

Planning Committee – 17th July 2020 Update Sheet

Agenda Item No. 4 Determination of Planning Applications

Item	App. No.	Site Location	Action
1	2018/2697/OUT	Land South Of The A4240 Parc Mawr Penllergaer Swansea	Approve

- 1) Cllr Fitzgerald has written to the Chief Executive to request that this application is deferred to allow Members to visit the site and enable members of the public to address Committee in person.

The Coronavirus pandemic has had a significant impact on the ability of Local Planning Authorities in Wales to carry out normal business. In response to this pandemic, Welsh Government has introduced legislation to allow Local Authorities to continue business which would otherwise not be possible. This includes Planning Committees. This is the 3rd Planning Committee to take place remotely in light of these changes. The Ward Member will address committee herself and members of the public have had been consulted on the application 3 times to date (in January 2019, November 2019 and March 2020). This has resulted in approximately 700 objections to the scheme, as noted and addressed in the Committee Report. Residents have also been given a further opportunity to provide any new comments they wish following production of the report (see update No.2 below). Members of the public can view Committee online live or at a later date if they wish.

Officers will provide a comprehensive presentation to Members on the site and its context. Committee will be able to decide whether they consider a site visit is necessary before determination.

If the application is deferred, it would be at the applicant's discretion whether they wished to appeal against non-determination. The Planning Inspectorate (PINS) could decide to award costs against the Council to cover any unnecessary cost incurred by the applicant in appealing the decision, if they considered that the Council had acted unreasonably in not reaching a decision.

- 2) Committee were advised of 3 No. additional letters of objection received from one address, details of which were circulated prior to Committee. The case officer has responded directly to the residents. In addition, a presentation pack has been sent in by Penllergaer Community Council which has also been circulated to Members with this Update Sheet.
- 3) Members were also provided with a Members Briefing Pack which has been prepared by the applicant to give a brief overview of the proposals and the key considerations of the application.
- 4) The Welsh Ministers have received a 'call in' request on this application which is currently under consideration and they have issued a Direction that the

Planning Committee – 17th July 2020 Update Sheet

Authority cannot grant permission for this development without the prior authorisation of the Welsh Ministers. The Direction prevents the Council only from granting planning permission; it does not prevent the Council from continuing to process or consult on the application or resolving to approve the application. Neither does it prevent the Council from refusing planning permission. The Ministers aim to determine call-in requests within 21 days of the receipt of the report which was sent as soon as the agenda was finalised.

- 5) The final paragraph of Section 7.8 on page 119 states that the site is an allocated site. It should be clarified that the application site also includes land within the Green Wedge (Policy ER 3) and a Landscape Protection area (ER 5). The proposed development parcels as indicated on the illustrative masterplan generally avoid the Green Wedge / Landscape Protection designations and would be subject to reserved matter applications to consider the finer detail/ layout at a subsequent stage. However, the A484 link and Active Travel Route 14 would run through both of these designations. Policies ER 3 and ER 5 seek to protect the openness of the green wedge and ensure proposals do not have a significant adverse effect on the character and quality of the landscape of the County. In the first instance, these links are essential and integral requirements of the site allocation and it is accepted that this infrastructure would run through these areas as shown in the concept plan. In addition, it is not considered that the proposals would impact on the openness of the green wedge nor significantly adversely affect the character and quality of the landscape. The road would be subject of a future reserved matters application and landscaping would be required to provide additional screening but in principle, the inclusion of the local transport infrastructure is considered acceptable. Policy CV2 Development in Countryside permits the development of necessary infrastructure provision, such as required transport infrastructure, subject to the integrity of the countryside being conserved and enhanced.

A summary of policies ER 3 and CV 2 are attached as Appendix A along with an excerpt of the LDP.

- 6) There is an error on Page 100 of the report as one additional objection has been forwarded on from the agent for the application. No new issues are raised but Section 6, Para 3 should read “8” objections.
- 7) There is an error on Page 119 of the report. Section 7.9, Para 1 should read “negligible” rather than ‘legible’.
- 8) There is an error on Page 123 of the report in Paragraph 3 which should state that 3 LEAPs would be provided on site instead of 2. An additional LEAP would be located in close proximity to the NEAP to provide an enhanced play area.
- 9) The Council’s Ecologist has queried, on Page 156, Paragraph 2, the location of the 62 bat and bird boxes proposed in Phase 1A (as stated in the Green Blue Infrastructure Strategy). 40 are indicated on the Phase 1A Landscape Plan but these are not considered sufficient by the Ecologist and conditions 15 and 65 will be updated to reflect this.

Planning Committee – 17th July 2020 Update Sheet

- 10) One amendment is required in the Planning Obligations section (7.27), in the first bullet point – the affordable housing would be disposed of either via a Registered Social Landlord (RSL) *or the Council*. The drafting omitted the latter.

Conditions and Advice Notes:

- 11) Condition 15 (Landscape and Ecological Management Plan) would be amended to include the following (addition in italics for clarification):

- Full details of the ecological enhancements within each phase (*to include the location of 62 bird and bat boxes in Phase 1A for the avoidance of doubt*)

- 12) Condition 47 (ULEV Charging Strategy) would be amended from the following:

“Ultra Low Charging Vehicle Strategy”

to:

“Ultra Low Emission Vehicle Charging Strategy”

- 13) Condition 65 (Phase 1A Landscaping Implementation) would be amended from the following:

...The details shall also include the implementation of the ecological enhancements for Phase 1A as indicated on Soft Landscape Plan (Phase 1a – Trees Only) (Drawing No 1565704-SBC-00-XX-DR-L-001 Rev PL05)...

to:

...The details shall also include the implementation of the ecological enhancements for Phase 1A as approved in the LEMP for this phase required by Condition 15.

- 14) An advice note would be added regarding future health discussion as stated on Page 171.

- 15) The advice note regarding LDP policies would be updated to refer to Policies CV2 and ER3.

Planning Committee – 17th July 2020 Update Sheet

Appendix A: Additional Policy Summary and LDP Excerpt Plan

- ER 3 Green Wedges – Green wedges are allocated at 8 locations. Within the designated Green Wedge areas development will only be permitted if it maintains the openness and character of the land, unless the development is for acceptable purposes, as outlined in national policy relating to Green Wedge designations. (NB: PPW10 no longer considers affordable housing an appropriate use in a green wedge)
- CV 2 Development in the Countryside – Development outside defined settlement boundaries will be required to ensure the integrity of the countryside is conserved and enhanced. There is a presumption against development in the countryside except where it meets a specific set of criteria. Countryside development must be of a sustainable form with prudent management of natural resources and respect for the cultural heritage of the area. Where possible, existing buildings should be reused and where this is not feasible new buildings should be positioned close to existing buildings.
Proposals to increase residential chalets on 4 existing chalet sites will not be permitted.

LDP Excerpt:

