



## Planning Committee – 13<sup>th</sup> April 2021

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**LDP - PS2 - Placemaking and Place Management**

Placemaking and Place Management - development should enhance the quality of places and spaces and should accord with relevant placemaking principles.

**LDP - RP2 - Noise Pollution**

Noise Pollution - Where development could lead to exposure to a source of noise pollution it must be demonstrated that appropriate mitigation measures will be implemented, and incorporated into the design of the development to minimize the effects on existing and future occupants. Noise sensitive development will not be permitted unless effective mitigation will prevent exposure to existing noise generating uses. Development that would lead to an increase in environmental noise at a NAPPA or would have an unacceptable impact on a Quiet Area will not be permitted.

**LDP - RP3 - Air and Light Pollution**

Air and Light Pollution - Where development could lead to exposure to a source of air or light pollution it must be demonstrated that appropriate mitigation measures will be implemented, and incorporated into the design of the development to minimize the effects on existing and future occupants.

**LDP - SI1 - Health and Wellbeing**

Health and Wellbeing - health inequalities will be reduced and healthy lifestyles encouraged by complying with set criteria.

**LDP - SI8 - Community Safety**

**LDP - ER1 - Climate Change**

Climate Change - To mitigate against the effects of climate change, adapt to its impacts, and to ensure resilience, development proposals should take into account the climate change principles specified in the policy.

**LDP - ER2 - Strategic Green Infrastructure Network**

Strategic Green Infrastructure Network - Green infrastructure will be provided through the protection and enhancement of existing green spaces that afford valuable ecosystem services. Development that compromises the integrity of such green spaces, and therefore that of the overall green infrastructure network, will not be permitted. Development will be required to take opportunities to maintain and enhance the extent, quality and connectivity of the County's multi-functional green infrastructure network in accordance with the green infrastructure principles set out in the policy.

**LDP - ER9 - Ecological Networks and Features of Importance for Biodiversity**

Ecological Networks and Features of Importance for Biodiversity - Development proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. Particular importance will be given to maintaining and enhancing the connectivity of ecological network. Development that could have an adverse effect on such networks and features will only be permitted where meet specific criteria are met.

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### LDP - T2 - Active Travel

Active Travel - Development must take opportunities to enhance walking and cycling access either by incorporation within the site, and/or making financial contributions towards the delivery of specific measures, as specified in the policy. Developments must not have a significant adverse impact on existing active travel routes as specified in the policy.

### LDP - T6 - Parking

Parking - proposals must be served by appropriate parking provision, in accordance with maximum parking standards, and consider the requirements for cycles, cars, motorcycles and service vehicles. In those instances where adequate parking cannot be provided on site, or is judged not to be appropriate, the developer will be required to provide a financial contribution towards alternative transport measures where appropriate. The provision of secure cycle parking and associated facilities will be sought in all major development schemes.

Proposals on existing car parks that would reduce parking provision will not be permitted where the loss of the parking facility would result in outcomes specified in the policy.

### Site History

App Number	Proposal	Status	Decision Date
2020/0140/FUL	Change of use from residential dwelling to 8 bed HMO with increase in ridge height of existing rear extension, fenestration alterations and addition of glass balustrades to first and second floor front elevation	APP	16.03.2020
2020/0166/FUL	Change of use from residential (Class C3) to serviced accommodation (Class C1) with increase in ridge height of existing rear extension, fenestration alterations and addition of glass balustrades to first and second floor front elevation	APP	16.03.2020
84/0708/03	2 storey rear extension - bedroom/bathroom.	APP	28.06.1984

### Procedural

This application is reported to Planning Committee as it has been 'Called In' by Councillor David Phillips and meets the threshold set out in the Council's Constitution.

Full planning permission is sought for the change of use from a residential dwelling to children's home (Class C2) with an increase in the ridge height of the existing rear extension, fenestration alterations and addition of glass balustrades to first and second floor front elevation.

