



City and County of Swansea

## Minutes of the **Planning Committee**

Council Chamber - Guildhall, Swansea

Tuesday, 1 October 2019 at 2.00 pm

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

**Councillor(s)**

C Anderson  
L S Gibbard  
R D Lewis  
L J Tyler-Lloyd

**Councillor(s)**

P M Black  
M H Jones  
P B Smith  
T M White

**Councillor(s)**

W Evans  
M B Lewis  
D W W Thomas

**Officer(s)**

Gareth Borsden  
Sally-Ann Evans  
Chris Healey  
Liam Jones  
Amanda Pugh  
Ryan Thomas  
Jonathan Wills

Democratic Services Officer  
Senior Lawyer  
Area Team Leader  
Area Team Leader  
Senior Engineer  
Planning Control Manager  
Senior Lawyer

**Apologies for Absence**

None.

---

**25 Disclosures of Personal and Prejudicial Interests.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, no interests were declared.

**26 Minutes.**

**Resolved** that the Minutes of the Planning Committee held on 3 September 2019 be approved and signed as a correct record.

**27 Items for Deferral/Withdrawal.**

None.

**28 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** that

- (1) the undermentioned planning applications **Be Approved** subject to the conditions in the report:

**#(Item 1) – Planning Application – 2019/1617/FUL - Change of use from 3 bedroom residential (Class C3) to 4 bedroom HMO (Class C4) at 141 Western Street, Sandfields, Swansea**

A visual presentation was provided.

Report updated as follows:  
Late letter of objection reported.

Hugh Smythe (objector) addressed the Committee.

Councillor I E Mann addressed the Committee and spoke against the application.

**#(Item 2) – Planning Application – 2019/1683/FUL - Change of use from residential (Class C3) to a 6 person 6 bed HMO (Class C4) at 18 Parc Wern Road, Sketty, Swansea**

A visual presentation was provided.

Report updated as follows:  
Late letter of objection reported.

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

**(Item 3) – Planning Application – 2019/1729/RES - Reserved Matters - details of the appearance - pursuant to Outline Planning Permission 2013/0617 granted 30th October 2017- Residential development comprising of up to 92 dwellings with associated access, drainage and public open space at Land South Of Glebe Road, Loughor, Swansea**

A visual presentation was provided.

**29 Land North of Garden Village, Swansea - Planning Application 2016/1478.**

The Head of Planning & City Regeneration presented a report which sought authorisation to amend the proposed requirements of the section 106 agreement of the town and country planning act 1990 (as amended) relating to the provision of a new school linked to the development.

The background issues and history relating to the application which was approved in April 2018 were outlined and detailed, in particular the discussions with the applicant and the education department and the subsequent request to remove the 2.5 entry primary school for the reasons outlined in the report.

Members questioned officers as to how the revised Education Contribution of £5,500,000.00 had been calculated as the original resolution detailed the cost of building a 2.5 entry school as being £9,981,415.00. A discussion took place and it was explained to Members that the initial figure of £9,981,415.00 had been calculated using Welsh Government Guidance on measuring school capacities but the proposed development would not generate the amount of pupils needed to justify the higher figure. The revised cost was based on the Council's Supplementary Planning Guidance and is the amount which can be justified under Regulation 122 of the Community Infrastructure Levy Regulations 2010.

The proposed revised section 106 agreement and updated conditions were outlined and detailed in the report.

Luke Grattarola (agent) addressed the Committee.

**Resolved** that the following revised S106 Heads of Terms be accepted and approved, together with the revisions to Conditions 1, 25 and 29 (as set out below). For the avoidance of doubt, the other 48 planning conditions remain unchanged.

### **Revised S106 Planning Obligation**

#### **Affordable Housing**

20% Affordable housing (AH) on the site; comprising 50% social rent (at 42% ACG) and 50% intermediate (at 70% ACG) and DQR compliant. The AH shall comprise a mix of 2 and 3 bedroom dwellings. The design and specification of the AH shall be of an equivalent quality to those used in the Open Market Units. The AH shall be dispersed across the site in clusters and 20% shall be delivered within each phase of the development.

#### **Local Highway Improvements Works**

\* J47 (M4) – contribution to the installation of the MOVA to be made on the occupation of the first dwelling. (£100,000).

\* A484 / B4560 Swansea interchange (Day's Roundabout) – existing roundabout enlarged, wider flare lanes and the two western approaches increased from two lanes to three lanes each. The access from Day's (eastern approach) increased from one lane to two lanes. Payment to be triggered on the occupation of the 100th residential unit (£334,688).

\* A4240 / Hospital Road Interchange (Gorseinon Rd / Hospital Road) – the existing 2 mini roundabouts will become one small roundabout with access to 3M (UK) becoming a priority junction. Payment to be triggered on the occupation of the 50th residential unit (£134,297).

\* B4560 / Hospital Road Interchange (Swansea Road / Hospital Road) – the signalisation of the junction with a pedestrian phase across both Hospital Road and Swansea Road. Payment to be triggered on the occupation of the 300th residential unit (£214,453).

