FABIAN WAY INNOVATION CORRIDOR MASTERPLAN FRAMEWORK.**

The Head of Economic Regeneration & Planning presented a report which sought approval to undertake a period of public consultation on the draft Masterplan Framework Document.

The document had been discussed and endorsed at a joint meeting of City & County of Swansea and Neath Port Talbot Cabinet Members and Senior Officers at a meeting last week.

A detailed visual presentation relating to the major areas, drivers, opportunities, constraints, concepts, options for future developments, land uses, public transport expansion, highway/pedestrian linkages and improvement was provided to Committee.

RESOLVED that permission is granted to undertake public consultation on the draft Masterplan Framework.

66 **WELSH GOVERNMENT CONSULTATION - SECONDARY LEGISLATION: STATUTORY CONSUlteES/DESIGN AND ACCESS STATEMENTS/HOUSES IN MULTIPLE OCCUPATION.**

The Head of Economic Regeneration & Planning presented a report which sought approval for a response to a Welsh Government consultation document.

The draft response was outlined at appendix a to the report.

RESOLVED that the content of the consultation report as outlined at appendix A be approved and submitted to Welsh Government.

67 **APPLICATION TO REGISTER LAND KNOWN AS THE RECREATION GROUND, OYSTERMOUTH ROAD, SWANSEA AS A TOWN OR VILLAGE GREEN. (FOR INFORMATION)**

The Head of Legal, Democratic Services & Procurement reported for information on the current position relating to the above application .

A public inquiry will be held on the matter in March 2016.

The meeting ended at 5.57 pm

CHAIR