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### Recent Planning History

2020/0140/FUL: Change of use from residential dwelling to 8 bed HMO with increase in ridge height of existing rear extension, fenestration alterations and addition of glass balustrades to first and second floor front elevation - Approved 16/03/2020

2020/0166/FUL: Change of use from residential (Class C3) to serviced accommodation (Class C1) with increase in ridge height of existing rear extension, fenestration alterations and addition of glass balustrades to first and second floor front elevation - Approved 16/03/2020

### Assessment of the immediate area

Oystermouth Road is a mixed-use area characterised by substantial terraced properties, which have traditionally been used as commercial, and hotel accommodation. This stretch of Oystermouth Road contains a range of uses, including residential, HMOs, flats, hotels/guest houses, as well as public houses/restaurants. The surrounding streets are still very much residential in nature, being high-density terraced housing, and as such, the principle of residential use in this area is supported in principle. The application building itself is a large residential property (set over 3 floors) that has provided at least seven bedrooms. The rear of the properties at this section of Oystermouth Road predominantly provide car parking areas accessed from a rear lane. The application property itself can provide access from the rear lane (as existing). No off street parking is currently provided, however it is proposed to create two off street parking spaces to serve the proposed use.

The proximity of the application site to the City Centre, which is within easy walking distance also provides sustainable transport links from the bus station and train station, for local and national rail travel, including Carmarthen to the west and Cardiff and London to the east. In addition, there are good cycle linkages in the vicinity of the site.

### Response to consultations

Public Response- The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) through the display of a notice at the site dated 26th February 2021 and neighbour consultation letters. **72 LETTERS OF OBJECTION, 16 LETTERS OF SUPPORT, 1 LETTER OF COMMENT, A PETITION OF OBJECTION WITH 48 SIGNATURES** have been received, the main points raised in the objections letters are summarised briefly below, the full comments received are available to read on the public website:

### Letters of Objection

1. The property does not have adequate provision for parking.
2. Increase on street parking.
3. The road to the rear is narrow and does not allow two cars to pass.
4. Vehicles blocking the entrance have caused difficulties to the residents of Pearl Court in entering/leaving their car park.

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5. Oystermouth Road has seen an increase in rate of crime, drug use and antisocial behaviour.
6. Noise nuisance from building work.
7. Not the right place to put a children's home where children/young adults could be influenced by the antisocial issues and behaviour.
8. Not safe to put vulnerable children and young adults in an area with known problems.
9. A children's home on a busy main road is not the best idea.
10. Safeguarding issue due to antisocial issues in the area.
11. Will affect the livelihood of those who run and own the hotels as will deter tourists from living close to a children's home.
12. Need to attract tourists back.
13. Holiday accommodation in this area should be increased not diminished.
14. Local residents have enough problems in the area without adding to it.
15. This area is already struggling and the neighbourhood feels unsafe, residents scared to walk down the street. Approval of this application will add to the problems.
16. Police constantly at Oystermouth Road due to antisocial issues and behaviour.
17. Location of property is close to two local primary schools and would have a detrimental impact on those children attending.
18. Not suitable for the area or community.

### Support

1. Support this project. It is a worthy cause and something that should be backed.
2. Much needed facility.
3. These children will be well cared for and nurtured.
4. It could bring a fresh outlook to the area.
5. Concerns due to current misuse of the area is all over Swansea and not solely this area.
6. Children need our support and having a home in Swansea that would keep them safe with support is much needed.
7. Perfect location close to all the activities the sea front offers.

### Petition of Objection (48 signatures)

We the residents of the Sandfields area and neighbours of 260 Oystermouth Road strongly object to the change of use of this property to a Children's Home. Currently at the adjoining properties and wider across the Sandfields area there are known issues related to drug and alcohol abuse as well as anti-social behaviour that the Safer Swansea Partnership Team has been attempting to address for over some 12 months. Placing a Children's Home alongside this setting is not the right thing to do as such behaviour would set no example and possibly expose the children to replicate or join in with such behaviours.

As a Community, we have endured antisocial behaviour for several years, which has sent absolute fear throughout our Community with most of our vulnerable residents including the vulnerable elderly afraid to step outside their front door, and our Community spirit is currently almost wiped out.

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The Community have tried to engage with the Council and the Safer Swansea Partnership to request that they do what they can to reinstate our Seafront and support tourism - NOT to have a Seafront that supports the judicial system and Prison outreach services etc. The Council are investing significantly in tourism with the new arena just yards from the troubled row of properties. Yet again as a Community we make a plea to the Planning Committee NOT to approve this application for the sake of the Health and Wellbeing of our Community, the safeguarding of children and to support reinstating one of the Council's aims re "Strong Communities - To build strong communities with a sense of pride and belonging".

**Comments from other consultees are as follows:**

### **Highway Authority**

The current lawful use of the property is as a large single dwelling with no parking. Proposals are for the retention and completion of change of use from residential (C3) to a children's home (C2).

