

CITY AND COUNTY OF SWANSEA

MINUTES OF THE PLANNING COMMITTEE

**HELD AT COUNCIL CHAMBER, GUILDHALL, SWANSEA ON TUESDAY,
7 FEBRUARY 2017 AT 2.00 PM**

PRESENT: Councillor P Lloyd (Chair) Presided

Councillor(s)

P M Black
A M Cook
D W W Thomas

Councillor(s)

A C S Colburn
M H Jones
T M White

Councillor(s)

D W Cole
E T Kirchner

Apologies for Absence

Councillor(s): H M Morris, P B Smith and M Thomas

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

In accordance with the Code of Conduct adopted by the City & County of Swansea, the following interests were declared.

Councillor E T Kirchner – Minute No. 60 (Agenda Item 5 -Village Green) – Personal – I have family living in the area.

Councillor D W W Thomas – Minute No. 61(Agenda Item 6.3 -2016/1670) – Personal – My sister is due to move into Willow Court shortly.

58 **MINUTES.**

RESOLVED that the Minutes of the Planning Committee held on 10 January 2017 be approved as a correct record.

59 **ITEMS FOR DEFERRAL / WITHDRAWAL.**

None.

60 **APPLICATION TO REGISTER LAND AT TIRMYNYDD ROAD, THREE CROSSES, SWANSEA AS A TOWN OR VILLAGE GREEN.**

Sandie Richards, Principal Lawyer presented a report on behalf of the Interim Head of Legal & Democratic Services.

The background history, appraisal of the evidence submitted, objections and representations received, the legal remit and the conclusions of the Inspector were all outlined.

RESOLVED that

- 1) the application for the above registration be GRANTED other than the part of the application land consisting of a length of public highway known as Orchard Drive;
- 2) that the land of the application site OTHER THAN the part of the application land consisting of a length of public highway known as Orchard Drive be added to the Register of Town or Village Greens under Section 15 of the Commons Act 2006;
- 3) that a note be included in the Register of Common Land that the land of the amended application site is also included in the Register of Town or Village Greens, and that a corresponding note be included with the new entry to be inserted in the Register of Town or Village Greens.

61 **DETERMINATION OF PLANNING APPLICATIONS UNDER THE TOWN & COUNTRY PLANNING ACT 1990.**

A series of planning applications were presented on behalf of The Head of Planning & City Regeneration.

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

RESOLVED that:

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

#(Item 1) Planning Application 2016/3401/FUL - 122 Eaton Crescent, Uplands, Swansea

John Thomas (objector) addressed the committee and spoke against the application. Photographs were displayed as part of his objections.

Councillor Nick Davies (Local Ward Councillor) addressed the Committee and spoke against the application.

A visual presentation was provided.

Report Updated as follows:

Page 81 – Application site area incorrectly plotted on committee report circulated. Application site area denoted (red line) as outlined on the update sheet distributed and shown onscreen at Committee and is contained on site location plan received 2 December 2016.

Condition 2 amended as follows:

2. The development shall be carried out in accordance with the following approved plans and documents: Site Location Plan, received 2nd December, 2016; SK/01: Existing floor plans, SK/03: Existing block plan, SK/04: Proposed block plan, received on 15th November 2016, SK/02: Proposed floor plans, SK/05: Existing and proposed front elevations, SK/05A: Existing and proposed rear elevation, received 2nd February 2017
Reason: For the avoidance of doubt and to ensure compliance with the approved plans.

Additional Correspondence received

Email received 3 February 2017 making reference to an online petition which was set up on 16 December 2016 to object to the application. A copy of a schedule of 43 names objecting to the development has been provided although no reasons for objection have been specified.

Emails received 6 February 2017 attaching copies of 3 x photographs.

#(Item 3) Planning Application 2016/1670 - Gower Play, Clyne Common, Swansea

Rick Parnell (objector) & Adrian Phillips (agent for objectors) addressed the committee and spoke against the application.

A visual presentation was provided.

- Application **APPROVED**, but for a temporary period of 12 months and subject to a 'time-use' condition. Therefore the following two conditions are added to the initially recommended condition.

2. The climbing frame hereby approved is only permitted for a temporary period of 1 year from the date of this planning permission. At the end of, or before the expiry of this 1 year period, the climbing frame and any associated works shall be removed from the site in its entirety.

Reason: Planning permission is granted for a temporary period only, in order to allow the Local Planning Authority a period of time to assess the noise and disturbance impact generated by users of the structure on the residential amenities of neighbouring occupiers.

3. The climbing frame hereby approved shall only be used between the hours of 10am to 5pm, Mondays to Saturdays. It shall not be used at any other time."

