



City and County of Swansea

## Minutes of the **Planning Committee**

Council Chamber, Guildhall, Swansea

Tuesday, 1 May 2018 at 2.00 pm

**Present:** Councillor P Lloyd (Chair) Presided

**Councillor(s)**

C Anderson  
M B Lewis  
A H Stevens  
T M White

**Councillor(s)**

P M Black  
R D Lewis  
D W W Thomas

**Councillor(s)**

L S Gibbard  
P B Smith  
L J Tyler-Lloyd

**Also Present:** Councillors C R Doyle, E W Fitzgerald, E T Kirchner, C E Lloyd, I E Mann, P M Matthews, M Sykes & A Pugh

**Apologies for Absence**

Councillor(s): M H Jones

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**70 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 C R Doyle – Personal – Planning Application 2017/2677/FUL (Item 2) – Governor of Birchgrove Primary.

**71 Minutes.**

**Resolved** that the Minutes of the Planning Committee held on 3 April 2018 be approved as a correct record

**72 Items for Deferral/Withdrawal.**

None.

**73 Protected Tree Protocol.**

The Head of Planning and City Regeneration presented a report which sought consideration of the “Protected Tree Protocol” document to be formally adopted and implemented to protect trees within the City & County of Swansea.

The background details and context relating to the development of the protocol was outlined and detailed in the report.

**Resolved** that the “Protected Tree Protocol” be approved as the Council’s decision making process in relation to protected tree issues.

**74 Proposed Changes to the Creation of Tree Preservation Order (TPO) Procedure and Scheme of Delegation.**

The Head of Planning and City Regeneration presented a report which set out the current signing and sealing procedure for making new TPOs and suggests alterations to the procedure, which would allow TPOs to be made more quickly, ensuring that trees that are under immediate threat can be protected.

The proposed changes would also achieve officer time savings in accordance with Commissioning Review recommendations.

**Resolved that**

- 1) future Tree Preservation Orders to be served as a Provisional Order are executed by the Head of Planning & City Regeneration(HoP&CR) and not signed and sealed by the Legal Department.
- 2) the HoP&CR give authority to the Strategic Planning and Natural Environment Manager and the Landscape Team Leader to execute the orders as set out in paragraph 5.1 to the report in his absence; If this were required, the HoP&CR would be notified of the creation of a new TPO and given the reasons for the required expediency.
- 3) that the current procedure for confirming the Provisional Orders remain.

**75 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/updates to this schedule were reported and are indicated below by (#)

**Resolved**

- 1) that the undermentioned planning applications **Be Approved** subject to the conditions in the report/and or indicated below(#):

**(Item 1) Planning Application 2017/0986/FUL - Construction of 80 no. residential units with associated access and landscaping at Former Civic Centre, Penllergaer, Swansea**

A visual presentation was provided.

Richard Bowen (agent) addressed the Committee.

Councillor E W Fitzgerald (Local Member) addressed the Committee and spoke against the proposals.

Report updated as follows:

In terms of the Dormice mitigation, NRW have indicated that they have concerns over the deliverability of the mitigation due to the works being on land outside the applicant's control. However, since the comments from NRW have been received, written confirmation has been received on behalf of the Penllergare Trust and landowner confirming no objection to the mitigation being undertaken on land in their control. Consequently, it is considered sufficient control exists to allow the mitigation to be undertaken.

Application approved in accordance with recommendation subject to the applicant entering into a Section 106 agreement and subject to the additional condition below:

Additional Condition added as follows in relation to the maintenance of open space and footpaths on the site:

18. No development shall be commenced until full details of the proposed arrangements for the future management and maintenance of the footpath link to the south of the site, the area of open space around the observatory, area of open space linking the observatory to the adjacent Penllergaer Valley Woods and the foot/ cycle paths located within these areas of open space have been submitted to and approved in writing by the Local Planning Authority. The footpaths and open space shall thereafter be maintained in accordance with the approved management and maintenance details for the lifetime of the development.

Reason: To ensure that the foot/ cycle paths and areas of open space are maintained to a satisfactory standard to ensure the active travel links are available for the lifetime of the development and ensure the open space is maintained to an adequate standard.

**(Item 3) Planning Application 2017/2693/FUL - Change of use from public house (Class A3) to 11 bedroom HMO for 11 people with associated fenestration alterations at Robin Hood, 37 Fleet Street, Sandfields, Swansea**

A visual presentation was provided.

Marie Pricas (objector) addressed the Committee.

Councillor E T Kirchner (Local Member) addressed the Committee and spoke against the proposals.

**(Item 4) Planning Application 2018/0268/FUL - Mixed use development consisting of change of use of ground floor (6 No. units) from mixed use commercial to retail (Class A1), professional services (Class A2) or food & drink (Class A3), and change of use of 1st, 2nd and 3rd floor from commercial with construction of extended 2nd floor & 3rd floors, and addition of 4th floor to provide 28 residential units, together with external alterations including new shop fronts and ancillary works at 12-14 College Street, Swansea**

A visual presentation was provided.

**(Item 5) Planning Application 2018/0285/FUL - Change of use from residential (Class C3) to 3 bed HMO for 3 people (Class C4) at 34 Westbury Street, Swansea**

A visual presentation was provided.

Councillor I E Mann (Local Member) addressed the Committee and spoke against the proposals.

**(Item 6) Planning Application 2018/0322/FUL - Change of use from residential dwelling (Class C3) to a 7 person HMO with a replacement single storey rear extension and associated car parking at 14 Gwydr Crescent, Uplands, Swansea**

A visual presentation was provided.

Councillor I E Mann (Local Member) addressed the Committee and spoke against the proposals.

**(Item 7) Planning Application 2018/0674/FUL - Change of use from residential (Class C3) to 4 bed HMO for 4 occupants (Class C4) at 25 Bay Street, Port Tennant, Swansea**

A visual presentation was provided.

Councillor C Lloyd (Local Member) addressed the Committee and spoke against the proposals.

Report updated as follows:

1 representation of support received 25 April 2018 raising comments from a landlord which mentions how he has found that on the whole HMOs filled with either students or working people are far better kept because they are managed personally with problems sorted quickly. The writer states that there is no difference renting to a group of 4 workers or students than a large family.

1 Petition of objection received on 20 April 2018 outside of consultation period. Petition states *"There has been an alarming increase of HMO (House of Multiple Occupancy) Applications in our community to change family residential property into cramped,. Over intense student accommodation. The HMO sector have the poorest conditions you only have to go to the Uplands and Castle Wards to see what local residents deal with and effect it has caused. We want to oppose the harmful concentration of HMO Applications because they will have an adverse effect on the character of our community"* and further lists a range of grounds for objection with signatures from 37 separate addresses.

1 additional objection received 23 April 2018 which states *"Do NOT want our lovely community turned into a HMO hotspot where landlords are only concerned with making a profit and leaving absolutely NO affordable accommodation for OUR children and grandchildren. We do not and will not be pushed out."*

**2)** the undermentioned planning application **Be Deferred** under the **two stage voting process** for a further report on the reasons for refusal:

**(Item 2) Planning Application 2017/2677/FUL - Mixed-use development comprising 23 residential dwellings and Coffee Shop with Drive Through Facility and associated works at Land At Heol Ddu Farm , Birchgrove Road, Birchgrove, Swansea**

A visual presentation was provided.

Phil Baxter (agent) addressed the Committee.

Emma Jason & Estelle Bubear (objectors) addressed the Committee.

Councillor C R Doyle, M Sykes, A Pugh & P M Matthews (Local Members) addressed the Committee and spoke against the retail aspect of the proposed development.

**76 Appeal Decision - Parc Ceirw, Cwmrhydyceirw Quarry and Adjoining Land, Cwmrhydyceirw, Swansea.**

The Head of Planning & City Regeneration presented a report which outlined the result of an appeal to the Planning Inspector against the decision of the Planning Committee in June 2016 to refuse the planning application on the Quarry site.

It was indicated that due to the scale of the development, the appeal was recovered for determination by Welsh Ministers. The inspector had recommended that the appeal be allowed, and the Minister had accepted the recommendation.

**Resolved** that the report be noted.

The meeting ended at 4.25 pm

**Chair**