

PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 1

APPLICATION NO.

2016/0556

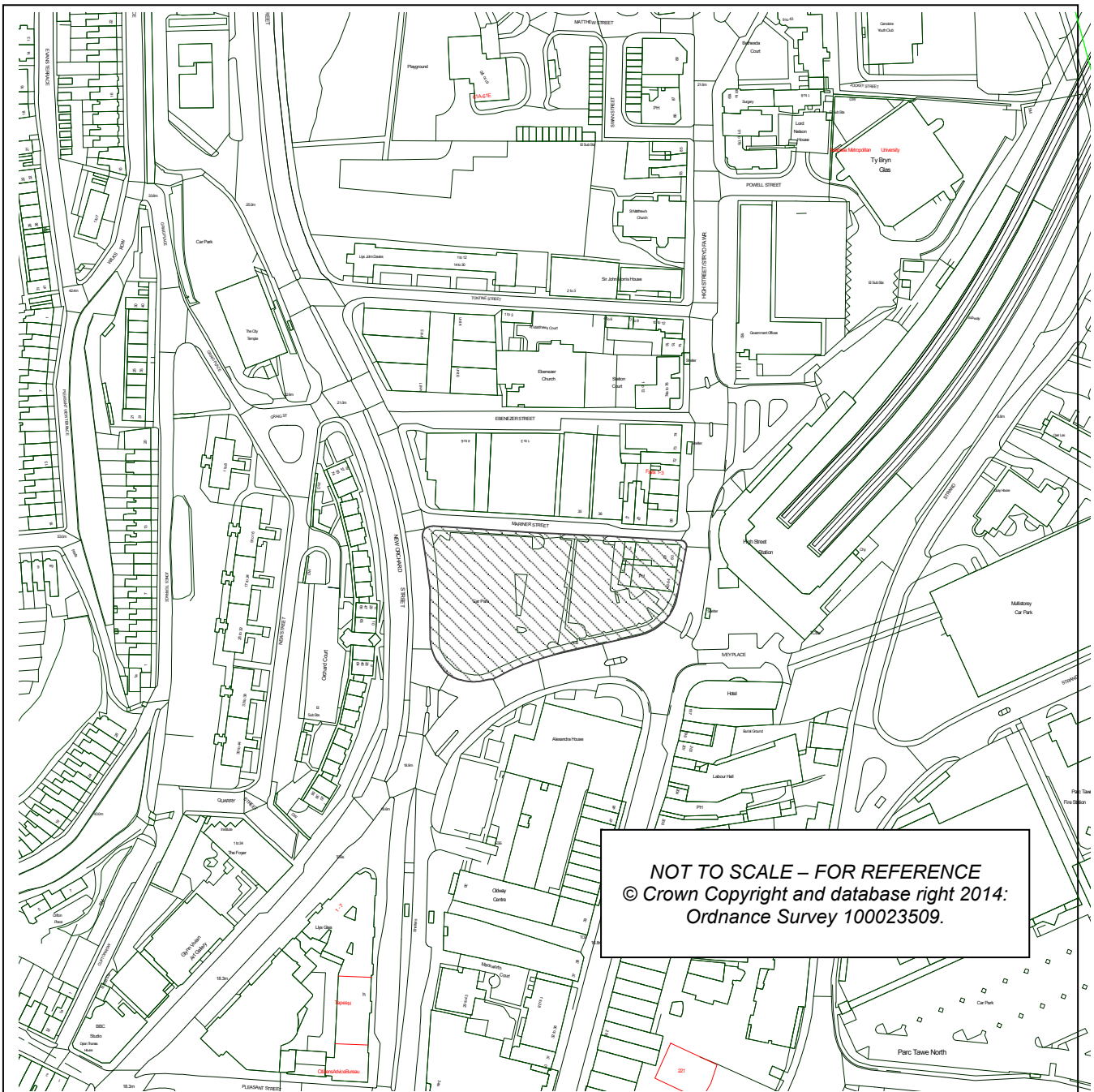
WARD:

Castle

Location: Mariner Street car park, 2-3 Mariner Street, 59-60 and 63-64 High Street, Swansea

Proposal: Demolition of existing buildings on site and the construction of a purpose built student accommodation building between 6, 8 & 22 storeys (725 bedrooms comprising 145 studios & 105 cluster units) with ancillary communal facilities / services, 4 no. ground floor commercial units (Classes A1 (retail), A2 (Financial / Professional), A3 (Food and Drink), B1 (Business), D1 (non-residential Institution), D2 (Assembly /Leisure) and nightclub (sui generis), car parking/servicing area, associated engineering, drainage, infrastructure and landscaping works

Applicant: Varsity Projects Limited



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BACKGROUND INFORMATION

PLANNING POLICIES

National Planning Guidance

Planning Policy Wales (PPW) (Edition 8 January 2016)

Technical Advice Note 12 – Design (May 2016)

Technical Advice Note 18 – Transport (March 2007)

Technical Advice Note 23 – Economic Development (February 2014)

Swansea Unitary Development Plan

| Policy | Policy Description |
|---------------|--|
| 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 EV4 | New development will be assessed against its impact on the public realm. (City & County of Swansea Unitary Development Plan 2008) |
| Policy EV5 | The provision of public art in new developments and refurbishment schemes will be supported. (City & County of Swansea Unitary Development Plan 2008) |
| Policy EV6 | Scheduled ancient monuments, their setting and other sites within the County Sites and Monuments Record will be protected, preserved and enhanced. (City & County of Swansea Unitary Development Plan 2008) |
| Policy EV9 | Development within or adjacent to a conservation area will only be permitted if it would preserve or enhance the character or appearance of the conservation area or its setting. (City & County of Swansea Unitary Development Plan 2008) |
| Policy EV13 | Proposals for new or renovated shopfronts, including security grilles, should be sympathetic to the character of the building, adjacent properties and the surrounding area. (City & County of Swansea Unitary Development Plan 2008) |

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| Policy EV33 | Planning permission will normally only be granted where development can be served by the public mains sewer or, where this system is inadequate, satisfactory improvements can be provided prior to the development becoming operational. (City & County of Swansea Unitary Development Plan 2008) | |
| Policy EV35 | Development that would have an adverse impact on the water environment due to: i) Additional surface water run off leading to a significant risk of flooding on site or an increase in flood risk elsewhere; and/or, ii) A reduction in the quality of surface water run-off. Will only be permitted where it can be demonstrated that appropriate alleviating measures can be implemented. (City & County of Swansea Unitary Development Plan 2008) | |
| Policy EV36 | New development, where considered appropriate, within flood risk areas will only be permitted where developers can demonstrate to the satisfaction of the Council that its location is justified and the consequences associated with flooding are acceptable. (City & County of Swansea Unitary Development Plan 2008) | |
| Policy EV38 | Development proposals on land where there is a risk from contamination or landfill gas will not be permitted unless it can be demonstrated to the satisfaction of the Council, that measures can be taken to satisfactorily overcome any danger to life, health, property, controlled waters, or the natural and historic environment. (City & County of Swansea Unitary Development Plan 2008) | |
| Policy EV40 | Development proposals will not be permitted that would cause or result in significant harm to health, local amenity, natural heritage, the historic environment or landscape character because of significant levels of air, noise or light pollution. (City & County of Swansea Unitary Development Plan 2008) | |
| Policy EC3 | Improvement and enhancement of the established industrial and commercial areas will be encouraged where appropriate through building enhancement, environmental improvement, infrastructure works, development opportunities and targeted business support. (City & County of Swansea Unitary Development Plan 2008) | |
| Policy EC4 | All new retail development will be assessed against need and other specific criteria. (City & County of Swansea Unitary Development Plan 2008) | |
| Policy EC6 | The provision of appropriate small-scale local shopping and neighbourhood facilities will be encouraged within local shopping centres and in areas of acknowledged deficiency in order to meet local need. (City & County of Swansea Unitary Development Plan 2008) | |

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| Policy HC1 | Allocation of housing sites for 10 or more dwellings. (City & County of Swansea Unitary Development Plan 2008) | |
| Policy HC11 | The use of appropriate City Centre sites for student accommodation will be favoured. (City & County of Swansea Unitary Development Plan 2008) | |
| Policy HC17 | The Council will negotiate with developers to secure improvements to infrastructure, services, and community facilities; and to mitigate against deleterious effects of the development and to secure other social economic or environmental investment to meet identified needs, via Section 106 of the Act. (City & County of Swansea Unitary Development Plan 2008) | |
| Policy R16 | Proposals for major new developments will be required to incorporate adequate and effective waste management facilities (City & County of Swansea Unitary Development Plan 2008) | |
| Policy AS1 | Accessibility - Criteria for assessing location of new development. (City & County of Swansea Unitary Development Plan 2008) | |
| Policy AS2 | Accessibility - Criteria for assessing design and layout of new development. (City & County of Swansea Unitary Development Plan 2008) | |
| Policy AS5 | Accessibility - Assessment of pedestrian and cyclist access in 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 CC1 - UDP | Within the City Centre, development of the following uses will be supported:- (i) Retailing and associated uses (Classes A1, A2, A3), (ii) Offices (B1), (iii) Hotels, residential institutions and housing (C1, C2, C3), (iv) Community and appropriate leisure uses (D1, D2, A3) (v) Marine related industry (B1, B2). Subject to compliance with specified criteria. (City & County of Swansea Unitary Development Plan 2008) | |
| Policy CC2 - UDP | New retail development that maintains and enhances the vitality, attractiveness and viability of the City Centre as a regional shopping destination will be encouraged subject to compliance with specified criteria. (City & County of Swansea Unitary Development Plan 2008) | |

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RELEVANT PLANNING HISTORY

2002/0715 Realignment of existing highway and construction of new highway, relocation of station car park to site off Mariner Street, relocation of bus stops to land adjacent to the Station buildings on High Street, relocation of the taxi rank and setting down /pick point to the northern side of the station, relocation of the staff parking area, and provision of pedestrian areas including hard and soft landscaping (Council Development Regulation 3)
Planning Permission July, 2002

RESPONSE TO CONSULTATIONS

The application was advertised on site and in the local press. TWO LETTERS OF OBJECTION have been received making the following points:

- Noise and dust will be intolerable.
- Station area will become a noisy area with 725 students, bars and a nightclub.
- Height of building will block views from the surrounding area and result in a loss of light.
- There is no need for a student development in the middle of Swansea.
- Devalue property in the area.

Network Rail – whilst there is no objection in principle to this proposal, the developer should liaise with Network Rail prior to any work commencing to come to an agreement regarding varying aspects of the construction process.

Glamorgan Gwent Archaeological Trust -

Mariner Street is located outside the walls of the medieval town of Swansea in an area thought to have included in an area of medieval settlement centred on the chapel of St. John (now St Mathew's Church). The area was incorporated into a post-medieval suburb of the town, and in the 19th century was noted as being poor quality housing. There has been considerable research into the post-medieval settlement of this part of Swansea, with particular reference to the poor housing and health issues arising from this.

You will recall our response to the screening opinion request for this application in which we noted that *“that the archaeological appraisal being proposed in that letter [Nathaniel Lichfield and Partners letter of 29th February 2016] will be inadequate to fully understand the archaeological resource in the proposed development area and therefore may underestimate the risk that mitigating the impact of the proposed development on the archaeological resource could have on the construction programme. We therefore strongly recommend that a much fuller archaeological assessment of the site is commissioned, [...]. The results of this work could lead to the need for archaeological evaluation of the site to be carried out prior to the determination of any planning application for the development.”* An “Archaeological Appraisal” dated March 2016 prepared by Cotswold Archaeology has been submitted in support of this application.

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The submitted appraisal goes some way to identifying the archaeological potential of the proposed development area, however the conclusions drawn in this report do not effectively consider the impact of the proposed development on the archaeological resource nor the implications of the discovery of any archaeological resource on development.

Paragraphs 5.3, 5.4 and 5.5 of the appraisal document discuss the potential for archaeological remains of medieval, post-medieval and modern date to survive within the proposed development area, it is noted that in particular the centre of the proposed development area may offer the highest potential for surviving archaeological remains as it had escaped later development. In paragraph 6.3 of the appraisal document it is suggested that *“traces of medieval land use may have been truncated or removed by post medieval and modern development.”* and 6.4 *“Only remains at considerable depth (i.e. beyond the extent of any potential basements and foundation, estimated to be 1-2m below ground level) are likely to survive.”* However at multiple similar sites across the city remains of post-medieval date have been found to be built directly on to medieval foundations, further such remains have been found to be less than 1m below the current ground level. Paragraph 7.1 of the appraisal continues to note that the state of survival of the archaeological resource is unclear; a conclusion with which we concur. It is evident from the documentation submitted with this application that the impact of the development on the potential buried archaeological remains and the significant risk that the discovery of such remains could have on the viability of the proposed development is not fully understood. In such circumstance. Planning Policy Wales 2016 (Edition 8) Section 6.5.2 notes that *“If important remains are thought to exist at a development site, the planning authority should request the prospective developer to arrange for an archaeological field evaluation to be carried out before any decision on the planning application is taken.”* More detail on this guidance can be found in Welsh Office Circular 60/96 sections 13 and 14.

It is therefore our opinion in our role as the professionally retained archaeological advisors to your Members that the applicant should be requested to commission the required archaeological work. Consequently, as the impact of the development on the archaeological resource will be a material consideration in the determination of the current planning application this should be deferred until a report on the archaeological evaluation has been submitted to your Members.

We recommend that this work be undertaken to a brief approved by yourselves and upon request, we can provide a suitable document for your approval. If you have any questions or require further advice on this matter please do not hesitate to contact us.

CADW - Thank you for your email of 8 April 2016 inviting our comments on the planning application for the proposed development as described above.

Our role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments or registered historic parks and gardens. It is a matter for the local planning authority to then weigh our assessment against all the other material considerations in determining whether to approve planning permission, including issues concerned with listed buildings and conservation areas.

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Applications for planning permission are considered in light of the Welsh Government's land use planning policy and guidance contained in Planning Policy Wales (PPW), technical advice notes and circular guidance. PPW explains that the desirability of preserving an ancient monument and its setting is a material consideration in determining a planning application whether that monument is scheduled or not. Furthermore, it explains that where nationally important archaeological remains, whether scheduled or not, and their settings are likely to be affected by proposed development, there should be a presumption in favour of their physical preservation in situ. Paragraph 17 of Circular 60/96, Planning and the Historic Environment: Archaeology, elaborates by explaining that this means a presumption against proposals which would involve significant alteration or cause damage, or which would have a significant impact on the setting of visible remains. PPW also explains that local authorities should protect parks and gardens and their settings included in the first part of the Register of Landscapes, Parks and Gardens of Special Historic Interest in Wales.

The proposed development is within the vicinity of the scheduled monuments known as Swansea Castle (GM012), Original Swansea Castle (GM441,)and GM482, Foxhole River Staithes (GM482).

The application is accompanied by a Heritage Impact Assessment produced by Cotswold Archaeology (Report number 16110). The report concludes that the upper storeys of the proposed building will be visible from the above scheduled monuments, which will be *from some distance and within the context of intervening city centre developments*.

We agree with the assessment of the potential impact of the proposed development on the setting of the above listed Scheduled Monuments. In our opinion, the proposed building will be visible from the Scheduled Monuments, but is unlikely to affect interpretation or understanding of the monuments and will have a negligible impact upon their settings.

The Coal Authority

The application site does not fall with the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

Council's Drainage Engineer - The proposed strategy is reliant on DCWW accepting the surface water connection however we consider that there is no other reasonable alternative due to site conditions. Subject to DCWW accepting the connection we recommend that the following condition is appended to any permissions given.

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Condition

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

Reason

To ensure that a satisfactory comprehensive means of drainage is achieved and that no adverse impact occurs to the environment and to minimise surface water run-off.

Dwr Cymru Welsh Water – No objection subject to conditions.

Natural Resources Wales – We have concerns regarding the proposal as submitted and consider that there is currently insufficient information to assess the possible impact on bats, a European protected species. We require additional information before we can provide you with detailed comments on the application.

Protected Species (Bats)

The document reviewed is the; '*Mariner Street Ecological Assessment*', dated March 2016, by Jared Fox (Urban Green). The assessment states that a bat scoping inspection was carried out on the 23 February 2016 and that no evidence of bats was found. The report goes on to conclude that the buildings are of '*low suitability for use by bats.*'

Both building 1 and 2 were described as having '*no external gaps or crevices visible from the exterior.*' However, our recent observations of building 1 show that the building is in a poor state of repair, including; a number of raised and slipped roof tiles, windows either poorly boarded or partly left open. In addition, one of the rear gable fascia's is missing and the eaves are exposed. Building two was observed as also being in a poor state of repair, with a number crevices that could potentially lead into the void in the flat roof.

Therefore, recent observations do not match up with the descriptions of the buildings provided in the report, as such we cannot agree with the report's conclusion of; '*negligible suitability to support roosting bats.*'

It is also our understanding that your Authority's Planning Ecologist has recently looked at the buildings and considers them to have moderate potential to support bats. We advise that further surveys of the buildings are undertaken by a suitably qualified and licenced ecologist / bat worker; in accordance with; '*Bat Surveys; Good Practice Guidelines 3rd Edition*' published by the Bat Conservation Trust 2016. Surveys should consist of at least one activity survey (dusk emergence and/or dawn re-entry) carried out between May and August inclusive. The results of these surveys should be used to inform any mitigation proposals, which may be required.

Head of Environmental Management (Pollution Control) - have no objection to this application but would like to attach the following conditions:

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Condition 1 Noise:

- *Unless otherwise agreed in writing by the Local Planning Authority, prior to the beneficial use of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority that adequately restricts the flow of sound energy through party walls and floors between the commercial and residential class uses within the development. The scheme supplied shall achieve a minimum $D_{nT,w} - (C_{tr})$ of 50dB for the ceiling/floor between the commercial and residential uses and be verified by the appropriate testing methodology upon completion.*

Reason: - to protect the proposed residential use against noise emanating from the commercial activity on the ground floor.

Within the DAS the applicant provides an overview of the acoustic requirements stating that 'Environmental noise break-in will be mitigated to the reasonable values stated within BS 8233:2014'. Welsh Government produced Noise Maps in 2012 to meet the requirements of the Environmental Noise Directive (Directive 2002/49/EC) and the Environmental Noise (Wales) Regulations 2006 (as amended). These maps indicate the facades of application site will be exposed to a daytime range of 65-69.9dBAL_{eq,16hr} and night time range 55-54.9dBAL_{eq,8hr}. In order to protect the residential uses of the application please could you attach the following condition: -

Condition 2:

- *Prior to commencement of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all habitable rooms exposed to external road traffic noise in excess of 63 dBA Leq 16 hour (free field) during the day (07.00 to 23.00hrs) or 57 dBA Leq 8 hour (free field) at night (23.00 to 07.00 hours) shall be subject to sound insulation measures. These measures should ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night as set out in BS 8233:2014 Guidance on sound insulation and noise reduction for buildings. The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with mechanical ventilation units so that future residents can keep their windows closed. No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room.*

Reason: - To protect the proposed residential use against noise arising from the existing traffic use of the area.

The DAS overview of acoustic requirements also refers to noise from 'building services plant'. I am satisfied with their comments that quiet plant will be selected and that the rating level for such plant will be control to no more than the background (dBL_{A90}) of the early hours. To this end please attach the following condition: -

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Condition 3:

- *Prior to commencement of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide that all building services plant noise shall be designed to achieve a rating level ($dB_{LA_{rTr}}$), that does not exceed the representative night time background sound pressure level ($L_{A90,15min}$) in accordance with BS 4142:2014. Methods for rating and assessing industrial and commercial sound.*

Reason: - To protect the existing and proposed residential uses against noise from building services plant.

Condition 4:

- *The use hereby permitted shall not commence until a scheme, which specifies the provisions to be made for any condensing units relating to refrigeration and freezing of products has been submitted to and approved by the Local Planning Authority. Such works that form part of the approved scheme shall be completed before the premises are occupied.*

Reason: - to protect the proposed and neighbouring residential use against noise emanating from such units.

Condition 5:

- *The use hereby permitted shall not commence until a scheme of ventilation and fume extraction, including full details of the equipment to be installed for that purpose, including its location, has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully installed prior to its use being commenced.*

Reason: - to protect the proposed and neighbouring residential use against noise emanating from such units.

Condition 6:

Contaminated Land: -

The Patrick Parsons Phase 1 Report, Mariner Street, Swansea (N16053) submitted with the application states the following within its conclusion: -

6.8 Recommendations for Ground Investigation In order to establish the environmental and geotechnical risks, the following works are recommended:

- Intrusive ground investigation utilising Cable Percussive Boreholes, with rotary follow-on and trial pits to assess both shallow and deep ground conditions and obtain samples of soils and rock for logging and laboratory testing purposes;*
- Installation of gas monitoring standpipes within Made Ground and natural soils and monitoring for a minimum of 6 visits over a 3 month period in accordance with CIRIA C665 & BS8485;*
- Laboratory geotechnical testing of both soil and rock to determine strength parameters for use in pile design;*

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- Laboratory chemical testing of soils to confirm or otherwise the findings of the Conceptual Site Model and enable a generic quantitative risk assessment to be carried out; and,*
- Factual and interpretative reporting, providing recommendations for the existing site and any future development.*

Please attach the following condition to ensure that the above recommendations are carried out: -

Condition 7:

- *Phase 2: Detailed Investigation this shall:*

➤ *Provide detailed site-specific information on substances in or on the ground, geology, and surface/groundwater. Provide for a more detailed investigation [Human Health Risk Assessment] of the site in order to confirm presence or absence of, and to quantify, those potentially significant source-pathway-receptor pollutant linkages identified in the Patrick Parsons Phase 1 Report, mariner Street, Swansea (N16053)*

➤

Note; *where any substance should be encountered that may affect any controlled waters the applicant, or representative, must contact the Natural Resources Wales in order to agree any further investigations required. In the event that the need for remediation is identified the applicant shall submit a subsequent detailed [Phase 3] report to the Local Planning Authority, viz:*

Phase 3: Remediation Strategy Options Appraisal this shall:

➤ *Indicate all measures to be taken to reduce the environmental and human health risks identified in Phase 1 and Phase 2 to an acceptable level, in a managed and documented manner, to best practice and current technical guidance.*

Phase 3: Validation/verification Report

➤ *On completion of remediation works a validation/verification report will be submitted to the Local Planning Authority that will demonstrate that the remediation works have been carried out satisfactorily and remediation targets have been achieved.*

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

Condition 8:

- *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.

Air Quality: -

The Air Quality Assessment, Mariner Street Student Accommodation, Swansea (N16053) concludes the following: -

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- *with respect to the construction phase, in the absence of mitigation, construction and track-out due to vehicles may present a medium risk of dust impacts in the immediate vicinity, the other main activities are predicted to result in a low risk of impact. However, with the effective implementation of the defined mitigation measures, the impacts are reduced and considered not to be significant at receptors;*
- *the operational phase of the scheme is not considered to lead to an adverse impact on air quality given that the development will result in an overall decrease in vehicle trips to and from the application site;*

I am in agreement with these conclusions, please attach the following condition: -

Condition 9:

- Demolition/Construction Dust Management Plan

Prior to the commencement of demolition/construction works on the application site a Dust Management Plan (DMP) shall be submitted to and approved in writing by the LPA. The DMP is to include the Mitigation Measures set out in Table 5-4 of The Air Quality Assessment, Mariner Street Student Accommodation, Swansea (N16053).

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

Informative: - Once a successful application has been made and a principal contractor for the demolition and construction phase has been appointed, the Pollution Control Division will serve a section 60, Control Of Pollution Act 1974 notice to restrict the hours of operation at the site.

However, The Air Quality Assessment, Mariner Street Student Accommodation, Swansea (N16053), also states the following within its conclusion: -

- *air quality at potential future locations of relevant exposure for short-term (commercial use) and long-term (student residential use) averaging periods at the proposed development is predicted to be below the relevant Air Quality Assessment Levels.*

Having reviewed the recent Air Quality monitoring data that the Local Authority collects, I do not agree with the comment within the report that the application site is '*considered unlikely to result in pronounced canyon like effects*' like those experienced at the ground floor and first floor Nitrogen Dioxide (NO₂) monitoring locations on High Street (Sites 123 and 242). Whilst the LAQM Updating and Screening Assessment 2015 document predicts that future concentrations will be below the UK Annual Mean Air Quality Objective of 40µgm⁻³; there is the potential for elevated concentrations of NO₂ to be experienced at both the ground floor and the first floor and so it is felt that the fenestration conditions attached relating to noise exposure will have a beneficial effect upon residential exposure to Air Quality Objective Pollutants. I would like to put a S106 on the application for Particulate Monitoring to quantify the effect that the new building will have upon PM10 (particulate matter) for the residential and commercial uses. An Ebam unit is approximately £8000 all in.

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Vibration Effects: -

The Patrick Parsons Phase 1 Report, Mariner Street, Swansea (N16053) submitted with the application refers to the need for piling to be utilised for the foundations at the site. Given the close proximity of residential and commercial premises please could you attach the following condition: -

Condition 10:

- Piling Assessment

Prior to the commencement of any works on the site a Piling Assessment report shall be submitted to and approved by the Local Planning Authority. The report shall set out the different types of piling methods that could be utilised at the site; along with consideration of the noise and vibration effects that the operation may have upon surrounding land uses and the mitigating measures that may be utilised.

Reason: To protect the residential and commercial land uses from noise and vibration within the surrounding area.

Other Comments: -

There is the potential for disturbance from other activities from the proposed end uses; such as delivery noise, hours of refuse collection, late night noise from the night club premises. Do you want these to be conditioned or will they have been covered by other matters within the application?

Highway Observations –

Demolition of existing buildings on site and the construction of a purpose built student accommodation building between 6, 8 & 22 storeys (725 bedrooms comprising 145 studios & 105 cluster units) with ancillary communal facilities / services, 4 no. ground floor commercial units (Classes A1 (retail), A2 (Financial / Professional), A3 (Food and Drink), B1 (Business), D1 (non-residential Institution), D2 (Assembly /Leisure) and nightclub (sui generis), car parking/servicing area, associated engineering, drainage, infrastructure and landscaping works

Mariner Street car park, 2-3 Mariner Street, 59-60 and 63-64 High Street, Swansea

1. Introduction

1.1 This application is for a planning permission for works as outlined above on land currently used as a car park plus cafes/derelict buildings.

1.2 In order to assess the impact of the development, a Transport Statement was submitted with the full planning application prepared by Vectos. The content and scope had been agreed with CCS Highways.

1.3 The site is located at the top of High Street directly opposite High Street Railway Station. The site is bounded by the adopted highways of High Street to the east, Mariner Street to the north, New Orchard Street to the west and Alexandra Road to the south.

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1.4 The ground floor uses are intended to be ancillary to the student accommodation and to that end low level parking has been provided (15 in total, of which 6 are associated with the student uses and the remainder for the commercial uses). The parking is discussed detail later on in my report section 4.

2. Vehicular Access and Traffic

2.1 The access to the site is gained off Mariner Street which is a one way street running from High Street to Alexandra Road. The site located in an extremely sustainable location with excellent access to public transport both bus and rail and a number of local amenities within a short walk.

2.2 The Transport Assessment indicated that the Highway Network could accommodate the additional traffic generated by the proposal. The scheme was assessed in accordance with the National Database TRICS and the following conclusions were made:

The existing car park generates around 1000 2 way trips in 12 hours, and the current car park has a usage of around 80%. It is thought these vehicles can be accommodated into nearby car parks, predominantly the High St MSCP.

Multi modal trip rates have been derived via the TRICS database, multi modal trip rates for all uses have been calculated, this results in 9289 person trips over a 12 hour day. These however are primarily via sustainable modes, with only 4% of proposed trips being made by private car, this will result in a net reduction in trips to the site of around 900 two way. It must be noted however that these trips are not a reduction on the network as a whole, but will likely redistribute to alternative car parks in the area.

The proposal therefore is unlikely to generate any noticeable increase in car movements but will bring about an increase in walking, cycling and public transport usage by virtue of minimal car parking being provided.

The student accommodation will to generate negligible traffic due to the lack of parking facilities provided. A section 106 Agreement linking to the tenancy agreement will be required to ensure that students taking up residence do not own cars as there is no parking provided for this purpose.

2.3 The thrust of land use and transport policy is to promote and encourage the choice of walking/cycling above all else where travel needs to occur. It is reasonable to assume that walking is a viable and growing means of travel and this development should be designed to promote it.

2.4 The proposed layout has created a pinch point on the north eastern corner (junction of Mariner Street with High Street) and reduced down the footway to an unacceptable width. Given the expected pedestrian footfall this is of concern. This can be overcome by possibly realigning the line of the kerb to allow a widening to 2m of the footway but this would be dependent upon an Autotrack run being submitted to demonstrate that safe vehicular access can still be gained to Mariner Street.

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2.5 The sample sites from the TRICS Database chosen related in the main to 'City Centre universities'. The number of trips has been agreed but it is considered that the modal split of 'cycle' was underestimated (given that the university is not located within the city centre itself- as such the cycle share would be likely to be underestimated). Similarly the public transport provision is likely to be more popular given the longer distances to the university campus at Singleton. The pedestrian movements would therefore be reduced by an equivalent volume. Notwithstanding that, the contributions have been agreed as per the detail set out in the following section 5 of my report.

3. Relevant policies

The newly adopted Swansea Central Area Regeneration Framework regarding car parking states:

City Centre Car Parking Standards

The City and County of Swansea adopted car parking standards for the Central Area as supplementary planning guidance in 2012. These standards seek to ensure a transparent and consistent approach to the provision of parking, submission of travel plans and sustainability considerations that inform developer's designers and builders of what is expected of them in terms of parking provision at an early stage in the development process. The policy defines two zones for Swansea City Centre, a central core and central area where different parking requirements apply for different land uses.

To facilitate new land uses and regeneration initiatives in the Central Area which align with the aims, objectives and proposals of the Regeneration Framework, including the re use of vacant upper floors and vacant underused buildings for residential use, a limited relaxation of car parking standards will be considered where appropriate and where there are no adverse effects on highway conditions.

Each site will be treated on its merit, however there will be instances where assessed parking demand cannot be met onsite and for such circumstances there is provision within adopted parking standards to require developer contributions towards Transportation initiatives to enhance alternative modes of transport or off-site parking provision. This approach would require the applicant to enter into a Section 106 Agreement.

In view of this adopted policy document there is scope to relax the parking standards subject to mitigation measures.

