

PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 1

APPLICATION NO:

2016/1860

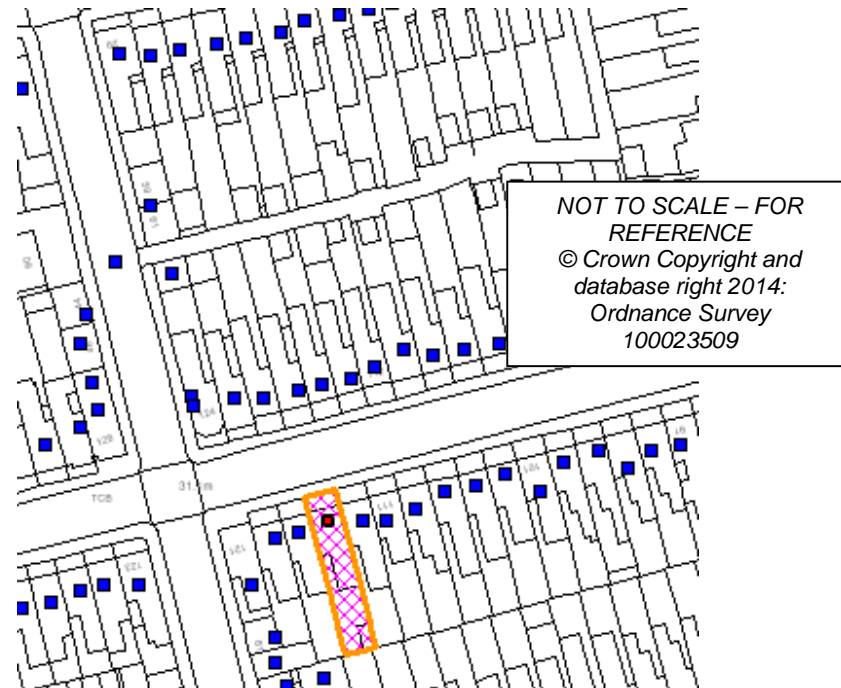
WARD:

Uplands - Bay Area

Location: 115 Rhydings Terrace, Brynmill, Swansea, SA2 0DS

Proposal: Retention of use of property as a 4 bedroom HMO (Class C4)

Applicant: Mrs Ann Ebeid



BACKGROUND INFORMATION

POLICIES

UDP - AS6 - Parking/Accessibility

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

UDP - EV1 - Design

New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).

UDP - HC5 - Houses in Multiple Occupation

Proposals for the conversion of dwelling or non-residential properties to HMO's will be permitted subject to a set of defined criteria including the effect upon residential amenity; harmful concentration or intensification of HMO's in an area, effect upon the external appearance of the property and the locality; effect on local car parking and highway safety; and adequate refuse storage arrangements. (City & County of Swansea Unitary Development Plan 2008).

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SITE HISTORY

App Number	Proposal	Status	Decision Date
2016/1860	Retention of use of property as a 4 bedroom HMO (Class C4)	PDE	

RESPONSE TO CONSULTATIONS

Neighbours: The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) through the display of a site notice dated 17th October 2016. In addition to this all adjoining neighbouring properties were individually consulted. A PETITION OF OBJECTION containing 34 individual signatures and 3 INDIVIDUAL LETTERS OF OBJECTION were received which raised concerns relating to:

1. Conversion has already taken place.
2. Too many HMOs in the area.
3. Car parking issues.
4. Impact on quality of life.
5. Community being unacceptably affected.
6. Transient nature of students unacceptable harm.
7. Concern with respect parking.
8. Emergency vehicles will struggle to access properties in the road.
9. Concern with respect the impact the change will have on visual amenities of the area.
10. Noise and disturbance issues associated with the use.
11. Anti-social behaviour of students.
12. Litter issues.
13. Unacceptable impact on residential amenity.

Highways: The current Parking Standards allow for up to six people in a property without the need for any additional parking. Prior to the introduction of the C4 Classification (for between 3 and 6 persons) in March 2016 up to six people could share without the need for planning permission.

Given that the parking standards do not reflect the new use class C4, and based on recent appeal decisions, I do not consider that a refusal from highways could be justified at appeal despite my ongoing concerns regarding the cumulative impact of increasing sizes of HMO's in the area.

As part of the HMO SPG currently being drafted a review of the existing parking standards which specifically relate to HMOs and purpose built student accommodation will be included. This should be in place by March 2017 and will take into account data specific to Swansea and not generic information for Wales as a whole. In the interim the existing SPG on parking is the relevant document that any Inspector would use in a Planning appeal situation.

This application is for a change of use from C3 to C4 (For 4 persons) hence it is still below the six person threshold.

No dedicated car parking is available for use by the dwelling.

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Residents parking is in operation but there is no impact on residents parking in the area as there are no new units being created. The dwelling will remain eligible for two permits as it currently the case.

There is a rear yard area where cycle parking is shown as being provided to mitigate for the lack of car parking facilities.

On that basis I recommend that no highway objections are raised to the proposal subject to:

1. The dwelling being used by no more than 4 persons in the interest of highway safety.
2. Cycle Parking to be provided in accordance with the submitted details to mitigate for the lack of car parking availability.

APPRAISAL

This application is reported to Committee for decision at the request of Councillor Peter May and due to the fact a petition of 34 objectors has been received.

Description

Full planning permission is sought for the retention of the change of use of No 115 Rhyddings Terrace from residential (Class C3) to a 4 bedroom HMO (Class C4). The proposal will involve internal alterations only to facilitate the provision of two bedrooms, lounge and kitchen at ground floor level and two bedrooms and a bathroom at 1st floor level. The plan also includes the provision of cycle and bin storage to the rear of the property.

The area is characterised by rows of traditionally designed two storey terraced properties which are laid out in a 'Grid Iron' pattern.

Main Issues

The main issues for consideration during the determination of this application relate to the principle of this form of use at this location and the resultant impact of the use and the development upon the visual amenities of the area, the residential amenities of the neighbouring properties and highway safety having regard for the provisions of the Swansea Unitary Development Plan (UDP) and the Supplementary Planning Guidance document entitled 'Swansea Parking Standards'.

Principle of Use

Up until March 2016 planning permission was not required for the use of a property as a HMO for up to 6 people and as such there has been historically a large concentration of HMO properties in Uplands which has happened predominately without planning permission being required.

Following concerns raised by Local Authorities throughout Wales in respect of areas with a high concentration of HMOs an amendment to the Use Class Order was made introducing a separate C4 use for HMO properties with more than 2 people living in them. The amendment was made in order to safeguard the confidence of residents in areas with large numbers of HMOs, while at the same time protecting the rights of those people living in them.

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It is acknowledged that large concentrations of HMOs can bring their own problems to local areas, however Swansea Local Authority has not produced any evidence or Supplementary Planning Guidance as of yet to quantify the harm caused by the concentration of these types of uses.

Policy HC5 of the Swansea UDP supports the conversion of dwellings to HMOs subject to compliance with the set criteria:

- (i) There would be no significant adverse effect upon residential amenity by virtue of noise, nuisance and/or other disturbance
- (ii) The development would not contribute to harmful concentration or intensification of HMOs in a particular area
- (iii) There would be no adverse effect upon the external appearance of the property and the character of the locality,
- (iv) There would be no significant adverse effect on local car parking and highway safety, and
- (v) Appropriate refuse storage arrangements can be provided

The criteria of the above is addressed below:

Would the proposal result in a significant adverse effect upon residential amenity by virtue of noise, nuisance and/or other disturbance?

On the basis of the information provided, the proposal will result in an increase in the number of bedrooms from 3 to 4. A family could occupy this large property under the extant lawful use of the premises and as such it is not considered that the use of the premises for up to 6 people as a HMO would result in an unacceptable intensification of the use of the building over and above what could be experienced by the extant lawful use and as such could not warrant the refusal of this application.

As such the proposed use will not result in unacceptable noise and disturbance which could reasonably warrant the refusal of this application. The proposal is considered to respect residential amenity in compliance with the provisions of Policies EV1, EV40 and HC5 of the Swansea UDP.

Would the development contribute to a harmful concentration or intensification of HMOs in a particular area?

In 2015 the Welsh Government commissioned a study into the impact of houses in multiple accommodation (HMOs) concentrations on local communities in certain areas across Wales.

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The Welsh Government identified that HMOs make an important contribution to the provision of housing for those unable to buy or rent smaller accommodation but the study revealed common problems associated with high concentrations of HMOs including damage to social cohesion, difficult access to the area for owner occupiers and first time buyers, increases in anti-social behaviour, noise, burglary and other crime, reduction in the quality of the local environment, a change in the character of the area, increased pressure on parking and a reduction in provision of community facilities for families and children, in particular pressure on schools through falling rolls. The research recommended that the definition of a HMO be changed and that the Town and Country Planning (Use Classes) Order 1987 be amended to give Local Authorities the power to manage the development of HMOs with fewer than seven residents, which previously would not have required planning permission.

Following on from the change in legislation the Welsh Government published a document entitled 'Houses in Multiple Occupation Practice Guidance (February 2016) HMOs. Within this it is identified that HMOs provide a source of accommodation for certain groups which include students temporarily resident and individuals and/or small households unable to afford self-contained accommodation. It further identifies the concerns, as set above, that were raised in the study into HMOs as well as setting out good practice measures in relation to the management of HMOs.

It is evident from visiting the site and viewing the Councils own records that there are a high level of properties in multiple occupation along Rhyddings Terrace. The street comprises primarily of rows of terraced two storey properties. Rhyddings Terrace runs horizontally east to west through Uplands and is intersected vertically by Oakwood Road, Alexandra Terrace, Bernard Street and Gwydr Crescent. Using evidence held by our Environmental Health Department as of the 8th November 2016 there are currently 34 HMO licenses active along Rhyddings Terrace (approximately 95 properties) which is approximately 36% of dwellings within this road.

It is clear that approval of the application would result in the addition of a further HMO into a ward area that already comprises a high concentration of HMOs, however whilst this is the case there is no empirical evidence that leads conclusively to the conclusion that approval of this additional HMO would result in a harmful concentration or intensification of HMOs in this area or street.

In the absence of a percentage or other similar calculation based approach it is difficult to determine what number of HMOs in an area would constitute a 'harmful concentration'. As such whilst this application will result in further concentration of HMOs it cannot be regarded that this is a harmful concentration such that it complies with the aims of this criterion.

In support of the Councils position on this matter regard needs to be had for a recent appeal decision at No 8 Alexander Terrace (Ref: 2016/0873). The application was refused by Members contrary to Officer recommendation for the following reasons:

1. The proposal, in combination with existing Houses in Multiple Occupation (HMOs) within Alexandra Terrace will result in a harmful concentration and intensification of HMOs in the street and wider area. This cumulative impact will result in damage to the character of the area and social cohesion with higher levels of transient residents and fewer long term households and established families.

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Such impact will lead in the long term to communities which are not balanced and self-sustaining. As a result the proposal is contrary to Policy HC5 criterion (ii) of the Swansea Unitary Development Plan (2008) and the National Policy aims set out in Planning Policy Wales (Edition 8 January 2016) of creating sustainable and inclusive mixed communities.

2. Insufficient information has been provided to demonstrate that additional off-street car parking provision can be provided within the site curtilage to serve the use of the property as a HMO. Accordingly the proposal, for up to 6 residents, would increase the demand for on-street parking in an already congested area and as such would be detrimental to the existing residents / car owners and the free flow of traffic, contrary to the requirements of Policy HC5 criterion (iv) and Policy AS6 of the Swansea Unitary Development Plan (2008).

Whilst the Inspector acknowledged the transient nature of multiple occupancy dwellings, the percentage of properties under an existing HMO licence amounting to 42% in the street and noted the evidence submitted in relation to age and economic profiles and household tenure, she concluded that there was no detailed evidence before her to demonstrate that the resulting property would be occupied by students or that its change of use would materially alter existing social structures and patterns.

Furthermore it was felt that the proposed use would clearly serve to meet a particular housing need and the surrounding area offers a broad mix of uses. For these reasons the Inspector did not consider that the appeal proposal would run counter to the objectives of securing a sustainable mixed use community.

Additionally, whilst it was felt the development resulted in an increased population density, the site is sustainably located and provides accommodation that would be suitable for students or young professionals studying or working nearby. Whilst the Inspector acknowledged the concerns raised about the occupancy fluctuations during the summer months, she did not consider it would have a significant adverse effect on the local community particularly as many students remain in the local area to undertake seasonal jobs or volunteering activities and many people living in the local area will similarly take family holidays at this time. On this basis the appeal was allowed.