The application site is located on Oystermouth Road, a busy thorough fare and one of the main routes in and out of the City Centre. Strict parking regulations are in force on Oystermouth Road. The surrounding streets are controlled by limited time parking and resident only permit bays. The time restrictions and the permit holder bays are subject to civil enforcement should any indiscriminate parking occur. The area is regarded as highly sustainable with excellent transport links and within easy walking distance of a range of amenities within the city centre core and a local shopping district on St Helen's Road. Parking is required for staff and the applicant is providing a dedicated area to the rear of the property for two cars and cycle parking, the inclusion of the latter facility will ensure that non car owners are also catered for. The provision of parking and cycle parking can be secured by a condition. It is felt that visitor parking can be accommodated on street.

A revised plan PC19/45/4A was submitted on 18th March 2021 indicating that parking bays of 2.6m x 4.8m can be achieved, which comply with current standards, are achievable.

On balance, given that the site lies within easy walking distance of a range of facilities within the City Centre with a frequent bus route, access to the train station, and provision will be made on site for cycle storage to support sustainability to reduce the dependency on the car, it is not considered that the application will result in any adverse effects on local car parking and highway safety over and above the existing use of the property that can be demonstrated as so harmful to warrant a recommendation of refusal.

On that basis, there are no highway objections subject to

1. Prior to the beneficial occupation of the premises commencing, the two car parking spaces, the covered and secure cycle parking as indicated on the proposed block plan drawing shall be fully laid out, installed and be available for beneficial use and shall thereafter be retained in perpetuity.

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## Social Services

Following internal consultation with the Council's Social Services Department, the comments received are summarised below:

1. The first point to note is that there is already a surplus of children's homes and beds in Swansea.
2. At any given point in time, we typically need approximately 30 children's home placements. One of our strategic objectives for the coming years is to reduce this number further to around 20.
3. At the end of February there were 57 beds already available in Swansea. As we do not have the demand to fill the available beds, independent providers are accepting children and young people from other authorities.
4. Children in residential care have a range of complex needs. Swansea cannot support an ever increasing number of children who are coming to the area from other parts of the UK. The services children in these settings require - e.g. special school placements, specialist mental health services - are at capacity already and creating more demand will only exasperate problems.
5. The area being proposed is situated on a busy road, and in an urban area with a number of social issues compared to other areas in the Council.
6. This is not an area we would currently consider a safe location for operating a home. We would, as a result, be unlikely to commission a place from a children's home in this area.

## Support Statement from Applicant

In support of the application a statement has been submitted by the applicant. In brief, the main points are provided below:

The home will provide support and accommodation for up to five children this may be reduced in accordance with CIW regulation and advice. The children and young people between the ages of eight and fourteen where living in a normal living arrangement becomes unavailable to them. Sea Breeze home is set in a desirable location in the heart of Swansea. Sea Breeze is set overlooking Swansea beach with outstanding views of the sea front and mumbles. Sea Breeze location is within walking distances of the city centre, accessibility to trains and buses along with Museum, theatre, leisure centre, out-door swimming pool, indoor Olympic swimming pool, cycle track, woodland walks, beach, cinema, gym, golf, tennis, rugby, football, cricket pitches all located on the doorstep of Sea Breeze.

### Services and Objectives

Our main aim is to make sure all young people can live life to the fullest with daily support and guidance from staff on a one-to-one basis. The one-to-one support will be the foundations to provide a high-quality level of care and support which aids positive outcomes, to ensure the child and young people reach their full potential, achieve their goals and to prepare them for their future.

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### Our aims to support the community

The high level of support for children and young people in our care alongside our ethos and bespoke services will help support local activity centres, clubs and library. The children will be supported on a one-to-one basis in the community that will reduce the risks in the community that may present.

Approximately twenty-five internal and external jobs will be supported at full capacity of the home. The job vacancies will be supported by training and qualification in children and young people health and wellbeing to further develop careers and support employees that may live in the community. We will provide funding and training for staff in local approved centres that provide qualification in this sector.

### Parking and access

We understand that parking facilities are limited in the community and some objections have raised worthy concerns in relation to the matter. We have completed an assessment to reduce the need for additional spaces. We currently have access to two off road parking spaces at the rear of the property. This will be used for two vehicles, to reduce any additional spaces needed we will make use of the two vehicles to transport staff to an allocated collection point for example bus and train station, home, car parks. In addition, we also have an agreement with a local transportation company that can also provide the same service in a highly unlikely event. Also, the location of the home is easily assessable via bus and walking distance from bus station. This would also strengthen local transportation companies by paying customers.