4. Car Parking

4.1 The development has been assessed against adopted parking guidelines and falls short. As referenced in section 3 above the current city centre framework acknowledges that there are sites where parking to the standards cannot be achieved. In the interests of regeneration, and assuming that adequate support measures are put in place to prevent cars being brought to the site, and to secondly enhance walking and cycling measures to support the alternative forms of transport then this is an acceptable approach.

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4.2 The student accommodation is planned to be essentially car-free. 13 car parking spaces are provided for visitor and disabled use. To ensure that this car free arrangement works satisfactorily and does not cause overspill parking problems there is a need to ensure that students do not have cars, and that alternatives are in place. Vectos (Transport consultants) are working with the CCS Legal representative to draft a legal agreement that will form part of the section 106 Agreement which will tie the student residents into agreeing not to bring cars to the site. It is envisaged that if a student fails to comply with his tenancy agreement then a worst case scenario would be that the tenant is evicted.

4.3 Car parking within the site is provided for pick up /drop offs only and no long term parking is available for student users (in line with the tenancy agreement referenced earlier. High street multi storey car park is available for visitors and/or pick up/drop off purposes at the beginning or end of term.

4.4 Due to the lack of parking for the student element there is a requirement for a management scheme to ensure that all the limited parking spaces are managed effectively (including for the retail use) and to ensure that maintenance/servicing can be accommodated.

4.5 To avoid any parking in nearby residential areas (by for example visitors etc.) a sum of £30,000 has already been secured to be held for 30 years and can be used to implement residents parking or traffic regulation orders as and when needed in any affected area.

4.6 To mitigate for the loss of parking on the site Network Rail have entered into an agreement to utilize spaces in the High Street MSCP which is currently under utilized.

4.7 Whilst problems have been encountered on other 'car free' developments controlled by the use of tenancy agreements it is considered that as CCS will retain control of the lease then the control will be easier to maintained.

5. Pedestrian and Cycle Access

5.1 Pedestrian and cycle facilities are to be enhanced by the development. A sum of £160,000 has been requested and agreed in line with the SPG on Highways contributions. There are two main items that this will fund:

- a) Diagonal pedestrian crossings on the junction on High street/Alexandra road junction- estimated scheme utilizing existing kerb lines £35,000
- b) Completion of missing links and /or upgrades to the cycle network on Orchard Street. - contribution requested to be £125,000 towards the missing link on Orchard Street.

Given that other student sites will be potentially developed in the immediate area any shortfall can be made up with contributions from these other sites, being mindful on the restrictions on pooling monies from more than five separate developments.

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5.2 There is a room provided on the basement levels to cater for 200 cycle stands so cycling will be a sustainable mode of transport particularly in view of the proximity of the site to the NCN Routes.

5.3 In terms of pedestrian routes, the applicant has agreed a section 106 contribution and part of this will be assigned to improving pedestrian movements at the existing junction.

6. Public Transport

6.1 The site is currently well served by a number of frequent bus services. It is not considered that there are any improvements needed to improve the frequency given the existing high levels of service provision.

6.2 The site is located immediately opposite Swansea Rail station with links to both local stations and further afield.

7. Highways Infrastructure

7.1 The applicant has agreed to make contributions of £160,000 towards works to upgrade the cycle and pedestrian facilities in the area. The redevelopment of the whole site will require new footways and public areas and this will need to be undertaken by a section 278 agreement if the developer wants to keep the footways etc as adopted highways as they currently are. It is likely that there could be damage done to the existing infrastructure and as such replacement will be required on the four roads bounding the site, particularly in terms of footway construction and tying into the public realm shown as part of the site boundaries. The plans indicate that the footways are to be laid out to tie into the public areas surrounding the proposed building envelope.

7. Conclusions

7.1. The Transport Assessment indicated that the development will not result in a material increase in car usage and associated congestion, subject to the mitigation measures proposed and a robust tenancy agreement to prevent car ownership.

7.2 Pedestrian and cycle facilities will be catered for within the development in conjunction with the contents of the section 106 and the proposed building layout.

7.3 The use of the incorporation of the tenancy agreement into the section 106 should ensure that car use is minimized.

8. Recommendations

8.1 No highway objection subject to the following;

i. All adoptable highway works being completed to Highway Authority Standards and Specification.

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- ii. The section 106 to include details of a parking management scheme for the parking both within the area designated for student use, and also in the adjoining retail area
- iii. The section 106 to include the tenancy agreement to ensure that there is a mechanism for dealing with failure to comply, in the interests of highway safety.
- vi. The section 106 to include the financial contributions as outlined above for the upgrade works to the pedestrian and cycle facilities £160,000. Money to be contributed at an agreed point in the development, and should be tied into the beneficial occupation of any of the units. I would suggest the Diagonal crossing works to be completed prior to beneficial occupation of any part of the development, whereas the second larger contribution can be tied into occupation of the student element. Both these elements will require a lead in time in order for construction to be completed so the financial contributions will need to be mindful of this.
- v. The kerb line on the north eastern point needs to be realigned to allow the footway to be widened to 2m, an Autotack run will also need to be submitted to demonstrate that this will not have any impact on access to Mariner Street
- vi. I recommend that the applicant be required to submit a Travel Plan for approval within 12 months of consent and that the Travel Plan be implemented prior to the beneficial use of the building commencing.
- vii. 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.

Note The Developer must contact the Highway Management Group , The City and County of Swansea , Guildhall Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Team Leader (Development) , e-mails to, tel. no. 01792 636091

APPRAISAL

Introduction

The planning application is for a mixed-use student accommodation-led development at Mariner Street Car Park, Swansea. The scheme proposes the demolition of the existing buildings on the site ('Espresso' café) and the construction of a purpose built student accommodation building between 6, 8 & 22 storeys (725 bedrooms comprising 145 studios & 105 cluster units) with ancillary communal facilities / services, 4 no. ground floor commercial units (Classes A1 (retail), A2 (Financial / Professional), A3 (Food and Drink), B1 (Business), D1 (non-residential Institution), D2 (Assembly /Leisure) and nightclub (sui generis), car parking/servicing area, associated engineering, drainage, infrastructure and landscaping works.

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The development comprises a high density student development with an active ground floor frontage and represents a significant regeneration development within the City Centre at this key site adjacent to High Street Station. The 22 storey tower at 72 metres would be the second tallest building in Swansea (Meridian Quay is 107m and Alexandra House 46m) and together with the 6 / 8 storey urban block would redefine the street edge and create a new public realm area.

The supporting information submitted with the application indicates that there is a growing need for bespoke student accommodation in Swansea, with both Swansea University and Trinity St David Universities undergoing a period of expansion within the City following the development of the new Swansea Bay campus and the development of the Swansea Waterfront Innovation Quarter by The University of Wales, Trinity St David (UWTSD), which will include purpose-built facilities for learning, teaching and applied research as well as associated leisure and hotel facilities, cafes and restaurants. This planning application seeks to respond to both the existing and future demand for high quality, purpose built student accommodation in Swansea.

Application Site and Surroundings

The application site is currently predominantly used as a public car park (part leased to Network Rail), although there is a coffee shop and disused building located on the eastern part of the site. The site is opposite Swansea train station, with the 13 storey high office tower block of Alexandra House and the Oldway Centre) to the south with a number of garage units/ small scale commercial and residential industrial uses to the north.

The proximity of Swansea train station provides sustainable transport links for local and national rail travel, including Carmarthen to the west and Cardiff and London to the east. A regular bus route served by the First Bus Company also passes the site and there are good cycle linkages in the vicinity of the site, with a signed cycle route running from Mariner Street Car Park, along Orchard Street and to the city centre. There are also extensive cycle paths in and around the site that run north along the River Tawe and south / south west to the seafront to the main university campus.

High Street is the historic north-south link in the city core which dates from medieval times but became less important as a retail street following the popularity of the areas around Oxford Street and the development of the Quadrant in the late 1970's. It has become a secondary area for shopping, and as a consequence has a high number of vacant units and inactive upper floors. Some of the older buildings in the street retain character and uniqueness but many are not maintained sufficiently and are in physical decline.

High Street remains a key route from the Railway Station towards the retail core of the central core. The Railway Station has had recent investment and enhancement providing a significant point of arrival for visitors and workers arriving by train. Improvements in the built fabric of the area have been stimulated by the Urban Village scheme frontage to High Street, and new infill developments on derelict sites below along The Strand. This has begun to redefine the character the area based on mixed uses including the arts and creative industries, with live/ work opportunities for start-up and artisan businesses. Some ground floor space has also been let to new retail and commercial businesses, but more is required to encourage appropriate upper floor residential uses which to generate a new community as well as ground floor commercial occupation. The Urban Quarter development in High Street will further contribute to the regeneration of the area.

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The site was historically a densely built up area, with buildings of character and tall 4 storey scale on Alexandra Road but has generally been cleared with the exception of the two existing properties and is now mainly used for surface parking. There are trees and railings on the perimeter but this does not represent an active frontage. The site is directly adjacent to the Alexandra Road Conservation Area which is one of the finest townscapes in the city with a number of listed buildings.

Proposed Development

The student accommodation scheme, providing a total of 725 bedrooms within 105 bedroom clusters of between 4 and 6 bedrooms off a single cluster corridor and 145 studio bedrooms, would be located on the upper floors of the development, with four commercial units at ground floor level totalling 1,950.4 sq m. This will be split between one large (1,184.6 sq m) and three smaller units (321.3 sq m, 299.9 sq m and 144.6 sq m respectively). At this stage no occupants have been identified for the commercial units, therefore allowance for a variety of uses is sought; namely:

- A1 – Shops;
- A2 – Financial and professional;
- A3 – Food and drink;
- B1 – Business;
- D1 – Non-Residential institution (e.g. GP/health centre);
- D2 – Assembly and leisure; and
- Sui Generis – Nightclub.

Other ancillary uses will include refuse storage and recycling provision, a management suite of rooms and a gym totalling 650.8 sq metres. 13 car parking spaces will be provided, including 4 disabled spaces, with access from Mariner Street. A service bay for the student accommodation will also be accessed from Mariner Street, whilst a cycle hub will be accessed from Alexandra Road.

Planning Application

The planning application has been supported with the following documents:

- a Design and Access Statement;
- b Planning Statement
- c Landscape Design and Access Statement;
- d Townscape & Visual Assessment
- e Transport Statement including Travel Plan;
- f Ecological Report;
- g Arboriculture Impact Assessment and Arboricultural Method Statement;
- h Archaeological Appraisal;
- j Heritage Impact Assessment;
- k Daylight & Sunlight Assessment;
- l Wind Micro Climate Assessment;
- m Phase 1 Geoenvironmental Study;
- n Flood Risk Assessment and Drainage Strategy;
- o Air Quality Assessment;
- p Noise and Vibration Assessment;

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The design of the building has evolved following extensive pre-application consultation with the Council and from the review process with the Design Commission for Wales. The proposed development heights across the site range from 6 storeys (Levels 0 to 5) overlooking New Orchard Street and up to 22 storeys (Levels 0 to 21) above High Street, with the highest part of the building being situated in the eastern extent of the site to act as a point of arrival to the city from the railway station. The lower part of the development to the west of the focal building will be developed around a courtyard. From the street level the differing heights of the building and different materials and façade design styles will add interest and design quality to the street scene.

The tower's location at the junction of High Street and Alexandra Way opposite the Central Train Station offers a gateway location for this striking structure which will be treated in a different material from the lower plinth structure. Elevational treatment is based upon the strong concept of the industrial heritage of the area, combining a palette of coal, nickel and copper treatments. The lower level of the plinth structure is wrapped in a coal coloured cladding system with the intermediate slightly higher plinth element treated as a nickel block sitting adjacent to the prominent copper vertical sculpted form of the tower. This complimentary materiality breaks the building form into the recognised forms of the individual elevations that make up the historic High Street. In order to maximise active frontages retail/commercial uses are proposed at ground floor level to the east, south and western elevations. The main forms of the building are set off ground level by a continuous glazed active retail frontage that wraps from High Street all the way to New Orchard Street to the west. This active frontage allows all of the servicing and back of house functional activity to be consolidated onto Mariner Street screening it from public views. Car parking will also be accessed to the rear of the site, via Mariner Street.

Sustainable Energy

As a large scale, high density residential development, it is likely to have significant energy demands related to on-site electrical consumption for lighting and power, as well as hot water. To meet this need/demand combined heat and power (CHP) technology will be installed to generate electricity on site, whilst the associated waste heat will be used to produce domestic hot water. The CHP may be supplemented by the installation of roof top photovoltaic panels that will generate electricity from solar energy.

Access Arrangement and Parking

Access to the 13 car parking bays (of which 4 will be designated for disabled use) will be from Mariner Street. A service bay for the student accommodation will also be accessed from Mariner Street, whilst a cycle hub will be accessed from Alexandra Road. This will create a largely car-free development. In order to ensure that students do not utilise the parking places without prior approval, the tenancy agreement will prevent students bringing a car to the site, or parking on the site itself. All servicing for the commercial units will also take place from Mariner Street. This will allow the other elevations of the building, which front the main road network, to provide active uses and frontages in on this gateway site.

Landscaping

The existing trees around the application site will be removed for the construction of the development, however, replacement tree planting will be undertaken as part of the development and additionally, the development also includes provision for green roofs.

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Material Planning Considerations

The main material planning considerations in the determination of this planning application are set out as follows:

- Compliance with prevailing Development Plan policy and Supplementary Planning Guidance;
- Townscape and visual impact;
- Impact on residential amenity including noise impact;
- Highways, traffic, car parking, access and pedestrian movements;
- Impact on archaeology and cultural heritage;
- Flood risk and Drainage;
- Pollution and ground contamination;
- Impact on ecology;

There are considered to be no additional issues arising from the provisions of the Human Rights Act.

Development Plan Policy and Supplementary Planning Guidance

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the determination of a planning application must be made in accordance with the development plan unless material considerations indicate otherwise.

Planning Policy Wales ('PPW')

PPW states that there is a preference for the re-use of previously developed land compared to greenfield sites and Paragraph 4.9.2 goes on to state that many previously developed sites in built-up areas may be considered suitable for development because their re-use will promote sustainability objectives. This is especially so where there is vacant or underused land. PPW (para 4.2) states that sustainable development means the process of improving the economic, social and environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.

Swansea Unitary Development Plan ('UDP')

The primary focus of the UDP Spatial Strategy is to encourage a sustainable approach to the development of a prosperous region focused on a cosmopolitan and multi-cultural City and County, which capitalises on its waterfront location. Strategic Policy SP1 states that sustainable development will be pursued as an integral principle of the planning and development process. Development proposals designed to a high quality and standard, which enhances townscape, landscape, sense of place, and strengthens Swansea's Waterfront identity will be favoured.

Goal 2 of the UDP is to help promote the sustainable growth of the local and regional economy and a high priority is placed on raising economic prosperity in the region. PPW states that the Welsh Government defines economic development as development of land and buildings for activities that generate wealth, jobs and incomes and the planning system should support economic and employment growth alongside social and environmental considerations.

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Technical Advice Notice 23 ('TAN23') (Economic Development) states that the economic benefits associated with development may be geographically spread out far beyond the area where the development is located and therefore as a consequence it is essential that the planning system recognises and gives due weight to the economic benefits associated with new development. The development will provide significant economic benefits to the City of Swansea.

The application site is located within the City Centre Action Area where the objective is to reinforce and improve the City Centre as a vibrant regional focus for business and administration, shopping, culture and leisure. UDP Policy CC1 (City Centre Mixed Use Development) of the UDP states that within the City Centre, development of numerous uses will be supported and these include retail, offices, hotels and housing, community and leisure uses.

The site is currently in use as a pay and display surface level car park and it also includes a small café. The principle of development on this brownfield site is established and indeed encouraged both by the UDP and PPW, especially where the redevelopment will promote sustainability objectives. The principle of development of this site is therefore considered to be policy compliant.

In terms of the proposed use, the UDP sets out the different uses that are considered acceptable within the City Centre. Although purpose built student accommodation is not listed specifically under Policy CC1, student accommodation is similar to both hotels and residential apartments in terms of format and operation, however, UDP Policy HC11 specifically states that the use of appropriate City Centre sites for student accommodation will be favoured. The student accommodation use would generate a large number of city centre residents that would add footfall and activity in the city centre. The residents would positively contribute to how the city centre functions by taking advantage of its facilities and amenities. In addition, the ancillary commercial uses would create active frontages and would attract additional footfall to the area. As promoted by PPW, the proposed use would make efficient use of a plot of land that is currently underutilised.

On the basis of the above, and taking into consideration the Council's acknowledgement within the recently published Regeneration Framework that the site is suitable for significant amounts of living accommodation, the principle of a student accommodation development at this site is acceptable.

Swansea Central Area Regeneration Framework ('SCARF')

The site is located within the Swansea City Centre Strategic Framework area which has been defined to encompass all of the main retail and commercial areas of the City Centre. The Framework states that a priority for the City Centre is that it develops as an attractive, distinctive, mixed-use, higher density urban core.

The regeneration framework for Swansea city centre (SCARF) has recently been updated and has been the subject of public and stakeholder consultation and was adopted as informal planning guidance in February 2016 by the Council's Cabinet. It is informing the drafting of the Local Development Plan and will ultimately become SPG to updated Development Plan.

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The current regeneration framework for the city centre designates High Street as a 'complementary area' with the vision theme of '*living, working and learning*'. The SCARF seeks to continue the diversification of the High Street started under the earlier regeneration framework. This recognises that the retail heart of the city has shifted to the area around the Quadrant and that the new role of High Street should focus on the 'living, working and learning' theme with an emphasis on creative industries and culture.

Strategic objectives set out in the SCARF that are particularly relevant to High Street and the application site include:

- Developing City living
- Achieving a High Quality Environment
- Expressing a distinctive identity

The SCARF states that High Street has the capacity to build a resident community which supports a thriving economy in the Central area and play a significant role in complementing the retail leisure led mixed use core. The catalyst effect of the Urban Village is recognised: this has set a positive benchmark for quality of design and unique local businesses but a critical mass is required to generate the revitalisation necessary to make it a busy, vibrant street

The application site is specifically identified as a key opportunity in the High Street complementary area for commercial and or residential development which will generate activity and footfall, and should be developed to a quality that reflects its significant gateway location with active frontages to its prominent street frontages.

The SCARF also sets out strategic development and design principles for the area relative to the scheme:

- *Ensure quality active frontages* – the proposed ground floor onto High Street, Alexandra Road and New Orchard Street is shown as commercial units with glazed frontages and entrances to upper floors. The design has been amended slightly to bring areas of cladding to ground. This helps to anchor the buildings and break up the expanses of glass. This maximises active frontages and ensures a quality elevation. However care is needed to ensure that the internal unit layouts do not result in blank windows. Therefore a condition should be added to prohibit the use of window vinyls/ blanking off windows and instead should require unobstructed views into the ground floor units. Mariner Street becomes a service area where active frontages are not a requirement.
- *Ensure mixed uses* – the proposal comprises commercial units at ground floor with student bedrooms above. Therefore not only does the scheme comprise mixed uses within the building, it would also add to the mixture of uses in the area with a significant quantum of city living, thereby increasing activity and vibrancy with a critical mass.

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- *Enhance public realm and widen pavements* – the scheme includes new areas of public realm to provide circulation space and spill out areas for the ground floor commercial uses. Furthermore the new buildings are set some 1.5-6m away from the existing back of pavement. This will allow the pavements to be widened to a typical width of 4-6m which reflects the scale of the buildings, the much higher levels of walking and also provides space for street trees to green the public realm. The public realm materials include high quality concrete paving to match the existing materials palette on High Street which is broken up by feature bands and contemporary elements of street furniture. This is supported to raise the quality of the public realm and the street furniture is essential to ensure that the spaces are used for sitting (the detail can be resolved through condition). The applicant is also providing a S106 contribution towards the reconfiguration of the crossings to the station and High Street which will increase pedestrian priority and improve the public realm.
- *Encourage residential use (including student accommodation) on upper floors* – the scheme proposes high density accommodation with 725 student rooms on the upper floors. This represents city living on a significant scale and will add significant vitality to High Street which in turn will encourage vacant ground floor uses to be brought into use to help provide facilities such as cafes etc for the new city residents.
- *Highlights the potential for a tall building on the application site and sets minimum scale requirements of 3 storey to intensify the location* – the scheme boldly embraces the requirement for the tall building on this site with a 22 storey tower with distinctive sloping roof profile and vertical cladding bands that marks the rail station and acts as a focal point for the regeneration of High Street. The urban scale courtyard block is 6 storey which relates well to the proportions of the immediate streets and scale of existing surround buildings. Therefore the scale of the scheme enhances the immediate townscape. The later sections of this write up consider the relationship of the scale to existing residents and heritage assets.
- *Promote high quality materials* – the scheme is based on a variety of metal cladding panels to ensure a high quality finish which takes inspiration from Swansea's metallurgical history. This will ensure a quality and distinctive scheme that continues the raised quality in the High Street area started by the Urban Village project. There is no render in the scheme.
- *Establish new pedestrian priority crossings and reduce vehicle speeds* – the scheme does not propose any new streets however it will create significant levels of pedestrian movement between the student accommodation and public transport and city centre generally. This will require the existing pedestrian crossings to be reconfigured. Traffic speeds in this area is already low due to the street alignment and traffic lights and the reconfiguration of the pedestrian crossings will help reinforce slower traffic speeds and will improve the priority given to pedestrians.

Therefore the proposal is considered to be fully compliant with the SCARF requirements. Whilst the Urban Village project has significantly regenerated High Street, the further introduction of 725 students and high quality commercial offerings will further revitalise the street with significantly increased footfall and vibrancy.

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This is likely to encourage the reuse of other vacant buildings and will help dilute/discourage the antisocial behaviour that has become associated with High Street. This project also has the potential to link the upper and lower High Street areas. As the upper High Street becomes more active, this could also help encourage the sustainable reuse of buildings such as the Palace Theatre.

Tall Building Strategy SPG

The following assessment is based upon the 2008 version of the tall building SPG. Although this has been updated and was subject to public and stakeholder consultation in 2015, the 2008 version remains the adopted SPG until superseded. The updated 2015 version does not change the principles used below, nor the status of the Mariner Street site as a 'consider zone' for tall buildings.

The Tall Building SPG defines a tall building as being twice the height of adjacent buildings and recognises that tall buildings can have a positive role in the City. It highlights the Mariner Street application site as a 'consider zone' which is defined as a location where *'well designed tall buildings can have a positive impact, subject to the availability of supporting information'*.

The SPG indicates that tall buildings should:

- Signify areas of regeneration
- Create a distinctive skyline that projects a new image for Swansea
- Form a landmark that marks a key city gateway
- Maximise densities in proximity to public transport

The proposal is a refinement of a concept suggested by the Council's Urban Designer which marks the station gateway with a tower, redefines the urban block and steps down to an 'urban scale' in the west to relate to the Alexandra Road Conservation Area and homes to the west the tower will be a bold symbol of Swansea's continued regeneration.

The Tall Building Strategy SPG also sets out a broad range of principles for tall buildings (on pages 19-22):

- *Work with the topography by setting set tall buildings against backdrop of surround high ground.* The scheme does this as it is viewed from the east against the backdrop of Mayhill but it does project above the profile of the high ground as indicated in the visual assessment. This is considered acceptable to create a bold addition to the skyline and to mark the site as a focal point for regeneration on the High Street. The subsequent parts of these comments considers the visual impact in detail.
- *Define key districts, gateways and areas of functional importance.* The design and scale of the scheme marks the rail station gateway and will create a new focal area with the High Street 'district'. Furthermore the design and scale of the lower urban block element will create a much improved vehicle gateway when approaching the city from the north on New Orchard Street.

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- *Create a legible and permeable environment.* The scheme does not need to create any new routes as the existing desire lines are well catered for by the existing street network. It does importantly redefine the city block with active frontages and a building of urban scale. This will create a legible environment that reinforces the historic vision of creating a 'grand boulevard' along Alexandra Road to the rail station.
- *Be sensitive to heritage assets.* There are 3 conservation areas and 19 listed buildings within 500m of the site. The relationship to these designated heritage assets is addressed in the Heritage Impact Assessment and this is addressed later in these comments.
- *Exhibit the highest standards of architectural design.* The concept is for a bold tower and lower urban scale block. This approach has been endorsed by the independent expert Design Review panel of the Design Commission for Wales. The elevations are proposed to be finished in a range of cladding systems that make reference to Swansea's metallurgical history. The materials strategy is confirmed in the DAS addendum. The architecture has been tested close up from the immediate streets and from further afield from key view points as discussed in the Townscape and Visual Impact section.
- *Create a memorable skyline.* The visual testing from key approaches and gateways as required by the Tall Building SPG demonstrates that the proposed 22 storey tower will be taller than the adjacent Alexandra House/ Oldway House block. In comparison with the adjacent tall building, the proposal is slender and has a distinctive sloping roof profile. Furthermore the elevations are designed to reinforce the vertical nature and slenderness through vertical bands of glazing and cladding.
- *Sustainability.* Although there is no longer a mandatory sustainability target imposed through the planning system in Wales, the Tall Building SPG indicates that building of this scale is expected to demonstrate best practice with regards to sustainable building standards. In terms of transport, it is a highly accessible and sustainable location on key public transport routes and walkable to the city centre, plus it is at the centre of emerging cycle network which links to both universities. In terms of the building itself, the DAS addendum confirms that the sustainable building standard for the development is BREEAM Very Good which is welcomed. Specific features proposed include a gas combined heat and power system (CHP) and extensive areas of green roof.
- *Local microclimate.* The wind study assesses the potential wind effects of the proposed development in conjunction with the existing adjacent tall buildings this applies a recognised wind environment criteria for pedestrian comfort and safety. This highlights two areas where wind mitigation is required. Firstly there will be wind acceleration from wind hitting the main tower and urban scale block and dropping to the ground level. This is especially identified as a potential issue close to the main entrance to the student accommodation which will require mitigation. Secondly there will be wind effects beyond the site on the opposite side of the street to the east in the station forecourt and at the station entrance itself. The wind study confirms that the impact on the station area will move the annual pedestrian comfort categorisation from sitting to standing.

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- As the station does not have doors, this may require mitigation in the form of building features (often in the form of a 'wind skirt' or wind break features such as trees in the public realm). This detail can be required through condition.
- *Compatibility with transport infrastructure.* The site is highly sustainable given the relationship to the rail station and stops on main bus routes. It is also walkable into the city centre and on the emerging city centre cycle network which links to both universities. The site is marginally outside the central core parking zone where developments can be car free which starts on the opposite side of Alexandra Road to the south as defined in the Car Parking Standards SPG. However this 2012 SPG does not take account of the highly accessible site location. This issue is addressed in the more recent 2015 SCARF which provides a framework for a relaxation of parking standard central core parking zone (p36) where there are no adverse effects on highway conditions and where sufficient S106 contributions are made to support walking, cycling, public transport and off-site parking provision. Therefore the walking and cycling aspects should be supported through a redesign of the High Street/ Orchard Street junction to improve pedestrian priority. An element of limited off-site parking provision could potentially be accommodated within the existing High Street multi-storey which is understood to be significantly underused at present. These issues are discussed in more detail in the transport section.
- *Clustering of tall buildings.* The proposed 22 storey tower will form the centre point of a tall building cluster comprising Alexandra House/ Oldway House, Urban Village Strand towers and the Matthew Street flats to the north which have recently been reclad.
- *Requirement for public uses at ground floor* A key issue for tall buildings is often how they relate to the street level and public realm. As there is very limited car parking within the proposal, this allows the commercial units to be maximised to create active frontages at street level. As yet the exact size of the units and tenants is to be confirmed, but this could include a supermarket, pub/ cafes and small scale retail. This will bring quality commercial space to High Street. It will benefit more than the students living above, for example the supermarket is likely to be well used by commuters and workers/ residents in the wider area. It should also be noted that unlike existing shops on High Street, no security shutters are proposed. This is a strong statement of confidence in the area and will ensure that even when closed, the commercial units add to the vibrancy of the streetscene. The entrances to the upper floors are also key elements of the active frontages. These student entrances will need to be legible and welcoming so will need to be distinguished from the commercial frontages and a condition is required to allow this issue to be addressed.
- *Scale, form, massing.* Whilst the slender tower with sloping roof profile is the bold iconic element of the scheme, the majority of the accommodation is contained within an urban block of 6 stories (22m high) and 8 stories (28m high). This urban block defines the street edge thereby improving the connection of Alexandra Road to the station and reduces the massing to respect the setting of the adjacent Alexandra Road conservation area and to address the residential amenity of the existing flats to the west of the site on the opposite side of New Orchard Street. The scheme is broken down into a series of blocks using different cladding and changes to the heights.

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This avoids a monolithic appearance and reflects the traditional townscape character of 'joined buildings'. At present the ground floor perimeter is double height glazing to the commercial units. The proposal needs to achieve a human scale at street level and this has been achieved in the amended plans by bring cladding down to ground level in places.

- *Visual – should be of slender proportion and elegant in design.* In comparison to existing tall buildings in Swansea, the proposed 22 storey tower will slender and elegant in design:

| Tower | Footprint (m) | Height (m) | Height (floors) | Notes |
|--------------------------------|-------------------------------|-------------------|------------------------|-------------------------------------|
| Meridian Quay | 45 x 18 | 107 | 29 | |
| BT tower | 45 x 15 | 63 | 13 | Offices – higher floor to dimension |
| Alexandra House/ Oldway House | 87m length width varies | 46 | 13 | Offices – higher floor to dimension |
| Matthew street flats | 25 x 14 (Staggered footprint) | 32 | 11 | |
| Mariner Street proposal | 30 x 14.5 | 72 | 22 | |

The comparisons above demonstrate that the width of the various tall buildings is fairly constant. The Mariner Street proposal north south length is the shortest of the towers, which combined with the 72m height will give a slender appearance. This is reinforced in an elegant manner by vertical cladding and glazing bands that accentuate the slenderness. The roof profile which slopes up from south to north is a bold statement that also distinguishes the proposal from the earlier flat roof towers.

- *Full visual testing undertaken.* At 72m tall the proposed tower will be some 25m taller than the adjacent Alexandra House. The visual testing information is set out in a Townscape and Visual Assessment section below and includes the 'Theoretical Zone of Visibility'. This demonstrates that the tower will be widely visible as a bold addition to Swansea's skyline.
- *Should avoid rooftop plant and include them within the building envelope.* There will be a maintenance crane at the top of the tower for window cleaning and this will be 'parked' within the distinctive sloping roof profile slope when not in use and therefore will not be visible. Enclosed internal plant areas are indicated on the ground floor which is welcomed. However the level 6 plan also indicates a rooftop plant area above the lower part of the urban block. This was originally shown as an open area and revised plans have been provided to demonstrate that the plant area will be enclosed as part of the building envelope which is screened from view from the sides and above.

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- *Must achieve high standards of inclusive design.* The level of the existing pavement around the perimeter of the site varies and the proposal is for very gently sloping public realm and level access to the entrances. This removes the need for ramps and steps to ensure an uncluttered public realm (where level changes are needed, they will be accommodated internally within the ground floor slabs).
- *Parking and servicing is well integrated.* As indicated above, there is only operational parking and student drop off/ disabled parking within the site. This is by virtue of the highly accessible nature of the site. The parking and servicing of the commercial units is all accessed from the rear off Mariner Street. This ensures that the east, south and west elevations are high quality public realm and that vehicle flows around the edges of the site are not impeded.
- *High quality public realm.* The proposal is to widen the existing footways and create a new space at the base of the tower that corresponds to the main entrance to the student accommodation. This effectively forms a wider 'space' in conjunction with the existing station forecourt. This area can accommodate spill out tables and chairs from the commercial units and a setting for the tower. This area can reflect the existing materials palette on High Street in a 'fresher' manner with contrasting bands and contemporary street furniture (obviously the public realm materials will be controlled by condition). The new areas will be positively integrated with the existing station forecourt by means of improved pedestrian crossings thereby creating a unified quality public realm. The wind study indicates that the public realm areas may require wind mitigation which can be resolved by condition. Internal private amenity space for the student residents is also provided in the first floor courtyard and the first floor show multiple entrances to this area – it can be used as a short cut between the main entrance lobby and stairs to upper floors.
- *Quality* – the architectural concept is based upon a tower marking the station and an urban scale 6 storey block with link between the two. This redefines the city block and ensures that the tower relates positively to the immediate context. The tower is designed to emphasise the slenderness with vertical windows and cladding in a colour that makes reference to Swansea's copper history. The tower is deliberately bold and is a symbol of the confidence in the regeneration of High Street. The sloping roof profile has been used to good effect in other tall buildings such as the Great Northern Tower in Manchester.

The Design Commission for Wales has been invited to comment on various versions of the scheme and has helped in the independent testing and scrutiny of the proposals. The most recent design review (Jan 2016) highlighted the following:

- Support for the tower, urban block and link as per the proposed scheme
- Suggested that the retail units be enlarged and the undercroft customer parking be omitted on the basis that this public parking would be unattractive and hostile to users, and that the site was highly accessible by foot, cycle and public transport. This has been amended in the proposed scheme
- They suggested that the main entrance to the student accommodation be made more legible – this has been highlighted in this assessment and can be controlled by condition

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- They stressed that the materials and elevation design needs to be high quality. This assessment confirms that both the elevation design and the material strategy are high quality and that the detail can be adequately controlled by condition.
- The urban block element is broken down into a number of frontages to have a vertical emphasis and to avoid a monolithic appearance. This makes reference to the historic character of the area which comprises and comprises joined buildings albeit on a different scale. The developers are aware of the weathering issues associated with render in Swansea and have therefore designed the scheme to use cladding panels that reference Swansea's metallurgical past and the detail can be resolved through condition. The main tower will be clad in a green panel on the east and west flanks that reflects the green of copper and use a mesh that reflects the colour of new smelted copper on the north and south elevations. The tower cladding will emphasis slenderness and use subtle angles as 'pop outs' to the panels to create a dynamic form.
- *Microclimate* – As indicated above, wind mitigation is needed and this can be resolved through condition.
- *Security*. By defining the urban block, the development creates a secure perimeter with gates enclosing the rear service area on Mariner Street. Access to the upper floor student accommodation will be access controlled on secondary entrances and the main student entrance will have a reception desk for visitors at ground floor level. The majority of the student bedrooms and lounge areas units will have an outward aspect towards the streets and public realm around the site. This will significantly increase the levels of natural surveillance in contrast to the current surface car park. Furthermore the use of these rooms especially after dark when the lights are on will make the surrounding areas feel safer.

To sum up the assessment against the Tall Buildings SPG, it is considered that the proposal conforms fully with all requirements. The proposed tower will be a bold and highly visible addition to the city skyline which marks a key area of regeneration. It is well designed and will have a positive impact. The only unresolved issue is the wind mitigation and this can be dealt with by condition.

Places to Live Residential Design Guide SPG (2014)

Whilst this adopted design guide is generally aimed at housing developments, it is relevant to this proposal in terms of high density city centre living considerations and the residential amenity tests. The majority of the design requirements are set by the Tall Building SPG.

The relevant requirements of the Residential Design Guide include:

- *Maximise density in accessible location* – as indicated above the, site is in a highly accessible location. It is well served by public transport, walkable to the city centre and a cycle ride to the various university areas. The Residential Design Guide sets the objectives of maximising densities in accessible locations. The proposed density based on 725 bedrooms on a 0.43 ha site is 1686 bed spaces per hectare (note that this is different to the usual measure of dwellings per hectare).

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Another way of expressing the density would be the number of 145 studio flats and 105 cluster flats per hectare which equates to 581 'units' per hectare. Whilst this is clearly a high density, this assessment of the scheme demonstrates that there are no significant impacts and that the proposal has significant regeneration benefits. The design guide also sets the requirement to avoid cramped living environments in high density developments and the proposal does this successfully through the design with outward facing street elevations and a well-proportioned private courtyard at first floor level. Furthermore every room in the proposed development has floor to ceiling windows to maximise the natural lighting and feeling of openness.

- *Legible and welcoming entrances* – a key requirement for all forms of development is that the entrances are easy to locate, and are safe and welcoming. This can be ensured by facing the entrances onto streets and public realm areas and also by emphasising the entrances as part of the architectural design. The proposed main student entrance will be from a glazed lobby facing Alexandra Road this leads up to first floor common facilities and will be highly visible and legible. This is supplemented by additional student entrances that relate to the stair and lift cores. Two of these additional entrances face the streets around the site, however the direct entrance to the tower was originally proposed to be accessed off the rear service area which is neither legible or welcoming. Therefore the relocation of this entrance to face High Street has been amended in the final drawings.

Townscape and Visual Impact

A Townscape and Visual Impact Assessment (TVIA) has been submitted with the application and provides an analysis of the potential townscape and visual effects of the proposed development. The assessment considers the townscape character of the site and surrounding area, its sensitivity to change, the scale of the change from the proposed development and the impact of that change.

It is considered that the existing uses and buildings on the site do not contribute positively towards the quality of the townscape, and their removal has potential to improve the townscape character. The built form and architectural design will create a vibrant and attractive frontage, and the built form of the lower blocks will redefine both the Alexandra Road and Orchard Street frontages. Whilst the 21 storey tower will provide a new landmark at this key public transport gateway to the city. The design and articulation of the elevations will represent a more positive townscape with active frontages and would therefore would considerably improve the townscape character of the site.

The visual assessment has been undertaken with reference to 8 representative views which were agreed with the Applicant's Design Team to assess the visual impacts and these are considered below. It should be noted that the visual testing shows the massing only – the grey blocks represent the accurate envelope of the proposed tower but does not show the actual architectural detail. This is a recognised way of assessing visual impact and the DAS includes perspective images of the proposed architecture.

- View 1: Junction of Alexandra Road and Orchard Street. At present, this view focusses on the surface car park that takes up much of the site with a glimpsed view to the rail station. The proposal would improve this view through the introduction of significant built form that redefines the street edge and the tower would act as a marker for the rail station.

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The proposed splayed corner feature will relate to the tower of the old Police Station (new Llys Glas). The nature of the change to the view would be high, however, the change to visual amenity is considered to be beneficial.

- View 2: High Street. Only the tower will be visible looking south up High Street. This will be visible above the lower street element of Oldway House. The new tower would be taller than Alexandra House and would be a significant positive addition as a separate tower of slender and elegant design. It will help lead the eye up High Street to mark the rail station. The view of the tower would be read in conjunction with the existing height and massing of Alexandra House and the nature of the change is considered to be medium and the nature of the change is considered to be beneficial to receptors of this view.
- View 3: Ivey Place. This view represents the view of the tower on leaving the rail station. Currently the view is of a poorly maintained Victorian building and a public art hoarding along with the car park. There is an open aspect to Mayhill and Mount Pleasant, but this is not an important view. The tower would significantly enclose the station forecourt. It would replace the open aspect with a high quality building of slender and elegant design that reinforces the sense of arrival. This would result in a substantial change to the view experienced when existing High Street Rail Station, and the nature of this change is therefore high but the new development is considered to have beneficial change to the visual amenity of the area.
- View 4: Parc Tawe Link Road. This view is dominated by the monolithic bulk of Alexandra House/ Oldway House. There are longer views to Mayhill which are framed by the Urban Village towers on the Strand to the left and the Matthew Street flats to the right. The new tower would be a bold addition to this, significantly taller and more slender than Alexandra House/ Oldway House. It will break the Mayhill skyline and will be a bold addition to the built skyline of the city. The roof profile sloping from south up to north follows the incline of the skyline beyond. It can also be seen how the tower would become the focal point of a cluster of tall buildings. The nature of the change to this view is medium but the development would form a high quality addition to the view and therefore the change to visual amenity would be beneficial.
- View 5: Pentre Guinea Road. The views looking west across the river valley are a feature of the key approach. Currently the view to Mayhill and Mount Pleasant is framed by Alexandra House/ Oldway House to the left and the new student development on the former Unit Superheaters site by the river to the right. The new tower will be a bold addition to this view, projecting well above the Mayhill skyline and above Alexandra House and would be clearly visible from Pentre Guinea Road. The nature of the change would be medium and the tower would create a new landmark to the city skyline and the change to visual amenity would be beneficial.
- View 6: Firm Street. This view is representative of the multitude of public and private views to the site from the higher ground to the west. Currently these views look down onto the existing roofscape and further afield to Kilvey Hill and across Swansea Bay.

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From this side, the tower and urban scale block will be visible. It can be seen that the urban block element sits comfortably with the general city centre scale and whilst the tower break the distant skyline it is a bold and positive addition. Again the slenderness of the tower can be appreciated especially in the context of Alexandra House/ Oldway House. Again the nature of the change would be medium and the tower would create a new landmark to the city skyline and the change to visual amenity would be beneficial.

- View 7: Southern Tawe Bridge. This is a key gateway to the city for vehicles from the east. It is also representative of views from the river corridor and the SA1 area. Like the views described above, the bulk of Alexandra House/ Oldway House can be clearly seen along with the Mayhill skyline and the Matthew Street flats to the right. The recent Urban Village towers on the Strand can also be seen and these help to break up the visual bulk of Alexandra House/ Oldway House. Again the proposed tower would significantly break the skyline in this view but is considered to be a bold and positive addition. Furthermore the slender profile means that much of the Mayhill skyline is still visible to either side of the tower. The proposed development would result in a medium degree of change but again the proposals would create an attractive new landmark and the change to visual amenity would be beneficial.
- View 8 Neath Road. Whilst this view is approximately 1km from the site, it is tested because Neath Road lies within the Vivians Town Conservation Area. In this view the bulk of Alexandra House is clearly visible on the distant skyline and the proposed tower would also be visible as a taller more slender structure. This helps to mark the city centre and is considered to be a positive feature when viewed from this Conservation Area. Having regard the distance from this view the change to visual amenity would be negligible.
- Further views from within the closer Alexandra Road conservation area are considered in the Heritage section of this report.

Although not tested by the applicants, the view from the waters of Swansea Bay looking towards the city centre (as shown on page 13 of the Tall Building Strategy SPG) with Swansea valley beyond will also be important. Again the tower will be visible as a bold addition within the city core. The slender south elevation will be a key aspect of this view and will help to mark the city core. The development would be visible from a number of viewpoints and the applicants townscape and visual impact assessment confirms that the visual effect is neutral or beneficial depending on the view and this is not disputed.

Impact on residential amenity

Policy EV1 of the UDP states that development should not result in a significant detrimental impact on local amenity in terms of visual impact, loss of light or privacy, disturbance and traffic movements. Policy EV40 of the UDP states that development proposals will not be permitted that would cause or result in significant harm to local amenity because of significant levels of air, noise or light pollution.

The closest residential units are located to the rear of Mariner Street. Residential apartments are also located to the west of the A4118 (the closest being approximately 25 metres from the site). The application has been accompanied by a Daylight and Sunlight Assessment.

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The results of the Assessment show that overall the proposed scheme will have a limited impact on existing buildings to the south and west of the site, however, the results show a reduction in daylight factor within the upper floors flats on Mariner Street to the north as a result of the proposed scheme. The assessment acknowledges that a reduction in daylight level in adjacent buildings is to be expected with a development of this scale within a city centre urban environment.

In terms of residential amenity, the residential design guide sets out tried and tested considerations to assess the impact on residential amenity of existing residents around the site. The main considerations in this regard are the upper flats to the north and the existing three storey flats to the west on the opposite side of New Orchard Street but the development will also be visible from homes on the elevated hill side.

- *Overlooking* – the proposed student accommodation will be some 27.5-29m from the windows of the existing flats on the west side of New Orchard Street. This relationship is across New Orchard Street which is effectively a dual carriageway. The residential design guide sets out an overlooking distance across streets of 10m as this is considered to be a public area where less privacy is expected by residents. Therefore the relationship across New Orchard Street is more than sufficient to ensure adequate privacy for the existing flats in an urban location. This takes into account the taller nature of the new development opposite (6 storeys) and allows for the potential views from the student development down to the flats as well as directly across the street. The proposed development will be some 8.5-10.5m from the windows of the cottage and flat to above the Mariner Street Barbers Shop to the north on the opposite side of the street. The residential design guide indicates that the minimum separation of windows across a street should be 10m (p56). The proposal generally achieves this separation on Mariner Street but the separation is less than 10m at the east end and whilst this will impact on the privacy of these units, it is considered acceptable on balance given the significant regeneration benefits of the proposal.
- *Overshadowing* – there is existing overshadowing of the flats to the west from Alexandra House in the morning. The sunlight and day light analysis includes hour by hour assessment for 21st March in accordance with BRE guidelines. This demonstrates that the proposals will create additional overshadowing of the flats to the west during winter months from early-mid morning (no shadowing from lunch time onwards during winter months and no shadowing during summer months). This is considered typical of an urban context. The right to light assessment provided as part of the application considers the daylighting impacts within the flats to the west facing the development site and confirms that daylighting levels with these are still within the relevant BRE guidelines. The main shadowing effect is on the small number of existing homes to the north on the opposite side of Mariner Street (it should be noted that the submitted Daylight and Sunlight assessment wrongly identifies the floors above, the sandwich shop, Burns Gym and the former travel agents as flats whereas these floors are office space, some of which is vacant. Also it doesn't highlight that the flats above the Class Barbers benefit from outlook to the east, south and west).

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The information confirms that the existing cottage and flat above the Mariner Street Barbers Shop will be in shadow for much of the day and that the daylighting levels within the rooms facing the site will all drop below the BRE guidelines and will have to rely on artificial lighting. Whilst this impact is noted, it is considered acceptable on balance given the relatively small number of units affected and the significant regeneration benefits of the proposal. The study also confirms that the daylighting levels within the student rooms are mostly within the BRE guidelines. However some of the units are affected by shading during parts of the day. This is not continuous and is offset by full height floor to ceiling windows to maximise the light and sense of openness.

- *Overbearing* - The design concept has sought to focus the scale (22 storey tower) at the opposite end of the site adjacent the station away from the existing flats to the west. Whilst the flats will lose their open aspect over the current car park, there is no right to the view, and the relationship of the proposed 6 storey scale across the dual carriageway to the slightly elevated three storey flats with pitched roof is considered acceptable in an urban context. There will be a much more significant impact on the handful of units to the north on the opposite side of Mariner Street. However this is not considered unacceptable in an urban context, furthermore the former cottages at the east end are already subject to an overbearing impact from the flank wall of the existing café building that is to be demolished.

In summary, the proposals are considered to be generally compliant with the requirements of the adopted residential design guide and policies EV1 criterion (iii) and EV40 of the UDP. The amenity impacts on the residential units to the north on the opposite side of Mariner Street are noted but considered acceptable on balance given the urban context and significant regeneration benefits of the proposal.

Highways, traffic, car parking, access and pedestrian movements

PPW aims to reduce the need to travel, especially by private car, by locating development where there is good access by public transport, walking and cycling. It also supports the locating of development near other related uses to encourage multi-purpose trips and reduce the length of journeys.

Policy AS1 of the UDP requires that new development associated with housing, employment, shopping, leisure and service provision is located in areas that are currently highly accessible by a range of transport modes, in particular public transport, walking and cycling.

Policy AS2 states that new development should be designed to:

- promote the use of public transport and facilitate sustainable travel choices;
- provide suitable facilities and an attractive environment for pedestrians, cyclists and other non-motorised modes of transport;
- Allow for the safe, efficient and non-intrusive movement of vehicles, and
- Comply with the principles of accessibility for all.

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Policy AS5 also requires development proposals to consider access requirements for pedestrians and cyclists. Policy AS6 states that parking provision to serve development will be assessed against adopted maximum parking standards to ensure that proposed schemes provide appropriate levels of parking for private cars and service vehicles. Account will also need to be taken of the need to provide facilities for the parking of motorcycles and cycles.

A Transport Statement has been submitted in order to assess the impact of the development. The vehicular access to the service access and the 13 car parking spaces will be obtained from Mariner Street which is a one way street running from High Street to Alexandra Road. The site is located in an extremely sustainable location being opposite Swansea rail station and along a major bus route and so has excellent access to public transport both bus and rail and a number of local amenities within a short walk. The Transport Statement Assessment indicated that the Highway Network could accommodate the additional traffic generated by the proposal.

Car Parking

The student accommodation will generate negligible traffic due to the lack of parking facilities provided. It is proposed, however, to require the implementation of a parking management plan through a Section 106 Agreement link to the tenancy agreements which will be required to ensure that students taking up residence do not own cars as there is no parking provided for this purpose. This is discussed below.

The Head of Transportation refers following consultation to the newly adopted Swansea Central Area Regeneration Framework regarding car parking which acknowledges that developments within the city centre will not be able to provide car parking and will be supported where they will make a significant regeneration impact. In such circumstances, developers will be expected to make contributions towards transportation initiatives to enhance alternative modes of transport or off-site parking provision secured through a Section 106 Agreement. As indicated the student accommodation is designed to be 'car-free' and the 13 car parking spaces are provided for servicing, by management and disabled use. This approach is considered to be acceptable where adequate support measures are put in place to prevent cars being brought to the site, and to secondly enhance walking and cycling measures to support the alternative forms of transport. To ensure that this car free arrangement works satisfactorily and does not cause overspill parking problems there is a need to ensure that students do not have cars, and that alternatives are in place. This will be secured via a Section 106 Planning Obligation which will tie the student residents into agreeing not to bring cars to the site. It is envisaged that if a student fails to comply with his tenancy agreement then as a worst case scenario that the tenant would be evicted. This arrangement will be controlled through the parking management plan.

The management of the car parking will be required for pick up /drop offs and the High street multi storey car park would also be available for visitors and/or pick up/drop off purposes at the beginning or end of term. Additionally, to avoid any parking in nearby residential areas (by for example visitors etc.) a sum of £30,000 has already been secured via the Development Agreement with the Council. This can be held for a period of 30 years and can be used to implement residents parking or traffic regulation orders as and when needed in any affected area.

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The Council has also entered into a separate legal agreement with Network Rail to mitigate for the loss of parking on the existing Mariner Street car park site Network Rail and utilize spaces in the High Street MSCP which the Head of Transportation has confirmed is currently under utilised.

Pedestrian and Cycle Access

It is proposed that pedestrian and cycle facilities are to be enhanced by the development. A sum of £160,000 has been agreed with the developer in line with the Council's Supplementary Planning Guidance on Highways contributions. There are two main items that this will fund:

- a) Diagonal pedestrian crossings on the junction on High Street/Alexandra Road junction- estimated scheme utilizing existing kerb lines £35,000, and
- b) Completion of missing links and /or upgrades to the cycle network on Orchard Street. – a contribution of £125,000 towards the missing link on Orchard Street.

It is proposed to provide 204 cycle parking spaces within the development which is considered appropriate and would encourage students to use this sustainable mode of transport.

Public Transport

The site is currently well served by a number of frequent bus services along High St. and the Head of Transportation indicates that it is not considered that there are any improvements needed to improve the frequency given the existing high levels of service provision. The site is also conveniently located opposite Swansea Rail station.

Highways Infrastructure

As indicated the developer has agreed to make contributions of £160,000 towards works to upgrade the cycle and pedestrian facilities in the area. The redevelopment of the whole site will require new footways and public areas and this will need to be undertaken by a Section 278 agreement if the developer wants to keep the footways etc as adopted highways as they currently are. The plans indicate that the footways are to be laid out to tie into the public areas surrounding the proposed building envelope.

Conclusions

The Transport Statement indicates that the development will not result in a material increase in car usage and associated congestion, subject to the mitigation measures proposed and a robust tenancy agreement to prevent car ownership is secured in a Section 106 Planning Obligation. The Section 106 Planning Obligation will also secure the financial contributions of £160,000 as outlined above for the upgrade works to the pedestrian and cycle facilities. These contributions required are considered to be necessary to make the development acceptable in planning terms, directly related to the development and are fairly and reasonably related in scale and kind to the development having regard to the tests set out in Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010. Planning conditions will also be imposed require all highway works to be completed to Highway Authority Standards and Specification and the implementation of a Travel Plan. Subject to these measures and conditions the application is considered to comply with the aims and requirements of policies AS1, AS2, AS5 and AS6 of the UDP.

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Impact on archaeology and cultural heritage

Archaeology

The planning application is accompanied by an Archaeological Appraisal in order to identify the nature, extent, character and condition of the archaeological resource within the site. The assessment has identified no recorded archaeological features within the site or its immediate vicinity. However, the site is located to the north of the medieval town walls but there is potential for unrecorded archaeological remains to occur within the site, although the extent to which these deposits have been disturbed by previous phases of construction is unclear. The Appraisal concludes that the potential archaeological constraints can be appropriately addressed through a programme of archaeological works to be undertaken as a planning condition.

Glamorgan Gwent Archaeological Trust (GGAT) consider that the submitted appraisal goes some way to identifying the archaeological potential of the proposed development area, however the conclusions drawn in this report do not effectively consider the impact of the proposed development on the archaeological resource nor the implications of the discovery of any archaeological resource on development. GGAT have therefore advised that the applicants should be requested to commission the required archaeological work and that the planning application this should be deferred until a report on the archaeological evaluation has been submitted. It is appreciated that the Archaeological Appraisal indicates the potential for unrecorded medieval archaeological remains within the site, which may have been disturbed by previous development.

Whilst the concerns raised by GGAT are noted the submitted Archaeological Appraisal proposes a programme of archaeological works to be undertaken as a condition of the planning approval. It is considered that a condition expressly worded and imposed to ensure that no development in connection with the planning permission be undertaken until a programme of archaeological work has been submitted and agreed by the local planning authority would be reasonable in this instance.

Cultural Heritage

Policy EV1(xi) of the UDP states that new development shall have regard to the desirability of preserving the setting of any listed building. Policy EV2 (vi) states that new development must have regard to the physical character and topography of the site and its surroundings by avoiding detrimental effects on the historic environment. Policy EV6 seeks to protect, preserve and enhance Scheduled Ancient Monuments and their settings as well as unscheduled archaeological sites and monuments and their settings. Policy EV9 relates to Conservation Areas and states that development within or adjacent to a Conservation Area will only be permitted if it would preserve or enhance the character or appearance of the conservation area or its setting.

Within 500m of the application site there are 3 ancient monuments, 19 listed buildings, 3 conservation areas and 3 buildings of local interest. Therefore the applicant has provided a Heritage Impact Assessment to assess the impacts on these designated heritage assets.

It should be noted that many of the heritage assets within 500m of the site have no visual relationship to the scale of the proposed development so the effect is considered to be neutral. This applies to:

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- Swansea Original Castle (this is a scheduled ancient monument for archaeological reasons)
- Mount Pleasant Hospital conservation area
- Ragged School (LB517) – this is incorrectly identified in the HIA as being of local interest only
- Albert Hall (LB099)
- Windsor Lodge (LB119)
- Former Grammar school mount pleasant (LB072)
- Offices of community and industry (LB120)
- Technical college building (LB121)
- Mount Pleasant Baptist Chapel (LB115/116/117)
- Bethesda Chapel (LB90)
- Kings Arms (LB109)
- Unitarian Church (LB112)
- Former BBC building (local interest)

With regard to the following listed buildings and buildings of local interest, there will be a visual relationship with the proposal especially the tower and the individual impacts are considered below:

- Swansea Castle (Grade I and scheduled ancient monument) – the proposed tower will be visible from elevated parts of Swansea Castle such as the turret and northern windows to the great hall (at first floor level). The proposed tower will also be visible from part of the castle courtyard looking along Worcester Place. However given the distance involved and intervening urban development visible from the castle such as the bulk of Alexandra House/ Oldway House, the relationship to the new tower is considered to be neutral. CADW have been consulted on the proposal having regard to their statutory responsibility with regard to the desirability of preserving the setting of an ancient monument. The Heritage Impact Assessment concludes that the upper storeys of the proposed building will be visible from the scheduled monuments (Swansea Castle (GM012), Original Swansea Castle (GM441,)) which will be *from some distance and within the context of intervening city centre developments*. CADW agree with the assessment of the potential impact of the proposed development on the setting of the above listed Scheduled Monuments. In their opinion, the proposed building will be visible from the Scheduled Monuments, but is unlikely to affect interpretation or understanding of the monuments and will have a negligible impact upon their settings.
- Glynn Vivian (Grade II*) – the site is viewed in context of the streetscene to front of this listed building which is the cultural hub for the city. The proposal will be visible from the pavement area outside the new gallery entrance. This view will comprise the lower urban scale block which will reinstate the street edge and lead the eye round to the tower which marks the rail station. This would complete the civic vision for this area dating from Victorian times and therefore is considered to enhance the setting of this listed building. The site is not visible from any rooms within the original listed building due to the intervening form of the Foyer building (former Working Mans Club).

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- Ebenezer Chapel (Grade II*) – this chapel and attached buildings lies to the north of the site. The upper floors of the proposal will be visible from the street outside the chapel but this is not a designed view and is only possible due to low scale of post war poor quality warehouses along south side of street. There are no views from chapel to site because the internal focus is to the north to pulpit and the southern windows are obscure glazed. There are currently glimpsed views of the chapel gable across the surface car park and this will be lost due to the development. However this is an incidental view that will be replaced by a high quality development. Therefore the impact is considered to be neutral.
- Former Central Police Station (Grade II) – there will be a direct visual relationship with the corner of the proposed development opposite the existing clock tower of former police station. The proposed development is sufficiently far away to not be overly dominant, but will create a modern corner building that encloses the space, reinstates the historic building line and in turn enhances the setting of this listed building. Therefore the proposal is considered to enhance the setting of this listed building.
- Former Working Man's Club, now Foyer (Grade II) – the site is viewed in the context of the streetscene to the front of listed building. The frontage of the listed building will be visible obliquely in the foreground of views to the site. The development will also be visible from side windows to rooms within the listed building. The proposed development is sufficiently far away to not be overly dominant, but will create a modern corner building that encloses the space, reinstates the historic building line and in turn enhances the setting of this listed building.
- Palace Theatre (Grade II) – the proposed tower will be visible over the roofscape to south when viewed from the pavement adjacent to the Palace. There is no key vista from the inside the building, however the roof of the Palace is widely visible from the north and in some views this will overlap with the proposed tower behind. This is all considered to be a neutral impact typical of an urban location.
- Castle Cinema (Grade II) – the tower is viewed in context of the streetscene to the front of the listed building on Worcester Place. There are no views from the side of the listed building as the north elevation is windowless and was originally a part wall. This is all considered to be a neutral impact typical of an urban location.
- Matthew Street church (Grade II). Whilst the proposed tower will not be visible from the streetscene to the front of the church nor from the church itself, it will be visible from the church yard to the rear over the immediate roofscape and this is considered to be a neutral relationship.
- Bush Hotel (Grade II demolished). Although this former pub was demolished in 2013 it is still classified by Cadw as a listed building. Permission has been granted for the façade to be rebuilt as part of the 'Urban Quarter' development using salvaged materials. The proposed tower will be viewed above the street block of Oldway House from the front of the reconstructed listed building. This is all considered to be a neutral impact typical of an urban location. The relationship is the same for the Elysium which is a building of local interest that will have streetscene views to the tower.

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- Swansea Rail Station (local interest). There will be a direct relationship between the proposed tower and the rail station building and forecourt area. Currently the view to the west on exiting the station is of poor quality low scale Victorian buildings and the open aspect of the surface car park. This would be replaced by the proposed 22 storey tower with commercial units at ground floor level. Whilst this would be a considerable increase in scale it is considered to be a significant enhancement on the existing buildings and is appropriate to mark the station as a key gateway within the city. The design of the tower with vertical cladding bands coming down to ground will be a key factor to ensure a slender design in contrast to the monolithic mass of the existing Alexandra House. The proposed tower would also be visible from the carriage windows on approach to the station and the platform areas without canopies. This is considered to be beneficial to reinforce the sense of arrival.

The main heritage impact will be the effect on the Alexandra Road Conservation Area. This was designed in 1986 primarily due to the on account of the cluster of civic buildings that form part of an 'impressive curve along the Grand Boulevard'. It was also designated for the juxtaposition of the civic buildings and earlier slum dwellings that represented the evolution of the city and efforts to enhance the gateway to the city back in the Victorian period. Although the site lies outside the conservation area, it does have a direct visual relationship. Currently the view to the site from the conservation area is of a poor quality surface car park and remnant Victorian buildings. It is therefore currently a fractured and poor quality townscape. In contrast the proposal would effectively reinstate the building line of the grand boulevard linking the Victorian civic buildings such as the Glynn Vivian to the rail station in a contemporary manner. The south west corner of the proposed urban scale block will deflect the view along Alexandra Road and the proposed tower will be visible along the length of Alexandra Road as a bold marker without being overly dominant on the conservation area. These visual impacts are shown in the visuals contained in the HIA addendum which includes a view from outside the entrance to the gallery which will open later in 2016. Whilst this is significant change on the edge of the conservation area it is considered to be enhance the townscape of the Alexandra Road Conservation Area in the spirit of the original civic aspirations. There would be no impact on the former slum dwelling aspects of the Conservation Area. In conclusion, whilst the proposals will be widely visibly and of a contemporary nature, they would be neutral to beneficial in terms of the relationship to heritage assets.

Flood risk and Drainage

The Flood Risk Assessment and Drainage Strategy confirm that the site is entirely within a Flood Category Zone A and therefore has a low chance of flooding. The site is currently 95% impermeable and drains to the existing adopted combined sewer system to the north and east of the site. The Drainage Assessment has determined that the most appropriate method for the surface water management associated with the proposed scheme is to discharge to the public sewer system, although soakaway/infiltration techniques cannot be completely discounted until a site investigation has been undertaken. The design of the surface water drainage to serve the scheme will have no net effect on the existing sewer infrastructure capacity. The proposed development incorporates a green/sedum roof and a courtyard landscaped area therefore surface water runoff rates may in fact reduce. With regards to foul water flows, it is assumed that the existing foul water flows from the site unrestricted to one or more of the existing combined sewers adjacent to the site.

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The proposed on-site surface and foul water drainage systems to serve the scheme will be designed as separate systems and will not combine before connecting into the public sewer in accordance with current Building Regulations Part H. The Drainage Assessment concludes that the proposed development can be delivered in accordance with the requirements of the Local Authority and current Building Regulation requirements, subject to detailed design. Dwr Cymru Welsh Water and the Council's Drainage Engineers raise no objections in this regard.

Pollution and ground contamination

A Noise and Vibration Assessment has been prepared to accompany the application which has considered how the proposed site will be impacted by road traffic noise and railway noise and has also had regard to noise from the developed site in terms of mechanical service plant. This concludes that the proposed building would be located in a relatively noisy location. However, subject to the installation of acoustic glazing and controls on the mechanical ventilation system then the noise levels would be within an acceptable level.

An Air Quality Assessment has been undertaken and the conclusions are that air quality at potential future locations of relevant exposure for short-term (commercial use) and long-term (student residential use) averaging periods at the proposed development are predicted to be below the relevant Air Quality Assessment Levels. The operational phase of the scheme is not considered to lead to an adverse impact on air quality given that the development will result in an overall decrease in vehicle trips to and from the application site. The impact on air quality during the construction phase may be mitigated against in order to reduce any impact.

A Phase 1 Geoenvironmental Desk Study and Coal Mining Risk Assessment has been submitted. A preliminary assessment of the likely ground conditions within the development area indicates that the development will require a deep foundation solution such as piles down to the underlying rock. The site is considered to be at low risk of historic coal workings. The risk of significant contamination being present on the site is considered to be moderate based on the previous unknown site uses.

Waste Storage

Policy R16 states that proposals for major new developments will be required to incorporate adequate and effective waste management facilities. The supporting text states that when assessing proposals for major new developments, the provision of waste management facilities for the collection, recycling and other management of all waste likely to be generated must be included. The building accommodates residential and commercial refuse facilities at ground floor on the rear of the building which allows refuse vehicles to pick up along Mariner Street. It has therefore been demonstrated that sufficient provision is made for refuse and recycling waste that will be generated by the student accommodation and commercial units.

Impact on ecology

An Ecological Appraisal has been undertaken in order to assess habitats within and close to the site and to determine the presence of any protected species. The site is considered to be low suitability for use by bats and birds and other protected species. NRW have expressed concerns that insufficient information has been submitted to assess the possible impact on bats and advised that further surveys be undertaken.

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A further bat survey has been undertaken and concluded that there are no constraints to roosting bats on the site.

Conclusion

The proposal makes efficient use of an underutilised brownfield parcel of land which is in accordance with PPW's aspiration for the redevelopment of previously developed land. The site is not considered environmentally valuable and therefore there is no detriment to the natural environment. It has been demonstrated that the proposal accords with planning policy and that it comprises sustainable development as it provides social and economic benefits with limited environmental impacts. It has also been demonstrated that the scale and massing of this development is acceptable in this location given its sustainable location.

The tower will be a bold addition to the city skyline near the train station and symbolises the successful regeneration of High Street. The 725 student rooms and high quality commercial space will generate significant levels of footfall and add a substantial boost to the diversification of High Street. The proposals mend the urban block and incorporate a slender tower of bold design with distinctive sloping roof profile. The proposals have been subject to independent expert scrutiny by the Design Commission for Wales and they support the scheme. The site is close to many heritage assets and the proposals will have a consistently beneficial relationship so these precious buildings.

Having regard to the policy framework set out in the City and County of Swansea Unitary Development Plan (Adopted November 2008), Supplementary Planning Guidance and National Policy and Guidance in the form of Planning Policy Wales and Technical Advice Notes and on balance of all material considerations it is considered that the development is acceptable.

RECOMMENDATION:

APPRVE subject to the conditions indicated below and the applicant entering into a Section 106 Planning Obligation in respect of the following clauses:

1. **Car Parking Management in accordance with Management Plan**
 - a. The residents of the development shall be registered students only attending a Swansea based educational establishment
 - b. The Owner shall not permit any student accommodation unit to be occupied other than by persons who prior to the commencement of Occupation have entered into a tenancy agreement in writing which contains a tenant's obligation not to keep or use a motorized vehicle within one mile of the boundary of the student accommodation (unless otherwise permitted within a public car parking facility such as High Street MSCP).
 - c. The owner shall not permit any student accommodation unit to be occupied or continue to be occupied by any person who does not comply with the tenant's obligation.
 - d. The Owner shall upon written request from the Council produce to the Council evidence of the Owner's compliance with the parking restriction.

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2. **Highway Infrastructure**

Financial contributions to upgrade works to the pedestrian and cycle facilities £160,000 within the vicinity of the development site. The contributions to be made at an agreed point in the development and tied into the beneficial occupation of any of the units. The Pedestrian crossing works (£35,000) to be completed prior to beneficial occupation of any part of the development, and the cycling contribution to be tied into the occupation of the student accommodation.

3. **Air Quality Monitoring**

PM10 (particulate matter) Ebam unit (approximately £8,000) to measure the air quality impact on the proposed residents / commercial users.

4 **Section 106 Management and Monitoring Fee**

Costs incurred against the management of the obligation based on 2% of the value of the obligations = £3,360.00.

If the Section 106 Obligation is not completed within 3 months of the foregoing resolution then delegated powers be given to the Head of Economic Regeneration and Planning to exercise discretion to refuse the application on the grounds of non-compliance with policies AS1, EV1, EV3 and HC17 of the City and County of Swansea Unitary Development Plan (November 2008).

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 The development shall be carried out in accordance with the following approved plans and documents: [AL_00_001_P1, AL_01_001_P2, AL_20_001 - 008_P2 (Floor Plans), AL_27_001_P1 Roof Plan, AS_20_001 - 003_P1 Sections, AE_00)OO1 - 004_P2 Elevations / Sections, AE_00_005 3D Views, W152064_SK_19-22 Access Movements, 11149_L01 -LO5 Landscape, Verified Montage - VM1 - VM8 (x 2) before and after - plans received 18 March, 2016]

Reason: To define the extent of the permission granted.

3 No development shall take place until the developer has notified the Local Planning Authority of the initiation of development. Such notification shall be in accordance with the form set out in Schedule 5A of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or any order revoking or re-enacting that order.

Reason: To comply with the requirements of Section 71ZB(1) of the Town and Country Planning Act 1990 (as amended).

4 No development shall take place until the developer has displayed a site notice in accordance with the form set out in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or any order revoking or re-enacting that order. The site notice shall be displayed at all times when development is being carried out.

Reason: To comply with the requirements of Section 71ZB (2) of the Town and Country Planning Act 1990 (as amended).

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- 5 Samples of all external finishes together with their precise pattern and distribution on the development shall be submitted to and approved by the Local Planning Authority in writing prior to the development of superstructure works and shall be consistent with the Material Strategy within the Design and Access Statement Addendum. Composite sample panels shall be erected on site and the approved sample panel shall be retained on site for the duration of the works, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

- 6 Prior to the commencement of any superstructure works, details at an appropriate scale shall be submitted to and agreed in writing by the Local Planning Authority:

- Typical window unit;
- Typical external door within its opening;
- Shopfront;
- A sectional elevation indicating the juxtaposition of various facing materials and how typical junctions are to be detailed.
- Corner and soffit details of the cladding materials including fixing details.

The development shall be carried out in accordance with the agreed details.

Reason: In the interests of visual amenity.

- 7 Visual transparency shall be retained into each retail / commercial unit in accordance with a Shopfront Code, to be submitted to and approved by the Local Planning Authority prior to the occupation of any of the units. The Code shall apply to the shopfront zone which shall extend 3 metres to the rear of each shopfront.

Reason: To ensure active, attractive and transparent shopfront which will maintain and enhance vitality at street level and avoid dead retail frontages.

- 8 Notwithstanding the provisions of the Town and Country Planning (Control of Advertisement) Regulations, no advertisement shall be displayed on any external face of the building or affixed or displayed on the inside of any shopfront without the express consent of the Local Planning Authority. Advertisements shall be affixed to an internal fitting as indicated on the submitted plan, the details of which shall be agreed pursuant to conditions 5 and 6 of this permission, and an appropriate application for Advertisement Consent.

Reason: To ensure a consistent advertisement approach is adopted for the development which respects the simple architectural form of the building (which specifically does not provide for external fascia signage) and does not detract from the visual amenity of the area.

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- 9 Notwithstanding any detail shown on the approved plans, details of all wind mitigation measures shall be submitted to and approved in writing by the Local Planning Authority. The proposed mitigation measures shall be referenced to the wind microclimate assessment and shall be implemented in accordance with the approved scheme and retained thereafter to serve the approved development.
Reason: In the interests of visual amenity and to ensure that the wind mitigation measures create an acceptable wind microclimate in and around the development.
- 10 Notwithstanding the details shown on any approved plan, unless otherwise agreed in writing by the Local Planning Authority, precise details of the location, extent, design and finish of all visible external ventilation shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any superstructure works.
Reason: In the interests of visual amenity.
- 11 Unless otherwise agreed in writing by the Local Planning Authority, prior to the beneficial occupation of any Class A3 unit, a method of ventilation and fume extraction shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.
Reason: To prevent any nuisance from fumes and / or cooking odours to the occupiers of neighbouring premises.
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking or amending that Order), Part 24 of Schedule 2 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.
- 13 Unless otherwise agreed in writing by the Local Planning Authority and notwithstanding the details shown on any approved plan, no superstructure works shall commence until a scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. 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.

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- 14 Unless otherwise agreed in writing by the Local Planning Authority, no development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.
Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.
- 15 All works to the Highway (footway and carriageway) shall be undertaken under a section 278 agreement with the Highway Authority. This will include resurfacing of the footways on all frontages to High Street, Alexandra Road, Orchard Street and Mariner Street.
Reason: In the interests of highway safety.
- 16 Vehicular servicing of the development along Mariner Street shall be in accordance with details to be submitted to and approved in writing by the Local Planning Authority and the kerb line on the north eastern junction point on High Street needs to be realigned to allow the footway to be widened to 2 metres.
Reason: In the interests of highway safety.
- 17 The development shall be carried out in accordance with a travel plan to be submitted to and agreed in writing by the Local Planning Authority prior to any beneficial use of the development commencing.
Reason: In the interests of sustainability and to prevent unacceptable highway congestion.
- 18 Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of construction works a Construction Pollution Management Plan (CPMP) should be submitted to and approved in writing by the LPA. The CMP shall 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 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;

- Continued -

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- 18
- i) Details of on site noise mitigation measures having regard to BPM;
 - j) Details of on site vibration mitigation measures having regard to BPM;
 - k) Details of waste management arrangements (including any proposed crushing/screening operations); and
 - l) Notification of whether a Control of Pollution Act 1974 (Section 61) Notice to be served by Principle Contractor on Local Authority.

Items g) - l) inclusive need to take particular account of the potential for statutory nuisance from site related activities.

The development shall be implemented in accordance with the approved CPMP.

Reason: To enable the developer to present a coherent plan addressing all environmental pollution issues likely to impact on the public.

- 19
- Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of construction works a Site Waste Management Plan should be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Site Waste Management Plan.

Reason: To enable the developer to present a coherent plan addressing all environmental pollution issues likely to impact on the public.

- 20
- Unless otherwise agreed in writing by the Local Planning Authority, no development shall commence until a scheme for the comprehensive and integrated drainage of the site showing how surface water and land drainage will be dealt with and this has been approved in writing by the Local Planning Authority. This scheme shall include details of a sustainable drainage system (SuDS) for surface water drainage and/or details of any connections to a surface water drainage network. The development shall not be brought into beneficial use until the works have been completed in accordance with the approved drainage scheme, and this scheme shall be retained and maintained as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a satisfactory comprehensive means of drainage is achieved and that no adverse impact occurs to the environment and to minimise surface water run-off.

- 21
- Foul water and surface water discharges must be drained separately from the site and no surface water shall be allowed to connect (either directly or indirectly) to the public foul sewerage system. No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.

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

- 22
- Unless otherwise agreed in writing by the Local Planning Authority, prior to the beneficial use of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority that adequately restricts the flow of sound energy through party walls and floors between the commercial and residential class uses within the development. The scheme supplied shall achieve a minimum DnT,w - (Ctr) of 50dB for the ceiling/floor between the commercial and residential uses and be verified by the appropriate testing methodology upon completion.

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22 Reason: To protect the proposed residential use against noise emanating from the commercial activity on the ground floor

23 Prior to occupation of any part of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide the following:

All habitable rooms exposed to external road traffic noise in excess of 63 dBA Leq 16 hour (free field) during the day (07.00 to 23.00hrs) or 57 dBA Leq 8 hour (free field) at night (23.00 to 07.00 hours) shall be subject to sound insulation measures. These measures should ensure that all such rooms achieve an internal noise level of 35 dBA Leq 16 hour during the day and 30 dBA Leq 8 hour at night as set out in BS 8233:2014 Guidance on sound insulation and noise reduction for buildings.

The submitted scheme shall ensure that habitable rooms subject to sound insulation measures shall be provided with mechanical ventilation units so that future residents can keep their windows closed. No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room.

Reason: To protect the proposed residential use against noise arising from the existing traffic use of the area.

24 Prior to beneficial use of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide the following:

All building services plant noise shall be designed to achieve a rating level (dBLArTr), , that does not exceed the representative night time background sound pressure level (LA90,15min) in accordance with BS 4142:2014. Methods for rating and assessing industrial and commercial sound.

Reason: To protect the existing and proposed residential uses against noise from building services plant.

25 Prior to beneficial use of the development a scheme, which specifies the provisions to be made for any condensing units relating to refrigeration and freezing of products has been submitted to and approved by the Local Planning Authority. Such works that form part of the approved scheme shall be completed before the premises are occupied.

Reason: To protect the proposed and neighbouring residential use against noise emanating from such units.

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26 Prior to the commencement of development (unless otherwise agreed by the Local Planning Authority) a Phase 2: Detailed Investigation shall be submitted which shall:

- Provide detailed site-specific information on substances in or on the ground, geology, and surface/groundwater. Provide for a more detailed investigation [Human Health Risk Assessment] of the site in order to confirm presence or absence of, and to quantify, those potentially significant source-pathway-receptor pollutant linkages identified in the Patrick Parsons Phase 1 Report, Mariner Street, Swansea (N16053)

Note; where any substance should be encountered that may affect any controlled waters the applicant, or representative, must contact the Natural Resources Wales in order to agree any further investigations required.

In the event that the need for remediation is identified the applicant shall submit a subsequent detailed [Phase 3] report to the Local Planning Authority, viz:

Phase 3: Remediation Strategy Options Appraisal
this shall:

- Indicate all measures to be taken to reduce the environmental and human health risks identified in Phase 1 and Phase 2 to an acceptable level, in a managed and documented manner, to best practice and current technical guidance.

Phase 3: Validation/verification Report

- On completion of remediation works a validation/verification report will be submitted to the Local Planning Authority that will demonstrate that the remediation works have been carried out satisfactorily and remediation targets have been achieved.

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

27 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.

28 Prior to the commencement of demolition/construction works on the application site a Dust Management Plan (DMP) shall be submitted to and approved in writing by the Local Planning Authority. The DMP is to include the Mitigation Measures set out in Table 5-4 of The Air Quality Assessment, Mariner Street Student Accommodation, Swansea (N16053).

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

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- 29 Prior to the commencement of any works on the site a Piling Assessment report shall be submitted to and approved by the Local Planning Authority. The report shall set out the different types of piling methods that could be utilised at the site; along with consideration of the noise and vibration effects that the operation may have upon surrounding land uses and the mitigating measures that may be utilised.

Reason: To protect the residential and commercial land uses from noise and vibration within the surrounding area.

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: (UDP Policies EV1, EV2, EV3, EV4, EV5, EV6, EV9, EV13, EV33, EV35, EV36, EV38, EV40, EC3, EC4, EC6, HC1, HC11, HC17, R16, AS1, AS2, AS5, AS6, CC1 & CC2)
- 2 The Developer must contact the Highway Management Group, The City and County of Swansea, Guildhall Offices, c/o The Civic Centre, Swansea SA1 3SN before carrying out any work. Please contact the Team Leader (Development), e-mails to mark.jones@swansea.gov.uk , tel. no. 01792 636091. In particular, prior to any works commencing a Construction Traffic Management Plan will be required to be agreed with the Highway Management Group.

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ITEM 2

APPLICATION NO.

2015/2223

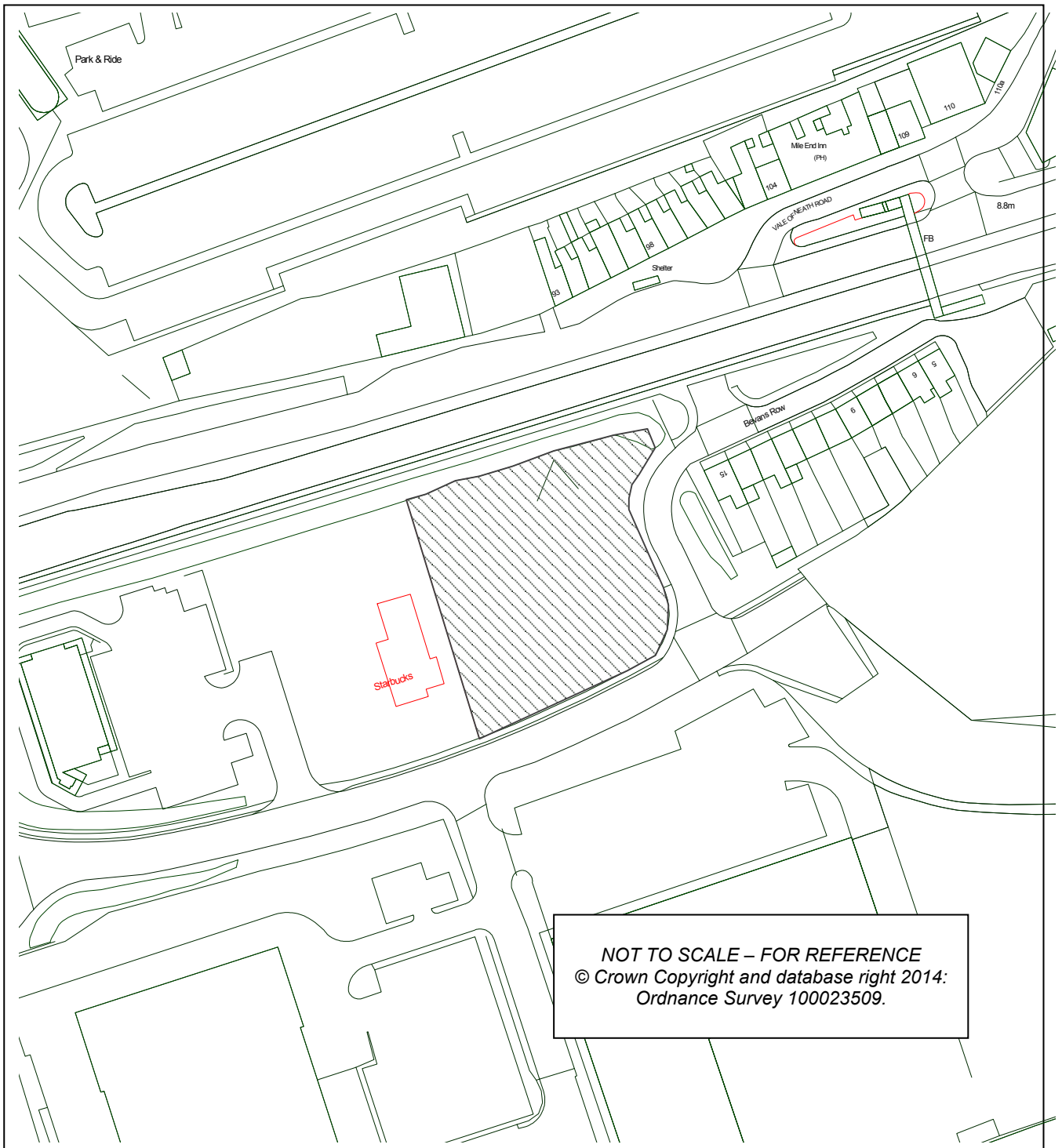
WARD:

St Thomas

Location: Land off Fabian Way Swansea SA1 8LD

Proposal: Erection of a detached tyre and auto-care centre and two detached units (Class A3)

Applicant: Mr James Marshall



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ITEM 2 (CONT'D)

APPLICATION NO.

2015/2223

BACKGROUND INFORMATION

This application was DEFERRED FOR A SITE VISIT at the Planning Committee on the 10th May 2016 in order to assess public concerns.

POLICIES

| Policy | Policy Description |
|---------------|---|
| Policy AS1 | Accessibility - Criteria for assessing location of new development. (City & County of Swansea Unitary Development Plan 2008) |
| Policy AS6 | Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008) |
| 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 EV33 | Planning permission will normally only be granted where development can be served by the public mains sewer or, where this system is inadequate, satisfactory improvements can be provided prior to the development becoming operational. (City & County of Swansea Unitary Development Plan 2008) |
| Policy EV35 | Development that would have an adverse impact on the water environment due to: i) Additional surface water run off leading to a significant risk of flooding on site or an increase in flood risk elsewhere; and/or, ii) A reduction in the quality of surface water run-off. Will only be permitted where it can be demonstrated that appropriate alleviating measures can be implemented. (City & County of Swansea Unitary Development Plan 2008) |
| Policy EV38 | Development proposals on land where there is a risk from contamination or landfill gas will not be permitted unless it can be demonstrated to the satisfaction of the Council, that measures can be taken to satisfactorily overcome any danger to life, health, property, controlled waters, or the natural and historic environment. (City & County of Swansea Unitary Development Plan 2008) |

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Policy EV40 Development proposals will not be permitted that would cause or result in significant harm to health, local amenity, natural heritage, the historic environment or landscape character because of significant levels of air, noise or light pollution. (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 |
|----------------|---|
| 99/1627 | ERECTION OF A PUBLIC HOUSE (CLASS A3) (OUTLINE) - (AMENDED PROPOSAL) Decision: *HGPC - GRANT PERMISSION CONDITIONAL Decision Date: 08/05/2000 |
| A01/0113 | ERECTION OF 997 SQUARE METRE SINGLE STOREY FOOD RETAIL STORE (CLASS A1), FORMATION OF 73 SPACE CAR PARK TOGETHER WITH ASSOCIATED LANDSCAPING Decision: *HRP - REFUSE PERMISSION Decision Date: 06/03/2001 |
| A00/6088 | Erection of an internally illuminated fascia sign and 2 No. internally illuminated freestanding pole signs Decision: Withdrawn Decision Date: 23/10/2001 |
| A00/1035 | Erection of 997sqm single storey food retail store (Class A1) formation of 72 space car park together with associated landscaping Decision: Refuse Decision Date: 12/12/2000 |
| 2005/1528 | Construction of single storey foodstore with associated car parking and landscaping Decision: Refuse Decision Date: 31/01/2006 |
| 2006/1710 | Construction of single storey foodstore with associated car parking and landscaping Decision: Refuse Decision Date: 23/11/2006 |

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|-----------------|--|-----------|
| 2014/1729 | Construction of drive through retail coffee house (Class A3) Decision: Perm Subj to S106 Agree Decision Date: 22/05/2015 | |
| 2015/1102 | Construction of drive through retail coffee house - Discharge of conditions 3 (samples), 4 (landscaping), 5 (car parking), 7 & 8 (drainage scheme) and 11 (Construction Pollution Management Plan) of planning permission 2014/1729 granted 22nd May 2015 Decision: Grant Permission Unconditional Decision Date: 03/08/2015 | |
| 2015/1264 | 1 no internally-illuminated totem sign, 1 non-illuminated height clearance bar, 7 internally-illuminated freestanding signs, including menu boards with canopies and customer order point, and 5 internally illuminated wall mounted signs Decision: Grant Advertisement Consent (C) Decision Date: 18/09/2015 | |
| 2015/1275 | 4 no. A/C Condenser Units and 3 no. Umbrellas Decision: Grant Permission Conditional Decision Date: 02/09/2015 | |

RESPONSE TO CONSULTATIONS

Neighbours: The application was advertised on site in the form of a site notice and all previous objectors to the adjacent development were individually consulted. 8 LETTERS OF OBJECTION were received which raised concerns relating to:

1. Fumes and smells.
2. Increase in traffic.
3. Vermin infestation.
4. Parking problems.
5. Loss of light.
6. Air pollution problems in the area.
7. Health issues.
8. Noise problems.
9. Unsightly proposal.

Pollution Control: No objection subject to conditions.

Natural Resource Wales: No objection.

Highways: Erection of a detached tyre and auto-care centre and two detached units (Class A3) Land off Fabian Way Swansea SA1 8LD.

A Transport Statement has been provided by Connect Consultants on behalf of Commercial Development Projects Limited to support the planning application for the construction of a detached tyre centre with two restaurants.

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The adjacent site has previously had consent for a Costa Coffee drive through with associated parking (planning application 2014/1729).

The application site is a parcel of brownfield land located off Bevans Row in the Port Tennant area of Swansea. The site is also occupied by a McDonalds restaurant with drive through element. The site is bounded by Fabian Way to the north, Bevans Row to the east, Langdon Road to the south and Costa Coffee to the west. The site is located approximately 1.5km from junction 42, linked to the site by the A4067 and A48. Many of the local junctions are designed for commercial HGV vehicles.

The layout that was originally submitted showed a shared access with the adjacent coffee shop site but due to concerns from Highways regarding access and egress a revised plan was submitted showing that access/egress to this site was self contained and was shown directly off Langdon Road.

National cycle network route 4 runs to the north of the site along Fabian Way, this predominantly traffic free route links to other segregated routes between Swansea and Ystradgynlais to the north. The site has access to frequent bus services running along Fabian Way which is located within the 400m recommended limit as set out in the Institution of Highways and Transportation (IHT) Document Public Transport in Development.

Access to the site is directly off Langdon Road and forms a priority junction with adequate visibility. Autotrack has been provided demonstrating that delivery vehicles can safely access and serve and leave the site in a forward gear utilizing a shared delivery area for the tyre development and the restaurants.

The floor plans indicate 186 square metres of A3 (restaurant use) plus 371 square metres for the autocare/tyre centre. In terms of layout the Parking is shown at 27 spaces including four that are designated for disabled use. These levels are in accordance with the CCS Parking standards. The layout is also acceptable. The application form details cycle parking as being proposed but the plans do not show any. This can be secured by condition.

On the revised layout plan which shows that access/egress can be gained off a dedicated priority junction an Autotrack has been submitted to show the track of a 10m rigid vehicle. A delivery management plan will be required by condition to ensure that the servicing/deliveries are appropriately managed.

In terms of trip generation the National Database TRICS has been used to assess likely trip numbers. The trip rate is derived per 100 square metres of floor space then apportioned to the new proposed floor space in this case 186 sq. m. In the morning peak 0800 to 0900 there are 5 arrivals and 2 departures, in the pm peak 1700 to 1800 this equates to 8 arrivals and 9 departures (17 movements) and in the development peak of 1200 to 1300 9 arrivals and 7 departures (16 movements) is expected. This still equates to less than one movement per minute. Due to the location of the site in close proximity to the other uses in the area it is likely that not all these trips will be new, and a certain percentage will be 'linked' trips, passby trips diverted and transferred trips. Thus the impact in terms of new trips will be reduced.

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The personal injury accidents have not been assessed given the relatively low traffic movements expected. There are no recorded accidents in the area (Langdon Road) over the last three years but Fabian Way has a number of accidents recorded. In view of the expected low level of generated traffic, it is not considered that the proposed development will result in any detriment to highway safety.

The pedestrian facilities, cycle provision and proximity to bus services mean that the site is likely to appeal to visitors utilizing a number of different modes of transport and there are alternative forms of transport provision available apart from a car to visit the site.

Developments on Fabian way are contributing to the Fabian Way Corridor study programme of works that have been estimated at £25 million. The Transport statement clause 2.5.3 makes reference to this requirement although no figure is attributed to it. The contribution is based upon the total trips generated, in this case 91 for the Autocare centre and 138 for the A3 use. Making a total of 229 trips overall. Traffic on Fabian way is currently 33,000 vehicles per 24 hours. It is considered that there is a large element of passby visits to the A3 units likely but this is likely to be less with the tyre services/autocare. After negotiations regarding the percentage of new trips it was agreed that a contribution of £45,175 would be appropriate, the main bulk of which is required as a result of new trips generated by the Autocare centre.

There is no objection to the proposal subject to:-

- a) Development not being occupied until the Section 106 contribution of £45,175 to the Fabian Way Corridor works has been received.
- b) The development not coming into beneficial use until the car park has been completed in accordance with the approved Connect Consultant plan 15121-TR001A.
- c) The front boundary along the Langdon Road access to be kept below 1m in the interests of visibility.
- d) The disabled parking provision to be laid out to the current British Standard.
- e) The cycle parking shall be implemented in accordance with details to be submitted to the LPA prior to beneficial occupation of any of the units.
- f) The new site access junction to Langdon Road shall be constructed under a section 278 agreement with the Highway Authority, at the applicants' expense.
- g) The submission of a Delivery Management Plan to the LPA to ensure that the proposed site layout will not be compromised with deliveries resulting in overspill out onto the highway, to be implemented prior to beneficial occupation of any of the units.
- h) 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.

The Developer must contact the Highway Management Group , The City and County of Swansea , Guildhall Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Team Leader, e-mails to mark.jones@swansea.gov.uk , tel. no. 01792 636091

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ITEM 2 (CONT'D)

APPLICATION NO.

2015/2223

APPRAISAL

This application is reported to Committee for decision at the request of Councillor Clive Lloyd.

Description

Full planning permission is sought for the erection of a detached tyre and auto-care centre and two detached units (Class A3) at Land off Fabian Way, Swansea. The site is situated adjacent to a recently constructed Starbucks Drive thru and the area comprises a mix of uses including residential properties along Bevans Row, Hancock and Brown – Builders Merchants, McDonalds, Audi, Mercedes and VW car dealerships, Hotel IBIS and a number of other mixed use uses which are housed within the large port industrial buildings to the east of the application site.

As stated above the proposal comprises two A3 units and a detached tyre and auto-care centre. The two A3 units are relatively small and internally measure approximately 93.1m² in footprint and 4m in height. These units incorporate a flat roof design and will be constructed from a mixture of facing brick, aluminium windows and aluminium clad roof. The tyre centre is approximately 371.7m² in footprint and a maximum of 6.4m in height. Internally it will provide 5 vehicle bays, office, reception, waiting room, staff facilities and toilets. The tyre centre will be constructed from similar materials and will be finished in brick and aluminium cladding.

Main Issues

The main issues for consideration during the determination of an application such as this relates to the principle of this form of development at this location and the resultant impact of the development upon visual amenity, residential amenity, land contamination, drainage, highway safety and any subsequent likely Section 106 Contributions having regard for the provisions of the Swansea UDP and the Supplementary Planning Guidance document entitled 'Swansea Parking Standards' and 'Planning Obligations'.

Principle of Development

The proposal will involve the erection of tyre and auto-care centre and two small A3 uses. Whilst it is acknowledged that there is a presumption in favour of trying to direct development towards local centres, district centres and the city centre, it is considered that the proposed uses will not it is considered compete with the functionality of these centres or affect their vitality and viability which planning policy is engineered to protect. Instead it is considered that these proposed uses will attract passing vehicular trade from Fabian Way or from footfall from the adjacent commercial mixed uses which are prevalent in the area.

The site is identified as unallocated white land under the provisions of the Swansea Unitary Development Plan 'Proposals Map' and as such the principle of development at this location is considered acceptable subject to compliance with the policies contained within the Swansea UDP.

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Visual amenity

The proposal takes the form of two flat roofed A3 units and one larger shallow pitched building which will house the tyre service centre. The buildings incorporate a simple industrial style design which are common throughout Industrial Estates in the UK. The supporting information states that the A3 units will be constructed from fair faced earthtone brickwork to eave height with self finished aluminium cladding fascia and canopy panels. The tyre building will be constructed from fair faced earthtone brickwork up to 2.4m in height and coloured aluminium cladding panels to eaves height. The proposed materials are considered to complement the surrounding built form and as such will respect the character and appearance of the area in compliance with the provisions of Policy EV1 and EV2 of the Swansea UDP.

Residential Amenity

Bevans Row is situated approximately 13m to the east of the application site. The A3 units will be located to the northern part of the application site and will be sited away from the rear garden areas of the properties along Bevans Row. The tyre centre will be sited approximately 30m from the side elevation and garden of No 15 Bevans Row. The buildings incorporate a design which ensures the units will retain relatively low lying heights. As such given the developments siting and orientation to the neighbouring properties, it is not considered the proposal will result in unacceptable overbearing or overshadowing which could warrant the refusal of this application. The proposal will raise no issues relating to overlooking.

Turning to any potential resultant noise and odours generated by the proposed development, following consideration of the proposal with the Councils Pollution Control Department, no objection has been raised with respect the proposed development subject to conditions requiring the erection of acoustic fencing around the site and the submission of further information with respect ventilation and condenser units proposed in order to mitigate any potential noise, disturbance and smells generated by the proposal. The applicant has indicated that the A3 units would be open between the hours of 6:30hrs and 23:00hrs Monday to Saturday and Sunday 09:00hrs and 22:00hrs and the tyre centre 08:30hrs and 18:00hrs Monday to Friday, 08:30hrs and 17:00hrs Saturdays and 10:00hrs and 16:00hrs Sunday and Bank Holidays. A brief assessment of the businesses in the area indicates that McDonalds and Starbucks have no opening hour restrictions, the VW Sinclair Car garage opening hours of 08:30hrs and 18:30hrs Mon-Fri, 08:30hrs and 17:00hrs Saturdays and 11:00hrs and 16:00hrs Sundays, Mercedes Sinclair Car Garage opening hours of 08:00hrs and 18:30hrs Mon-Fri, 08:00hrs and 17:00hrs Saturdays and 11:00hrs and 16:00hrs Sundays, Sinclair Audi Garage opening hours of 08:30hrs and 18:30hrs Mon-Fri, 09:00hrs and 17:00hrs Saturdays and 11:00hrs and 16:00hrs Sundays and Hancock and Brown Builders Merchants opening hours of 07:30hrs and 16:30hrs Monday-Fri and 07:30hrs and 12:00hrs Saturdays. As such the proposed hours of operation are not considered unreasonable in this instance. As such the development is considered to respect residential amenity in compliance with the provisions of Policies EV1 and EV40 of the Swansea UDP.

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Drainage

Having consulted the Councils Drainage Officer, Natural Resource Wales and Dwr Cymru/Welsh Water in respect of the site drainage, there have been no objections raised to the positive determination of this application subject to approximately worded conditions. A condition is recommended requiring the submission of a comprehensive drainage strategy in order to properly demonstrate how foul and surface water will be dealt with. The condition requires the utilisation of Sustainable Drainage Systems where possible. As such the development subject to conditions is considered to respect the sewer network in compliance with the provisions of Policies EV33 and EV35 of the Swansea UDP.

Contaminated Land

Policy EV38 prohibits development on land where there is risk of contamination such as this unless there is satisfactory mitigation to address the issues raised. Having consulted the Councils Pollution Control Department it is considered that the site is capable of being developed in a way which will respect the wider environment, however further details in the form of detailed Desk Top Studies and a ground investigation will be required which can be ensured via appropriately worded planning conditions. As such the development subject to sufficient detail being provided overcome any danger to life, health, property, controlled waters or the natural environment in compliance with the provisions of Policy EV38 of the Swansea UDP.

Highways

A Transport Statement has been provided by Connect Consultants on behalf of Commercial Development Projects Limited to support the planning application for the construction of a detached tyre centre with two restaurants. The adjacent site has previously had consent for a Coffee drive through with associated parking (planning application 2014/1729).

Following consideration of the application with the Head of Transportation and Engineering a revised layout plan was submitted showing that access/egress to the site as being self-contained and shown directly off Langdon Road which is now considered acceptable.

Access to the site is directly off Langdon Road and forms a priority junction with adequate visibility. Autotrack has been provided demonstrating that delivery vehicles can safely access and serve and leave the site in a forward gear utilizing a shared delivery area for the tyre development and the restaurants.

The floor plans indicate 186 square metres of A3 (restaurant use) plus 371 square metres for the autocare/tyre centre. The Highways Officer acknowledges the plan indicates 27 parking spaces including four that are designated for disabled use. These levels are in considered accordance with the Supplementary Planning Guidance Swansea Parking standards. The layout has been considered by the Highways Officer and is also felt this element of the scheme is acceptable. The application form details cycle parking as being proposed but the plans do not show any. This can be secured via an appropriately worded condition.

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The revised layout plan confirms that access/egress can be gained off the junction via Autotrack. Whilst a delivery management plan has been requested by Highways in order to indicate how the servicing/deliveries will be managed, this is not considered to be a planning issue and as such has not been included as a condition.

In terms of trip generation the Highways Officer has confirmed that the National Database TRICS has been used to assess likely trip numbers. The trip rate is derived per 100 square metres of floor space then apportioned to the new proposed floor space in this case 186 sq. m. In the morning peak 0800 to 0900 there are 5 arrivals and 2 departures, in the pm peak 1700 to 1800 this equates to 8 arrivals and 9 departures (17 movements) and in the development peak of 1200 to 1300 9 arrivals and 7 departures (16 movements) is expected. This still equates to less than one movement per minute. Due to the location of the site in close proximity to the other uses in the area it is likely that not all these trips will be new, and a certain percentage will be 'linked' trips, pass by trips diverted and transferred trips. Thus the impact in terms of new trips will be reduced.

The personal injury accidents have not been assessed given the relatively low traffic movements expected. Highways have confirmed that there are no recorded accidents in the area (Langdon Road) over the last three years, however, Fabian Way has a number of accidents recorded. In view of the expected low level of generated traffic, the Highways Officer does not consider that the proposed development will result in any detriment to highway safety.

The pedestrian facilities, cycle provision and proximity to bus services mean that the site is likely to appeal to visitors utilizing a number of different modes of transport and there are alternative forms of transport provision available apart from a car to visit the site.

Developments on Fabian Way are contributing to the Fabian Way Corridor study programme of works that have been estimated at £25 million. The Transport statement clause 2.5.3 makes reference to this requirement although no figure is attributed to it. The contribution is based upon the total trips generated, in this case 91 for the Autocare centre and 138 for the A3 use. Making a total of 229 trips overall. Traffic on Fabian way is currently 33,000 vehicles per 24 hours. It is considered that there is a large element of pass by visits to the A3 units likely but this is likely to be less with the tyre services/autocare. After negotiations regarding the percentage of new trips it was agreed that a contribution of £45,175 would be appropriate, the main bulk of which is required as a result of new trips generated by the Autocare centre.

It has been requested that the contribution be reserved for improvement of the Fabian Way Park and Ride roundabout which is adjacent to the development site in order to improve sustainable transport in the area. The improvement of the Park and Ride site will go some way to offsetting the traffic increases that will arise from this new use. Such a contribution is considered reasonable having regard to the impacts arising from the new development.

As such the proposal is considered to respect highway safety, provide sufficient parking spaces for the public and subject to a Section 106 Financial contribution will mitigate the potential increase in capacity along Fabian Way in accordance with the provisions of Policies EV1, EV3, AS1, HC17 and AS6 of the Swansea UDP and the Supplementary Planning Guidance document entitled 'Swansea Parking Standards'.

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ITEM 2 (CONT'D)

APPLICATION NO.

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Response to Consultations

Notwithstanding the above 8 letters of objection were received which raised concerns relating to fumes and smells, traffic, parking, residential amenity, air pollution and the design of the units. The issues pertaining to which have been addressed above.

Concern has been raised with respect vermin etc. This is an issue for Environmental Health which is covered under separate legislation and falls outside the remit of planning, however there is no reason to suggest that the approval of this application will result in an increase in the level of vermin if the premises is run properly.

Conclusion

In conclusion, the proposal would accord with the prevailing development plan in land use terms and in design terms the proposal is considered to complement the existing adjacent dealerships and would represent a satisfactory form of development which complies with the criteria of Policies EV1, EV2, EV3, EV33, EV35, AS1, HC17, EV38, EV40jones and AS6 of the Swansea Unitary Development Plan and would have an acceptable impact on the residential and visual amenities of the area, highway safety, land contamination and land drainage. Approval is therefore recommended.

RECOMMENDATION

It is recommended that planning permission be GRANTED subject to the conditions indicated below and the applicant entering into a Section 106 Planning Obligation in respect of:

- **Payment of a financial contribution of £45,175 towards the Fabian Way Corridor Study measures to be paid prior to the beneficial occupation of the proposed development. The contribution shall be reserved for improvements of the Fabian Way Park and Ride Roundabout adjacent to the development site.**
- **Section 106 Management & Monitoring fee (calculated as 2% value of the obligation) 2% of £45,175 = £903.50**

If the Section 106 planning obligation is not completed within 3 months of the foregoing resolution then delegated powers be given to the Head of Economic Regeneration and Planning to exercise discretion to refuse the application on the grounds of non-compliance with policies AS1, EV1, HC17 and EV3 of the City and County of Swansea Unitary Development Plan (November 2008).

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.

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- 2 The development shall be carried out in accordance with the following approved plans and documents: (SK-) 13 E - Phase 2 Elevations Sheet 1, (SK-) 15B Phase 2 Elevations Sheet 2, (SK-) 17 - Phase 2 Site Plan and Boundary, (SK-) 18 - Phase 2 Elevations Sheet 4 received 4th November 2015 and 15121-TR001 A - Amended Swept Path Analysis received 1st March 2016.
Reason: To define the extent of the permission granted.
- 3 The A3 units shall not be used before 06:30hrs nor after 23:00hrs Monday to Saturday and Sunday 09:00hrs and 22:00hrs. The approved tyre centre shall not be used before 08:30hrs nor after 18:00hrs Monday to Friday, 08:30hrs and 17:00hrs Saturdays and 10:00hrs and 16:00hrs Sunday and Bank Holidays.
Reason: To safeguard the amenities of the occupiers of neighbouring properties.
- 4 The development hereby approved shall not be brought into beneficial use until the car park has been completed in accordance with the approved Connect Consultant plan 15121-TR001A. The parking spaces shall be kept available for the parking of vehicles in perpetuity.
Reason: In the interest of highway safety.
- 5 Prior to the development being brought into beneficial use further details of the proposed cycle parking shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be completed in strict accordance with the said detail and retained in perpetuity.
Reason: In the interest of highway safety.
- 6 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.
- 7 Before the development hereby approved is occupied the means of enclosing the boundaries of the site shall be completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt the eastern boundary of the site shall be finished in sound proof fencing and the front boundary along the Langdon Road access shall be kept below 1m.
Reason: In the interests of visual and residential amenity and highway safety.

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- 8 Prior to the commencement of work on site soakaway tests shall be carried out and submitted to the Local Planning Authority. The soakaway tests shall be carried out in strict accordance with BRE Digest 365 or the equivalent CIRIA document. Development shall thereafter take place in accordance with the approved details.

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

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

Reason: To ensure that a satisfactory comprehensive means of drainage is achieved and that no adverse impact occurs to the environment and to minimise surface water run-off.

- 10 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.

- 11 The applicant shall submit a phased scheme, comprising three progressively more detailed reports, detailing measures to be undertaken in order to investigate the presence of land contamination, including relevant gas, vapour and, where appropriate, radiation related risks, at the proposed site.

Where the initial investigations indicate the presence of such contamination, including the presence of relevant gas/vapour and/or radioactivity, subsequent reports shall include:

- * a list of potential receptors
- * an assessment of the extent of the contamination
- * an assessment of the potential risks
- * an appraisal of remedial options, and proposal for the preferred remedial option(s).

The reports shall be submitted individually.

The provision of Phase 2 and Phase 3 reports will be required only where the contents of the previous report indicate to the Local Planning Authority that the next phase of investigation/ remediation is required.

- Continued -

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ITEM 2 (CONT'D)

APPLICATION NO.

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11 Phase 1 report: Desk Top Study

this shall:

- * Provide information as to site history, setting, current and proposed use.
- * Include a conceptual site model to establish any potentially significant pollutant linkages in the source-pathway-receptor human health and environmental risk assessment.
- * Identify if further investigation or remediation is required.

In the event that the Local Planning Authority is then of the opinion that further investigation/ information is required the applicant shall submit a detailed site investigation [Phase 2] report to the Local Planning Authority, viz:

Phase 2: Detailed Investigation

this shall:

- * Provide detailed site-specific information on substances in or on the ground, geology, and surface/groundwater.

Provide for a more detailed investigation [Human Health Risk Assessment] of the site in order to confirm presence or absence of, and to quantify, those potentially significant source-pathway-receptor pollutant linkages identified in Phase 1.

Note; where any substance should be encountered that may affect any controlled waters the applicant, or representative, must contact the Natural Resources Wales in order to agree any further investigations required.

In the event that the need for remediation is identified the applicant shall submit a subsequent detailed [Phase 3] report to the Local Planning Authority, viz:

Phase 3: Remediation Strategy Options Appraisal

this shall:

- * Indicate all measures to be taken to reduce the environmental and human health risks identified in Phase 1 and Phase 2 to an acceptable level, in a managed and documented manner, to best practice and current technical guidance.

Phase 3: Validation/verification Report

- * On completion of remediation works a validation/verification report will be submitted to the Local Planning Authority that will demonstrate that the remediation works have been carried out satisfactorily and remediation targets have been achieved.

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

12 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. The remediation of the land shall be completed in strict accordance with the agreed detail.

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

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- 13 The use hereby permitted shall not commence until a scheme of ventilation and fume extraction, including full details of the equipment to be installed for that purpose, including its location, has first been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully installed prior to its use being commenced and retained in perpetuity.

Reason: To ensure that a statutory nuisance does not occur.

- 14 The use hereby permitted shall not commence until a scheme, which specifies the provisions to be made for any condensing units relating to refrigeration and freezing of products has been submitted to and approved by the Local Planning Authority. Such works that form part of the approved scheme shall be completed before the premises are occupied and retained in perpetuity.

Reason: To ensure that a statutory nuisance does not occur.

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

- a) Construction programme and timetable
- b) Detailed plans of any piling operations to be carried out. Plans to contain vibration with regard to the neighbouring residential premises.
- c) Detailed site plans to include indications of temporary site offices/ compounds, materials storage areas, proposed compounds, delivery and parking areas etc;
- d) Proposed working hours;
- e) Principal Contractor details, which will include a nominated contact for complaints;
- f) Details of all on site lighting (including mitigation measures) having regard to best practicable means (BPM);
- g) Details of on site dust mitigation measures having regard to BPM;
- h) Details of on site noise mitigation measures having regard to BPM;
- i) Details of waste management arrangements (including any proposed crushing/screening operations); and
- j) Notification of whether a Control of Pollution Act 1974 (Section 61) Notice is to be served by Principle Contractor on Local Authority.

Note: items f -i 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.

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INFORMATIVES

3 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: EV1, EV2, EV3, EV33, EV35, AS1 and AS6.

4 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.

5 The Developer must contact the Highway Management Group , The City and County of Swansea , Guildhall Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Team Leader, e-mails to mark.jones@swansea.gov.uk , tel. no. 01792 636091.

6 Birds may be present in this building and grounds please note it is an offence under the Wildlife & Countryside Act 1981 (as amended) to intentionally (intentionally or recklessly for Schedule 1 birds) to:

- Kill, injure or take any wild bird

- Take, damage or destroy the nest of any wild bird while that nest in use or being built

- Take or destroy an egg of any wild bird

Care should be taken when working on buildings particularly during the bird nesting season March-August.

7 REPTILES

Reptiles may be present. All British reptiles are protected under Schedule 5 of the Wildlife and Countryside Act 1981 as amended. It makes it an offence to intentionally kill or injure adder, slow worm and common lizard. If the reptiles listed above are encountered work must cease immediately and the advice of Natural Resources Wales sought before continuing with any work (01792 634 960).

8 Advisory Notes

If the development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system, then a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from Dwr Cymru Welsh Water. Please note that the issuing of a Discharge Consent is independent of the planning process and a Consent may be refused although planning permission is granted. The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

- Continued -

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ITEM 2 (CONT'D)

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- 6 The applicant is also advised that 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 the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

WATER SUPPLY

Dwr Cymru Welsh Water has no objection to the proposed development.

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

- 9
- 1 Construction Noise
The following restrictions should be applied to all works of demolition/ construction carried out on the development site
All works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of 08.00 and 18.00 hours on Mondays to Fridays and between the hours of 08.00 and 13.00 hours on Saturdays and at no time on Sundays and Public Holidays and Bank Holidays.
The Local Authority has the power to impose the specified hours by service of an enforcement notice.
Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.
- 2 Smoke/ Burning of materials
No burning of any material to be undertaken on site.
The Local Authority has the power to enforce this requirement by service of an abatement notice.
Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.
- 3 Dust Control:
During construction work the developer shall operate all best practice to minimise dust arisings or dust nuisance from the site. This includes dust and debris from vehicles leaving the site.
The Local Authority has the power to enforce this requirement by service of an abatement notice.
Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.
- 4 Lighting
During construction work the developer shall operate all best practice to minimise nuisance to locals residences from on site lighting. Due consideration should be taken of the Institute of Lighting [www.ile.org.uk] recommendations
-

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ITEM 3

APPLICATION NO.

2015/1938

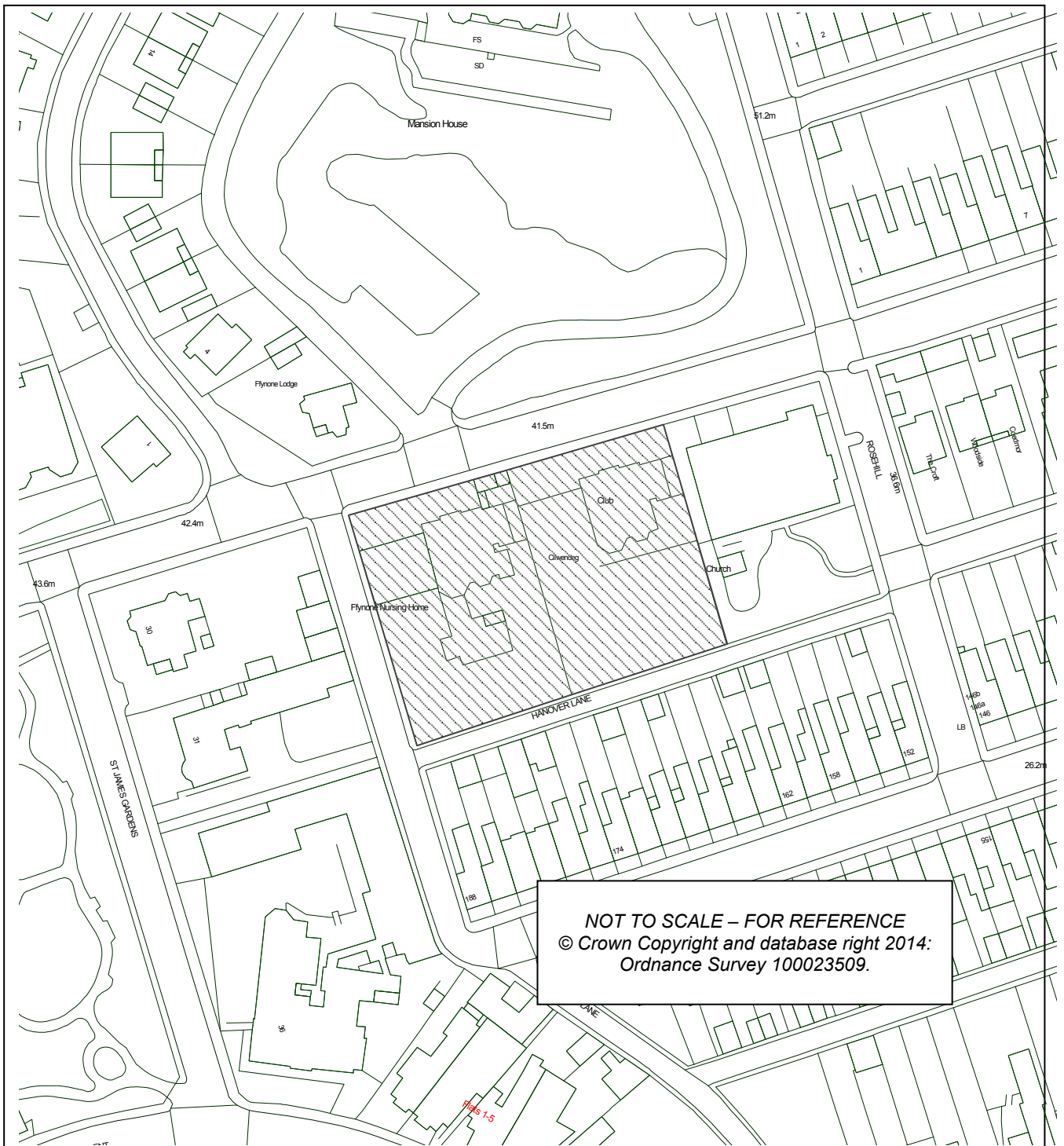
WARD:

Uplands

Location: Former Wings/RAFA Club & Uplands Nursing Home (Llwynhelyg and Cilwendeg Houses), Ffynone Road, Uplands, Swansea, SA1 6BT

Proposal: Demolition of sections of existing buildings to facilitate side extension, link extension and conversion of existing buildings to provide 24 apartments, construction of a pair of detached two storey coach houses to provide a total of 8 apartments, with associated works, landscaping and car park provision.

Applicant: Con Moloney



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BACKGROUND INFORMATION

THIS APPLICATION IS REPORTED TO COMMITTEE FOR DETERMINATION AS IT REACHES THE THRESHOLD OF 20 OR MORE RESIDENTIAL UNITS.

POLICIES

| Policy | Policy Description |
|---------------|--|
| 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 EV9 | Development within or adjacent to a Conservation Area will only be permitted if it would preserve or enhance the character and appearance of the Conservation Area or its setting. (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 HC2 | Housing development within the urban area will be supported where the site has been previously developed, its development does not conflict with other policies, does not result in ribbon development, and the coalescence of settlements, overintensive development, significant loss of residential amenity, significant adverse effect on the character and appearance of the area, loss of urban green space, significant harm to highway safety, significant adverse effects to landscape, natural heritage, security and personal safety, infrastructure capacity, and the overloading of community facilities and services. (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 EV4 | New development will be assessed against its impact on the public realm. (City & County of Swansea Unitary Development Plan 2008) |
| Policy EV12 | The character of lanes and public paths that contribute to the amenity, natural and historical qualities of an area will be protected. (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) |

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

SITE HISTORY

App No.

Proposal

- 2005/1438 Construction of a three storey side extension, three storey link extension to existing nursing home/ RAFA club, conversion of existing building as extended to form 24 self contained apartments, construction of two detached coach houses to accommodate eight self contained apartments together with parking and landscaping (amendment to planning permission 2003/2060 granted on 6th July 2004)
Decision: Grant Permission Conditional
Decision Date: 30/05/2008
- A00/1844 DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF TWO 5 STOREY BLOCKS OF 36 FLATS TOGETHER WITH LANDSCAPING AND PROVISION OF 45 CAR PARKING SPACES
Decision: Withdraw
Decision Date: 21/02/2001
- 2003/2060 Construction of a three storey side extension, three storey link extension to existing Nursing Home/ RAFA Club, conversion of existing building as extended to form twenty four self contained apartments, construction of two detached coach houses to accommodate four, self contained apartments and a pair of semi detached dwelling houses together with parking and landscaping
Decision: Grant Permission Conditional
Decision Date: 06/07/2004
- 2013/0834 Variation of condition 1 of planning permission 2005/1438 granted on 30th May 2008 to extend the period of time to commence works for a period of two years
Decision: Approve Conditional (S73)
Decision Date: 21/10/2013

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2014/1535 Variation of condition 1 of planning permission 2005/1438 granted on 30th May 2008 and 2013/0834 granted on 21st October 2013 to extend the period of time to commence works for a period of two years
Decision: Approve Conditional (S73)
Decision Date: 10/12/2014

RESPONSE TO CONSULTATIONS

The application was advertised on site and in the local press as a development within the Conservation area. EIGHT LETTERS have been received which are summarised as follows:-

- Generally support the proposed redevelopment; this site has remained in deteriorating condition for far too long.
- Concerns over retention of trees on perimeter of site. Would like to see all significant trees retained.
- Architecturally the drawings appear understated for the Ffynone and would like more stonework features incorporated into the facades of the new build sections. I am not sure such large areas of white render are sympathetic to the type of architecture in the existing conservation area.
- Concerned to see that the size of the building will increase the current building size reducing green space/garden space of these properties.
- Has there been a bat and protected species survey for this site.
- Concerns about amount of car parking provision for residents.
- Ffynone Road is already difficult because of current parking.
- Design looks concrete jungle like, not good for conservation area.
- Height of building is far too large. It will damage the appearance and character of the area.
- Insufficient parking space.
- The only access is onto Bullins Lane which is narrow.
- We support the proposed enhancements. The design retains the existing North and East Elevation. Consideration should be given to incorporating some of the existing stone work from the demolished south elevation in the new build. New bays on south side hipped as the existing.
- Soundproofing – the building next door is used for worship, weddings and community and conference activities.
- The access should be set back to ensure vehicle access on site rather than road.
- Proposal is overbearing and out of character with the Ffynone Conservation Area.
- Concerns about stability of the front facades which are to be retained.
- The retaining wall at the south side should be retained unaltered.
- Current frontage to Ffynone Road should be repaired and retained.
- Window surrounds should be bath stone.
- Developer should be made liable for repairs to local roads.
- Site access is not suitable.
- A return should be added to the walls of the vehicle access gateway onto Bullins Lane, and the gates moved sufficiently far into the site that delivery vans would be parked completely off the road.
- Can a condition be imposed for a full survey of the site and file with appropriate archives. This would ensure a lasting record of the buildings.

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- The detail of this application fall short of previous assurances and proposals.
- Implications to the locality during construction.
- All contractor parking should be provided on site.

Glamorgan Gwent Archaeological Trust (GGAT) – The proposal will require mitigation.

We do not have any objections to the granting of the application on archaeological grounds. However, it is our opinion that the buildings are of historic importance therefore, a full record focussing on the affected parts of the structure both by the means of a descriptive, drawn and photographic record should be made, prior to any works being undertaken.

In order to ensure that the work is undertaken we recommend that a condition based on the model suggested by the Association of Local Government Archaeological Officers in their document *Analysis and Recording for the Conservation and Control of Works to Historic Buildings* should be attached to any planning consent granted by your Members. This condition is worded: -

No site works shall be undertaken until the implementation of an appropriate programme of building recording and analysis has been agreed with the local planning authority, to be carried out by a specialist acceptable to the local planning authority and in accordance with an agreed written specification.

The justification for the imposition of the condition would therefore be: -

As the building is of architectural and cultural significance the specified records are required to mitigate the impact of the development.

Designing out Crime Officer – Comments for Secured by Design

Welsh Water Dwr Cymru – No objection subject to informatives.

Authority's Ecologist – No objection subject to conditions as recommended by NRW.

Authority's Drainage Engineer – No objection subject to conditions

Highway Observations – No objection subject to conditions.

NRW – Recommend that planning permission should only be given subject to conditions.

On the basis of the information provided, we are of the view that the proposed development is likely to give rise to the need for a licence application. However, we do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range subject to conditions.

APPRAISAL

Introduction and Background Information

Planning permission was granted on the 30th May, 2008, at the former Wings/RAFA Club & Uplands Nursing Home for the Construction of a three storey side extension, three storey link extension to the existing nursing home/RAFA club, conversion of existing building as extended to form 24 self contained apartments, construction of two detached coach houses to accommodate 8 self contained apartments together with parking and landscaping (Planning permission 2005/1438 refers).

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This planning permission was an amendment to a similar development granted planning permission under application ref. 2003/2060 granted on the 6th July, 2004.

The planning permission granted under planning ref. 2005/1438 in 2008 was subject to the standard time limit condition and a number of other conditions.

Planning permission 2013/0834 was granted on 21st October 2013 to extend the period of time to commence development for a further year.

Planning permission 2014/1535 was granted on 10th December 2014 to extend the period of time for a further two years to commence works.

There is therefore a long planning history of approvals for a similar scheme for 24 self contained apartments and two detached coach houses to accommodate 8 self contained apartments at this planning application site. Furthermore, planning permission Ref: 2005/1438 extended for a further two years Ref:2014/1535 is a live planning permission and a material consideration.

Material Change in Planning Circumstances

There have been a number of material changes in circumstances since the granting of the original planning permission 2003/2060 and 2005/1438 in particular.

Firstly, the prevailing development plan has changed from the Swansea Local Plan Review No.1 to the City & County of Swansea Unitary Development Plan (UDP), which was adopted in November 2008. The UDP comprises two parts, Part 1 and 2. Part 1 sets out the broad vision and aspirations for development and conservation together with the overall strategy for pursuing them. Part 2 translates these goals and objectives into more detailed policies. The main UDP policies relevant to this application are Policies EV1, EV2, EV3, EV4, EV9, EV12, EV30, HC1, HC2, and AS6.

In particular, UDP Policy EV9 requires that development within or adjacent to a conservation area should preserve or enhance the character and appearance of the area and new development in such locations must also be of a high standard of design, and meet a number of specified criteria. Policy HC2 supports proposals for infill housing development within the urban area provided they meet certain criteria. These policies are reinforced by Policies EV1, EV2, and EV4 which require that new developments relate satisfactorily to local context, protect the amenities of the surrounding area, having regard to visual and residential amenity and highway safety, take into account existing features such as trees, and integrate effectively with adjacent spaces and the public realm. Policy EV12 seeks to protect the character of lanes and public paths that contribute to the amenity, natural, and historical qualities of an area that will be protected. Policies EV3 and AS6 require that proposals provide access and facilities for all and provide adequate off street car parking.

Having regard to the above policy framework, it is considered that the current UDP and National Planning guidance is therefore supportive in principle to the proposed redevelopment of the site for residential development at the application site. Furthermore, the site is specifically allocated as a Housing site for 10+ dwellings in the development plan under Policy HC1.

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Policy HC3 - Under the provisions of the City and County of Swansea Unitary Development Plan 2008 there is now a requirement under Policy HC3 for affordable housing provision in areas where a demonstrable lack of affordable housing exists. In most parts of the Plan area such negotiations will focus on sites on 1ha or more or phases of such development.

This application site has a long history of residential approvals and has an extant permission where there was no requirement for affordable housing or planning obligations. In addition, the developer has submitted information to clarify the exceptional build costs involved in the re-development viability of this site due to the development cost associated with retaining the existing facades of Cilwendeg and Llwyn Helyg as part of the Conservation Area requirement.

The supporting information in the Design and Access Statement (page 8) sets out the constraints as follows: ...The new development makes a positive contribution plus retains the character of the area and specifically the retaining and incorporation of the existing pennant stone facades to Ffynone Road. The exceptional costs listed were not envisaged at the time of purchase (approx. 10 years) which would render the redevelopment of this site unviable as originally envisaged. Additional development and construction costs for retaining and including the existing facades within the development amount to approximately £386,000 for these elements alone.

Having regard to the above, and given that the site is an allocated housing site under Policy HC1, has an extant planning permission for a similar scheme (Ref:2014/1535), the history of the application site for housing and the viability constraints, it is not considered reasonable to require an element of affordable housing provision for this proposal which seeks amendments to an extant permission.

Conservation Area Review

It should also be noted review of the Ffynone Conservation Area has been completed and was adopted as Supplementary Planning Guidance on 12th January 2016. The general consensus from the public during the consultation period for the review was that these buildings need to be brought back into beneficial use to address issues of anti-social behaviour and the condition of the properties. Within the Ffynone Conservation Area – Character Appraisal and Management Plan these buildings are highlighted in Chapter 5: Character Areas, para.5.5...*'These two privately owned buildings are completely derelict and planning permission was granted in December 2014 to extend the time period to implement and existing development proposal on the site by a further 2 years'*. Para.5.8 of the document goes on to note that issues in this area of the Conservation Area include*'the very poor condition of the former Ffynone Nursing Home and the former RAFA Club in Ffynone Road which are subject to approved development proposals yet to be implemented'*

The document goes on to note in Chapter 6: Issues and Opportunities, para.6.5 ...A number of sites for enhancement have been noted. These include;

- The former Ffynone Nursing Home and former RAFA Club in Ffynone Road.

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In Chapter 8: Recommended Actions, para 8.29 refers specifically to the former Ffynone Nursing Home and former RAFA Club in Ffynone Road and notes that *'for the local community, the continued and deliberate neglect of these two important buildings is the most important 'issue' in Ffynone & Uplands Conservation Area today'*.

Main Issues

The main issues for consideration are whether the proposal is acceptable at this site, having regard to the previous planning approvals and extant planning permission, without compromising the character and appearance of the conservation area, and environment of the existing site, whilst respecting the character of the street scene and surrounding area, the amenity of residents of neighbouring properties, and highway safety in the locality. There are in this instance no additional overriding considerations arising from the provisions of the Human Rights Act.

Description

The application site is the former Wings/RAFA club and Uplands Nursing Home, Ffynone Road, Uplands. The houses (which were historically known as Llwyn Helyg and Cilwendeg as carved into the gate posts) are unlisted buildings of local importance within the Ffynone Conservation Area. These buildings are situated in their own extensive and walled grounds, with the Mansion House to the north on the opposite side of Ffynone Road, and the Lifepoint Centre bounding the site on the east. The western boundary of the site is formed by Bullins Lane, and the southern boundary by Hanover Lane.

The pair of buildings on the site are almost identical stone faced Victorian villas, which have the potential to make a strong contribution to the streetscene on Ffynone Road, and are typical of the detached urban villa residences of the mid 19th Century. At the Ffynone Road frontage their building height is 2 storeys, whereas the rear elevations are 3 storeys in height, reflecting the profound north to south slope of the site. Whilst both buildings have previously been extended, they are currently in a very dilapidated condition and the whole site has been subject to increased vandalism and other forms of anti-social behaviour, resulting in problems associated with health and safety, crime and the fear of crime and the general deterioration of the area's appearance. The area of land to the rear of the buildings consists partly of a hard-standing car park and a garden which has recently been cleared of heavy overgrowth and invading trees and vegetation. There are a number of mature trees within the site, some of which are protected by Tree Preservation Orders in addition to Conservation area protection, and are considered to contribute to the visual amenity of the Conservation area.

The frustration of the local community at the condition of the buildings and wider site coupled with the lack of action over many years with regard to these two unlisted Victorian buildings in the Ffynone Conservation Area is understandable. Whilst the lack of any past action by the owner is not a material planning consideration, the viable redevelopment of the site and bringing forward a scheme which will make a 'positive' contribution to the special interest and character of the Ffynone & Uplands Conservation Area is acknowledged. The longer the buildings remain vacant they will continue to deteriorate and become dangerous structures leading to the eventual demolition of these buildings, to the significant detriment of the surrounding area and neighbouring properties.

The current proposal

The proposed development includes:

24 apartments and 2 blocks of mews/coach house style cottages with 4 units in each providing a total of 32 residential units overall.

12 covered car parking spaces with 26 external car parking spaces providing a total of 38 car parking spaces within the curtilage of the site.

The site falls relatively steeply from North to South with a level difference of approximately 6 metres between the north and south boundaries. Two existing retaining walls run west to east to create level terraces which split the site into three separate levels. The ridge levels of the main existing buildings are to be left unchanged. These act as the highest point of the development. All new build ridge heights are lower than the existing ridges. This is evident in the proposed feature gable to Ffynone Road elevation which has a lower ridge than existing facades either side. All new build elements are set back from the existing facades. This is in order to appear subservient so the new build elements will read as separate elements when viewed from the street.

Design and Conservation Area Team Leader Comments

As set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 a Conservation Area is defined as ‘an area of ‘special architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance’. Section 72 of the Act specifies that in making a decision on an application for development in a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area. This consultation response identifies the relevant features of the conservation and considers the proposals against the statutory test for Conservation Areas.

There were originally three identical detached two storey villas onto Ffynone Road with three stories to the rear overlooking Swansea Bay. They were put to different uses with Llwyn Helyg (west end) becoming the Ffynone Nursing Home and Cilwendeg (east end) becoming the RAFA club with the third house demolished in the 1950s for the Synagogue (this is now the Life Point Church)

The Ffynone Conservation Area Review was adopted as Supplementary Planning Guidance in January 2016 and is a material planning consideration. As detailed earlier in this report the document highlights that this part of the conservation area is characterised by large detached buildings set in generous grounds, therefore these buildings are important elements of character but their derelict condition is a major concern.

The existing derelict buildings are not listed but they are certainly of local importance. Whilst they are not architecturally distinct they do form features of this part of the Ffynone Conservation Area which is characterised by large detached houses in spacious grounds with mature trees. Their main contribution to the conservation area character is the frontages onto Ffynone Road. The rear elevations are visible outside the conservation area.

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Whilst comparison will be made with the scheme approved under planning application 2005/1438 that was last renewed in 2014 for a period of 2 years, it should be noted that it further survey work has been carried out and the earlier scheme was not accurately drawn.

The principle of a part retention/ residential conversion and part new build/ extension is supported on this site within an established community with access to a range of local facilities/ public transport provision.

This site has been the subject of positive pre-application discussions. The application is accompanied by a survey of the existing buildings and rendered eye level perspective views of the proposals.

The previously approved scheme (Ref: 2005/1438) that has an extant permission until 2016, comprised new linking development between the retained buildings, new extension alongside Bullins Lane and two new mews blocks in the rear of the site. The revised scheme proposes the retention of the front (north) elevations to Ffynone Road including the subservient side elements and the gables. Whilst this represents less retention than the previous scheme, the new elements have a comparable visual richness to offset the loss of the original elements and are sensitive to both the retained elements and the conservation area character. The roofs to the retained elements will be rebuilt to the original pitch and ridge height along with the historic chimneys. The restoration of the Ffynone road elevation includes stonework repairs and new timber sliding sash double glazed windows. The applicant has provided a structural assessment of the existing buildings which indicates that they are capable of propping and retention as part of a new development and this can be ensured by condition.

The proposed linking new build element between the retained stone facades is subservient being set below the existing eaves and ridge level. It is also set back from the main building line. In this manner the linking element manages to preserve the independence of the original stone faced elevations and is sympathetic to the character of large detached houses. The proposed side extension along Bullins Lane turns the corner in a positive manner using fenestration and the architecture. There is a clear front and back with the south elevation being subservient.

The design of the new street elevations proposes predominantly render which is appropriate given the other rendered properties in the conservation area under a slated roof. Natural stone window surrounds are proposed. The windows in the new elements are proposed to be double glazed aluminium frames which is acceptable although the colour can be agreed by condition. The design of the new build elements has a level of articulation and visual richness that is appropriate to the retained elements and context.

The main change from the previous approved application is the completely new rear elevation. Whilst this will result in the loss of some unlisted historic fabric, the proposed rear (south) elevation is sympathetic to the original appearance. It is broken into three elements with pitched roofs to either side and new rear bays below finished in natural pennant stone, whilst the centre section has a more contemporary appearance with projecting flat roof and inset glazed top floor (this is hidden from Ffynone Road by the slated roof slope). It is considered that this approach makes the most of the opportunity (namely the expansive southern views over Swansea Bay), whilst remaining sensitive to the conservation area context.

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This is a similar approach to the former Mumbles Conservative Club which is an unlisted building of local interest in the Mumbles Conservation Area; in this example permission was granted for conversion to flats with the front elevation retained and a new structure to the rear.

The rear elevation will be visible from outside the conservation area looking up from lower areas particularly along Swansea Bay. The articulation described above will break this elevation down and from a distance it will be read as three separate buildings.

The proposed residential use integrates well with Ffynone Road with four separate legible pedestrian entrances into separate stair cores (this includes the reuse of the pair of original entrances). There is also a separate pedestrian access from the lower level parking basement.

The existing stone wall along Ffynone Road/ Bullins Lane/ Hanover Lane is proposed to be retained and repaired which is welcomed to preserve a feature of the conservation area. However the drawings do not reflect the current changes in wall height, so details of works to the retained wall should be required by condition.

The flats are mainly dual aspect, accessed by stair clusters without the need for internal corridors. This means that they look in both directions onto Swansea Bay and Ffynone Road which is beneficial for natural surveillance and a lively streetscene.

At the rear of the site, the undercroft parking is concealed by a podium upstand. This is very similar to the approved scheme and the detail now indicates that the podium would be faced with natural pennant stone. The perceived height of this stone wall is kept to the minimum by the glass balustrade on top.

The mews cottages that formed part of the previous approved application are retained along the southern boundary. Whilst there will be a considerable height difference between the development to the north and the mews, this is similar to the previous approved scheme and reflects the hierarchy of main dwellings and out buildings. The area between the podium and mews cottages provides additional parking which is accessed from the entrance off Bullins Lane and the courtyard is softened by planting. Refuse collection/ storage is in a screened area behind the wall off Bullins Lane so there is no need for service vehicles to enter the site.

Amended plans were submitted in December 2016 to address a number of issues raised and the following amendments were made which comprise briefly:

South elevation

- Rear gables altered to lead hip roofs
- Bays amended to have full height windows
- Additional two storey bays added to living room windows
- Bays finished in new pennant stone with bathstone dressings
- Overall this improves the reference to the existing character and increases the quality of the scheme.

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North elevation

- The entrance to the new build linking element has been reduced in projection and detailed to reflect the existing gables.
- This makes the new build less dominant and more contextual

These amendments are considered acceptable.

A further set of amended plans were received in January 2016 and the latest amendments show the existing gable profile and ridge height correctly and provide mitigation for protected species as part of the design proposals.

Visual Amenity

In conclusion, and as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 a Conservation Area is defined as 'an area of 'special architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance'. Section 72 of the Act specifies that in making a decision on an application for development in a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area. This consultation response identifies the relevant features of the conservation and considers the proposals against the statutory test for Conservation Areas.

It is considered that the proposed scheme would *preserve* the character of the Ffynone and Uplands Conservation through the retention of the street elevations of the unlisted villas, along with the existing stone boundary walls and many of the mature trees. The conservation area would be *enhanced* through these derelict buildings being brought back into use and through sensitive new build that is subservient to the existing buildings whilst making the most of the elevated outlook over Swansea bay. Therefore approval is recommended subject to the conditions.

Residential Amenity

With regard to the impact of the proposal on residential amenity, it is not considered that the nature and use of the proposal will result in any increased detriment to the amenities of the nearest residents of the surrounding area over and above that of the approved extant planning permission for this application site (Ref: 2005/1438), and especially having regard to the former commercial use of these properties and the continuing dereliction of the buildings and current abuse and vandalism of the site, which has a significant impact on the visual amenities of the street scene and the resultant disturbance and concerns to local residents. It is not considered that the scale, design, and layout of the scheme will have any significant demonstrable adverse physical or visual impact or overlooking/loss of amenity to neighbouring properties, given the separation distances and orientation of the proposed development, that would be so harmful to warrant a recommendation of refusal. Whilst it is acknowledged that there will be an increase in traffic and pedestrian movements to this location, this is not considered to be to such a degree that it will cause a harmful loss of amenity through increased noise or disturbance to the surrounding residential properties. It must be acknowledged that there is a history of planning approvals to residential use at this site and the need to ensure that the site is re-developed into a viable and sustainable active use is vital to the visual amenity of the Conservation Area and to ensure that the security of the area and amenity of the existing residents is safeguarded. On this basis, it is considered that the proposal complies with development plan policy.

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Highway Safety

There is a history of planning permissions on the site and the principle of residential use has already been established.

A total of 36 car parking spaces are being provided which is sufficient to provide one per residential units. Cycle storage is also included. Access improvements are proposed at the point of vehicular access including the introduction of a visibility splay and a sliding gate. There are minor works required on the adopted highway to facilitate this and these will be required to be completed under a section 278 Agreement with the Highway Authority. The gate is set back a suitable distance to allow a car to be off the highway so as not to obstruct the flow of traffic on Bullins Lane. Additional pedestrian access points are available.

The parking area will not be offered up for adoption and will remain in private ownership. Given the planning history of the site, the Head of Transportation and Engineering raises no highway objection subject to conditions.

Impact on protected trees

An arboricultural report has been submitted to support the application and the Authority's Tree Officer visited the site. It is acknowledged that trees will have to be removed to facilitate the development and the majority of the trees on the site are self-set sycamores. The approved scheme also necessitated the removal of trees.

Along the front wall the copper beech T4 and lime T9 are to be retained. The majority of the trees are going to have to be removed to facilitate the development, most are self-set sycamores. Along the front wall the copper beech T4, Pine T8 and the lime T9 are to be retained.

The large cypress trees within the site are being removed as the ground levels are being lowered to build the mews cottages. The line of semi-mature sycamores along the rear boundary is contributing to the damage to the wall and is going to be removed.

Mitigative planting can be controlled by an appropriate condition requiring a landscaping plan.

Response to Consultations

The letters received raise comments of both support and concerns. The main objections and concerns relate to the scale, massing and design, the proposed layout, in addition to concerns on parking issues and the impact on the existing condition of the road network. Further concerns relate to potential noise and disturbance and the impact on visual amenity of the street scene and the Conservation Area. All the issues raised in the letters received have been noted and these concerns are addressed in the main body of this report. It is noted that concerns have also been raised into disturbance and disruption during demolition and construction works. However, this is an inevitable short term situation experienced with all development and is more properly controlled through separate legislation. Highway issues have been considered and the Head of Transportation has raised no highway objection. The current condition of the highway and damage to the highway is again controlled under separate legislation.

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The concerns relating to recording the building and access to the developer by private individuals is a matter to be discussed with the land owner. GGAT have requested a condition be attached to any grant of planning permission for '*an appropriate programme of building recording*'.

Conclusion

It is considered that the level of development and resultant density of residential units at this site meets current national planning policy objectives for the re-use and redevelopment for residential use. There is a history of planning approvals at this site and planning permission is still live for a similar scheme. Overall it is considered that the proposed redevelopment and re-use of this site will bring tangible benefits to the community of Ffynone, and ensure that this derelict site is brought back into a viable and sustainable residential use. Moreover, it is considered that the proposed scheme would *preserve* the character of the Ffynone and Uplands Conservation through the retention of the street elevations of the unlisted villas, along with the existing stone boundary walls and many of the mature trees. The conservation area would be *enhanced* through these derelict buildings being brought back into use and through sensitive new build, in accordance with development plan policy. Therefore approval is recommended subject to the conditions.

RECOMMENDATION

APPROVE, subject to the following 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 The development shall be carried out in accordance with the following approved plans and documents: P00:Existing Topographical Survey/Site plan; P01 RevP02: Existing ground floor plan & elevations, Llwyn Helyg; P02 RevP02: Existing ground floor plan & elevations, Cilwendeg; P05 RevP02: Proposed site plan; P06 RevP02: Proposed floor plans levels 0, Car park & 1; P07 RevP02: Proposed floor plans levels 2 & 3; P08 RevP02: Proposed floor plans levels 4 & 5; P09 RevP02: Proposed floor plans levels 6 & 7; P10 RevP02; Proposed elevations north & east; P11 RevP02: Proposed elevations south & west; P12 RevP02: Proposed section A-A & B-B; P13 RevP02: Proposed section C-C & D-D; P20 RevP02: Proposed Plans & elevations - Mews Cottages, received 29th January 2016, Design & Access Statement and appendices, received 21st September 2015 (refer to revised drawings received 29th January 2016), Protected Species Survey, February 2016, Version 3 (David Clements Ecology), received 23rd March 2016

Reason: To define the extent of the permission granted.

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- 3 No development shall take place without the prior written approval of the Local Planning Authority of a scheme for the landscaping of the site which must ensure the retention of protected trees as indicated in Planting/Soft Landscaping Scheme date July 2015 by Cardiff Treescapes (DAS Appendix 3). 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.

- 4 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.

- 5 Prior to commencement of demolition works, details must be submitted to and approved in writing by the local planning authority of the methodology to support the retained elevations whilst work is underway. All works shall be undertaken in accordance with the approved details.

Reason: To ensure the integrity and stability of the retained structure is not compromised in the interest of visual amenity, general amenity and public safety.

- 6 No site works shall be undertaken until the implementation of an appropriate programme of building recording and analysis has been submitted to and approved in writing by Local Planning Authority. All works shall be carried out by a specialist acceptable to the Local Planning Authority and in accordance with the approved scheme.

Reason: As the building is of architectural and cultural significance the specified records are required to mitigate the impact of the development.

- 7 The development shall be implemented and retained in accordance with the mitigation measures/recommendations of the Survey for bats and nesting birds dated February 2016 carried out by David Clements Ecology Ltd: as described in the Section 5 entitled: Mitigation Features of the bat report and drawings FR-LAW-XX-00-2EL-AR/P10/P02 Plan 5: Mitigation Plans North and East Elevations and FR-LAW-XX-00-2EL-AR/P11/P02 Plan 6: Mitigation Plans South and West Elevations

Reason: In order to ensure that the development complies with the Conservation (Natural Habitats & c) Regulations (2010), and to secure the protection of Listed European Protected Species on site.

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- 8 No works shall be undertaken until a method statement for works to excavate the basement/underground areas has been submitted to and approved in writing by the local planning authority. The Method Statement will include, but not exclusively, methods for sensitive site clearance, sensitive clearance of access into the underground areas to permit access by the licensed bat ecologist(s), internal inspection/surveys of the basement/underground areas for the presence of bats. All works shall be undertaken in accordance with the approved Method Statement.
- Reason: In order to ensure that the development complies with the Conservation (Natural Habitats & c) Regulations (2010), and to secure the protection of Listed European Protected Species on site.
- 9 Prior to works commencing on the basement/underground area, if any evidence of bat use is found during the inspection of the basement/underground areas, mitigation measures appropriate for the bat species present, the level and nature of use by bats to be submitted and approved in writing by the Local Planning Authority.
- Reason: In order to ensure that the development complies with the Conservation (Natural Habitats & c) Regulations (2010), and to secure the protection of Listed European Protected Species on site.
- 10 Prior to the commencement of the development hereby approved, a lighting scheme for the site shall be submitted to and agreed in writing by the local planning authority to ensure that lighting measures do not conflict with bat mitigation. This should include measures to maintain dark corridors and to avoid disturbance to bat flight paths. The lighting scheme shall be implemented in accordance with the agreed scheme and shall be maintained and retained as such at all times.
- Reason: In order to ensure that the development complies with the Conservation (Natural Habitats & c) Regulations (2010), and to secure the protection of Listed European Protected Species on site.
- 11 No development shall take place until the Local Planning Authority has received and approved in writing a licence issued to the developer/applicant by Natural Resources Wales pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations (2010) authorizing the specified activity/development to commence.
- Reason: In order to ensure that the development complies with the Conservation (Natural Habitats & c) Regulations (2010), and to secure the protection of Listed European Protected Species on site.
- 12 A composite sample panel of all external finishes shall be erected on the site and approved in writing by the Local Planning Authority prior to the commencement of the development hereby approved. The scheme shall be implemented in accordance with the approved details and the sample board as approved shall be retained on site until completion of the development.
- Reason: In the interests of visual amenity.

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- 13 Prior to the commencement of work, a methodology for the cleaning/ repair/ repointing of the retained masonry shall be submitted to and approved in writing by the Local Planning Authority. This shall include a sample area of the proposed work. All works shall be undertaken in accordance with the approved Methodology.

Reason: In the interests of visual amenity.

- 14 Notwithstanding the details shown in the approved plans and the design intent details included in the Design and Access Statement, no development shall take place until large scale details of the following have been submitted to and approved in writing by the local Planning Authority. All works undertaken shall be completed in accordance with the approved details:

- Juliet balcony, doors and opening
- New entrance doors and surrounds
- Eaves, verges, parapets and copings
- Ballustrades including fixings
- New vehicle entrance gates
- All vents/ flues
- Rainwater goods
- Typical windows in their openings

Reason: In the interests of visual amenity.

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

Reason: To ensure that a satisfactory comprehensive means of drainage is achieved and that no adverse impact occurs to the environment and to minimise surface water run-off.

- 16 Prior to the beneficial occupation commencing, the car parking areas including garages shall be laid out in accordance with the approved plans and shall be retained as such in perpetuity.

Reason: In the interests of highway safety and to retain parking for residents within the curtilage of the site.

INFORMATIVES

- 1 Any works to the access on Bullins Lane to be undertaken via a section 278 agreement with the Highway Authority.

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ITEM 3 (CONT'D)

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- 2 The Developer must contact the Highway Management Group, The City and County of Swansea, Guildhall Offices, c/o The Civic Centre, Swansea SA1 3SN before carrying out any work . Please contact the Team Leader (Development), e-mails to mark.jones@swansea.gov.uk, tel. no. 01792 636091
- 3 A full record focussing on the affected parts of the structure both by the means of a descriptive, drawn and photographic record should be made, prior to any works being undertaken. This survey to be undertaken to a Level 2 (English Heritage 'Understanding Historic Buildings: A Guide to Good Recording Practice' 2006). The completed record should then be deposited in a suitable repository, such as the West Glamorgan Archives or the Historic Environment Record to enable access by future historians.
- 4 Prior to any works commencing on site, a Construction Traffic Management Plan shall be submitted to and approved in writing by the local planning authority. The approved management plan shall be implemented and adhered to at all time unless otherwise agreed in writing by the Local Planning Authority.
- 5 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 and the approved scheme shall be implemented and adhered to at all times.
- 6 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application:EV1, EV2, EV3, EV4, EV9, EV12, EV30, HC1, HC2, and AS6.
- 7 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 8 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).
- 9 Please note that research currently underway is indicating that NWRU pose a significant and avoidable risk to bats and furthermore that using such membranes in bat roosts runs the risks of impairing the ability of the underlay to function properly. Natural Resources Wales (NRW) wishes to advise you that the use of this underlay in bat roosts is therefore unlikely to be granted a licence, if required. A product that has a long and proven track record of suitability in bat roosts is bitumastic underfelt (Type 1F BS747), and NRW recommends the use of this material in bat roosts. NRW therefore advises that if the roof is to have access for bats included, that this informative is attached.

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- 10 Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2010 (as amended). Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:
- i. the development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
 - ii. There is no satisfactory alternative and
 - iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.
- Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that your Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.
- Please note that any changes to plans between planning consent and the licence application may affect the outcome of a licence application.
-

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ITEM 4

APPLICATION NO.

2016/0086

WARD:

Mawr

Location: Land at Cefn Betingau Farm, Morriston, Swansea, SA6 6NX

Proposal: Construction of solar farm without compliance with condition 8 of planning permission 2013/0865 requiring planting of hedgerow to sub-divide fields 9 & 10.

Applicant: Mr Fernando Lloret



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ITEM 4 (CONT'D)

APPLICATION NO.

2016/0086

BACKGROUND INFORMATION

This application was reported to Planning Committee on 10th May 2016 for decision as the site area exceeds the development threshold set out in the Council Constitution. Committee deferred consideration of the application to allow a site visit to be undertaken.

In line with the comments on the update sheet provided at last Committee, the description of the proposal has been updated to clarify the nature of the proposal.

POLICIES

| Policy | Policy Description |
|---------------|--|
| 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 EV21 | In the countryside non-residential development will only be permitted where it can be demonstrated that it is beneficial for the rural economy, or it meets overriding social or economic local needs, or it is appropriate development associated with farm diversification, sustainable tourism or nature conservation, or it provides an acceptable economic use for brown field land or existing buildings, or it is essential for communications, other utility services, minerals or renewable energy generation. (City & County of Swansea Unitary Development Plan 2008) |
| Policy EV22 | The countryside throughout the County will be conserved and enhanced for the sake of its natural heritage, natural resources, historic and cultural environment and agricultural and recreational value through: i) The control of development, and ii) Practical management and improvement measures. (City & County of Swansea Unitary Development Plan 2008) |
| Policy R11 | Proposals for the provision of renewable energy resources, including ancillary infrastructure and buildings, will be permitted provided: (i) The social, economic or environmental benefits of the scheme in meeting local, and national energy targets outweigh any adverse impacts, |

- Continued -

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- Policy R11
- (ii) The scale, form, design, appearance and cumulative impacts of proposals can be satisfactorily incorporated into the landscape, seascape or built environment and would not significantly adversely affect the visual amenity, local environment or recreational/tourist use of these areas,
 - (iii) There would be no significant adverse effect on local amenity, highways, aircraft operations or telecommunications,
 - (iv) There would be no significant adverse effect on natural heritage and the historic environment,
 - (v) The development would preserve or enhance any conservation areas and not adversely affect listed buildings or their settings,
 - (vi) The development is accompanied by adequate information to indicate the extent of possible environmental effects and how they can be satisfactorily contained and/or mitigated,
 - (vii) The development includes measures to secure the satisfactory removal of structures/related infrastructure and an acceptable after use which brings about a net gain where practically feasible for biodiversity following cessation of operation of the installation.

Proposals for large-scale (over 25MW) onshore wind developments shall be directed to within the Strategic Search Area defined on the Proposals Map subject to consideration of the above criteria. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

| App No. | Proposal |
|----------------|--|
| 2015/0480 | Non Material Amendment to planning permission 2013/0865 granted 28th August 2013 to include a CCTV system Decision: Refuse Decision Date: 30/04/2015 |
| 2013/0865 | Construction of 9 megawatt solar park consisting of installation of upto 135,000 pv panels and 9 inverter/transformer cabins and a single control building Decision: Grant Permission Conditional Decision Date: 28/08/2013 |
| 2013/1639 | Construction of 7 megawatt solar park consisting of installation of up to 28,250 pv panels and up to 6 inverter/transformer cabins, a single control building and provision of security fencing Decision: Grant Permission Conditional Decision Date: 20/02/2014 |

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| ITEM 4 (CONT'D) | APPLICATION NO. | 2016/0086 |
|-------------------|--|-----------|
| 2013/1739 | Discharge of conditions 2, 4, 5, 6, 7 and 10 of Planning Permission 2013/0865 granted 28th August 2013 Decision: No Objection Decision Date: 24/01/2014 | |
| 2014/1055/DO C | Discharge of condition 9 of planning permission 2013/1639 granted 20th February 2014 (details of Japanese Knotweed management plan) Decision: No Objection Decision Date: 08/10/2014 | |
| 2014/1218 | Discharge of conditions 2, 4, 5, 6, 7, 8, & 10 of planning permission 2013/1639 granted 20th February 2014 Decision: No Objection Decision Date: 10/12/2014 | |
| 2015/0480 | Non Material Amendment to planning permission 2013/0865 granted 28th August 2013 to include a CCTV system Decision: Refuse Decision Date: 30/04/2015 | |
| 2015/0617 | Discharge of condition 3 of planning permission 2013/0865 granted 28th August 2013 Decision: No Objection Decision Date: 21/04/2015 | |
| 2015/0807 | Discharge of condition 8 of planning permission 2013/0865 granted 28th August 2013 (hedge planting) Decision: Officer Consideration Decision Date: 14/08/2015 | |
| 2015/1079 | Installation of a surveillance system based on a CCTV system and fencing sensor cable Decision: Grant Permission Conditional Decision Date: 02/09/2015 | |
| 2015/1331 | Non Material Amendment to planning permission 2013/1639 granted 20th February 2014 to alter the design and location of ancillary buildings, aerial on substation, satellite dish on control room, spare parts container and ir/cctv cameras mounted on 2.4m high wooden posts Decision: Grant Permission Unconditional Decision Date: 08/09/2015 | |
| 2015/1713 | Non Material Amendment to planning permission 2013/0865 granted 28th August 2013 to replace the fencing Decision: Grant Permission Unconditional Decision Date: 17/09/2015 | |

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ITEM 4 (CONT'D)

APPLICATION NO.