There would be no adverse effect upon the external appearance of the property and the character of the locality

The development proposes no external alterations and therefore will have no impact on residential amenity.

There would be no significant adverse effect on local car parking and highway safety

Having consulted the Head of Transportation and Engineering it is acknowledged that the proposal is for a 4 bedroom HMO for up to 6 people (Class C4). The existing house has no designated off street parking spaces and residents parking control is in operation in the area. Therefore given the proposal would only be eligible for 2 on street parking permits which is the same as the existing situation the proposal is considered to have no greater impact on parking or highway safety than the status quo.

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The plans incorporate an area for 4 cycle storage spaces to the rear of the property which would ensure the future residents have an alternative means of sustainable transport. The site is in a sustainable location and is well served by public transport and local amenities as well as being located within walking distance of Swansea University.

Whilst it is acknowledged the Councils Highway Officer has requested a condition restricting the number of persons occupying the property to 4, it is not considered reasonable to impose such a condition, given up to 6 people could quite reasonably occupy the property as a family.

Therefore subject to appropriately worded conditions the proposal is not considered to have any greater impact on highway safety or parking over and above the existing extant use of the property in compliance with the provisions of Policies EV1, HC5 and AS6.

Appropriate refuse storage arrangements can be provided

The site has a large enough rear garden to accommodate refuse bins. The plans indicate bin storage will be provided to the rear of the property which gain can be secured via an appropriately worded condition requiring the provision of these facilities prior to the building being brought into beneficial use as a HMO.

Response to Consultations

Notwithstanding the above a petition of 34 objectors and 3 letters of objection were received which raised concerns relating to the impact of the proposal upon the number of HMOs in the area, parking, residential amenity, principle of use, impact on community and impact on character of an area. The issues pertaining to which have been addressed above.

Further concerns were raised with respect of litter, noise and Anti Social Behaviour Orders associated with HMO occupiers. This is a stereotypical assumption to make and the planning process cannot legislate for the behaviour of residents. Alternatively the occupiers of this property could be model citizens and it is for other bodies to legislate the behaviour of residents. As such these issues raised are covered under separate legislation via Environmental Health or the Police and as such cannot be taken into consideration during the determination of this application.

Conclusion

It is considered that the Local Authority has no evidence to suggest that the use of this property as HMO would result in a harmful concentration of HMOs within this area. Furthermore the proposal would it is considered have an acceptable impact upon the visual amenities of the area, the residential amenities of neighbouring properties and highway safety having regard for the provisions of Policies EV1, AS6 and HC5 of the Swansea UDP and approval is recommended.

Regard has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under Part 2, Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WCFG Act").

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In reaching this decision, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WBFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the public bodies' well-being objectives set out as required by Part 2, Section 9 of the WBFG Act.

RECOMMENDATION

APPROVE, subject to the following conditions:

- 1 The development shall be carried out in accordance with the following approved plans and documents: FF1 - First Floor Plan received 16th September 2016 and PF1 - Proposed Ground Floor Plan with cycle/bin storage and Site Location Plan received 22nd September 2016.
Reason: For the avoidance of doubt and to ensure compliance with the approved plans.
- 2 Within 3 months of this permission, the cycle and refuse storage indicated on the approved plans shall be implemented and provided in accordance with the agreed details and retained in perpetuity for the approved uses as part of the development.
Reason: In the interest of sustainability and 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: Policies AS6, EV1, HC5.
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ITEM 2

APPLICATION NO:

2016/3076/FUL

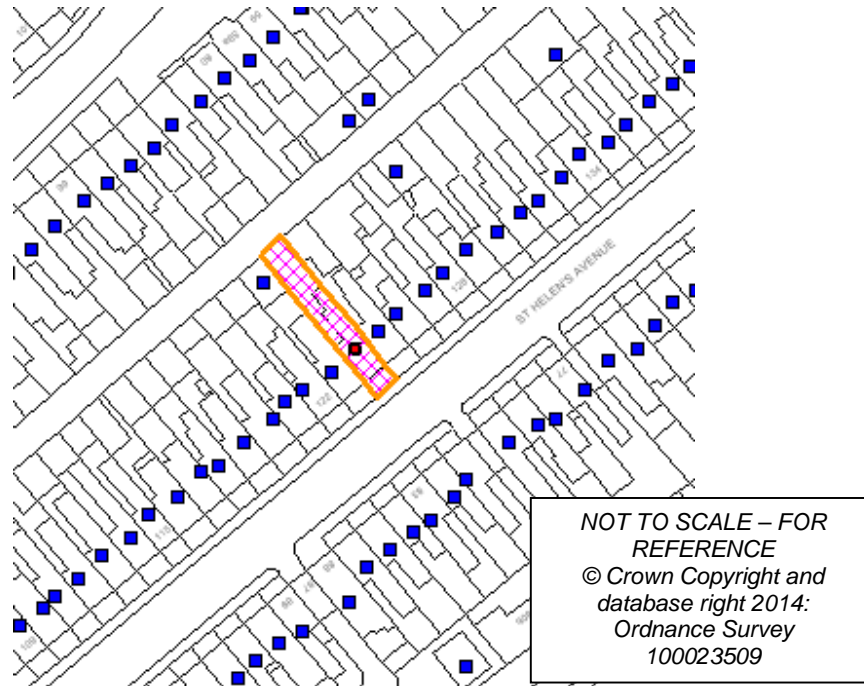
WARD:

Uplands - Bay Area

Location: 124 St Helens Avenue, Brynmill, Swansea, SA1 4NW

Proposal: Change of use from residential (Class C3) to 4 bedroom HMO (Class C4)

Applicant: JONATHAN JOHNSTON



BACKGROUND INFORMATION

POLICIES

UDP - AS6 - Parking/Accessibility

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

UDP - EV1 - Design

New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).

UDP - HC5 - Houses in Multiple Occupation

Proposals for the conversion of dwelling or non-residential properties to HMO's will be permitted subject to a set of defined criteria including the effect upon residential amenity; harmful concentration or intensification of HMO's in an area, effect upon the external appearance of the property and the locality; effect on local car parking and highway safety; and adequate refuse storage arrangements. (City & County of Swansea Unitary Development Plan 2008)

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ITEM 2 (CONT'D)

APPLICATION NO:

2016/3076/FUL

SITE HISTORY

App Number	Proposal	Status	Decision Date
2016/3076/F UL	Change of use from residential (Class C3) to 4 bedroom HMO (Class C4)	PDE	
2016/1038	Change of use from residential (Class C3) to 5 bedroom HMO (Class C4)	REF	08.09.2016

RESPONSE TO CONSULTATIONS:

Neighbours: The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) through the display of a site notice dated 17th October 2016. In addition to this all adjoining neighbouring properties were individually consulted. A PETITION OF OBJECTION containing 35 individual addresses and 6 INDIVIDUAL LETTERS OF OBJECTION were received which raised concerns relating to:

1. Too many HMOs in the area.
3. Car parking issues.
4. Impact on quality of life.
5. Refuse problems.
6. Transient nature of students unacceptable harm.
7. Concern with respect parking.
8. Emergency vehicles will struggle to access properties in the road.
9. Concern with respect the impact the change will have on visual amenities of the area.
10. Noise and disturbance issues associated with the use.
11. Anti-social behaviour of students.
12. Litter issues.
13. Unacceptable impact on residential amenity.
14. Approval will result in the creation of an unbalanced community.
15. HMOs result in high levels of crime.
16. No justification for the development.
17. Unacceptable impact on visual amenity.

Highways: The current Parking Standards allow for up to six people in a property without the need for any additional parking. Prior to the introduction of the C4 Classification (for between 3 and 6 persons) in March 2016 up to six people could share without the need for planning permission.

Given that the parking standards do not reflect the new use class C4, and based on recent appeal decisions, I do not consider that a refusal from highways could be justified at appeal despite my ongoing concerns regarding the cumulative impact of increasing sizes of HMO's in the area.

As part of the HMO SPG currently being drafted a review of the existing parking standards which specifically relate to HMOs and purpose built student accommodation will be included.

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ITEM 2 (CONT'D)

APPLICATION NO:

2016/3076/FUL

This should be in place by March 2017 and will take into account data specific to Swansea and not generic information for Wales as a whole. In the interim the existing SPG on parking is the relevant document that any Inspector would use in a Planning appeal situation.

This application is for a change of use from C3 to C4 (For 4 persons) hence it is still below the six person threshold.

Two dedicated car parking spaces are available for use by the dwelling accessed off a rear lane together with cycle parking for six cycles.

Residents parking is in operation but there is no impact on residents parking in the area as there are no new units being created. The dwelling will remain eligible for two permits as it currently the case.

There is a rear yard area where cycle parking is being proposed to provide an alternative to car travel.

On that basis I recommend that no highway objections are raised to the proposal subject to:

1. The dwelling being used by no more than 4 persons in the interest of highway safety.
2. Cycle and car Parking to be provided in accordance with the submitted details prior to beneficial occupation of the HMO, and maintained as such in perpetuity.

APPRAISAL

This application is reported to Committee for decision at the request of Councillor Peter May and due to the fact a petition of 35 objectors has been received.

Description

Full planning permission is sought for the retention of the change of use of No 124 St Helens Avenue from residential (Class C3) to a 4 bedroom HMO (Class C4). The proposal will involve internal alterations only to facilitate the provision of one bedroom, w/c, lounge, dining room and kitchen at ground floor level and three bedrooms and a bathroom at 1st floor level. The plan also includes the provision of one parking space to the rear of the property.

The area is characterised by rows of traditionally designed two storey terraced properties which are laid out in a 'Grid Iron' pattern.

Site History

Planning permission was recently refused under Ref: 2016 at Committee for the change of use of the premises from residential (Class C3) to 5 bedroom HMO (Class C4) contrary to officer recommendation for the following reason:

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ITEM 2 (CONT'D)

APPLICATION NO:

2016/3076/FUL

1. The proposal, in combination with existing Houses in Multiple Occupation (HMOs) within St Helen's Avenue will result in a harmful concentration and intensification of HMOs in the street and wider area. This cumulative impact will result in damage to the character of the area and social cohesion with higher levels of transient residents and fewer long term households and established families. Such impact will lead in the long term to communities which are not balanced and self-sustaining. As a result the proposal is contrary to Policy HC5 criterion (ii) of the Swansea Unitary Development Plan (2008) and the National Policy aims set out in Planning Policy Wales (Edition 8 January 2016) of creating sustainable and inclusive mixed communities.

In order to try and address the reason for refusal the applicant has removed the use of the attic as a bedroom.

Main Issues

The main issues for consideration during the determination of this application relate to the principle of this form of use at this location and the resultant impact of the use upon the visual amenities of the area, the residential amenities of the neighbouring properties and highway safety having regard for the provisions of the Swansea Unitary Development Plan (UDP) and the Supplementary Planning Guidance document entitled 'Swansea Parking Standards' and the site history.

Principle of Use

Up until March 2016 planning permission was not required for the use of a property as a HMO for up to 6 people and as such there has been historically a large concentration of HMO properties in Uplands which has happened predominately without planning permission being required.

Following concerns raised by Local Authorities throughout Wales in respect of areas with a high concentration of HMOs an amendment to the Use Class Order was made introducing a separate C4 use for HMO properties with more than 2 people living in them. The amendment was made in order to safeguard the confidence of residents in areas with large numbers of HMOs, while at the same time protecting the rights of those people living in them.

It is acknowledged that large concentrations of HMOs can bring their own problems to local areas, however Swansea Local Authority has not produced any evidence or Supplementary Planning Guidance as of yet to quantify the harm caused by the concentration of these types of uses.

Policy HC5 of the Swansea UDP supports the conversion of dwellings to HMOs subject to compliance with the set criteria:

- (i) There would be no significant adverse effect upon residential amenity by virtue of noise, nuisance and/or other disturbance
- (ii) The development would not contribute to harmful concentration or intensification of HMOs in a particular area

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- (iii) There would be no adverse effect upon the external appearance of the property and the character of the locality,
- (iv) There would be no significant adverse effect on local car parking and highway safety, and
- (v) Appropriate refuse storage arrangements can be provided

The criteria of the above is addressed below:

Would the proposal result in a significant adverse effect upon residential amenity by virtue of noise, nuisance and/or other disturbance?

On the basis of the information provided, the proposal will not result in an increase in the number of bedrooms, however it is acknowledged that the attic space could be used as a bedroom taking the property to 5 bedrooms. Providing the number of residents using the property do not exceed 6 the Local Planning Authority would have no objection to raise to this. A family could occupy this property under the extant lawful use of the premises and as such it is not considered that the use of the premises for up to 6 people as a HMO would result in an unacceptable intensification of the use of the building over and above what could be experienced by the extant lawful use and as such could not warrant the refusal of this application.