### Definition and clarity

We understand that objection have been made in regard to the change of use as some of the community have stressed, they feel it is not best suited. We would like to state our organisation operate openly and would like to provide transparency to the community especially with concerns raised. We understand some of the objections stated are intentionally of a good nature and our organisation welcomes and respects all objections and hopefully we have provided more clarity in this statement of understanding how the service operates and our intentions. We would like to provide clarity on the service we provide but also respecting the potential services users and local community however, we would like to remind everyone involved in this process to remain respectful and refrain from comments and objections that have been unpleasant or discriminatory towards children and young people.

We also would like to say children and young people in local authority care have be widely scrutinised and made a targeted of in the media. We understand some services providers across the UK have been widely publicised due to children and young people within their care that have shown high risk behaviours and subsequently shown strain on local communities. It is important in this process that all children in care are not tarnished with the same brush that is portrayed in the media. We would like to say all children have the right to live in an environment that is safe and promotes their safety, health and wellbeing.

We are aware that some objections have perhaps speculated on the type of services users that will be accommodated that could add to the suggested problems the community faces.

We have provided some points below that address the majority of objects raised.



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- We are not housing young offenders or individuals in the justice system
- We are not a rehabilitation centre for young people involved in drug abuse
- We are not a hostel or halfway house
- We are not supported lodgings for 16-18-year-olds
- We are not housing high risk individuals that could impact the community

We would also like to state that we have risk assessments and policies in place to keep children and young people safe from harm. Our services are going to be provided for children and young people between the ages of eight and thirteen where normal living arrangements have failed to meet the basic needs of the child. We understand concerns that have been stated refer to issues in the local community, individuals in our care are provided one to one support at the home and within the community. The community see each year an abundance of families from Swansea and outskirts make use their local community by visiting the promenade and sea front where the home is situated. Our use of the community will be much like the tens of thousands of families that use the sea front for walks and bike rides and other activities. We believe that children in care should not be discriminated against due to circumstance or living arrangements.

We also understand the community feels it has a significant drug related problem however, the city as a whole statistically suffers with the same issues. However, with project ADDER in place we as a community will see the drop in drug related crime as pledged by the government. The service we provide will not be of a nature that will add to the drug related issues across Swansea. There are many other service providers that operate within worse statistical red zones in Swansea.

### **APPRAISAL**

#### **Consideration of planning merits**

The main issues for consideration with regard to this application relate to:

- Compliance with prevailing Development Plan policy and Supplementary Planning Guidance;
- The impact of the proposal on the character and appearance of the street scene and the wider area;
- Impact on residential amenity and the Well-being of Future Generations (Wales) Act 2015
- Highway Safety

There are considered to be no additional issues arising from the provisions of the Human Rights Act.

#### **Development Plan Policy and Supplementary Planning Guidance**

#### **Future Wales - The National Plan 2040**

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

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Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 9 - Resilient Ecological Networks and Green Infrastructure

National Planning Guidance the Well-being of Future Generations (Wales) Act 2015 places a duty (including Welsh Ministers) that they must carry out sustainable development. The Planning (Wales) Act 2015 introduces a statutory purpose for the planning system in Wales for statutory bodies carrying out a planning function to exercise those functions in accordance with the principles of sustainable development as set out in the Well-being of Future Generations (Act) Wales 2015. Paragraph 4.2.2 states that the planning system provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated, at the same time, by the decision-taker in taking decisions on individual planning applications.

In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Paragraph 4.2.4 states that a plan-led approach is the most effective way to secure sustainable development through the planning system and states there is a presumption in favour of development in accordance with the development plan for the area unless material considerations indicate otherwise.

Para 4.9.1 indicates the preference for the re-use of land of previously developed (or brownfield) land should, wherever possible, be used in preference to Greenfield sites and that many previously developed sites in built-up areas may be considered suitable for development because their re-use will promote sustainability objectives. Paragraph 4.9.2 adds that many previously developed sites in built-up areas may be considered suitable for development because their re-use will promote sustainability objectives. This includes sites:

- in and around existing settlements where there is vacant or under-used land, commercial property or housing;
- in suburban areas close to public transport nodes which might support more intensive use for housing or mixed use;
- which secure land for urban extensions, and;
- which facilitate the regeneration of existing communities.