Reason: To protect the amenities of nearby residential occupiers.

2) the undermentioned planning application **BE REFUSED** for the reasons set out below:

#(Item 2) Planning Application 2016/3406/FUL - 57 Ysgol Street, Port Tennant, Swansea

Mike Leonard (objector) addressed the committee and spoke against the application.

Councillors C E Lloyd & J A Hale (Local Members) also addressed the Committee and spoke against the application.

A visual presentation was provided.

Report Updated as follows:

Page 96 – Planning application 2016/3617/FUL for a 5 person HMO at No. 89 Ysgol Street approved by the Council on 3 February 2017.

Additional Correspondence received

Email received 6 February 2017 raising issues relating to there being 7 HMOs in the street, legally or not and raising issues about parking.

Letter received 7 February 2017 raising issues relating to car parking in the street. Acknowledges that it is a personal choice to have a car, but makes suggestions to improve parking on Ysgol Street including limiting the number of HMOs in the street and surrounding areas, make the street one-way and parking spaces on one side of the road with double lines opposite, introduce parking permits and extend the permit only zone.

Application **REFUSED** contrary to officer recommendations for the following reasons: The proposed use by virtue of the form and nature of the HMO accommodation proposed and its location in proximity to existing dwelling houses will result in a significant adverse effect upon the residential amenity of the street and area by virtue of noise, nuisance and disturbance and is contrary to the requirements of Policy HC5 criterion (i).

62 **PLANNING APPLICATION 2016/1604 - 3 LEWIS STREET, ST THOMAS, SWANSEA.**

An updated report was presented on behalf of the Head of Planning & City Regeneration. The application had been deferred under the two stage voting process at the Planning Committee held on 6 December 2016 so that further advice could be provided with regard to the potential reasons for refusal raised by Members. It was also deferred at the Committee held on 10 January 2017 in order that a parking survey could be undertaken and further consideration could be made on the impact of the development upon the amenity of neighbours by virtue of disturbance.

An appeal had now been launched by the applicant for non-determination of the application.

A visual presentation was provided showing the video evidence from the cctv parking survey undertaken on the street was shown to the committee.

It was indicated that the officer recommendation of approval remained unchanged.

Councillors Clive Lloyd and Joe Hale (Local Ward Councillors) addressed the Committee and spoke against the application.

Report Updated as follows:

Paragraph 1.3

- Town and Country Planning (Development Management Procedure) (Wales)(Amendment) Order 2015 (not '1995' as stated).
- The expiry of the four weeks ends on 15 February 2017 (not '7 February 2017' as stated)

Additional Correspondence received

Email dated 4 February 2017 refers to the survey undertaken by the Highway and Transportation Section. States that the Highway Sections opinion that parking congestion is because of people attending the Church is not correct. Refers to examples of activities being used including drama, meetings, voting, martial arts, classes etc and besides the Church Hall refers to events in the church including weddings, christenings, funerals, services etc . Reference is made to the Church Hall and Church being used by different groups at different days and nights which creates a high concentration of parking.

RESOLVED the planning application **BE APPROVED.**

63 **FORMER CENTURY WORKS - APPEAL DECISION.**

The Head of Planning and City Regeneration provided a report outlining the decision of the Planning Inspectorate relating to an appeal by the applicant against the decision of the Planning Committee to refuse an application contrary to officer recommendation.

The Inspectors report, findings and decision to allow the appeal with conditions were outlined in the report.

RESOLVED that the appeal decision be noted.

64 **EXCLUSION OF THE PUBLIC.**

The Committee was requested to exclude the public from the meeting during the consideration of the items of business identified in the recommendations to the report on the grounds that it involved the likely disclosure of exempt information as set out in the exclusion paragraphs of 12A of the Local Government Act 1972, as

amended by the Local Government (Access to Information)(Variation)(Wales) Order 2007, relevant to the item of business as set out in the report.

The Committee considered the Public Interest Test in deciding to exclude the public from the meeting for the items of business where the Public Interest Test was relevant, as set out in the report.

It was **RESOLVED** that the public be excluded for the following item of business.

(CLOSED SESSION)

65 **ENFORCEMENT ACTION.**

The Head of Planning & City Regeneration presented a report which outlined the background details and history to the issues surrounding a development at the location outlined in the report.

The initial planning decision of refusal, the subsequent re-application and refusal and the decision of the Planning Inspector to support refusal following an appeal were all outlined in the report.

The report required a Committee decision as it involved the loss of a residential unit.

RESOLVED that in light of the appeal decision, Enforcement Action be authorised to secure the cessation of the use as two dwellings and require alterations to the building to reinstate the property as one dwelling.

The meeting ended at 3.48 pm

CHAIR