As such the proposed use will not result in unacceptable noise and disturbance which could reasonably warrant the refusal of this application. The proposal is considered to respect residential amenity in compliance with the provisions of Policies EV1, EV40 and HC5 of the Swansea UDP.

Would the development contribute to a harmful concentration or intensification of HMOs in a particular area?

In 2015 the Welsh Government commissioned a study into the impact of houses in multiple accommodation (HMOs) concentrations on local communities in certain areas across Wales.

The Welsh Government identified that HMOs make an important contribution to the provision of housing for those unable to buy or rent smaller accommodation but the study revealed common problems associated with high concentrations of HMOs including damage to social cohesion, difficult access to the area for owner occupiers and first time buyers, increases in anti-social behaviour, noise, burglary and other crime, reduction in the quality of the local environment, a change in the character of the area, increased pressure on parking and a reduction in provision of community facilities for families and children, in particular pressure on schools through falling rolls. The research recommended that the definition of a HMO be changed and that the Town and Country Planning (Use Classes) Order 1987 be amended to give Local Authorities the power to manage the development of HMOs with fewer than seven residents, which previously would not have required planning permission.

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Following on from the change in legislation the Welsh Government published a document entitled 'Houses in Multiple Occupation Practice Guidance (February 2016) HMOs. Within this it is identified that HMOs provide a source of accommodation for certain groups which include students temporarily resident and individuals and/or small households unable to afford self-contained accommodation. It further identifies the concerns, as set above, that were raised in the study into HMOs as well as setting out good practice measures in relation to the management of HMOs.

It is evident from visiting the site and viewing the Councils own records that there are a high level of properties in multiple occupation along St Helens Avenue . The street comprises primarily of rows of terraced two storey properties. St Helens Avenue runs horizontally southwest to northeast through Brynmill and is intersected vertically by Gorse Lane, Francis Street, St Helens Crescent and St Helens Road. Using evidence held by our Environmental Health Department as of the 14th November 2016 there are currently 85 HMO licenses active between No's 1 and 211 St Helens Avenue (213 approximately properties on the road) which is approximately 40% of dwellings within this road.

It is clear that approval of the application would result in the addition of a further HMO into a ward area that already comprises a high concentration of HMOs, however whilst this is the case there is no empirical evidence that leads conclusively to the conclusion that approval of this additional HMO would result in a harmful concentration or intensification of HMOs in this area or street.

In the absence of a percentage or other similar calculation based approach it is difficult to determine what number of HMOs in an area would constitute a 'harmful concentration'. As such whilst this application will result in further concentration of HMOs it cannot be regarded that this is a harmful concentration such that it complies with the aims of this criterion.

In support of the Councils position on this matter regard needs to be had for a recent appeal decision at No 8 Alexander Terrace (Ref: 2016/0873). The application was refused by Members contrary to Officer recommendation for the following reasons:

1. The proposal, in combination with existing Houses in Multiple Occupation (HMOs) within Alexandra Terrace will result in a harmful concentration and intensification of HMOs in the street and wider area. This cumulative impact will result in damage to the character of the area and social cohesion with higher levels of transient residents and fewer long term households and established families. Such impact will lead in the long term to communities which are not balanced and self-sustaining. As a result the proposal is contrary to Policy HC5 criterion (ii) of the Swansea Unitary Development Plan (2008) and the National Policy aims set out in Planning Policy Wales (Edition 8 January 2016) of creating sustainable and inclusive mixed communities.
2. Insufficient information has been provided to demonstrate that additional off-street car parking provision can be provided within the site curtilage to serve the use of the property as a HMO. Accordingly the proposal, for up to 6 residents, would increase the demand for on-street parking in an already congested area and as such would be detrimental to the existing residents / car owners and the free flow of traffic, contrary to the requirements of Policy HC5 criterion (iv) and Policy AS6 of the Swansea Unitary Development Plan (2008).

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Whilst the Inspector acknowledged the transient nature of multiple occupancy dwellings, the percentage of properties under an existing HMO licence amounting to 42% in the street and noted the evidence submitted in relation to age and economic profiles and household tenure, she concluded that there was no detailed evidence before her to demonstrate that the resulting property would be occupied by students or that its change of use would materially alter existing social structures and patterns.

Furthermore it was felt that the proposed use would clearly serve to meet a particular housing need and the surrounding area offers a broad mix of uses. For these reasons the Inspector did not consider that the appeal proposal would run counter to the objectives of securing a sustainable mixed use community.

Additionally, whilst it was felt the development resulted in an increased population density, the site is sustainably located and provides accommodation that would be suitable for students or young professionals studying or working nearby. Whilst the Inspector acknowledged the concerns raised about the occupancy fluctuations during the summer months, she did not consider it would have a significant adverse effect on the local community particularly as many students remain in the local area to undertake seasonal jobs or volunteering activities and many people living in the local area will similarly take family holidays at this time. On this basis the appeal was allowed.

There would be no adverse effect upon the external appearance of the property and the character of the locality

The development proposes no external alterations and therefore will have no impact on residential amenity.

There would be no significant adverse effect on local car parking and highway safety

Having consulted the Head of Transportation and Engineering it is acknowledged that the proposal is for a 4 bedroom HMO for up to 6 people (Class C4). The existing house has 2 off street parking spaces to the rear of the property which incidentally are not to designated standards. Residents parking control is in operation in the area. Therefore given the proposal would only be eligible for 2 on street parking permits which is the same as the existing situation the proposal is considered to have no greater impact on parking or highway safety than the status quo.

There is sufficient space to the rear of the property to provide an area for 6 cycle storage spaces which would ensure the future residents have an alternative means of sustainable transport and this can be ensured via an appropriately worded condition. The site is in a sustainable location and is well served by public transport and local amenities as well as being located within walking distance of Swansea University.

Whilst it is acknowledged the Councils Highway Officer has requested a condition restricting the number of persons occupying the property to 4, it is not considered reasonable to impose such a condition, given up to 6 people could quite reasonably occupy the property as a family.

PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 2 (CONT'D)

APPLICATION NO:

2016/3076/FUL

Therefore subject to an appropriately worded condition the proposal is not considered to have any greater impact on highway safety or parking over and above the existing extant use of the property in compliance with the provisions of Policies EV1, HC5 and AS6.

Appropriate refuse storage arrangements can be provided

The site has a large enough rear garden to accommodate refuse bins and this can be secured via an appropriately worded condition requiring the provision of these facilities prior to the building being brought into beneficial use as a HMO.

Response to Consultations

Notwithstanding the above a petition of 35 objectors and 6 letters of objection were received which raised concerns relating to the impact of the proposal upon the number of HMOs in the area, parking, residential amenity, principle of use, impact on community and impact on character of an area. The issues pertaining to which have been addressed above.

Further concerns were raised with respect litter, noise, crime and Anti Social Behaviour Orders associated with HMO occupiers. This is a stereotypical assumption to make and the planning process cannot legislate for the behaviour of residents. Alternatively the occupiers of this property could be model citizens and it is for other bodies to legislate the behaviour of residents. As such these issues raised are covered under separate legislation via Environmental Health or the Police and as such cannot be taken into consideration during the determination of this application.

Conclusion

It is considered that the Local Authority has no evidence to suggest that the use of this property as HMO would result in a harmful concentration of HMOs within this area. Furthermore the proposal would it is considered have an acceptable impact upon the visual amenities of the area, the residential amenities of neighbouring properties and highway safety having regard for the provisions of Policies EV1, AS6 and HC5 of the Swansea UDP and approval is recommended.

Regard has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under Part 2, Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WCFG Act"). In reaching this decision, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WCFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the public bodies' well-being objectives set out as required by Part 2, Section 9 of the WCFG Act.

RECOMMENDATION:

APPROVE, subject to the following conditions:

PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 2 (CONT'D)

APPLICATION NO:

2016/3076/FUL

- 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: Site Location Plan, Block Plan, Floor Plan Proposed received 30th September 2016.
Reason: For the avoidance of doubt and to ensure compliance with the approved plans.
- 3 Prior to the proposal being brought into beneficial use details of the proposed parking space(s) shall be submitted to and agreed in writing by the Local Planning Authority. The parking spaces shall be implemented in accordance with this the approved details and retained for parking in association with the use in perpetuity.
Reason: To ensure adequate off street parking spaces are provided to serve the development.
- 4 Details of facilities for the secure and undercover storage of six cycles and refuse facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the beneficial use of the development and shall thereafter be retained for the approved use and not used for any other purpose.
Reason: In the interest of sustainability.

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: EV1, AS6 and HC5 of the Swansea UDP.
 - 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
-

PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 3

APPLICATION NO:

2016/1553

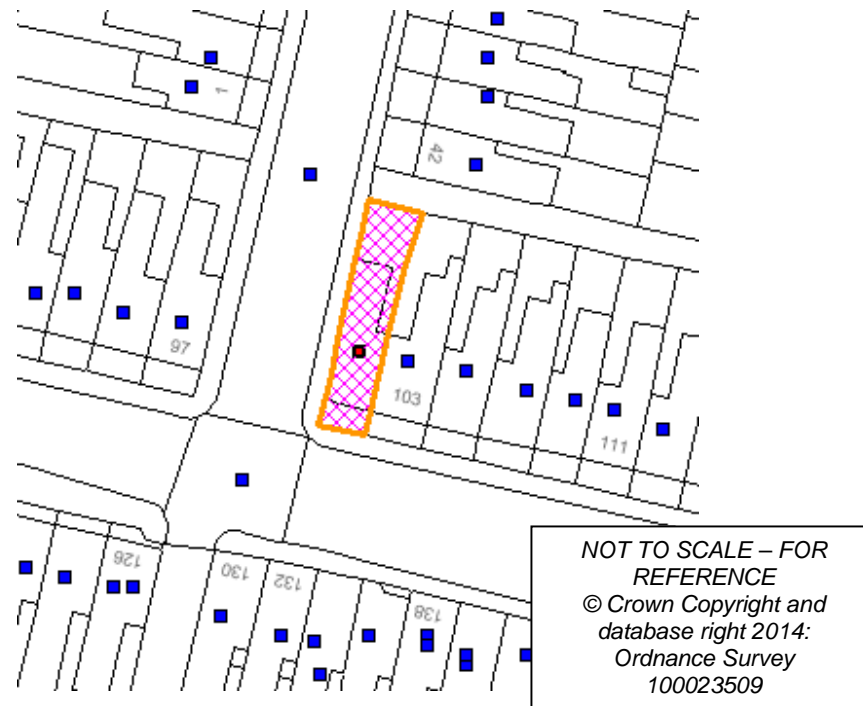
WARD:

St. Thomas - Bay Area

Location: 101 & 101A, Port Tennant Road, Port Tennant, Swansea, SA1 8JQ

Proposal: Change of use to 7 bedroom HMO

Applicant: Mr S Pike



BACKGROUND INFORMATION

POLICIES

UDP - EV1 - Design

New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).

UDP - HC5 - Houses in Multiple Occupation

Proposals for the conversion of dwelling or non-residential properties to HMO's will be permitted subject to a set of defined criteria including the effect upon residential amenity; harmful concentration or intensification of HMO's in an area, effect upon the external appearance of the property and the locality; effect on local car parking and highway safety; and adequate refuse storage arrangements. (City & County of Swansea Unitary Development Plan 2008)

UDP - AS6 - Parking/Accessibility

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

PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 3 (CONT'D)

APPLICATION NO:

2016/1553

SITE HISTORY

App Number	Proposal	Status	Decision Date
2016/1553	Change of use to 7 bedroom HMO	PDE	
2015/2209	External staircase and associated fenestration alterations.	REF	09.05.2016
2012/0178	Change of use of ground floor from offices (Class A2) and first and second floors from dental surgery (Class D1) to three residential units with associated fenestration alterations and front dwarf wall with railings	APP	31.10.2013
2010/1249	Change of use of ground floor from offices (Class A2) and first and second floors from dental surgery (Class D1) to six residential units with associated fenestration alterations and front dwarf wall with railings	REF	27.01.2011
2009/0257	Change of use of ground floor from offices (Class A2) and first and second floor from dental surgery (Class D1) to HMO for 7 persons, fenestration alterations and construction of a 1.7m high wall and railings	WDN	21.04.2016

RESPONSE TO CONSULTATIONS

Neighbours: The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) by neighbour notification letters sent to No. 103 Port Tennant Road and through display of a site notice dated 1st October 2016. ONE LETTER OF OBJECTION was received which is summarised as followed:

1. There is already a large HMO within close proximity, student accommodation & to let properties;
2. There are significant parking problems in this area of Port Tennant Road and the surrounding streets of Middleton Street and Osterley Street;
3. If planning permission is approved, it would clearly cause a safety issue regarding parking and would further undermine our community sustainability.