Development should be located having regard towards securing a sustainable settlement pattern, on previously developed land and at locations for higher density development at hubs and interchanges and close to route corridors where accessibility on foot and by bicycle and public transport is good. New development should minimise the need to travel and increase accessibility by modes other than the private car. Wherever possible, developments should be located at major public transport nodes or interchanges. Higher density development should be encouraged near public transport nodes and corridors well served by public transport.

### **Swansea Local Development Plan ('LDP')**

In the case of this particular proposal, the following LDP policies are relevant:

- PS 1: Sustainable Places
- PS 2: Placemaking and Place Management

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- RP 2: Noise Pollution
- RP 3: Air and Light Pollution
- SI 1: Health and Wellbeing
- SI 8: Community Safety
- ER 1: Climate Change
- ER 2: Strategic Green Infrastructure Network
- ER 9: Ecological Networks and Features of Importance for Biodiversity
- T2: Active Travel
- T6: Parking

For the avoidance of doubt, Policy H10: Specialist Housing is not applicable to this application as this is not an application for specialist housing development.

### Supplementary Planning Guidance (SPG):

- Places to Live - Residential Design Guide (Adopted January 2014)
- Parking Standards (Adopted March 2012)
- Planning for Community Safety (Adopted December 2012)
- Development and Biodiversity (February 2021)
- Swansea Central Area: Regenerating our City for Wildlife and Wellbeing Green Infrastructure Strategy - Draft

The above SPG's provide further information and guidance to support and clarify the policies described in the Appraisal below.

### Planning Policy Considerations

#### Character and Appearance

It is important to make clear that the existing use of this application property is a large 7 bedroom residential property in the urban area. The external and internal alterations currently being undertaken were approved under planning applications 2020/0140/FUL and 2020/0166/FUL as detailed in the background planning history. The application is not currently occupied whilst renovation works are being undertaken. Either of these extant planning permissions could be implemented.

The external alterations approved under the previous permissions, include marginally raising the ridge height of the existing second floor rear wing, which currently has a low pitch, to create additional headroom within the rear bedroom to comply with current regulations. Many of the properties within the terraces fronting Oystermouth Road feature large extensions of varying scale to the rear. The rear of the properties are not highly visible from public view being accessed from the rear lane. Given the scale of properties along Oystermouth Road and in the immediate vicinity, the proposed second floor increase in ridge height was considered acceptable and would not detract from the character and appearance of the host property or the visual amenity of the streetscene or the surrounding area.

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The previously approved schemes also included replacement windows and the addition of stainless steel glass balustrades to the front elevation. The design of the fenestration glazing bars has been slightly modified in this current application to show the windows installed during renovation works. The fenestration alterations and balustrades are considered visually acceptable and therefore there would not be any harmful impacts on the character of the host property, the Oystermouth Road streetscene or wider area.

### **Principle of the proposed change of use**

The application site is located on Oystermouth Road, which comprises a mix of hotels, guest houses, commercial premises, flats, HMOs and large single residential dwellings. The surrounding terraced streets in the Sandfields are predominantly residential. The proposed use as a Class C2 remains residential in nature, but with an element of care.

The application has been submitted by the applicant on the basis that the proposed use would be a Class C2 (residential institution) use. The Town and Country Planning (Use Classes) Order 1987(as amended) states specifically that the element of "care" which is necessary to satisfy inclusion in the class "includes the personal care of children". However, it could be argued that a children's home may fall within Use Class C3 (Dwelling houses) where the total number of residents does not exceed six and the carers and the cared-for live as a single household. This provision has given rise to debate, particularly where carers do not live at the premises, but operate on a shift basis. The case law in relation to the question of whether such a use would fall within a C2 or C3 use does not provide a clear steer on how such uses should be classified, rather the approach has been to consider whether the proposed change of use from a C3 dwelling to a C2 residential institution would amount to a material change of use that would require planning permission.

In this case, the applicant has confirmed that the change of use to Class C2 is a requirement of any application for future registration as a Children's Home.

The application property is located within a densely populated urban area, where residential uses are located on both Oystermouth Road and the Sandfields area. There are flats immediately next door to the application property which are in residential use. As such, the proposed use of this property as a residential home with an element of care, would be in keeping with the uses of surrounding properties.