2016/0086

2015/2406 Discharge of condition 3 of planning permission 2013/1639 granted 20th February 2014 (decommissioning method statement)
Decision: No Objection
Decision Date: 20/01/2016

This application is reported to Committee for decision as the site area exceeds the development threshold set out in the Council Constitution.

Response to consultations

The proposal was advertised on site and in the local press. TWO letters of objection were received both stating that the hedge should be planted.

The Gower Society – The original reason for requesting the condition should still stand. Anything intended to reduce the impact in the landscape must be supported. There is insufficient evidence to justify the removal of the condition.

Ecology – Whilst the council's ecologist was consulted and concerns were raised as to the impact upon habitat, the condition was attached for visual reasons rather than ecological. The comments have therefore been updated accordingly and no objection is raised.

Highway Observations - There are no highway implications associated with this application.

Appraisal

Planning permission was granted on the 28th August 2013 for the construction of a 9 MW solar park consisting of up to 135,000 pv panels and associated buildings (application 2013/0865 refers. This application seeks the removal of condition 8 of planning permission 2013/0865 granted to allow development to be implemented without the need to plant a hedge to sub divide fields 9 and 10 of the application site..

Condition 8 states:

'Notwithstanding the details hereby approved, the lower site (fields 9 and 10) shall be subdivided by hedgerows in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of visual amenity.'

The hedge location was to be sited towards the centre of the solar park, running east to west and its intention was to install a visual break between the expanses of the solar panels.

The solar park (granted under 2013/0865) is complete and fully operational with all dischargeable conditions discharged.

PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 4 (CONT'D)

APPLICATION NO.

2016/0086

The main issues for consideration with regard to this application relate to the acceptability of the proposal in terms of the impact upon visual amenity, having regard to prevailing planning policies EV1, EV2, EV3, EV21, EV22 and R11 of the UDP. There are in this case considered to be no additional overriding considerations arising from the provisions of the Human Rights Act.

In support of the application, the applicant has stated:

The lower site has a different character, field size, topography and soil conditions to the upper site and consists of damp, boggy pasture with extensive stands of Juncus reed bisected by ditches. This can be clearly seen on Google Earth and was shown on the ecological survey also. This area is well enclosed by existing trees which makes it less visible than the upper site and there are no existing hedge banks which are characteristic of the upper site. Due to these ground conditions it is neither safe nor practical to subdivide the site by a hedgerow as required by condition 8 and most hedgerow species would be unlikely to establish along the ditch edge. There are several small trees mainly some Birch and Willow growing to the ditch edge which help break up the site and these are to be coppiced as part of the ongoing management. On the area of higher ground near the inverter / transformer cabin an area of existing trees has been retained and it is proposed to plant a hedgerow edge supplemented by shrub and trees planting to create a small copse in lieu of a longer hedgerow. This will create a valuable landscape feature with significant wildlife and amenity value.

In terms of visual amenity, fields 9 & 10, whilst providing a large, unbroken expanse of solar panels, occupies a relatively inconspicuous area which cannot be viewed from land neighbouring the solar park. Views of this section may be viewable from farther afield. Having regard to the constraints as to the land quality and topography stipulated by the applicant in the supporting information, it is considered that the visual benefit of providing a hedgerow at this location would be minimal and, having visited the site and viewed the presence of larger mature trees in the lower site, it is considered that the omission of planted vegetation at this location would not render the scheme visually unacceptable. It should be further noted that part of field 9, which originally had planning permission for the siting of solar panels, is now considered too wet and as a result, will be kept undeveloped. This will further reduce the cumulative impact of the solar panels, and thus the need to provide the hedge.

With regard to residential amenity, there are no residential amenity issues arising as a result of this application due to the vast separation distances involved and the nature of the proposal.

With regard to the point raised in the letters of objection, the impact of not planting the hedge has been addressed above and the visual impact is considered minimal.

In conclusion, it is considered that the proposed removal of condition 08 of planning permission 2013/0865 to allow the development to be implemented without the need to plant a hedge is an acceptable form of development having particular regard to Policy EV1 of the City and County of Swansea Unitary Development Plan 2008. Accordingly, approval is recommended.

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ITEM 4 (CONT'D)

APPLICATION NO.

2016/0086

RECOMMENDATION

APPROVE, subject to the following conditions:

- 1 The development shall be carried out in accordance with the following approved plans and documents: Site location plan received 2nd February 2016.
Reason: To define the extent of the permission granted.
- 2 The development hereby permitted shall be for a limited period being the period of 24 years from the date of this planning permission when the use shall cease and all apparatus/equipment shall be removed from the site in their entirety and the land restored in accordance with the details of condition 3 of this consent.
Reason: To ensure the landscape impact of the development exists only for the lifetime of the development.
- 3 The site shall be decommissioned and restored in accordance with the document 'Decommissioning Plan - 24/3/2015' that was approved to discharge conditions 3 of planning permission 2013/0865 on the 20th April 2015, within 12 months from the date of the last electricity generated should the site no longer be utilised for the permission hereby granted.
Reason: In the interest of visual amenity and to ensure the land is restored in an acceptable manner.
- 4 The sustainable drainage system (SUDS) and environmental mitigation measures outlined in section 6.5 + 6.8 of the Environmental Report (Wessex Solar Energy, May 2013) shall be implemented/maintained in accordance with the document 'Code of Construction Practice' that was approved to discharge conditions 4 and 7 of planning permission 2013/0865 on the 23rd January 2014.
Reason: To ensure the SUDS system is maintained in accordance with the approved details and the programme of indigenous planting is undertaken in accordance with the approved details.
- 5 The Mitigation Measures outlined in Sections 6.5 and 6.8 of the Environmental Report (Wessex Solar Energy, May 2013), submitted with application 2013/0865 shall be undertaken in accordance with the details approved in respect of condition 4 of planning permission 2013/0865 by this Local Planning Authority on 10th December 2014 (application 2014/1218 refers).
Reason: In the interests of visual amenity and biodiversity.

INFORMATIVES

- 1 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
 - 2 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: EV1, EV2, EV3, EV21, EV22, R11.
-

PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 5

APPLICATION NO.

2016/0177

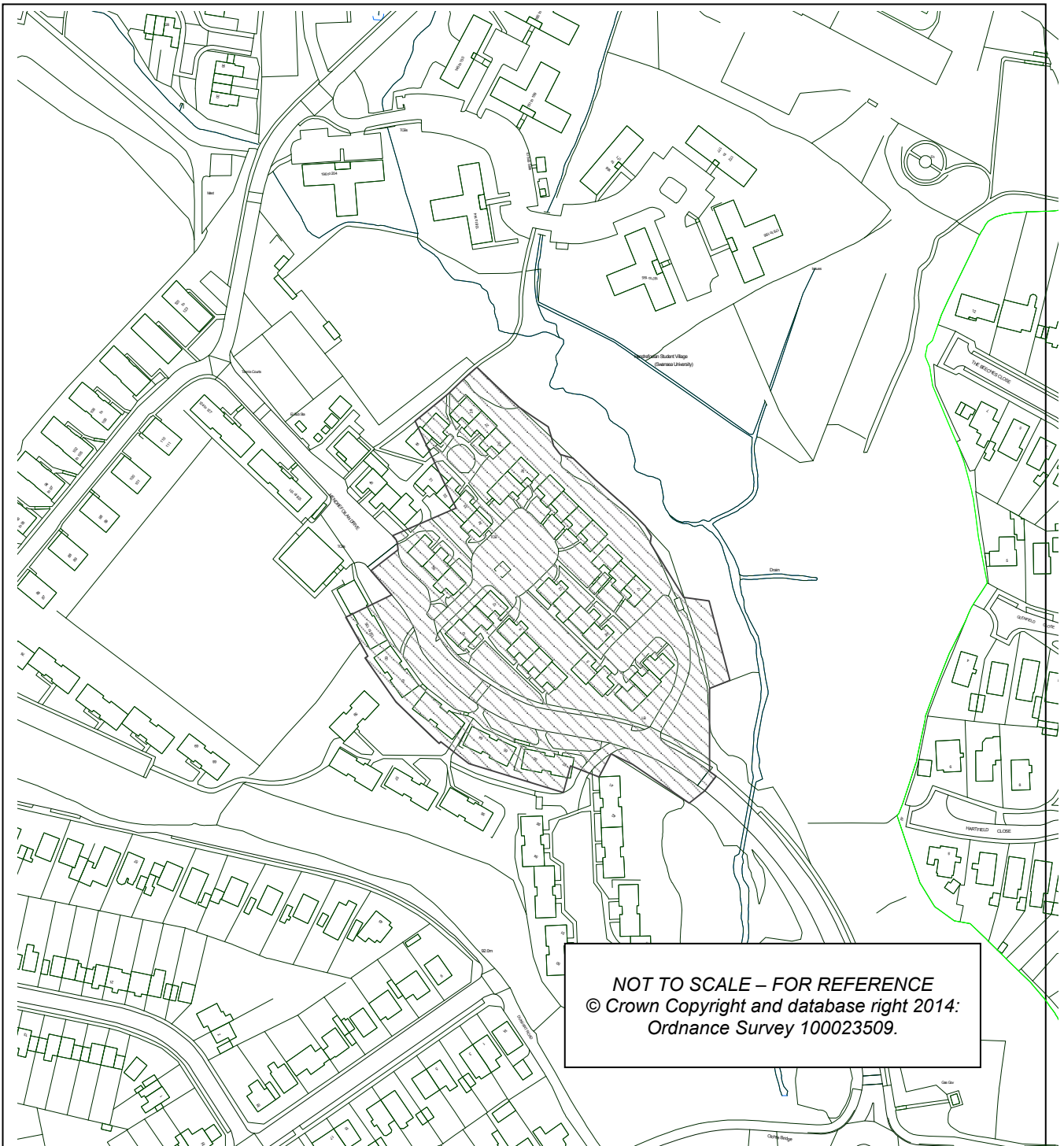
WARD:

Killay North

Location: Hendrefoilan Student Village Hendrefoilan Drive Killay Swansea SA2 7PG

Proposal: Construction of 43 no. two / three storey dwellings and associated access, infrastructure, engineering works, public open space and landscaping (Details of access, appearance, landscaping, layout and scale pursuant to conditions 2, 5, 6, 8 & 16 of the outline planning permission 2014/1192 approved 6th January 2016)

Applicant: St Modwen Homes Limited



PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 5 (CONT'D)

APPLICATION NO.

2016/0177

BACKGROUND INFORMATION

a. Relevant Planning Policies

Swansea Unitary Development Plan

Policy EV1 New development shall accord with a defined set of criteria of good design including to have regard to the desirability of preserving the setting of any listed building

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.

Policy EV3 Accessibility criteria for new development.

Policy EV11 Development that would harm the character or setting of registered Historic Parks or Gardens or the character of Historic Landscapes will not be permitted.

Policy EV24 Within the greenspace system, consisting of wildlife reservoirs, green corridors, pocket sites and riparian corridors, the natural heritage and historic environment will be conserved and enhanced.

Development proposals which would be likely to likely to have a significant adverse effect on the greenspace system or which do not provide for appropriate compensatory or mitigation measures will not be permitted.

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

Policy EV33 Planning permission will 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

Policy EV34 Development proposals will only be permitted where they would not pose a significant risk to the quality of controlled waters.

Policy EV35 Surface water run-off

Policy EV36 New development within flood risk areas will only be permitted where flooding consequences are acceptable.

Policy EV38 Development proposals on contaminated land will not be permitted unless it can be demonstrated that measures can be taken to overcome damage to life, health and controlled waters.

PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 5 (CONT'D)

APPLICATION NO.

2016/0177

- Policy EV40 Development proposals will not be permitted that would cause or result in significant harm to health, local amenity because of significant levels of air, noise or light pollution.
- Policy HC2 Proposals for housing developments within the urban area will be supported where the site has been previously developed or is not covered by conflicting plans policies or proposals.
- Policy HC3 In areas where a demonstrable lack of housing exists, the Council will seek to negotiate the inclusion of an appropriate element of affordable housing on sites which are suitable in locational / accessibility terms and where this is not ruled out by exceptional development costs
- Policy HC11 Higher Education Campus development will be permitted subject to a defined set of criteria. Expansion of student accommodation at Hendrefoilan Student Village together with enhanced social and support facilities will be permitted through:
(a) Redevelopment and intensification of the existing accommodation, and
(b) Limited additional development on the 'Quadrant Site'.
- Policy HC17 In considering proposals for development the Council will, where appropriate, enter into negotiations with developers to deliver planning obligations under Section 106 of the Town and Country Planning Act 1990. The Council will expect developers to make contributions towards:

(i) Improvements to infrastructure, services or community facilities,
(ii) Mitigating measures made necessary by a development, and
(iii) Other social, economic or environmental investment to address reasonable identified needs.

Provisions should be fairly and reasonably related in scale and kind to the individual development
- Policy HC24 All new housing development will be required, where the level and nature of open space provision in the locality is inadequate to meet the needs of the future occupiers of the development proposed together with the needs of existing population in the locality, to:
i) Make provision for areas of open space either within the site or at an appropriate location in relation to the development, or
ii) Contribute towards the provision or improvement of existing off-site facilities in the locality through a commuted payment

Developers will be required to make appropriate arrangements for the management of these areas.
- Policy AS1 New developments (including housing) should be located in areas that are currently highly accessible by a range of transport modes, in particular public transport, walking and cycling

PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 5 (CONT'D)

APPLICATION NO.

2016/0177

- Policy AS2 Design and layout of access to new developments should allow for the safe, efficient and non intrusive movement of vehicles
- Policy AS4 Creation or improvement of public access routes will be encouraged
- Policy AS6 Parking provision to serve developments will be assessed against adopted maximum parking standards to ensure appropriate levels of parking

National Planning Policy

Planning Policy Wales (Edition 8 Jan 2016)

Supports in principle the redevelopment of 'brownfield' sites for new development.

Technical Advice Note 12: Design

Supplementary Planning Guidance

Places to Live: Residential Design Guide (January, 2014)

b. Relevant Planning History

2014/1192 Demolition of the existing student accommodation and other University buildings and comprehensive residential re-development of the site, with access road infrastructure, public open space, woodland planting and associated works (outline with all matters reserved)
Planning Permission 6 Jan. 2016 following the completion of a Section 106 Planning Obligation to the effect:

* Education – a single payment of £650,000 is to be made to fund a 2 class extension to Hendrefoilan Primary School. The payment will be made before the occupation of the 51st home on the site

* Affordable housing – 10% of the homes on site will be affordable (according to prevailing definitions). These will comprise a mix of 2 and 3 bed homes and will be offered to the nominated RSL/Council at 70% of Open Market Value or ACG (whichever is lower). Phasing to be agreed but the working proposition is that 70% of the affordable homes will be delivered by the time 50% of the market housing is complete, and all of the affordable will be provided before 70% of the market housing is complete.

* Transport – A sum of £20,000 is to be paid before the occupation of the 51st dwelling towards improvements to the traffic lights at the Gower Road/Wimmerfield Road junction.

2016/0277 Demolition of existing student accommodation (units 1-16, 24-35 and 60-67) (application for Prior Notification of Proposed Demolition) – Demolition Approved 16 March, 2016

c. Response to Consultations

The application was advertised on site and in the local press. No response

Natural Resources Wales –

We note the provision of the document entitled; '*Hendrefoilan, Phase 1: Drainage Strategy (Ref: R/C161034/001)*,' dated January 2016, by Hydrock Consultants Limited. Ultimately the drainage system design is a matter for the Local Authority Engineers and we advise that they are consulted with regards to the discharge of condition 16. We also leave the discharge of conditions 2, 5, 6 and 8 to the discretion of the Local Authority.

Dwr Cymru Welsh Water – No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site. Request that conditions be included within any planning permission granted to ensure no detriment to existing residents or the environment and to Welsh Water assets.

Council's Drainage Engineer – We have reviewed the updated Drainage Strategy and Addendum ref C161034/N001 and recommend that the site be developed and built in accordance with the drainage network for phase 1.

Council Ecologist - As far as ecology goes I think we could discharge the conditions other than we will need to see a copy of the bat licence prior to any work starting.

Highway Observations –

1 Background

1.1 Outline consent was recently granted for up to 300 dwellings on this site. This is the detailed first phase of development for 43 dwellings.

2 Layout

2.1 The site benefits from an existing access road and main access is to utilise that which exists. New roads are proposed to serve the dwellings from the existing 'spine road' and this phase indicates a new cul-de-sac and some frontage development along the spine road.

2.2 The layout conforms to modern standards and is indicated to accord with advice in Manual for Streets, with 20 of the dwellings being served from a combination of shared surface road and shared private drive. The remainder of the dwellings will front the spine road.

2.3 All dwellings are provided with on-site parking in accordance with adopted standards through a combination of garage and driveway parking.

2.4 The applicant has submitted a Section 38 drawing thereby indicating an intention to offer roads within the site for adoption. Plans are not sufficiently detailed for this purpose but a separate procedure exists under the Highways Act to secure adoption and the developer will be required to use that procedure.

PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 5 (CONT'D)

APPLICATION NO.

2016/0177

3 Recommendation

3.1 I recommend no highway objection subject to the following;

- i. All roadworks being constructed to adopted standards in accordance with approved details.
- ii. The shared private drive for Plots 21-24 being provided with turning facilities in accordance with amended details to be submitted and approved.

Note: The Developer must contact the Highway Management Group, The City and County of Swansea, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work. Please contact the Senior Engineer (Development), e-mails to mark.jones@swansea.gov.uk, tel. no. 01792 636091

APPRAISAL:

Outline planning permission for the demolition of the existing student accommodation and other University buildings and the comprehensive residential re-development of the site, with access road infrastructure, public open space, woodland planting and associated works was granted 6 Jan. 2016 following the completion of a Section 106 Planning Obligation (Ref:2014/1192). The outline permission was approved with all matters reserved but the development envisaged a development of approx. 300 homes and the accompanying Indicative Development Framework Plan illustrated the design principles for the site, the access road infrastructure, retained woodland areas with an integrated network of pedestrian linkages and areas of public open space.

The outline permission has therefore established the principles of the development and this current application seeks reserved matters approval for the for first phase of the development involving the construction of 43 no. two / three storey dwellings and associated access, infrastructure, engineering works, public open space and landscaping details together with details pursuant to conditions 2 adherence to Outline DAS), 5 (external finishes), 6 (levels), 8 (access road) & 16 (surface water strategy) of the outline planning permission 2014/1192 approved 6th January 2016).

The 43 houses include a range of terraced, semi-detached and detached houses in a mix of 2, 3, 4 and 5 bedroomed houses including 4 no. affordable units constituting a 10% provision in accordance with the Section 106 Planning Obligation. The development is laid out along the primary spine road and the secondary road to the north with the houses are orientated to front onto the streets to ensure they respond positively to the street and provide natural surveillance, with the principle of providing a strong, formal frontage along the primary route and a less formal arrangement along the secondary road.

Main Issues

The main issues for consideration in relation to this proposal relate to:

- Urban design ;
- highway layout
- Other technical issues

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ITEM 5 (CONT'D)

APPLICATION NO.

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There are considered to be no additional issues arising from the provisions of the Human Rights Act.

Urban Design

In terms of considering the design and layout of the proposed development, Policy EV1 of the UDP requires new development to accord with 11 specified objectives of good design, in particular, new development should be appropriate to its local context in terms of scale, height, massing, elevational treatment, materials, and detailing, layout, form, mix and density. Additionally, criteria xi of EV1 states that new development should have regard to the desirability of preserving the setting of any listed building. Whilst Policy EV2 states that the siting of new development should give preference to the use of previously developed land over greenfield sites and should have regard to the physical character and topography of the site and surroundings by meeting specified criteria relating to siting and location.

Approximately half of the 18 hectare site is currently used as student village accommodation with the remainder covered by woodland, a large section of which is protected by Tree Preservation Orders. The vehicular access from Gower Road provides a hierarchical route through the site with local access roads permeating through it. The site topography has determined the layout of the student development, and is steeply sloping in certain areas, which poses several challenges to its redevelopment. The mature woodland areas provide a significant characteristic of the site. Additionally, there are several watercourses which run through the site and woodland areas. The existing road layout, site topography and the mature woodland areas have dictated the Indicative Development Framework Layout. The existing vehicular access from Gower Road is retained as the primary access and the existing spine road through the site and the mature woodland areas would be largely retained.

Condition 1 to 2014/1192 reads:

The proposed development shall be implemented in accordance with the approved Design and Access Statement (7559 - Document Revision 9) and the Indicative Development Framework Plan (7559 SK100 C) which set out the vision, objectives, urban design principles and development strategy for the site. The Design and Access Statement establishes the general site layout and masterplan, accessibility and movement, scale, amount of development, building concept, infrastructure, environmental sustainability and structural landscaping principles of the proposed development.

Reason: To ensure that the site is comprehensively developed to a high standard of sustainable urban design in accordance with National and Local Planning Policy advice and Guidance.

The urban design principles of the layout within this is phase 1A area are largely consistent with the principles in the outline Design and Access Statement (DAS) / Indicative Framework, however, the submitted DAS with this reserved matters submission acknowledges that a number of changes have been made in response to the site's detailed opportunities and constraints, in particular, with regard to the layout of the secondary road network and the topography. Whilst the road hierarchy is retained with the central 'spine' link through the site, the secondary road to the north has been created to reflect the topography of the site.

PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 5 (CONT'D)

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This is essentially a cul-de-sac and terminates in a private drive and the DAS indicates that this layout provides a less formal / softer edge to the woodland. The proposed layout largely allows the existing woodland to be retained incorporating existing mature trees. The main change is that the houses along the secondary road now back onto the woodland along the northern boundary rather than face onto it, and the main reason for this is cited for ecological reasons with regard to bat activity.

The detailed layout seeks to comply with the Swansea Residential Design Guide in terms of required separation distances between properties in order to avoid overlooking and physical overbearing issues. The site sections indicate the fall on the site from north-west to south-east and the layout seeks to accommodate the topography by integrating a slope in the rear gardens in order to minimise retaining features and overshadowing. Due to the topography of the site it is proposed to construct a number (12) of 3 storey properties along the southern side of the proposed primary 'spine road. Several of the three storey dwellings will incorporate an integral garage and would accommodate a small first floor terrace on the front elevation. These split level dwellings would incorporate a retaining wall / structure to the rear of the dwellings due to the site topography which would provide a level access to the rear garden from first floor level. The design of the three storey townhouses incorporating the integral garage will diminish the quality of the street scene along the primary road frontage, however, having regard to the requirement to provide adequate car parking and the acknowledgement of the site topography, on balance the proposed house type is accepted.

It is stated that the proposed palette of materials are intended to add character and a sense of place within a contemporary residential development whilst respecting the context of the site's surroundings. The material palette consists of a mix of natural stone, off-white render, red brick and slate grey roof tiles with white window profiles and black rainwater goods. The mix and disposition of the external finishes are generally considered to be acceptable and similarly the contemporary house type designs are generally welcomed at this location. The boundary treatment would consist of a mixture of brick / stone walling where fronting onto areas of public open space with timber fencing along more private boundaries. The front gardens would be enclosed with dwarf walls / railings to provide public / private definition of space.

Highways and traffic issues

The proposed access to serve this first phase of 43 dwellings will be obtained from the existing access road in accordance as envisaged in the outline permission and a new road is proposed to serve the dwellings from the existing 'spine road' and this phase indicates a new cul-de-sac and some frontage development along the spine road. The Head of Transportation confirms that the layout conforms to modern standards and is indicated to accord with advice in Manual for Streets, with 20 of the dwellings being served from a combination of shared surface road and shared private drive with the remainder of the dwellings fronting onto the spine road.

The dwellings will be provided with on-site parking in accordance with adopted standards through a combination of garage and driveway parking. The Head of Transportation raises no highway objection subject to all roadworks being constructed to adopted standards in accordance with approved details and provided that the shared private drive serving Plots 21-24 being provided with an approved turning facility which can be controlled through a planning condition.

PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 5 (CONT'D)

APPLICATION NO.

2016/0177

Condition 16 – Surface Water Strategy

The existing surface water drainage system comprises a number of individual small catchments, each served by an existing piped drainage network outfalling directly into the ordinary watercourses on site. The application is accompanied by a Phase 1 drainage layout and drainage strategy. It is proposed to utilise the existing surface water outfall catchments and the strategy ensures there will be no increase in surface water offsite following the development which will be achieved through the integration of SuDs into the drainage network. The Council's Drainage Engineer has reviewed the updated Drainage Strategy and recommends that the site be developed and built in accordance with the drainage network for phase 1.

Conclusion

The first phase of this development will generally relate well to the Indicative Development Framework Plan whilst acknowledging that the changes in the layout having responded to the detailed site opportunities and constraints whilst retaining the key design principles of the central spine link and retention of the woodland areas. Approval is therefore recommended.

RECOMMENDATION

APPROVE, subject to the following conditions:

- 1 The development shall be carried out in accordance with the following approved plans and documents: [8169 PL31 (2), 8169 PL1, PL2, PL03, PL05 - PL 07, 8169 10 - 12, 8169 20 - 31; 161034 skc001, 005A, SKC006A, SKC000B, SKC0010B - 11B & 15B, C161034, 1792 01 -03A, Garage plans - plans received 1 February, 2016].
Reason: To define the extent of the permission granted.
- 2 No development shall take place until the developer has notified the Local Planning Authority of the initiation of development. Such notification shall be in accordance with the form set out in Schedule 5A of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or any order revoking or re-enacting that order.
Reason: To comply with the requirements of Section 71ZB(1) of the Town and Country Planning Act 1990 (as amended).
- 3 No development shall take place until the developer has displayed a site notice in accordance with the form set out in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or any order revoking or re-enacting that order. The site notice shall be displayed at all times when development is being carried out.
Reason: To comply with the requirements of Section 71ZB(2) of the Town and Country Planning Act 1990 (as amended).

PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 5 (CONT'D)

APPLICATION NO.

2016/0177

- 4 Notwithstanding the details indicated in the application, the shared private drive serving plots 21-24 shall be constructed to a width of 4.5m and shall incorporate a turning facility in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

- 5 Notwithstanding the details in the application, the precise disposition and pattern of the external finishes to be used on the house types within the first phase of the development shall be agreed in writing by the Local Planning Authority prior to the commencement of development. Composite sample panels shall be erected on site and the approved sample panel shall be retained on site for the duration of the works, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

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: (UDP Policies EV1, EV2, EV3, EV11, EV24, EV30, EV33, EV34, EV35, EV36, EV38, EV40, HC2, HC3, HC22, HC17, HC24, AS1, AS2, AS4 & AS6)
- 2 The Developer must contact the Highway Management Group, The City and County of Swansea, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work. Please contact the Senior Engineer (Development) , e-mails to mark.jones@swansea.gov.uk, tel. no. 01792 636091
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PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 6

APPLICATION NO.

2016/0692

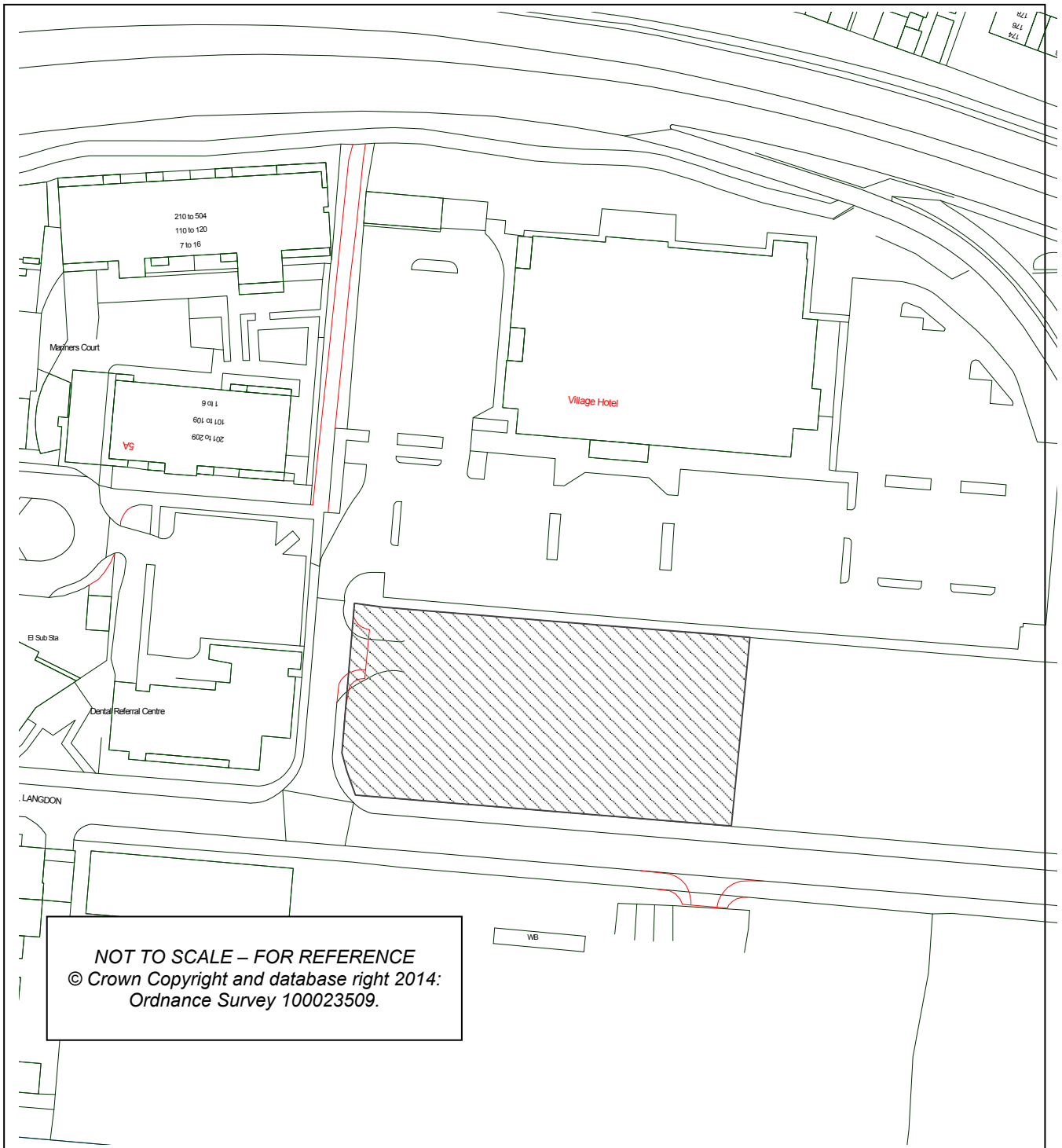
WARD:

St Thomas

Location: Plot D7, Langdon Road, Swansea

Proposal: Construction of 23 no. four & three storey townhouses with associated access, car parking and landscaping works

Applicant: Mr Jonathan Hale



PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 6 (CONT'D)

APPLICATION NO.