A PETITION OF OBJECTION was also received with 30 addresses objecting to the proposal. The petition itself does not specify the reasons for the objection other than providing a signature and property address including some with contact details attached.

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ITEM 3 (CONT'D)

APPLICATION NO:

2016/1553

In terms of a breakdown of addresses the petition includes 13 addresses on Middleton Street, 3 on Port Tennant Road, 12 on Osterley Street, 1 on Danygraig Road and 1 on Lewis Street.

Highways:

The current Parking Standards allow for upto six people in a property without the need for any additional parking. For developments of over six then the parking standards require one additional space per additional bedroom. Thus one space would be required. Two are shown but the orientation of the spaces needs amending to provide parking which is useable.

As part of the HMO SPG currently being drafted a review of the existing parking standards which specifically relate to HMOs and purpose built student accommodation will be included. This should be in place by March 2017 and will take into account data specific to Swansea and not generic information for Wales as a whole. In the interim the existing SPG on parking is the relevant document that any Inspector would use in a Planning appeal situation.

This application is for a change of use from a dental surgery to a HMO (For 7 persons). There was a previous planning permission granted for the change of use to three flats but this was not implemented.

The plans indicate a parking area to the rear of the site that can accommodate 2 cars. Whilst the layout as shown is not accessible the same two spaces can be provided by turning the layout through 90 degrees. The proposed parking would thus be perpendicular to the adjacent highway with direct vehicular access being provided. Retaining wall details will need to be submitted for both the wall that supports the parking area, and also the retaining wall that supports the rear access lane (which is adopted).

On that basis I recommend that no highway objections are raised to the proposal subject to:

1. The dwelling being used by no more than 7 persons in the interest of highway safety.
2. Cycle Parking to be provided in accordance with the details to be submitted to the LPA prior to beneficial occupation of the HMO.
3. The car parking area showing two cars accessed perpendicularly to Osterley Street being made available prior to beneficial occupation of the HMO, and maintained for parking purposes only in perpetuity.
4. The construction of a vehicular crossing to Highway Authority Specification.
5. The provision of adequate drainage facilities within the site to ensure that surface water does not flow out onto the highway.
6. Retaining wall details being provided for both the wall that supports the parking area and the wall that supports the rear adopted lane.

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 Team Leader (Development) , e-mails to mark.jones@swansea.gov.uk , tel. no. 01792 636091

PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 3 (CONT'D)

APPLICATION NO:

2016/1553

APPRAISAL

Description

Full planning permission is sought for the change of use of 101 & 101a Port Tennant Road, Port Tennant Road to a 7 bedroom HMO. The application property is a split three/two storey end of terraced property located on the corner of Port Tennant Road and Osterley Street.

Planning permission was previously approved for the change of use of the ground floor from offices (Class A2) and the first and second floors from a dental surgery (Class D1) to three residential units with associated external alterations (planning application 2012/0178 refers). This permission, whilst extant has not been implemented. Therefore the existing use of the premises remains as office use (Class A2) at ground floor and a dental surgery (Class D1) on the upper floors. It is believed that the application property has been vacant since 2009.

Main Issues

The main issues for consideration during the determination of this application relate to the principle of this form of use at this location and the resultant impact of the use upon the residential amenities of the area and highway safety having regard to the provisions of planning policies EV1, AS6 and HC5 of the Swansea UDP and the Supplementary Planning Guidance document entitled 'Swansea Parking Standards'.

Principle of Use

Up until March 2016 planning permission was not required for the use of a property as a HMO for up to 6 people and as such there has been historically a large concentration of HMO properties in some parts of Swansea which has happened predominately without planning permission being required.

Following concerns raised by Local Authorities throughout Wales in respect of areas with a high concentration of HMOs an amendment to the Use Class Order was made introducing a separate C4 use for HMO properties with more than 2 people living in them. The amendment was made in order to safeguard the confidence of residents in areas with large numbers of HMOs, while at the same time protecting the rights of those people living in them.

It is acknowledged that large concentrations of HMOs can bring their own problems to local areas, however the Local Planning Authority has not produced any evidence or Supplementary Planning Guidance as of yet to quantify the harm caused by the concentration of these types of uses.

Policy HC5 of the Swansea UDP supports the conversion of non-residential properties to HMOs subject to compliance with the set criteria:

- (i) There would be no significant adverse effect upon residential amenity by virtue of noise, nuisance and/or other disturbance.
- (ii) The development would not contribute to harmful concentration or intensification of HMOs in a particular area.

PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 3 (CONT'D)

APPLICATION NO:

2016/1553

- (iii) There would be no adverse effect upon the external appearance of the property and the character of the locality.
- (iv) There would be no significant adverse effect on local car parking and highway safety, and;
- (v) Appropriate refuse storage arrangements can be provided.

The criteria of the above is addressed below:

Would the proposal result in a significant adverse effect upon residential amenity by virtue of noise, nuisance and/or other disturbance?

On the basis of the information provided, it is not considered that the use of the premises as a HMO for 7 people would raise any unacceptable impacts on the residential amenity of the occupiers of any neighbouring properties over and above that which currently exists given the existing uses of the property as offices at ground floor and a dental surgery on the upper floors. Furthermore, as mentioned earlier in the report, the premises benefits from an extant planning permission for 3 self-contained flats (2 no. two bedroom & 1 no. one bedroom). It is not considered therefore that an increase in two bedrooms at the property to provide a HMO for seven people, particularly given the size and scale of the property, would result in an unacceptable intensification of the use of the building.

As such, the proposed use will not result in unacceptable noise and disturbance which could reasonably warrant the refusal of this application. The proposal is considered to respect residential amenity in compliance with the provisions of Policies EV1, EV40 and HC5 of the Swansea UDP.

Would the development contribute to a harmful concentration or intensification of HMOs in a particular area?

In 2015, the Welsh Government commissioned a study into the impact of houses in multiple accommodation (HMOs) concentrations on local communities in certain areas across Wales. The Welsh Government identified that HMOs make an important contribution to the provision of housing for those unable to buy or rent smaller accommodation but the study revealed common problems associated with high concentrations of HMOs including damage to social cohesion, difficult access to the area for owner occupiers and first time buyers, increases in anti-social behaviour, noise, burglary and other crime, reduction in the quality of the local environment, a change in the character of the area, increased pressure on parking and a reduction in provision of community facilities for families and children, in particular pressure on schools through falling rolls. The research recommended that the definition of a HMO be changed and that the Town and Country Planning (Use Classes) Order 1987 be amended to give Local Authorities the power to manage the development of HMOs with fewer than seven residents, which previously would not have required planning permission.

PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 3 (CONT'D)

APPLICATION NO:

2016/1553

Following on from the change in legislation the Welsh Government published a document entitled 'Houses in Multiple Occupation Practice Guidance (February 2016) HMOs. Within this it is identified that HMOs provide a source of accommodation for certain groups which include students temporarily resident and individuals and/or small households unable to afford self-contained accommodation. It further identifies the concerns, as set above, that were raised in the study into HMOs as well as setting out good practice measures in relation to the management of HMOs.

It is evident from visiting the site and viewing the Council's own records that there are three other licenced HMO's properties registered on Port Tennant Road including Nos. 71, 105 and 117 (all for 6 people and are across 3 stories). Given the length of Port Tennant Road which comprises of approximately 200 properties, it is therefore difficult to argue that an additional HMO, which would represent 2% of the total number of properties along Port Tennant Road, would have a harmful impact on the numbers of HMOs in the area. Additionally, there are no existing known licensed HMOs along Osterley Street which the premises also adjoins. It should be noted, however, that outside of the Castle and Uplands Wards only larger properties are captured by Mandatory Licensing. As a result there may be instances where HMOs exist albeit that they would have been implemented prior to the use class change in February 2016 and not required planning permission and are not subject to licensing requirements.

There would be no adverse effect upon the external appearance of the property and the character of the locality

With regard to visual amenity, it is not considered that the minor external fenestration alterations proposed to the rear wing would have any adverse visual impact upon the character and appearance of the host building, nor the wider street scene.

There would be no significant adverse effect on local car parking and highway safety

This application is for a change of use from a dental surgery to a HMO (For 7 persons). There was a previous planning permission granted for the change of use to three flats but this was not implemented.

In accordance with the adopted SPG Parking Standards, the operational and non-operational requirements for the existing Class A2 office use (floorspace approx. 22 sq. metres) and Class D1 dental surgery use (floorspace approx. 36 sq. metres) of the premises creates a greater demand (requirement of 11 No. spaces) for car parking than the proposed use of the premises as a HMO for 7 people (requirement of 4 No. spaces). The Highway Officer, in response to the application, has raised no objection subject to conditions. Officers have considered the impositions of conditions having regard to Welsh Government Circular 016/2014 (October 2014).

It can be noted that an objection has been received outlining concern that there are significant parking problems in this area of Port Tennant Road and the surrounding streets of Middleton Street and Osterley Street. It further mentions that if permission was given then it would cause a safety issue regarding parking and would further undermine community sustainability.

PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 3 (CONT'D)

APPLICATION NO:

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On the basis of the information contained in the SPG, the fall-back position of the lawful use and there being no evidence to clearly demonstrate that this proposal would have a detrimental impact upon highway safety in the area the application is considered to be acceptable on its grounds of highway impacts. It should be noted that Local Planning Authorities are unable to refuse planning permission on the basis of there being existing parking problems within an area unless it can be clearly demonstrated that a proposal would give rise to problems that would both exacerbate an existing issue that can be evidenced and that the lack of parking would lead to a highway safety issue resulting in both conflict and harm.

On the basis of the issues raised it not considered that the proposal would have an adverse effect on local car parking and highway safety in accordance with criteria (iv) of policy HC5 of the Swansea Unitary Development Plan

Appropriate refuse storage arrangements can be provided

An area for refuse storage can be provided to the rear of the property and details of which can be secured via condition.

Response to Consultations

Notwithstanding the above, one individual letter of objection was received which raised concerns relating to the impact of the proposal upon the number of HMOs in the area, highway safety and parking & social cohesion. The issues pertaining to which have been addressed above. A petition of objection was also received however the petition did not outline any reasons for objecting to the proposed development.

Conclusion

It is considered that on the basis of the evidence we have as an Authority the proposal would not result in a harmful impact on the character of the area, the residential amenities of neighbouring properties or highway safety and parking over and above the lawful use of the premises. As such the application is considered to comply with the provisions of Policies EV1, AS6 and HC5 of the Swansea UDP.

Regard has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under Part 2, Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WCFG Act"). In reaching this decision, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WCFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the public bodies' well-being objectives set out as required by Part 2, Section 9 of the WCFG Act.

RECOMMENDATION

APPROVE, subject to the following conditions:

PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 3 (CONT'D)

APPLICATION NO:

2016/1553

- 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: Site location plan received 26th September 2016, existing floor plans received 20th September 2016 and proposed floor plans received 1st August 2016.
Reason: For the avoidance of doubt and to ensure compliance with the approved plans.
- 3 Notwithstanding the plans submitted and prior to the beneficial occupation of the development hereby approved, details of the car parking area illustrating access perpendicular to Osterley Street (rather than the rear access lane) including surfacing, drainage and retaining wall details shall be submitted to and approved by the Local Planning. The car parking area shall be implemented in accordance with the approved details prior to the beneficial occupation of the development and be retained for such purposes at all times.
Reason: In the interests of local car parking, highway safety, drainage and visual amenity.
- 4 Details of facilities for the secure and undercover storage of seven cycles and refuse facilities shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the beneficial use of the development and shall thereafter be retained for the approved use and not used for any other purpose.
Reason: In the interests of providing facilities for sustainable transport.

