

Planning Committee – 2nd June 2020 Update Sheet

Agenda Item No. 4 Deferrals/Withdrawals

Item	App. No.	Site Location	Officer Rec.
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Agenda Item no. 5 Determination of Planning Applications

Item	App. No.	Site Location	Officer Rec.
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1	2020/0173/FUL	Carn Nicholas Farm, Track From Brokesby Road, Bonymaen, Swansea, SA1 7BL	Approve
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Since the report was prepared, the local Ward Member for Bonymaen, Cllr Mandy Evans, has written in to express her support for the proposals. In summary, the letter states that the community support the application for this important renewable energy development that would serve circa 3,000 households annually and can see the benefits associated with it in light of the Climate Emergency declared by the Council. The proposal would retain the existing field boundaries and add to the hedgerow and woodland landscape elements, aiding biodiversity with full consideration given to the impacts of construction traffic which is welcomed.

The full letter is attached as Appendix A to this Update Sheet.

The Officer Report notes that the Council's Ecologist was due to undertake a Test of Likely Significant Effect which would be reported verbally at Committee (P49). This has been completed and concluded that there would be a significant effect without mitigation and resulted in the need for an Appropriate Assessment (AA). This AA has been undertaken and has concluded that there are no significant effects anticipated on the surrounding designated SAC/SSSI subject to mitigation including that the submitted CEMP and drainage strategy are implemented and adhered to throughout all project phases.

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The Test of Likely Significant Effect and Habitat Regulations Assessment are attached as Appendices B and C to this Update Sheet.

The Council's Ecologist has provided comments and also requested additional survey effort with regards to Great Crested Newts and Reptiles. However, it must be remembered that there is an extant permission covering the majority of the site. Further to this, the request was made 2 working days prior to Committee and colleagues were consulted in February. Comments at this juncture would have allowed the applicant to respond appropriately. The survey season for Great Crested Newts is optimal in April and May and sub-optimal in June and the applicant may struggle to get these completed in this short timeframe before the end of the survey season. Allied to this, it should also be noted that Natural Resources Wales has not raised concern with regards to Great Crested Newts as the ponds lay outside of the development site. It is therefore not considered necessary or reasonable to request these surveys at this time. With regards to reptiles, the submitted Ecological Management Plan (EMP) already includes reptile mitigation.

However, the Ecologist has requested additional detail be included in the EMP and requested an external lighting plan which are considered reasonable and necessary. The comments of the Ecologist are attached as Appendix D.

In light of the above, Condition 8 would be amended as follows:

“Prior to the commencement of development including any site clearance works, and notwithstanding the details submitted to date, an amended Biodiversity Management Plan shall be submitted to and approved in writing by the Local Planning Authority to include:

- greater detail regarding the process of monitoring and monitoring targets as well as the triggering of remediation, to include outline proposed remedial actions;
- details of the organisation/personnel who

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are to be responsible for the implementation of the plan;

- the inclusion of habitat enhancements in the form of bat and bird boxes; and
- details of the annual reporting to the Council providing evidence of the previous years and the proposals for the following years management.

The development shall thereafter be implemented and managed in accordance with the approved Biodiversity Management Plan.

Reason: To ensure the satisfactory long term landscaping, screening and biodiversity benefits for the development in accordance with LDP Policies ER6, ER8, ER9 and ER11.”

In addition, a new Condition (18) would be added to read as follows:

“Notwithstanding the details indicated on the approved plans and prior to the installation of any external lighting, a scheme of external lighting for the construction and operational phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be implemented in accordance with the approved details and shall be retained as approved for the duration of the development.

Reason: To mitigate detrimental impacts to local wildlife within and surrounding the site in accordance with LDP Policies ER6, ER8 and ER9.”

Finally, additional advice notes would be attached regarding bats, badgers, nesting birds, hedgehogs and the reptile survey.

2	2019/2236/RES	Cwmrhydyceirw Quarry Co Ltd , Great Western Terrace, Cwmrhydyceirw, Swansea, SA6 6LL	Approve
3	2019/2523/S73	Land At Upper Bank, Nantong Way, Pentrechwyth, Swansea	Approve

The agent has written in and requested that the

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following points be brought to Member's attention to provide context and reassurance:

- A) The report explains that there have been several variations to the original planning permission. There is of course a considerable context to this, not least the need for additional land acquisition, unknown physical constraints, and services/utility/other elements that were unknown and unidentified at the point of purchase - which all required significant reworking of proposals and changes etc. These changes were not of course of the applicants making or even desired by them, rather necessitated to be undertaken in order to bring forward a deliverable scheme.
- B) In terms of the inability to construct a permanent access, the timescales for this, and any uncertainty over its provision, it is considered key to stress that there is a contractual obligation from the developer with the Council to construct the new permanent access (and other services such as the pumping station). Moreover, this obligation is secured by the deposit of a £750,000 cash bond, held by the Council. Clearly all of this provides absolute certainty that a permanent solution will be provided and secured. Moreover, it is clearly in the applicant's interest to facilitate this provision as soon as practicably possible - not least as this will see the return of the substantial cash bond currently deposited with you.
- C) The Local Highways Authority does not object to the proposal.