2016/0692

BACKGROUND INFORMATION

PLANNING POLICIES

National Planning Guidance

Planning Policy Wales (PPW) (Edition 8 January 2016)

Technical Advice Note 12 – Design

Swansea Unitary Development Plan

Policy EV1 New development shall accord with a defined set of criteria of good design.

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.

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.

Policy EV4 New development will be assessed against its impact on the public realm.

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.

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.

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.

Policy EV38 Development proposals on land where there is a risk from contamination or landfill gas will not be permitted unless it can be demonstrated to the satisfaction of the Council, that measures can be taken to satisfactorily overcome any danger to life, health, property, controlled waters, or the natural and historic environment.

Policy EV40 Development proposals will not be permitted that would cause or result in significant harm to health, local amenity, natural heritage, the historic environment or landscape character because of significant levels of air, noise or light pollution.

PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 6 (CONT'D)

APPLICATION NO.

2016/0692

Policy EC1 SA1 Strategic Mixed use Site

Policy EC2 A major redevelopment area identified at SA1 Swansea Waterfront for mixed employment and residential development together with supporting leisure, tourism, community use and ancillary services

Policy HC1 Land allocated in SA1 Swansea Waterfront for housing

Policy HC3 Affordable Housing

Policy AS1 Accessibility - Criteria for assessing location of new development.

Policy AS2 Accessibility - Criteria for assessing design and layout of new development.

Policy AS5 Accessibility - Assessment of pedestrian and cyclist access in new development.

Policy AS6 Provision of car parking in accordance with adopted standards.

Supplementary Planning Guidance:

Port Tawe and Swansea Docks - Supplementary Planning Guidance (12th September 2002).

SA1 Swansea Waterfront Design and Development Framework (August 2004).

Places to Live: Residential Design Guide (January, 2014)

RELEVANT PLANNING HISTORY

2002/1000 Mixed use development comprising employment (Use Class B1, B2) residential (C3), retail (A1), commercial leisure (D2), food and drink (A3), hotel (C1), and educational (D1/C3) uses, car parking, associated infrastructure (including new highway access and pedestrian overbridge), hard and soft landscaping
Planning permission 19 August, 2003 subject to the completion of a Section 106 Agreement

2002/0743 Construction of highway infrastructure including cycle ways, footways, drainage and service
Planning Permission July, 2002

2008/0996 Variation of Conditions 1 (review of phasing programme), 2 (land use masterplan), 3 (review of urban design framework), 5 (development capacity), 7 (scale, nature, distribution and design of Class A3 and commercial leisure uses), 14 (air quality), 16 (noise and vibration), 20 (waste management and recycling), 21 (ecology and wildlife) and 27 (archaeology) of outline planning permission 2002/1000 granted on 19th August 2003)
Planning Permission 11 Oct. 2010

PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 6 (CONT'D)

APPLICATION NO.

2016/0692

2015/1584

Application under Section 73 to vary the Outline Permission for the SA1 Waterfront Development to facilitate the implementation of the revised masterplan proposals for the 'Swansea Waterfront Innovation Quarter' - principally varying Conditions 1 (review of phasing programme), 2 (land use masterplan), 3 (review of urban design framework), 5 (development capacity), 7 (scale, nature, distribution and design of Class A3 and commercial leisure uses), and other conditions to the Section 73 application 2008/0996 (granted 11 October, 2010) which previously varied the original outline planning permission 2002/1000 (granted 19 August 2003)
Planning Permission May, 2016

RESPONSE TO CONSULTATIONS

The application was advertised on site and in the local press. No responses were received from neighbouring occupiers or other third parties.

NRW – We have concerns in relation the proposed development and recommend that it should only proceed if the conditions outlined in this letter are attached to any planning permission that your Authority may be minded to grant.

Contaminated Land

We note from the application form that the site is listed as being contaminated, but the information available to NRW in relation to this aspect is extremely limited and lacks the details that we would usually expect on an application for a site of this kind. As a result we advise the following

Condition

Prior to the commencement of development approved by this planning permission (*or such other date or stage in development as may be agreed in writing with the Local Planning Authority*), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:

1. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 6 (CONT'D)

APPLICATION NO.

2016/0692

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reasons

Natural Resources Wales considers that the controlled waters at this site are sensitive and contamination is known/strongly suspected at the site due to its previous industrial uses as a dock yard.

Verification Report Condition

Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (*a 'long-term monitoring and maintenance plan'*) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

Reasons

To demonstrate that the remediation criteria relating to controlled waters have been met, and (if necessary) to secure longer-term monitoring of groundwater quality. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

Monitoring Condition

Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.

Reasons

To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

Unsuspected Contamination Condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise 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, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reasons

Given the history of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.

Piling Condition

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

PLANNING COMMITTEE – 7TH JUNE 2016

ITEM 6 (CONT'D)

APPLICATION NO.

2016/0692

Reason

There is an increased potential for pollution of controlled waters from inappropriate methods of piling.

Informative / Advice for the Applicant

Natural Resources Wales recommends that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to Environment Agency document; '*Guiding Principles for Land Contamination*' for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to Groundwater protection: Principles and practice (GP3).

Flood Risk

The site is entirely located in Zone B on the Development Advice Map associated with TAN15. We would advise that site levels and proposed development levels are assessed against the latest information on predicted tidal flood levels over a 100 year lifetime of development to ensure resilient construction and safe access / egress.

Pollution Prevention & Waste Management

The biggest risk in relation to pollution, occurs during construction and we would remind the applicant/developer that the responsibility for preventing pollution rests with those in control on the site. Works should therefore be carefully planned, so that contaminated water cannot run uncontrolled into any watercourses (including ditches).

As best practice, the developer to produce a site specific construction management plan / pollution prevention plan, with particular reference given to the protection of the surrounding land & water environments.

We would also recommend that a Site Waste Management Plan (SWMP) is produced. Completion of a SWMP will help the developer/contractor manage waste materials efficiently, reduce the amount of waste materials produced and potentially save money. Guidance for SWMPs are available from the DEFRA website: (www.defra.gov.uk).

We acknowledge that a SWMP may be something best undertaken by the contractor employed to undertake the project. Furthermore, we note that these documents are often '*live*' and as such may be best undertaken post permission.

To conclude, we advise that the proposed development should only proceed if the conditions outlined above are attached to any planning permission that your Authority may be minded to grant.

Drainage Engineers - We have reviewed the submitted application and recommend that the standard surface water condition be appended to any permission given.

Glamorgan Gwent Archaeological Trust – proposal will require archaeological investigation. A condition should be attached to ensure that the archaeological resource is investigated and where necessary protected.

Head of Environment, Management and Protection – no objection subject to conditions in respect of unsuspected contamination and Construction Pollution Management Plan (CPMP).

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APPLICATION NO.

2016/0692

Highway Observations – Construction of 23 no. four & three storey townhouses with associated access, car parking and landscaping works

Amended site plans dated 24/05/16. Inadequacies previously notified have now been addressed.

This proposal is part of the SA1 development site that has been granted outline consent. The traffic impact of SA1 was considered at the outline stage and this current proposal has provided a transport statement in support of the detail for this site.

The site has a single point off an unadopted road which serves as the vehicular access to the Village Inn. The accident statistics submitted show that there are no obvious areas that give rise to highway safety concerns, and the majority of accidents recorded are related to human error and not any design flaw within the Highway layout.

Parking provision is provided at 2 spaces per residential unit and 6 spaces for visitor use and these levels accord with the adopted standards. A sustainability matrix has been submitted as part of the application to demonstrate that two spaces per plot is an appropriate level for the 3 and 4 bedroom units given the proximity to local amenities.

Traffic movements are estimated at 10 trips in the morning peak and 12 trips in the afternoon peak hour and this takes into account the sites accessibility and mixture of apartments and dwellings. The impact on the Strategic Highway Network is therefore minimal.

Autotrack runs have been submitted to show that the site can be adequately serviced by a refuse or emergency vehicle and a hammerhead is included to facilitate this movement. The hammerhead is supported by a retaining wall and whilst this is a private access it will be open for public to pass and repass – similarly with the car park of the Village Hotel, and as such the Highways Authority will need to approve the design. An informative can be added to cover this aspect.

The internal site layout is acceptable in safety terms but is otherwise not suitable for adoption as parts of the layout do not comply with this Council's standards, particularly with regard to pedestrian movements. The roads within the site therefore will need to remain privately maintained, which is an option open to Developers as an alternative to having the roads adopted. A private management company will therefore be responsible for the estate in perpetuity.

I recommend no highway objection subject to the following;

1. 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.

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

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[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].

3. Permitted development rights being removed with respect to the garages.

4. All front boundaries to be kept below 1m in the interests of visibility.

Note 1: Management and Maintenance of Estate Streets

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.

Note 2: The Developer must contact the Highway Management Group , The City and County of Swansea , Penllergaer Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Team Leader (Development) , e-mails to mark.jones@swansea.gov.uk , tel. no. 01792 636091

Note 3 - Retaining Wall Informative

Under the provision of the Highways Act 1980, the approval of the Highway Authority must be obtained for the construction of any retaining wall that is both within 4 yards of a highway and over 4ft 6ins (1.37m) in height.

Under the provision of the West Glamorgan Act 1987, the approval of the Highway Authority must be obtained for the construction of any retaining wall that exceeds 1.5m in height.

APPRAISAL

The application seeks full planning permission for residential development of 23 units comprising of 16 four storey town houses along the Langdon Road frontage and 7 three storey town houses to the rear with associated vehicular and pedestrian access, car parking, landscaping and associated works at SA1 Swansea Waterfront, Swansea. The site is located between the northern side of Langdon Road and the Village Hotel and comprises land incorporated within Plot D7 of the SA1 Swansea Waterfront Masterplan.

The application site is a cleared site and has been regraded to form a development platform with a site area of 0.37 hectares. The site has a general fall of approximately 2 m from the rear onto Langdon Road and the level change across the site would be absorbed across the site with the rear boundary enclosed with a retaining wall.

The general layout concept has been designed to respond to the form of recent built and approved developments along the southern and northern sides of Langdon Road with the provision of frontage development to Langdon Road with a central access around a communal courtyard with the rear elevation of the townhouses to the rear looking over the Village Hotel car park.

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The site will have a vehicular access point from the existing access road off Langdon Road with a connection through the courtyard which provides a potential link to the adjoining development plot. It is proposed to construct 16 no. four storey townhouses along Langdon Road and 7 no. town houses to the rear. As indicated the townhouses are designed to provide a strong street frontage to Langdon Road with the townhouses to the rear accessed from the communal courtyard. The respective blocks will look over a central courtyard car parking area. The primary materials would comprise reconstituted slate roofs and facing brickwork / render. A total of 52 car parking spaces (two per dwelling) are proposed including 6 visitor spaces. Full details of the application are as per the accompanying plans and design and access statement.

Material Planning Considerations

As detailed above, planning permission was originally granted in August 2003 for a mixed-use development of SA1 Swansea Waterfront, including residential Class C3 use. (Planning application 2002/1000 refers). The general land use principle within SA1 has therefore been established and further support is given to the principle of a major redevelopment area at SA1 for mixed employment and residential development together with supporting leisure, tourism, community uses and ancillary services by Policy EC2 of the adopted UDP.

The main issues for consideration in this instance relate to:

- Compliance with prevailing Development Plan Policy and Supplementary Planning Guidance
- Affordable Housing
- Visual Impact, Design and Residential Amenity
- Highway Safety and Transportation
- Drainage and Flood Risk
- Ground Contamination

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

Development Plan Policy

An application submitted under section 73 of the 1990 Act to vary Conditions 1, 2, 3, 5, 7, 14, 16, 20, 21, and 27 of outline planning permission 2002/1000 was approved on the 11th October 2010 (planning application 2008/0996 refers). The application was made principally to allow changes to the timing of the programme of phasing, for a review of the approved Land Use Masterplan and the Design and Development Framework to take place at appropriate intervals and also to allow for a revision to be made to the total development capacities for SA1 and for the capacity levels to be set by an addendum Environmental Statement. Condition 2 of the outline planning permission as varied requires development to accord with the SA1 Swansea Point Masterplan (April 2010). Any departures from the approved Masterplan (Figure A2.1) are to be considered on their merits having specific regard to the provisions of the adopted City & County of Swansea Unitary Development Plan Policy EC2 and relevant and related policy.

The approved Swansea Waterfront masterplan (Figure A2.1) indicates that Plot D7 is allocated for medical / health usage and with an indicative 4 storey height as being the appropriate scale.

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The development of the Beacon Health Centre and Dental Referral Centres are considered to have satisfied the demand for medical / health usage within the Swansea Waterfront Masterplan area and consequently, it is considered that an alternative use such as residential needs to be considered. Having regard to the transitional location of the site with a higher density built form to the east (Institutions / hotel / apartments) and townhouses to the east, it is considered that development of an appropriate scale should be achieved. Therefore it is considered that the proposed residential use is acceptable in principle in land use and the scale of the four storey townhouses along the Langdon Road frontage would be appropriate in general scale and massing terms. Moreover, the site is part of the housing land allocation in SA1 Swansea Waterfront under for Policy HC1.

Affordable Housing

The need for affordable housing is a material planning consideration and UDP Policy HC3 states that in areas where a demonstrable lack of affordable housing exists, the Council will seek to negotiate the inclusion of an appropriate element of affordable housing on sites which are suitable in locational/ accessibility terms and where this is not ruled out by exceptional development costs. The Council's Planning Obligations Supplementary Planning Guidance (SPG) augments Policy HC3 and provides clarification on use, expectations and procedures and indicates that the Council will normally expect that 25 – 30% of all dwellings will be affordable housing.

However, within respect to the SA1 Swansea Waterfront mixed use development area, the Section 106 Planning Obligation completed in August, 2003 under the original outline planning permission 2002/1000 requires a phased programme of affordable housing up to a total of 10% of the total number of residential units within the Development. The completed residential development to date has been in accordance with this requirement, albeit the approved developments have not all incorporated a planning restriction to this effect and have been reliant on the Registered Social Landlords (RSL) developments to meet this requirement. This has been a deliberate policy objective in order to allow the private market housing to achieve a higher design quality.

It is considered appropriate that this current proposal makes a 10% affordable housing provision in accordance with the SA1 Swansea Waterfront Section 106 Planning Obligation requirement rather than the Council's Planning Obligations Supplementary Planning Guidance (SPG) would which normally expect that 25 – 30% of all dwellings will be affordable housing. This position would be consistent with the decision to provide 10% affordable housing on the adjacent development on Plots D8 / E1 (ref: 2015/0030) reported and the approved development on Plot E2 / E3a (ref: 2015/1107). Securing a 10% affordable housing provision would contribute to the delivery of the phased programme of the overall affordable housing provision within the SA1 development and would accord with the aspirations of Policy HC3 which seeks to negotiate the inclusion of an appropriate element of affordable housing. It is appropriate that this is tied to the planning permission via a Section 106 Planning Obligation.

Visual Impact, Design and Residential Amenity

In considering the specifics of the scheme, Policy EV1 of the UDP requires new development to accord with 11 specified objectives of good design whilst Policy EV2 states that the siting of new development should give preference to the use of previously developed land over greenfield sites and should have regard to the physical character and topography of the site and surroundings by meeting specified criteria relating to siting and location.

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Within the context of the overall development, the proposal further strengthens the approach to this eastern area of SA1 providing contemporary sustainable models of family housing. The general layout concept comprising two parallel blocks with a primary frontage onto Langdon Road around a central parking courtyard is welcomed. The scale of the development is appropriate to the context of the overall SA1 development. The groups of townhouses provide a strong presence to Langdon Road.

The four storey townhouses creates a strong frontage onto Langdon Road which is enlivened by front doors, full height windows, coloured render panels, render variations and projecting Juliette balconies. The townhouses would be set back off Langdon Road with modest front gardens with the front boundary treatment consisting of a low level (1000mm) black galvanised steel railings which will provide a clear definition between public and private ownership. This approach would strengthen Langdon Road as an active residential street with a domestic character as opposed to the more formal and commercial character which can be found at the western end.

The design of the access road will avoid extensive areas of tarmac and to visually reduce the perception of a car dominated environment, it is proposed to use appropriate paving. Additionally, the car parking areas around the periphery of the courtyard would incorporate a permeable concrete block surface. The precise material and detailing may be approved through conditions.

The proposed palette of materials consisting of predominantly brick, white render together would be line with the wider SA1 development, and would provide a sense of place in keeping with the 'dockland' character whilst responding to the contemporary nature of the wider SA1 development. The precise palette of materials can be addressed by the standard materials condition. Overall, the design of the development is appropriate to its context and would provide a good mix of building forms with well-articulated elements.

Further relevant criteria of Policy EV1 is that new development does not result in a significant detrimental impact on local amenity in terms of visual impact, loss of light or privacy, disturbance and traffic movements. In this respect it is considered that the size and design of the development proposed would not unacceptably impact on any existing residential development within SA1. Moreover it is considered that the approved SA1 Masterplan provides sufficient comfort that the current proposal can be successfully integrated into the scheme as a whole without undue detriment to future occupants. In terms of future occupants within the development itself, it is considered that that the design and layout is such that the proposal would result in a good standard of residential amenity.

Overall the proposed development is considered to be of an acceptable standard of design that would fulfil the design objectives for sustainability, sense of place and community. The contemporary design approach is well-suited to its SA1 context. Having regard to the foregoing, it is considered that proposal is in accordance with the requirements of UDP Policy EV1. Furthermore, as per the provisions of Policy EV2 the site utilises previously developed land and the nature of the development is such that it would not result in conflict with the criteria forming part of that policy.

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Policy EV3 of the UDP requires new development proposals to provide access and facilities for all; provide satisfactory parking in accordance with Council adopted design standards; contribute to a high quality public realm by improving pedestrian linkages with adjoining spaces and attractions and be accessible to pedestrians, cyclists and users of public transport. In this respect the Design and Access Statement confirms that the development will be designed using inclusive design principles to provide ease of access for all and will be in full compliance with Part M of the Building Regulations. Langdon Road is generally level, whilst levels within the site have been set to ensure that gradients are acceptable for wheelchair use without the need for ramps. It is the intention that Langdon Road will have a regular bus service whilst at present bus services are available approximately 300 metres to the West on Langdon Road. The proposed development is sustainably located close to the centre of Swansea on a brownfield site and is well linked by shared cycle and pedestrian routes. The proposal is therefore considered to be in accordance with the requirements of Policy EV3.

Policy EV4 of the UDP relates to public realm. In this respect, the proposed active residential use for Langdon Road is considered to provide a good degree of active frontage to that key area of public realm. The proposal is therefore considered to be in accordance with the provisions of Policy EV4 of the UDP. As stated, a condition is however recommended to provide appropriate control of the precise design of the hard/soft landscaping scheme and means of enclosing the site, as well all other aspects of the development's interface with adjoining areas of public realm.

Highway Safety and Transportation

As indicated above, the development will be served with a single vehicular access off the service road from Langdon Road and the Head of Transportation indicates that adequate visibility will be provided. The site is also well served by public transport (from Fabian Way) and access would also be available to the local and national cycle network.

The development will provide a total of 52 car parking spaces with each townhouse allocated 2 spaces, with a provision of 6 visitor parking spaces. This is considered to be an appropriate level of parking provision in the context of the Council's car parking standards, the site's sustainable location and the likely car ownership levels across the development as a whole. Having regard to the site's proximity to the City Centre, its accessibility by a range of transport modes and the provision made to encourage pedestrian and cycle access/use, it is considered that the proposal satisfactorily accords with UDP Policies AS1 (new development proposals), AS2 (design and layout), AS5 (walking and cycling) and AS6 (parking).

The Head of Transportation indicates that whilst the internal road layout is acceptable in safety terms it is not suitable for adoption and is therefore likely to remain privately maintained and an appropriate condition is recommended in order to ensure satisfactory management and maintenance of the non-adoptable areas.

Drainage and Flood Risk

The submitted engineering layout indicates the existing sewer easement which traverses the site and which influences the layout and alignment of the pedestrian access to the north and the vehicular access from Langdon Road. The layout also indicates the provision of the adoptable foul and surface water sewers and connections onto Langdon Road. This indicates that the application site is fully serviced with a foul drainage connection on Langdon Road.

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The surface water will be connected to the existing SA1 infrastructure which discharges into the Prince of Wales Dock. Subject to the imposition of appropriate drainage conditions, it is considered that the proposal would be in accordance with the requirements of UDP Policies EV33 (sewage disposal), EV34 (protection of controlled waters) and EV35 (surface water run-off). The wider SA1 Flood Consequences Assessment indicates that the extreme flood event for the 1 in 1000 (0.1%) is 6.82m. The survey indicates that the site frontage has an existing site level of between 9.74 – 10.04 and therefore there is no flood risk across the site.

Ground Contamination

Policy EV38 indicates that development proposals on land where there is a risk from contamination will not be permitted unless it can be demonstrated to the satisfaction of the Council, that measures can be taken to satisfactorily overcome any danger to life, health, property, controlled water, or the natural and historic environment. A Geo Environmental Report has been submitted with the application. There are known land remediation issues to be addressed and suitable conditions are imposed accordingly. Additionally, conditions are imposed relating to the requirements for a Construction Management Pollution Plan and Site Waste Management Plans to be implemented.

Conclusion

In conclusion it is considered that the proposed development is acceptable when assessed against the provisions of Development Plan policy, adopted Supplementary Planning Guidance and the approved Design and Development Framework for SA1. There are considered to be no additional issues arising from the provisions of the Human Rights Act and approval is therefore recommended.

RECOMMENDATION

APPROVE, subject to the conditions indicated below and the applicant entering into a Section 106 Obligation to provide 10 % (2 units) of the total number of residential units within the development as affordable housing.

The units are identified as house type CA on plots 18 and 19 and will be offered to the nominated RSL / Council in respect of Intermediate Housing Units at no more than 70% ACG / or in respect of Social Rented Units at no more than 42% ACG. The phasing of the development must not allow more than 50 % occupation of the market housing units until such time as the affordable homes have been completed.

If the Section 106 Obligation is not completed within 3 months of the foregoing resolution then delegated powers be given to the Head of Economic Regeneration and Planning to exercise discretion to refuse the application on the grounds of non-compliance with Policy HC3 of the City and County of Swansea Unitary Development Plan (November 2008).

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.

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- 2 The development shall be carried out in accordance with the following approved plans and documents: [1501-30, 1501-31, 1501-33 -47, 1501-51, 1501-53 plans received 4 April, 2016; Langdon Aerial 1, Langdon Shots 1 - 4 received 25 April, 2016; 1501 -32 Rev A, 1501-48 Rev A, 1501-49 Rev A, 1501-560 Rev A, 1501-52 Rev A - amended plans received 24 May, 2016]

Reason: To define the extent of the permission granted.

- 3 No development shall take place until the developer has notified the Local Planning Authority of the initiation of development. Such notification shall be in accordance with the form set out in Schedule 5A of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or any order revoking or re-enacting that order.

Reason: To comply with the requirements of Section 71ZB(1) of the Town and Country Planning Act 1990 (as amended).

- 4 No development shall take place until the developer has displayed a site notice in accordance with the form set out in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or any order revoking or re-enacting that order. The site notice shall be displayed at all times when development is being carried out.

Reason: To comply with the requirements of Section 71ZB (2) of the Town and Country Planning Act 1990 (as amended).

- 5 Notwithstanding the details shown on any approved plan, samples of all external finishes, including windows and doors and the precise pattern and distribution of the external finishes shall be submitted to and approved by the Local Planning Authority in writing prior to the development of superstructure works. The development shall be implemented in accordance with the approved details. Composite sample panels shall be erected on site and the approved sample panel shall be retained on site for the duration of the works, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity.

- 6 Prior to the commencement of super structure works, details at an appropriately agreed scale of the following shall be submitted to and agreed in writing by the Local Planning Authority:

- Typical window unit within its opening;
- Typical external door within its opening;
- Metal Window Surrounds;
- A sectional elevation indicating the juxtaposition of various facing materials and how typical junctions are to be detailed;
- Details of the location, extent, design and finish of all visible external ventilation;
- Balconies / balustrades / privacy screens;
- Canopies;
- Rainwater goods.

The development shall be carried out in accordance with the agreed details.

Reason: In the interests of visual amenity.

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- 7 Notwithstanding the details shown on any approved plan, the precise design, extent and height of all means of enclosure within and around the development shall be submitted to and approved in writing by the Local Planning Authority. The means of enclosure shall be built in accordance with the approved details.
Reason: In the interests of visual amenity and general amenity.
- 8 Notwithstanding the details shown on any approved plans, no superstructure works shall take place without the prior written approval of the Local Planning Authority of a scheme for the hard and soft landscaping of the site. The scheme shall include details of all external lighting, any external structures and the external surfacing to vehicular and pedestrian circulation and car parking areas within the communal areas and 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.
- 9 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.
- 10 Before the development hereby permitted is commenced, details of the levels of the residential buildings, site access road in relation to the adjoining land and highways together with any changes proposed in the levels of the site shall be submitted to and agreed by the Local Planning Authority in writing.
Reason: To ensure that the work is carried out at suitable levels in relation to the highway and adjoining land having regard to drainage, gradient of access, and the amenities of adjoining occupiers.
- 11 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
1. A preliminary risk assessment which has identified:
- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

- Continued -

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- 11 2. A site investigation scheme, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- Continued -
4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
Any changes to these components require the express consent of the Local Planning Authority.
The scheme shall be implemented as approved.
Reason: It is considered that the controlled waters at the site are of high environmental sensitivity, being a Secondary Aquifer and contamination is known / suspected at the site due to its previous industrial uses.
- 12 Prior to occupation of any part of the permitted development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.
Reason: Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.
- 13 Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the Local Planning Authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long-term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that longer term remediation criteria relating to controlled waters have been met. This will ensure that there are no longer remaining unacceptable risks to controlled waters following remediation of the site.

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- 14 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise 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, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: Given the size/complexity of the site it is considered possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.

- 15 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: There is an increased potential for pollution of controlled waters from inappropriate methods of piling.

- 16 No development approved by this permission shall be commenced until a Construction Pollution Management Plan detailing all necessary pollution prevention measures for the construction phase of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent pollution of controlled waters and the wider environment.

- 17 No development approved by this permission shall be commenced until a Site Waste Management Plan (SWMP) has been produced and submitted in writing for approval by the Local Planning Authority. The development shall be constructed in accordance with the approved SWMP.

Reason: To ensure waste at the site is managed in line with the Waste Hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal option.

- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales) (or any order revoking and re-enacting that order with or without modification), no developments under the provisions of Schedule 2, Part 1, Classes A, B, C, D, E, F, G & H and Part 2, Classes A, B, and C shall be carried out without the benefit of planning permission.

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 The integral garages on House types A, B, C & D shall be constructed with a clear internal dimension of 6 metres by 3 metres and shall be retained for the parking of vehicles and purposes incidental to that use and shall not be used as or converted to domestic living accommodation.

Reason: To ensure adequate on site car parking provision in the interests of highway safety, and residential and visual amenity.

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- 20 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
- Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.
- 21 Unless otherwise agreed in writing by the Local Planning Authority, 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 and to minimise surface water run-off.
- 22 Foul water and surface water discharges must be drained separately from the site and no surface water shall be allowed to connect (either directly or indirectly) to the public foul sewerage system. No land drainage run-off will be permitted, either directly or indirectly, to discharge into the public sewerage system.
- Reason: To prevent hydraulic overloading of the public sewerage system and pollution of the environment.
- 23 Notwithstanding the details indicated in the application, no part of the development hereby approved shall be occupied until the road layout of the internal site access road including car parking, street lighting and the vehicular access spur into the development, have been submitted to and approved in writing by the Local Planning Authority. The road and parking layout shall be completed in accordance with the approved plans.
- Reason: In the interests of highway / pedestrian safety and visual amenity.
- 24 The development shall be carried out in accordance with a travel plan to be submitted to and approved in writing by the Local Planning Authority prior to any beneficial use of the development commencing. The Travel Plan shall include details of car reduction initiatives and methods of monitoring, review and adjustment where necessary.
- Reason: In the interests of sustainability and to prevent unacceptable highway congestion.

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- 25 Prior to the occupation of any part of the development, the proposed arrangements for the future management and maintenance of the proposed internal site access road, car parking areas, circulation areas and areas of communal space / landscaping within the development shall be submitted to and approved by the Local Planning Authority. The management and maintenance scheme shall be implemented in accordance with the approved scheme.

Reason: In order to ensure that the non-adoptable areas within the development are satisfactorily managed and maintained.

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: (UDP Policies EV1, EV2, EV3, EV4, EV33, EV34, EV35, EV38, EV40, EC1, EC2, HC1, HC3, AS1, AS2, AS5 & AS6)
 - 2 With regard to ground contamination Natural Resources Wales recommends that developers should:
 1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
 2. Refer to Environment Agency document; Guiding Principles for Land Contamination for the type of information that we require in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
 3. Refer to Groundwater protection: Principles and practice (GP3).
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