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, AS6 and HC5.
 - 3 A vehicular crossing over the footpath in the existing highway shall be completed before the development is brought into use in accordance with Highway Authority Specification.
 - 4 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 Team Leader (Development), e-mails to mark.jones@swansea.gov.uk tel. no. 01792 636091
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PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 4

APPLICATION NO:

2016/3287/LBC

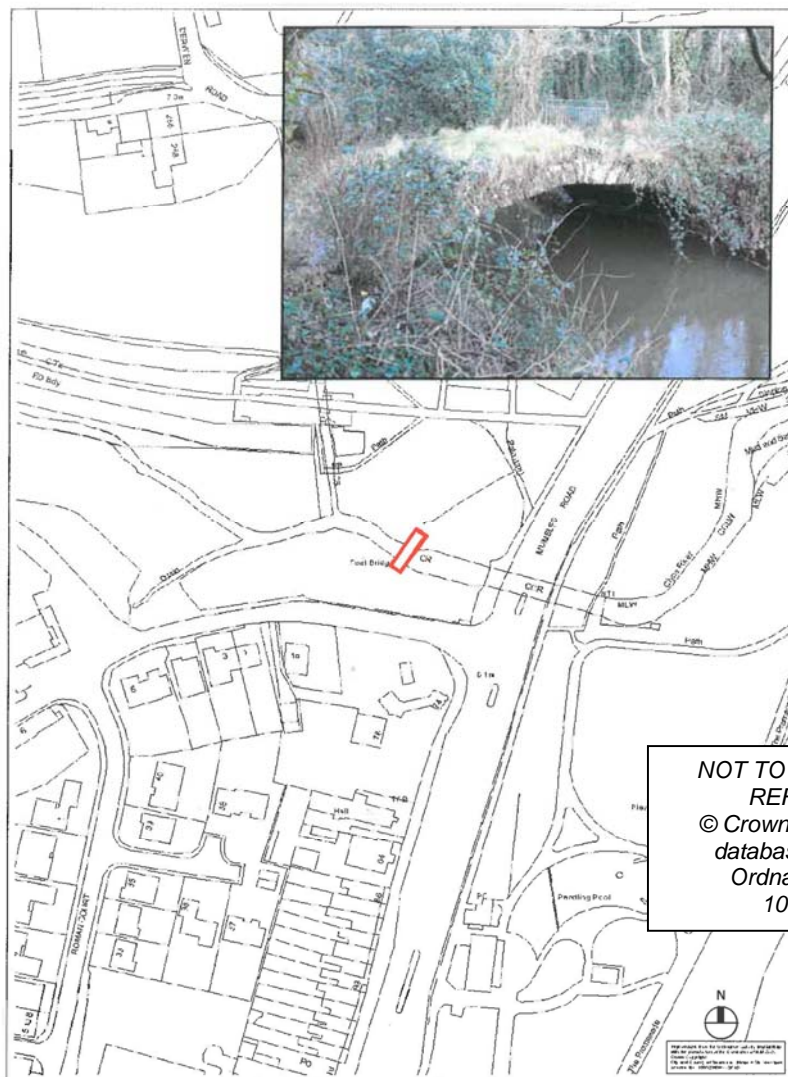
WARD:

Mayals - Bay Area

Location: Roman Bridge , Mill Lane, Mayals, Swansea, SA3 5DB

Proposal: Retention of raised walking surface on the restored Roman Bridge (application for Listed Building Consent)

Applicant: Mr Christopher Grigson Clyne Valley Community Project



PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 4 (CONT'D)

APPLICATION NO:

2016/3287/LBC

BACKGROUND INFORMATION

POLICIES

UDP - EV1 - Design

New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).

UDP - EV2 - Siting

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).

UDP - EV3 - Accessibility

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)

UDP - EV7 - Extensions/Alterations to Listed Buildings

Extensions or alterations to a Listed Building will only be approved where they safeguard the character and historic form of the building. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

None

RESPONSE TO CONSULTATIONS

The application was advertised on site and in the local press. A petition of OBJECTION containing 115 signatures, SEVEN Individual comments of OBJECTION and TWO comments of SUPPORT have been received which are summarised below:

Petition of objection: 115 signatures

We the undersigned are unhappy with the Council's recent repairs to the Roman Bridge. The laying of a foot thick (lime) concrete surface over the original bridge has ruined the appearance of the 260 year of Grade 2 practice, as it has added to the structure. We strongly object to the retrospective application for the retention of raised walking surface on the restored Roman Bridge (application for Listed Building Consent). The concrete surface must be completely removed.

Comments of objection:

1. This is most unsympathetic work and should be removed
2. The work that has been carried out is clearly unsympathetic to the historic significance of this structure.
3. The work has completely changed the appearance of a much loved Grade 2 listed structure.
4. I accept that there was a need for some repair and repointing but the bridge itself did not need a slab of concrete over a foot thick laid over the top.

PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 4 (CONT'D)

APPLICATION NO:

2016/3287/LBC

5. The concrete is a huge and unwelcome addition to the very nature of the bridge and must be removed to restore the bridge to its original appearance.
6. The gate is also an intrusion into the structure and should be removed and maybe replaced further away.
7. This bridge has not been used a thoroughfare for centuries, and has mainly been an attractive and historic artefact, usually viewed from the Mumbles Road, which is in fact a bridge over the stream itself.
8. No good arguments for changing role of this bridge.
9. It should not be a walkway. It should be admired for what it is. As long as anyone can remember, it was always covered with earth and wild grass and other growth. That should be the guide, it could be turfed and pedestrians not encouraged to walk over it.
10. Concerns raised with the processing of the application and conflict of interests.
11. It's astounding that consent wasn't obtained prior to work.
12. The photo showing the cement covered bridge is absolutely appalling and totally unlike the wonderful bridge I remember.
13. The whole idea of having a building or structure listed in the first place is to stop unsympathetic work being carried out so that it can be protected for future generations.
14. ...it's an eyesore that has compromised the aesthetic beauty and overall appearance of its intended purpose.
15. Please put this unique bridge back to its original state.

Comments of support:

1. As a runner I cross the 'Roman Bridge' and find it quite satisfactory. Having a painting of it, we are well aware of how it used to look but are sure the concrete will weather and become less prominent and that to replace the cobbles would incur health and safety issues. I am of the opinion that the Council has done good work there, and in providing the adjoining picnic tables.
2. If any 'objectors' wish the 'Authorities' to carry out restoration work to return the surface of the Roman Bridge to its condition when built, the neglected state of 5-10 years ago would not meet that criteria.
3. The new surface is perfect for walkers. It feel non-slip even when wet.
4. Mortar is already mellowing.
5. Since new surface I have walked regularly over bridge. I took 45 Swansea Ramblers over the Bridge. Older members all opted to cross the bridge.

Gower Society - We refer to our previous letter of 4th December relating to the above bridge. Since writing we have been informed that the 'concrete' surface that we referred to was in fact an approved lime/concrete surface that was applied on Health and Safety grounds in order to reduce the chance of slipping. If this is the case we would be obliged if you would delete this comment from our previous letter. Of course CADW's requirements are paramount and if they are happy then we will not object.

CADW - Consulted as Roman Bridge is approximately 30m from the edge of the Clyne Valley Historic Park - Confirmed no observations to make.

Applicant Mr C Grigson, Clyne Valley Community Project (VCP) - additional information in support of application

PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 4 (CONT'D)

APPLICATION NO:

2016/3287/LBC

The Planning Committee will already have a number of documents relating to the above; however I would like to add a few points to act as a background to the application.

The Clyne Valley Community Project was set up in 2009 by local people who regularly use the Clyne Valley Country Park. We have a Management Agreement with the City & County of Swansea, which has allowed us to maintain and develop permissive paths within the Park boundaries, so increasing public use. In addition, a lot of work has been done in conjunction with Gwent Glamorgan Archaeological Trust and Cadw to record and survey the many old industrial areas in the Park. The Roman Bridge is just one of the Heritage Assets designated by Cadw in Clyne Country Park and there are a number of other industrial sites which have a history to tell (all unfortunately in very poor condition).

In December 1999 the bridge was inspected by Mr B Williams Director of Technical Services and the County Bridge Inspector, Mr S Mitchell, who identified serious faults with the bridge and it was subsequently closed to the public. Following a public meeting organised to discuss ways to reopen the bridge in late spring 2013, CVCP was approached to investigate a grant application to restore and reopen the Roman Bridge for public use. We were successful in a bid to the Landfill Communities Fund (Entrust) in late 2013 and set about writing an invitation to tender for the work required. Three companies were approached who have completed work on various historic buildings within Swansea e.g. the Hafod Copper works, Swansea and Oystermouth Castles. Messrs Fenton Holloway, Bristol were selected and they undertook surveying the bridge and overseeing the work required which was carried out by Weaver, Swansea. This work included a risk assessment to determine the most sensitive way to define the edges of the bridge to prevent users falling into the river. Handrails were ruled out due to their visual impact and instead a slightly raised path with planting to the sloping edges was considered to strike a balance between the character of the bridge and the need to sensitively define the edges. At all times we understood that CCS, Natural Resources Wales and Cadw were informed and the necessary permissions completed.

The work to secure the bridge and provide a safe walking surface, which was also wheelchair and pram friendly, was completed by October 2015 (consideration for bird nesting times and fish spawning had to be added in).

We have received no specific negative comments about the raised path surface and were surprised to be informed by Steve Smith of the complaint to Cadw and the necessity to apply for retrospective listed building consent for the bridge surface. The work was not carried out without due consideration and without taking professional advice. We were aware of the need to be as sympathetic to the character and historic interest of the structure to ensure its longevity and return to public use and so the techniques and materials used are in common with those applied in similar instances in Swansea and the rest of the UK.

It would be have been marvellous if we could have brought the bridge back to its original condition or even that of the picture postcards of the early 1900s, but so much of the materials have been eroded, washed out or robbed that this was impossible.

We would therefore argue that the walking surface be granted consent by virtue of the bridge's restoration and continued use by the public. Should we be required to remove the surface, we would need to apply for further grants. Following removal, and we are not sure of the damage this will cause, the bridge would again be deemed unsafe and closed for public use.

PLANNING COMMITTEE – 10TH JANUARY 2017

ITEM 4 (CONT'D)

APPLICATION NO:

2016/3287/LBC

If earth was used to fill the surface irregularities, this would be in danger of washing away or encourage weed roots to damage the underlying mortar and ultimately the bridge would return to the 1999 condition which we believes serves nobody.

APPRAISAL

Description

The Roman Bridge is a small stone structure over the Clyne River adjacent to the Mumbles Road. It spans the boundary between Sketty and Mayals Wards.

It was listed in 1993 and Cadw noted that 'only the segmental arch rings and soffit survive'. The Cadw list description notes that the Roman Bridge is 'probably an early 18th Century road bridge despite its name'. The reason for listing as a heritage asset of national importance is as 'the remains of an early road bridge'

Historic posts cards (circa 1900) show the bridge as only being the arch structure without parapets. Therefore it has been in a 'semi-ruined' picturesque state for over 100 years. Over the years the context of the bridge has changed with the coming and going of the railway, the construction and widening of Mumbles Road and the general growth of trees. The bridge still remains as a picturesque feature that is most commonly viewed from the south east bank and from Mumbles Road looking over the modern road bridge parapet. It should be noted that the clearance of the area to the west off Mill Lane is not connected to this application.

Main Issues

The main issues for consideration in this instance is the impact of the retained walking surface on the character and integrity of the Listed Building, having regard to prevailing UDP Policies including Policies EV1 (Design), EV2 (Siting) and EV7 (Extensions/Alterations to Listed Buildings) and National Planning Guidance as set out below.

The decision making framework stems from the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 66 of this act indicates that the starting point for the exercise of listed building control is the requirement to 'have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

Advice is set out on the application of section 66 of the Act in Welsh Office Circular 61/96, Planning and the Historic Environment. Paragraph 68 indicates that listing of a building should not be seen as a bar to all future change. Paragraph 69 requires applicants for listed building consent need to be able to justify their proposals show why works are desirable or necessary. Paragraph 95 stresses that 'Many listed buildings can sustain a degree of sensitive alteration or extension to accommodate continuing or new uses' and paragraph 70 expands that community benefits are a consideration alongside changes to character. Ultimately the circular stresses the need to understand the special interest of the building in order to judge the effect of the changes.

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The advice contained within the Circular is nearly 20 years old and will soon be replaced by a new Technical Advice Note 24 from Cadw and the Welsh Government. Linked to this, the more recent Cadw 'Conservation Principles' document 2011, sets out a framework for the 'sustainable management of the historic environment'. This document defines conservation as the 'careful management of change'. It goes on to set out aspects of significance that underpin the understanding of a heritage asset and thereby its ability to accommodate sensitive change. The four aspects of significance are:

- o Evidential value - commonly referred to as historic fabric
- o Historical value - typically the linkage with events of past actions
- o Aesthetic Value - this is often referred to as character
- o Communal value - this is often how people currently use or relate to a heritage asset

The Conservation Principles document also sets out guidelines for the management; repair; restoration and new work to heritage assets. With regard to restoration proposals it highlights that this can diminish authenticity of a historic asset and cautions against 'speculative restoration' without evidence. With regards to new work, the document sets tests including the need for full justification, not harming significance of assets, quality of execution and reversible in long term if necessary.