### **New School**

A payment of £5.5m to the Council for the Council to construct the 2.5 form entry school (together with the associated playing fields, external open space, and boundary treatment etc) together with delivery of the land required to build the school. A payment of £266,503 would be required prior to any works commencing on site, whilst the remaining balance of £5,233,497 would be required to be paid prior to the occupation of the 201<sup>st</sup> residential unit. The developer to construct the school drop off / pick up area and associated access road, prior to the occupation of the 301<sup>st</sup> residential unit.

### **Cycle Path**

Contribution of £100,000 towards the extension of the existing Kingsbridge Link cycle path across Stafford Common to Gowerton Railway station, to be paid prior to the occupation of the 351st dwelling.

### **Local Enhancement Works**

Scheme of enhancement works for Railway Terrace (shared surface, planting and new fencing) - £197,210 to be paid prior to the occupation of the 351st dwelling. Improvements to the existing footpath between Clos Bryngwyn and Clos Llandyfan (widening and resurfacing) £50,000 to be paid on the prior to the occupation of the 351<sup>st</sup> dwelling.

### **Management Plans**

Unless offered for adoption by the Council (with an appropriate commuted sum agreed with the Council's Parks Dept), the Management Plans for the future maintenance of the retained woodland and ecologically sensitive areas, proposed parks, open spaces, LEAPS, NEAPS, MUGA and SUDs ponds, to be submitted prior to the commencement of the phase of works within which the relevant area is contained.

### **Bus Service**

A subsidy payment of £101,000 per year for the provision of a public bus service to go through the site for 2 years, or up to the year following the creation of a through bus route, whichever is the sooner. £202,000 to be paid (following the occupation of the 75<sup>th</sup> dwelling).

### **Council's Monitoring Fee**

A Monitoring fee of £11,340 (based on 20% of the application fee, as the 2% fee of the overall cost of the obligation would be unreasonably and prohibitively large). The fee to be paid prior to the commencement of works on site.

## **Legal Fees**

The Council's legal fees of £3,000 relating to the preparation of the S106 agreement.

### Revised Conditions:

#### Condition 1

Prior to the commencement of development on site (other than the strategic access road from Hospital Road) , a phasing plan relating to the proposed development and the application site shall be submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include details of the phasing of the following:

- a) each and every development parcel
- b) site accesses
- c) school and associated drop off area
- d) bus route and public transport stops
- e) strategic foul and surface water features and SUDS
- f) all open spaces, community infrastructure and other publicly accessible areas.

The development shall be carried out in accordance with the approved phasing plan.

Reason: To ensure there is a clear framework for both the progression of the development and for the submission of reserved matters applications so that the development is carried out in a comprehensive, sustainable and coherent manner.

#### Condition 25

With the exception of the works to deliver the strategic access road hereby approved, prior to the commencement of development on site, details of the following air quality assessment shall be submitted to and approved in writing by the Local Planning Authority : the applicant shall conduct, and provide the results of an air quality assessment of the potential impact of the proposed development, within the development site and upon the surrounding local area. The assessment should pay particular attention to the 1 hour NO<sub>2</sub> objective and NO<sub>2</sub> annual mean objective within the National Air Quality Strategy and Air Quality (Wales) Regulations 2000 as amended by the Air Quality (Amendment) (Wales) Regulations 2002. In addition the assessment should also pay particular attention to the PM<sub>10</sub> objectives set in regulation (24 hour mean objective of 50µg/m<sup>3</sup> - 35 exceedances' and the annual mean objective of 40µg/m<sup>3</sup> to be achieved by the 31/4/2004 and maintained thereafter). Also, an indication of the particles (PM 2.5) Exposure Reduction objective (contained within the Air Quality strategy 2007) of 25µg/m<sup>3</sup> should be made

Reason: To provide the Local Planning Authority with information relating to the impact of the development of air quality within the site and the locality.

Condition 29

With the exception of the works to deliver the strategic access road hereby approved no development works within each phase of the development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within that phase of development, has been submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: To ensure that the development is provided with satisfactorily maintained and managed streets.

**30 Appeal Decision - Land North of Rhodfa Fadog, Cwmrhydyceirw, Swansea.**

The Head of Planning & City Regeneration presented a report which outlined the result of an appeal against a decision of the authority not to grant planning permission.

The appeal was dismissed by the Inspector and his report was outlined at appendix 1 to the report.

**31 Planning Annual Performance Report.**

The Head of Planning & City Regeneration presented the Annual Performance Report. The report is seen by Welsh government as important mechanism for monitoring Local Planning Authorities performance against a key set of national performance indicators

The report is also a important tool for benchmarking the performance of Local Authorities across Wales. The draft report for 2018-19 was detailed at Annex A to the report.

The actual performance figures, the substantial improvements achieved over the last few years and the issues to be further addressed were all detailed in the report, along with a series of appeal decisions from applications that decisions had been made on, contrary to officer recommendations.

The meeting ended at 3.29 pm

**Chair**