Cadw stress that 'Few sites are so sensitive that they, or their settings, present no opportunities for the addition of new work' (paragraph 30, Conservation Principles) and they give the example of the balance that could be achieved with regard to safety/access in the context of heritage assets stemming from the understanding of significance. 'These [works] may cause some harm to the evidential, historical and aesthetic values of the historic asset, but be more than balanced by increasing the communal values deriving from the sustained use of the asset' (paragraph 37, Conservation Principles)

Emerging Local Development Plan Policy - Heritage Management HC2

The Swansea Local Development Plan (The Plan) is at the deposit stage. The Plan has not been subject to an independent examination and therefore carries little weight. It has been subject to a formal consultation. No objection has been made to the Policy element relating to the protection of historic assets of special local interest.

The emerging Local Development Plan policy on Heritage Management (HC2) emphasises the importance of sustaining heritage assets through sensitive change.

There are a number of other heritage assets in the area around the Roman Bridge and these are considered below:

- o The grade II listed former Mumbles Railway substation (now the Junction Cafe) is some 120m to the south of the bridge where it forms part of the Blackpill Lido complex. There is no intervisibility to the bridge and the setting is not affected by the works that have been carried out.
- o Number 74 Mumbles Road is a distinctive stone built house in a castellated style with a pair of circular towers. This grade II listed building is situated some 40m to the south of the bridge on the opposite side of Mill Lane behind a stone wall. The setting of this listed building is unaffected by the works carried out to the bridge.

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- o The boundary of the Clyne Valley historic landscape is 30m to the west of the bridge. There is very limited intervisibility between the park and bridge therefore the works would have no impact on the setting of the garden. Cadw have been consulted on this relationship to the historic park and they have not responded.
- o The Clyne Valley includes a number of designated heritage assets which are ancient monuments such as the arsenic works which is approximately 400m from the bridge and they are unaffected by the proposals.

The Proposal

This listed building consent application seeks the retention of a raised path with planted side banks across the grade II listed 'Roman Bridge'. The application includes details of the 'as built' works and a listed building justification statement. The Roman Bridge was declared unsafe by the Council in 2000 due to concerns about the structural condition and the lack of any edge protection. Barriers were erected on the banks to either side to stop access and the bridge was overgrown by vegetation.

The Roman Bridge is owned by the Council and the work has been carried out under licence by the Clyne Valley Community Partnership supported by the Council's Design and Conservation Team Leader. The applicant has confirmed that the works were carried out with the necessary consents for working over the watercourse from Natural Resources Wales.

This work has stemmed from requests from the local community to reopen the bridge to walkers. The Council had no funding for the works and therefore grant funding was secured to undertake two aspects:

1. Restore the heritage structure
2. Reopen the bridge to walkers

Specialist heritage structural engineers proved that the bridge structure was safe but that repairs such as repointing with lime mortar and filling internal voids with lime grout were required. Photographs provided by the applicant show that following the repairs and removal of years of accumulated soil and vegetation from the bridge, the original walking surface was not intact. The photographs show that the remaining masonry that is the top of the arch was very uneven and an unsuitable walking surface. The applicant's heritage engineer assessed the options to create a safe walking surface across the bridge with edge definition to highlight the drop into the river and these are summarised in the supporting information:

1. The reinstatement of the 'original' stone parapets was discounted because there was no evidence for their design and height.
2. Various handrail options were considered and discounted due to the harmful visual impact on the character of the bridge
3. Various options for the walking surface were considered including a raised deck leaving the stonework below uncovered.

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The final option for the works as implemented is argued by applicant and their team to be the most sensitive to the character and appearance of the listed structure. This comprises a lime bound ballast path that is raised 20cm above the existing masonry which remains in situ below. This path leaves the masonry of the arch edge exposed on either side with planted sloping edges to either side to highlight the drop to the river.

The applicant acknowledges the problems in establishing the vegetation on the planted side slopes and to rectify this they propose to pin turf to the sloping areas to reflect the vegetation that came to characterise the bridge in recent years. This is an established heritage approach often used to cap historic walls of ruins that are ancient monuments. This approach of turf cappings has been approved by Cadw for the recent works at Oystermouth Castle. It is considered that when established, the planted edges will 'soften' the edges of the raised path and from views of the bridge from the banks and Mumbles Road, this will recreate 'picturesque' effect albeit in a managed manner so that the planting will not be allowed to destabilise the masonry. The rectification works to the side slope planting at the Roman Bridge can be ensured by means of a suitably worded condition. Plus a management plan is needed to ensure that 'woody' plants are removed before the roots can destabilise the masonry - this is standard practice for soft cappings.

It is acknowledged that the work has retained and sensitively repaired the historic fabric of the bridge. Whilst the new path does cover the masonry of the top of the arch; this masonry was never designed to be seen and until recently was covered by vegetation and accumulated soil. Whilst the path is raised above the masonry, this is for safety reasons and the edges will be softened by the planted banks to maintain the picturesque appearance, furthermore the applicant has indicated that the raised path could in future be removed with care. The fact that the works reopen the bridge in accordance with the original purpose is welcomed. It is noted that Cadw guidance highlights that many listed buildings can sustain a degree of sensitive change and that the safe community use of a heritage structure is a significant benefit. Therefore whilst the work does change the character of the listed building it is considered to be acceptable.

The gates and fence on the north bank are partly within the 'listed' area as designated by Cadw. This listed area extends some 7m from the bank and although this area does not appear to contain any standing elements of the bridge, these gates and fence are harmful to the setting of the bridge itself and the applicant acknowledges this issue. They have indicated that the gates and fence are necessary to separate the river from the picnic area/Clyne Valley trail and adjacent car park and they have proposed to relocate the gates and fence to a location outside the listed area. This is considered to be a sufficient distance to avoid any harm to the setting of the bridge. Furthermore the design of the timber gates and fences is considered appropriate to the wooded and semi-rural character of the area. The exact siting of the relocated gates and fence can be ensured through a suitably worded condition.

Response to consultation

The concerns raised in the petition received and the comments made in the letters of objection received have been noted. The material considerations have been addressed in the main body of this report. Further comments that have been made are addressed below:

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The objection comments request that the surface is removed and the bridge turfed. The applicant has indicated that this would not be appropriate as the project was carried out in response to community requests for the bridge to be reopened to pedestrians. For the raised path to be removed and the bridge 'closed' to public use this would require fencing to either side to prevent public access and it is considered that this would harm the setting of the bridge and would be unlikely to secure listed building consent.

The applicant has indicated that whilst the raised path could potentially be carefully removed and replaced by a new lime bound ballast path that follows the curve of the highest points of the historic masonry, this would not have the edge definition and as a result handrails would be required. Whilst this scenario is outside the scope of this current application it is considered that this would significantly change the character and setting of the bridge and would not secure listed building consent.

Some of the comments relate to the 'brightness' of the lime bound ballast surface. The applicant acknowledges that this was light when first implemented, but the recent site visit photos show that the lime is weathering to a grey colour and the dark flecks of the ballast are now showing through. It is not considered necessary to 'stain' the surface as the lime will continue to weather as demonstrated by historic masonry and it is not considered that this is harmful to the character of the listed building.

It should be noted that the comments incorrectly refer to the path being concrete whereas the surface is a softer lime bound ballast and the thickness of the raised path is incorrectly stated as being over a foot thick (i.e. 30cm+) whereas the measured thickness above the masonry edges is typically approximately 20cm.

It has also been raised in the comments that the bridge has not been used as a thoroughfare for centuries which is incorrect. The bridge was regularly used until closed on safety grounds and the Council has received a number of requests over recent years to formally recognise the bridge as a Public Right of Way.

The comments made about the process prior to this listed building consent application have been noted but are outside the scope of this application.

Conclusion

In conclusion, it is considered that the works to construct the raised lime bound ballast path over the grade II listed Roman Bridge is acceptable. This work does change the character of the listed building and this is considered acceptable in the context of heritage legislation which encourages heritage assets to be brought back into use by means of sensitive change. This approach of managing sensitive change can also be seen in other listed building projects in Swansea such as the Glynn Vivian Gallery where sensitive contemporary changes sit alongside restoration of the 1911 building. This can also be seen in the former Central Library where the original building has been restored and is complemented by a bold contemporary glass extension and they are joined by means of sensitive contemporary changes. It is considered that the works at the Roman Bridge also fit into this philosophy; the heritage structure has been sensitively restored and it has been brought back into use by means of the raised path with planted edges that are a sensitive change.

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Overall the proposal is considered to be an acceptable form of development in compliance with Policies EV1, EV2, EV3 and EV7 of the City and County of Swansea UDP.

Regard has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under Part 2, Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this decision, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WBFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the public bodies' well-being objectives set out as required by Part 2, Section 9 of the WBFG Act.

Therefore the application is recommended for approval subject to referral to CADW with the following conditions and any direction which may be made by CADW

RECOMMENDATION

APPROVE subject to the following conditions and referral to CADW:

- 1 A strategy for rectifying the planted side slopes, which shall include a plan for managing the vegetation, shall be submitted in writing to the Local Planning Authority, agreed and implemented within 6 months of this decision. Planting shall thereafter take place in accordance with the agreed strategy.
Reason: In the interest of protecting the character and appearance of the listed structure.
- 2 A plan showing the re-siting of the gates and fence to a location outside the listed area shall be submitted to the Local Planning Authority, agreed and implemented within 6 months of this decision.
Reason: In the interests of protecting the setting of the listed structure.

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: EV1, EV2, EV3, EV7
-

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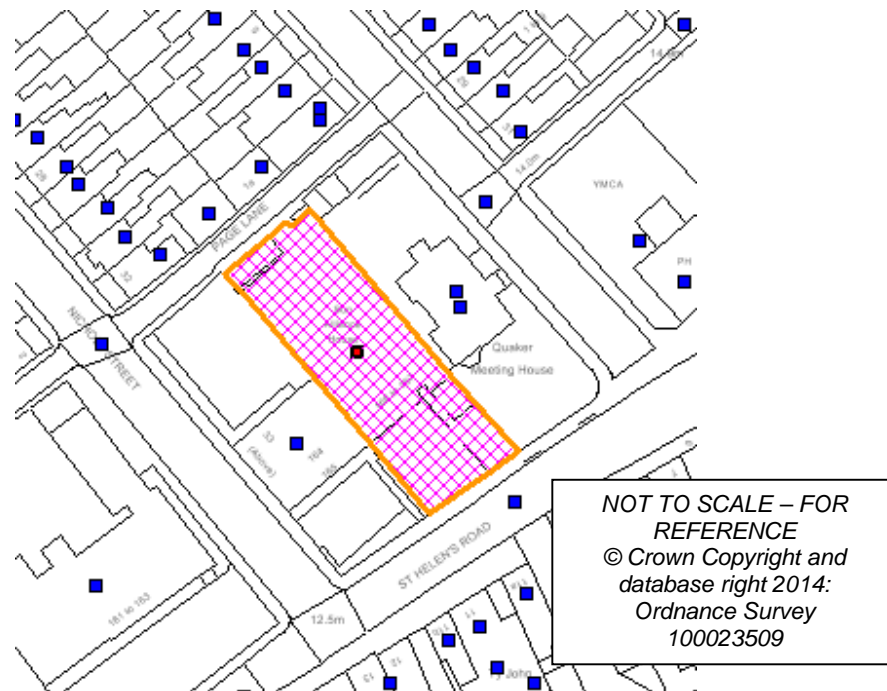
WARD:

Castle - Bay Area

Location: Sun Alliance House St Helen's Road Swansea SA1 4DQ

Proposal: Change of use of property from offices to student accommodation comprising 78 studio apartments, with associated access landscaping works, additional windows and external alterations

Applicant: Hedlunds Property Ltd



BACKGROUND INFORMATION

POLICIES

UDP - HC11 - Higher Education Campus Development

Higher education campus development will be permitted subject to compliance with the defined set of criteria. (City & County of Swansea Unitary Development Plan 2008)

UDP - AS1 - New Development Proposals

Accessibility - Criteria for assessing location of new development. (City & County of Swansea Unitary Development Plan 2008).

UDP - AS2 - Design and Layout

Accessibility - Criteria for assessing design and layout of new development. (City & County of Swansea Unitary Development Plan 2008)

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UDP - AS5 - Walking and Cycling

Accessibility - Assessment of pedestrian and cyclist access in new development. (City & County of Swansea Unitary Development Plan 2008)

UDP - AS6 - Parking/Accessibility

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

UDP - EV1 - Design

New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).

UDP - EV2 - Siting

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).

UDP - EV3 - Accessibility

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)

UDP - EV33 - Sewage Disposal

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)

UDP - EV35 - Surface Water Run-Off

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)

UDP - HC17 - Planning Obligations

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)

UDP - HC6 - Flat Conversions

Proposals for the conversion of larger dwellings and vacant or under-utilised commercial and industrial buildings to flats or similar will be permitted subject to a set of defined criteria including the effect upon residential amenity; overintensive use of the dwelling or building, effect upon the external appearance of the property and the locality; effect on local car parking and highway safety; and adequate refuse storage arrangements. (City & County of Swansea Unitary Development Plan 2008)

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UDP - EV40 - Air, Noise and Light Pollution

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)

SITE HISTORY

App Number	Proposal	Status	Decision Date
ENQ2004/14 02	Telecomm	REC	
ENQ2015/04 03	Notification Under the Electronic Communications Code (Conditions & Restrictions) Regulations 2003 to Utilise Permitted Development Rights at Sun Alliance House, St Helens Road, Swansea, SA1 4DQ	ENQCL O	07.07.2015
ENQ2008/21 97	92292 Sun Alliance House, St Helens Road, Swansea - T-Mobile UK Antenna Swap	ENQCL O	19.03.2009
ENQ2003/11 89	Authorised Use	REC	
ENQ2013/15 92	Conversion of upper part of existing office buildings into residential apartments at Sun Alliance House 166-167 St Helens Road Swansea SA1 4DQ	ENQCL O	04.02.2014
ENQ2003/00 29	General	REC	
ENQ2006/11 74	Authorised Use	REC	
ENQ2002/06 12	Telecomm	REC	
ENQ2015/06 31	Replacement six no. antennas, and addition of four no. microwave dishes on existing rooftop pole mounts at Sun Alliance House, St Helens Road, Swansea SA1 4DQ	ENQCL O	10.11.2015
ENQ2014/05 23	Replacement antennas at Sun Alliance House St Helens Road Swansea SA1 4DQ	REC	

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ENQ2013/15 93	Conversion of entire building into student accommodation at Sun Alliance House 166-167 St Helens Road Swansea	ENQCL O	04.02.2014
ENQ2010/17 04	Proposed Change of Use at Sun Alliance House 166/7 St Helens Road, Swansea	ENQCL O	23.11.2010
ENQ2002/14 77	Telecomm	REC	
2016/1523	Change of use of property from offices to student accommodation comprising 78 studio apartments, with associated access landscaping works, additional windows and external alterations	PDE	
2015/0468	Change of use of fourth floor office (Class B1) to private educational facility (Class D1)	APP	20.05.2015
2009/0220	Replacement of 3 antennae and associated works	APP	26.03.2009
2001/0979	Erection of 3 pole mounted antennae and 2 pole mounted dishes	APP	30.10.2001

RESPONSE TO CONSULTATIONS

Neighbours: The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) through the display of a site notice dated 22nd August 2016 and in the press as development which in the view of the Local Authority may have an impact on the amenity of the area. Furthermore the development was advertised as effecting the setting of the adjacent Listed Building. No letters of response were received.

Pollution Control: No objection, subject to condition.

Dwr Cymru/Welsh Water: No objection subject to conditions/informatives.

Crime Officer: No objection.

AMENDED PLANS WERE SUBMITTED BY THE APPLICANT IN ORDER TO ACCURATELY SHOW THE ROOF PLAN AND THE NUMBER OF UNITS INCREASED. ALL PREVIOUS CONSULTS WERE RECONSULTED AND THE APPLICATION ADVERTISED ON SITE IN THE FORM OF A SITE NOTICE AND IN THE PRESS. THE FOLLOWING RESPONSES WERE RECEIVED:

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Neighbours: One letter of objection was received which raised concerns relating to:

1. Congestion.
2. Recycling.
3. Development should be in the campus.
4. Impact on residential amenity.

Highways: Change of use of property from offices to student accommodation comprising 78 studio apartments, with associated access landscaping works, additional windows and external alterations (amended description) - Sun Alliance House St Helen's Road Swansea SA1 4DQ

1. Introduction
 - 1.1 This application is for a planning permission for works as outlined above on land used as offices
 - 1.2 In order to assess the impact of the development, a Transport Statement was requested but was not forthcoming. Pre-application advice had been given regarding this requirement for the supporting document and also the need for the development to comply with the CCS Parking Standards assessment. In addition the principle of a Highways section 106 contribution would be sought in order to improve the infrastructure for walking/cycling in the area.
 - 1.3 The site is located on St Helens Road and currently the basement area is given over for car parking. The proposed plans show that the basement is now used to store cycles with two disabled car parking spaces indicated as being available accessed off the rear lane (Page lane). Pedestrians can also access the site via these access and the main pedestrian entrance is gained by a stepped and ramped access from St Helens Road.
 - 1.5 The student accommodation will consist of 78 one bed studios spread over six floors.
2. Vehicular Access and Traffic
 - 2.1 There is a car park at basement level which houses an existing car parking area for 30 cars. This car parking area is not going to be retained and thus the only parking present is two disabled spaces access off Page Lane. There is adequate cycle parking shown as being proposed.
 - 2.2 All the roads within the vicinity of the application site have pedestrian footways on both sides of the carriageway together with public lighting.
 - 2.3 In the absence of any supporting information I have been unable to analyse the existing and proposed trips and as such it has not been demonstrated that there would not be an adverse impact on parking in the area and highway safety.
 - 2.4 A brief TRICS analysis for similar student accommodation over the UK undertaken internally indicated that the proposal should be able to be accommodated without any detriment to highway safety but as no information to support this has been supplied then I cannot be definitive one way or the other.

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The student accommodation is likely to generate negligible vehicular traffic due to the limited parking facilities provided which in the main are intended to serve visitors/servicing/and wardens. A Section 106 Agreement to include the tenancy agreement will be required to ensure that students taking up residence do not own cars and bring them to the site or the surrounding area as there is no parking provided for this purpose.

2.4 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. The section 106 Contributions which are being requested will support this thrust. The site is ideally placed for bus routes too as well as being a short walk to the Quadrant bus station with national links.

2.5 As has been mentioned the main thrust of the modal splits is towards non car modes of transport. For the 78 one bedroom units the sum that will be requested is £39,460 towards a Highways section 106 agreement to promote/enhance cycle/walking/public transport routes. This is in line with the SPG on N Highway Contributions and monies have been received (or promised to receive) from other similar student sites across Swansea.

3. Car Parking

3.1 The site is located outside the City Centre core and as such there is a requirement to provide parking. 2 spaces only are being provided. The parking standards require 11 spaces. However the proximity of the site to the city centre core (which runs along the Kingsway and down Dillwyn Street) is such that I do not consider that a highways reason for refusal solely on parking grounds could be sustained at appeal. Previous appeal decisions by the Planning Inspectorate have not been supportive in general when lack of adequate parking is being cited as the sole reason for refusal.

3.2 The student accommodation is planned to be essentially car-free. 2 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 onto the adjacent residential streets there is a need to ensure that students do not have cars, and that alternatives are in place. The tenancy Agreement will have to form part of the Section 106 agreement which will tie the student residents into not bringing cars to the site.

3.3 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 ancillary uses) and to ensure that maintenance/servicing can be satisfactorily accommodated. This parking management scheme should also include the start of term drop offs and end of term pick ups as there will be a significant increase in cars that cannot be accommodated within the site.

3.4 There is a public pay and display car park available for visitor use adjacent to the YMCA . A further public car park is also available to the north of Northampton lane and also along Kingsway (in a private MSCP) for more long term usage. There is currently a car park located adjacent to Christina Street but this is a development site so long term will not be available. All these facilities are available at cost to the user

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4. Pedestrian and Cycle Access
 - 4.1 Pedestrian/cycle facilities are to be enhanced by the development. A sum of £39,460 will be requested. This will be put towards providing enhanced pedestrian/cycle facilities in the aspirations for the Kingsway redesign. .
 - 4.2 There is a room provided on the basement level to cater for 70 cycles so cycling will be a viable sustainable mode of transport particularly in view of the proximity of the site to the NCN Routes.
5. Public Transport
 - 5.1 The site is currently served by frequent bus services along St Helens Road, Walter Road. The site is located within a short walk to the Quadrant Bus station where trips can be made further afield. It is not considered that there are any improvements needed to improve the frequency given the existing levels of service provision.
 - 5.2 The Train Station is further afield but can be reached by a number of frequent bus services that run past the site.
6. Highways Infrastructure
 - 6.1 The applicant will be required to make a contribution of £39,460 which will be put into the redesign of the Kingsway which is due to start on site in 2017.
 - 6.2 The change of use proposed is unlikely to have any impact on existing highway infrastructure.
 - 6.3 Existing access points are to be utilized so there are no highway safety issues arising from continued use of the points.
 - 6.4 Accident data showed that there were no obvious issues in and around the site.
7. Conclusions
 - 7.1. There was no supporting information provided to quantify movements arising from the proposed student accommodation therefore I cannot say for certain that there will be no highways safety issues arising. It is likely however that the development can be accommodated particularly if the highways conditions proposed relating to Tenancy Agreements are accepted.
 - 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 and the provision of cycle storage and pedestrian access points.
 - 7.3 The use of the incorporation of the tenancy agreement into the Section 106 agreement should ensure that car use is minimized.

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8. Recommendations

8.1 I recommend that no highway objections are raised to the proposed development subject to the following;

- i. The Section 106 to include details of a parking management scheme for the parking area. The document should make specific reference to general day to day management as well as the pick ups and drop offs which will bring more vehicles than can be accommodated at once.
- ii. The Section 106 to include the tenancy agreement to ensure that there is a mechanism for dealing with failure to comply with the parking management regime, in the interests of highway safety as the parking for 'managed student accommodation' is significantly lower than unrestricted residential uses.
- iii. The Section 106 to include the financial contributions as outlined above (£39,460) for the works to provide a contribution to the proposed infrastructure pedestrian/cycle works on the Kingsway.
- iv. 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.
- v. No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:
 - i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during demolition and construction; and
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To reduce the likelihood of obstruction of the highway, danger to road users, to conserve public health and local amenity, to ensure satisfactory standard of sustainable development and in order to ensure a proper standard of development and appearance in the interests of conserving the amenities and architectural character of the area.

vi. The development to be occupied by students only at all times in the interests of highway safety.

ADDITIONAL HIGHWAY COMMENT: Travel Plan acceptable.

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Dwr Cymru/Welsh Water: No objection subject to conditions/informatives.

APPRAISAL

This application is reported to committee for decision as the number of residential units being created by the conversion is in excess of 20 units.

Description

Full planning permission is sought for the change of use of the Sun Alliance building from Offices (Class B1) to student accommodation comprising 78 studio apartments, with associated access landscaping works, additional windows and external alterations.

The Sun Alliance is a land mark building situated along St Helens Road within close proximity to the City Centre core. It is one of the tallest buildings within City and whilst historically it contributed to the office portfolio of the city, for a number of years significant parts of the building have remained unoccupied.

The basement will provide 78 cycle spaces, storage space for the residents, plant and electricity sub station facilities at basement level, 11 studio apartments at ground floor level and 1st floor level and, 14 studio apartments at 3rd, 4th and 5th floor level. The ground floor will also provide two disabled parking spaces to the rear of the building, refuse storage and small rear garden area.

Application Site and Surroundings

The Sun Alliance building is a significant building at eastern end of St Helens Road, Swansea. The building was constructed in the 1970's as an office block. The proximity of Swansea City Centre and main bus station provides sustainable transport links for local and national travel, and there is a regular bus route connecting it to the train station. There are also opportunities to improve the existing cycle linkages in the vicinity of the site.

St Helens Road has become a secondary area for office related business, and has a number of vacant units with inactive upper floors, but remains a key route from the City Centre to Brynmill. The area is made up predominately of small retail convenience stores, fast food outlets, restaurants and take-aways interspersed with office uses.

The Sun Alliance building has been divided into a number of office suites, but the applicant indicate that occupancy has reduced significantly over recent years, leaving the building with very few tenants (currently 20% occupied). The applicant has therefore identified an opportunity to change the use of the building to student accommodation in response to the growing demand for bespoke student accommodation. This demand has resulted from the recent and continued expansion programmes of the nearby Swansea University and Trinity St David University. Swansea University is establishing the College of Engineering and School of Management in new buildings at the Swansea Bay campus, while Trinity St David has plans to expand in the SA1 Waterfront Innovation Quarter.

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Main Issues

The main issues for consideration during the determination of this application relate to the principle of this form of use at this location and the resultant impact of the development upon visual amenities of the area, the residential amenities of the neighbouring properties, highway safety, noise and air quality, refuse storage having regard for the provisions of the Swansea Unitary Development Plan and the Supplementary Planning Guidance document entitled 'Swansea Parking Standards'.

There are considered to be no additional issues arising from the provisions of the Human Rights Act or the Well Being of Future Generations Act 2015.

Principle of Development

The application site is located along St Helens Road which is listed as a Local Centre under the provisions of the Supplementary Planning Guidance document entitled 'District Centres, Local Centres and Community Facilities'. St Helens Road is the main through fare which links the City Centre to Brynmill Local centre. As stated above the area comprises a cultural mix of ethnic foodstores, take aways, restaurants and other commercial operations.

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. As promoted by PPW, the proposed use would make efficient use of a plot of land that is currently underutilised.

The development would result in the loss of the existing office accommodation, however, as indicated, the office building has had very few tenants in recent years, and the applicants have further indicated that Swansea's total office stock is currently 20% vacant. Moreover, that the City Centre office stock is of poor quality and highly unlikely to be re-occupied attracting poor rental values.

The development of the Swansea University Bay Campus and the University of Wales Trinity St David's Swansea Waterfront Innovation Campus are providing the drivers for the regeneration of Swansea and the requirements for new affordable student accommodation within the City Centre, provides the opportunity to re-generate functionally obsolete property and introduce vitality via people into the City Centre having the knock on effects of re-generating small businesses like shops, café's pubs and leisure facilities which, by their presence will eventually bring back business users into the City Centre from their currently "preferred" out of town locations.

Policy HC6 of the Swansea UDP supports the conversion of underutilised commercial buildings such as this to self contained units of accommodation subject to compliance with the identified set criteria. Reference can also be made to Policy HC11 which supports the use of appropriate City Centre sites for student accommodation.

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Furthermore the Swansea City Centre Regeneration Framework has sub-divided the central area concept plan into areas, and the key vision for the Kingsway / Orchard Street Complimentary Area which lies directly adjacent to this site is focused on providing a new Business District which would accommodate significant new office / employment space. The loss of the office accommodation is therefore considered to be acceptable in principle.

The tall building SPG was adopted in 2008, although this has been updated and was subject to public and stakeholder consultation in 2015, the 2008 version remains the adopted SPG until superseded. In respect of existing tall buildings, the strategy for the refurbishment of existing tall buildings involving the change of materials may provide an opportunity to improve the design quality and functioning of existing tall buildings. Therefore the principle of the conversion of this tall building would be compliant with the general thrust of the tall building strategy.

Visual Amenity

The existing building is of a significant scale which has a harmful impact upon the setting of the adjacent domestic scale Quaker Meeting House which is a Listed Building. The general thrust of the proposal is to retain the existing light brown brickwork and to replace the windows with new grey coloured aluminium frame units.

Following consideration of these amendments with the Councils Urban Design Officer it is considered that the changes primarily relate to the street (south) elevation where the proposal is for a curtain walling system with vertical brise soleil spanning 6 floors in place of the current horizontal window bands. Whilst it is impossible to reduce the monolithic appearance of this elevation, the new fenestration has a vertical emphasis that is more respectful of the listed building and is therefore welcome in visual terms. Following consideration with the Local Authority, the large vertical signage has been removed from the proposal which again is welcome.

Subject to securing full details of the materials to be used in the development via an appropriate planning condition it is considered that the proposed alterations will respect the visual amenities of the host building, the wider street-scene and setting of the adjacent listed building in compliance with the provisions of Policies EV1 and HC6 of the Swansea UDP.

Residential Amenity

The proposal will result in the conversion of the existing building with no new build proposed as part of the application. As such the development will create no new overbearing or overshadowing issues. In terms of overlooking, the building is flanked to the east, west and south by commercial premises and as such the scheme will raise no issues relating to loss of privacy in these directions. The rear of the application site (to the north) does however back onto properties situated along Page Street and Nicholl Street. The building is 'L' shaped in design. The main bulk of the building will enjoy views towards Page Lane and the rear of some of the properties situated along Nicholl Street and Page Street which are sited directly to the rear of the building. The windows in the main part of the building will be sited approximately 30m from the rear gardens of No 31A Nicholl Street and 1A Page Street which is considered a sufficient distance in order to mitigate potential harmful overlooking.

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It should also be noted that the application site is situated within the city centre, where there is a higher degree of mutual overlooking and one would not afford the same level of private amenity space as a suburban location.

The windows in the southwest facing elevation would overlook the adjacent car park, thus improving natural surveillance in this direction and creating issues relating to privacy.

In terms of noise, air and light pollution issues created through the introduction of residential accommodation at this city centre location, having consulted the Councils Environmental Health Department it has been confirmed that there are no issues created through the introduction of this use at this location subject to a condition to address any noise issues. As such the proposal is considered to respect the residential amenities of the neighbouring properties and the future occupiers in compliance with the provisions of Policies EV1 and EV40 of the Swansea UDP.

Highways

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.

UDP 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:

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

Policy AS5 also requires development proposals to consider access requirements for pedestrians and cyclists. Whilst 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.

The site is located in an extremely sustainable location being within close proximity to Swansea Bus Station and along a main bus route to the train station. Therefore the site is considered to have excellent access to public transport and is within very close proximity to the city centre and its numerous local amenities.

Having consulted the Head of Transportation and Engineering it is acknowledged that there is a car park at basement level which houses an existing car parking area for 30 cars. This car parking area is not going to be retained and thus the only parking present is two disabled spaces access off Page Lane. There is adequate cycle parking shown as being proposed.

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A brief Trip Rate Information Computer System (TRICS) analysis for similar student accommodation over the UK undertaken internally indicates that the proposal would be able to be accommodated without any detriment to highway safety. The student accommodation is likely to generate negligible vehicular traffic due to the limited parking facilities provided which in the main are intended to serve visitors/ servicing/and wardens.

Under the provisions of the Supplementary Planning Guidance document entitled 'Planning Obligations' the proposed scheme would generate a requirement of £39,460 to promote/enhance cycle/walking/public transport routes which will help promote connectivity and encourage sustainable means of transport within the City which is welcome.

The site is located outside the City Centre core and as such there is a requirement to provide parking under the provisions of the Supplementary Planning Guidance document entitled 'Swansea Parking Standards'. Two disabled spaces are being provided to the rear of the property and utilising the parking standards would suggest the development would require 11 spaces which is a shortfall of 9 spaces. Notwithstanding this, the existing building has parking for 30 spaces, however it is acknowledged that a number of these would not meet current parking standards. The applicant indicates that the current floor area dedicated to office space is approximately 3,000 sq m which using the current parking standards SPG would require 50 parking spaces. Therefore in light of the sites sustainable location within close proximity to the city centre core and the fact the development already does not have sufficient parking spaces to serve the extant lawful use, the lack of 9 parking spaces in this instance would not warrant the refusal of this application.

Having consulted the Head of Transportation and Engineering a tenancy agreement preventing the occupiers from bringing cars to site has been requested to be included within the Section 106 in order to ensure that the proposal does not cause overspill parking problems onto the adjacent residential streets. In addition to this it has also been requested that a Parking Management Scheme be included as part of the Section 106 in order to ensure that all the limited parking spaces are managed effectively (including for the ancillary uses) and to ensure that maintenance/servicing can be satisfactorily accommodated and a clause ensuring the occupiers are students from Swansea. It is suggested that the parking management scheme needs to include the start of term drop offs and end of term pickups as there will be a significant increase in cars that cannot be accommodated within the site during these periods.

As stated above the Section 106 Planning Obligation will also secure the financial contributions of £39,460 for the upgrade the cycle network and pedestrian routes within the vicinity of the development. These contributions are considered to be necessary to make the development acceptable in planning terms, are 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.

The Highways Officer has also requested a condition requiring a Construction Method Statement. In this instance, due to the scale of the proposal and potential conflict in the area during the construction phase that could arise an appropriate condition, as specified in the Welsh Government Circular 016/2014, could be utilised to provide details on matters associated with the construction. The Travel Plan submitted as part of this application is considered acceptable .

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Therefore subject to the measures and conditions proposed above the application is considered to comply with the aims and requirements of UDP policies AS1, AS2, AS5 and AS6.

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 refuse facilities to the rear of the building and allows for refuse vehicles to pick up from the rear lane. Therefore sufficient space is being provided to accommodate refuse storage. A condition to require the details of the waste management as part of the development can be secured via an appropriately worded condition.

Drainage

The means of treating the surface water and foul drainage is not to be altered during the conversion of this building and foul and surface water will be drained to the main sewer. Given the sites City Centre location and no opportunity for the site to utilise soakaways it would seem unreasonable to condition foul and surface water is drained separately from the site. The approval of this application would have no demonstrable impact on the drainage infrastructure over and above what could currently be experienced by the existing use. Therefore the proposal is considered to respect the integrity of the drainage infrastructure in accordance with the provisions of Policies EV33 and EV35 of the Swansea UDP.

Response to Consultations

Notwithstanding the above, one letter of objection was received which raised concerns relating to congestion, recycling, principle of development and the impact on residential amenity. The issues pertaining to which have been addressed above.

Conclusion

The proposed conversion of the Sun Alliance building to student accommodation would conform to the prevailing Development Plan Policies. The opportunity to reuse this building within close proximity to the City Centre will help improve vitality and viability of the City Centre and also improvements to the façade of the building would have a beneficial visual impact on the appearance of the building, the setting of the adjacent Listed Building and the wider area in general. The traffic generation from the proposal would not have an adverse effect on the public highway subject to the student parking being controlled through a the Section 106 Planning Obligation and the highway infrastructure payment will make a valuable contribution to enhancing the city centre cycle network within the area.

Regard has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under Part 2, Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WCFG Act").

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In reaching this decision, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WBFG Act and consider that this decision is in accordance with the sustainable development principle through its contribution towards one or more of the public bodies' well-being objectives set out as required by Part 2, Section 9 of the WBFG Act.

RECOMMENDATION:

APPROVE, subject to the completion of a Section 106 Planning Obligation to include 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 Kingsway 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 produced to the Council evidence of the Owner's compliance with the parking restriction.**
- 2. Highway Infrastructure**

Financial contributions to upgrade works to the pedestrian and cycle facilities £39,460 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.
- 3 Section 106 Management and Monitoring Fee**

Costs incurred against the management of the obligation based on 20% of the value of the fee = £4,180.00

If the Section 106 Obligation is not completed within 3 months of the foregoing resolution then delegated powers be given to the Head of Planning and City Regeneration to exercise discretion to refuse the application on the grounds of non-compliance with policies AS1,AS6, EV1, EV3 and HC17 of the City and County of Swansea Unitary Development Plan (November 2008).

and subject to the following planning conditions:

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- 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: 001 - Site Location Plan and 002 - Block Plan, Travel Plan received 1st August 2016, 150377_PL_030_D - Proposed Elevations North and West, 150377_PL_031_D - Proposed Elevations South and East, PL_020_D - Proposed Site Plan, PL_022_C - Proposed Ground Floor Plan, PL_023_C - Proposed First Floor Plan, PL_024_C - Proposed Second Floor Plan, PL_025_C - Proposed third floor plan, PL_026_C - Proposed Fourth Floor Plan, PL_027_C - Proposed Fifth Floor Plan, PL_028_D - Roof Plan received 7th November 2016 PL 150377_PL021_E - Amended Basement Plan received 14th November 2016.
Reason: For the avoidance of doubt and to ensure compliance with the approved plans.

- 3 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.

- 4 The development shall be not occupied until the cycle storage facilities as set out on the approved plans have been provided and the facilities shall be retained in perpetuity.
Reason: In the interest of providing appropriate cycle storage facilities for sustainability and highway safety reasons.

- 5 Prior to the development being brought into beneficial use, a Waste/Refuse Management Plan for the future use of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter take place in accordance with the approved plans.
Reason: In the interest of sustainability and highway safety.

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- 6 Prior to their use in the development, and notwithstanding the details shown on the approved details, full details of the materials to be used in the construction of the external surfaces of the development hereby approved, to include samples, shall be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a proper standard of development and appearance in the interests of conserving the amenities and architectural character of the area.

- 7 No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during demolition and construction; and
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To reduce the likelihood of obstruction of the highway, danger to road users, to conserve public health and local amenity, to ensure satisfactory standard of sustainable development and in order to ensure a proper standard of development and appearance in the interests of conserving the amenities and architectural character of the 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: EV1, EV2, EV3, EV33, EV35, AS1, AS2, AS5, AS6, R16, HC17, HC8 and EV40.
- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 3 Advisory Notes

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).

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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

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.

SEWAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

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.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrcymru.com

- 4 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.
 - 5 For the avoidance of doubt this permission expressly prohibits any work to the telecommunication masts on the roof of the building.
-