In view of the numbers of children that would be accommodated at the site and the associated staffing levels, as described above, it is not considered that the principle of the development would conflict with LDP Policies nor national planning policy and guidance set out within Planning Policy Wales. On this basis, the principle of the proposed development is considered to be acceptable.

In terms of the impacts of the use on the character of the area, it is considered the comings and goings of staff, visitors and occupiers would not be distinctly different from the use as a large residential property, a guest house/hotel, HMO or a cluster of individual flats/apartments as in the building adjoining this property, or the densely populated residential streets immediately surrounding the application site.

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Therefore, in light of the continued residential use of the property, it is not considered the proposed development would introduce a use that would result in any significant harm to the character and appearance of the area. In this respect, the proposed development would not conflict with LDP Policy PS2.

### **Residential Amenity**

In the first instance, the principle of residential development at this location is supported by development plan policy. The last use of the property was residential, there is also recent planning approval for the change of use to a HMO (residential) and a serviced guest house, either of which could be implemented. This is a densely populated residential area on the edge of the City Centre and any future residents should realistically expect a level of activity akin to a mixed use urban area rather than a suburban location.

Turning to the impact of the proposal on the amenity of future residents and the occupiers of existing residential uses within the immediate vicinity, Oystermouth Road is located on the edge of the city centre and residents living within a city centre location will be exposed to relatively high levels of ambient noise, predominantly from traffic but also from late night pedestrian activity due to the application site being located on Oystermouth Road, which is one of the main routes in/out of the City Centre. On Oystermouth Road there is a mix of uses both commercial and residential including flats/apartments. With this in mind, residents who live in close proximity to a mix of uses cannot reasonably expect the same level of peace and quiet as people living in a wholly residential area.

Therefore, it is not considered that the proposal would give rise to any harmful impact of the living conditions of future residents or any neighbouring residents through noise and disturbance that would be considered so harmful to warrant a recommendation of refusal on these issues alone.

With regard to residential amenity, there are no additional windows proposed that would result in loss of privacy impacts over and above that currently experienced. It is not considered that the proposed change of use would result in any harmful impacts in regard to increased overlooking, overbearing or overshadowing over and above the use as a large single dwelling or over and above that considered in the previous planning approvals. In terms of potential noise and disturbance to neighbouring properties from the proposed use, it is not considered the coming and goings of residents, staff and visitors would result in any material harm in terms of noise and disturbance to neighbouring occupiers significantly over and above the use of the premises as a dwelling house, as a HMO or a guest house and the use of other hotels, guest houses and blocks of flats in the immediate area.

The submitted floor plans indicate that the proposed accommodation provides ample living conditions comprising; to the ground floor - a separate living room, laundry room, rear office with toilet/shower and kitchen/dining room with direct access to the rear cycle/bin store and parking area; to the first floor - a second living room/games room, three en-suite bedrooms: to the second floor- a staff bedroom with en-suite facilities, and two further en-suite bedrooms. Each habitable room has a window with natural light.

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Regard needs to be given to the fact that this is a large property that can currently provide up to 7 bedrooms and be occupied by a large or extended family living as one household. It could also be occupied by a family with young children. It is also noted that the application property is 'sandwiched' between a hotel on one side and a property split into 6 flats on the other side. In the context of the other commercial uses and other hotels along Oystermouth Road, residents living in this location will be exposed to relatively high levels of ambient noise. A children's home (Class C2) is a residential use and as such, it is not considered that there is sufficient evidence to demonstrate that the use of the property as a Class C2 residential use would, in itself, result in an unacceptable intensification of the use of the building over and above the current residential use, that would result in any significant increase in noise and disturbance.

In light of the above analysis, it is not considered that there is any evidence to demonstrate that the proposed use will result in unacceptable noise and disturbance, which could reasonably warrant the refusal on this issue alone.

On this basis, there is considered to be acceptable living conditions for future occupiers in accordance with Policies PS2 the advice contained within the Places to Live Residential Design Guide.

In conclusion, the proposal is considered to provide satisfactory living conditions for future occupants in respect of internal space and privacy, and whilst the concerns of neighbouring residents have been noted in relation to existing current antisocial issues in the area, there is no demonstrable evidence that this use will cause any undue impact upon the residential amenity of existing neighbours, in accordance with development plan policy.

### **Refuse/Recycling and Cycle Storage**

There is external amenity space to the rear within the rear courtyard, which can also provide space to accommodate cycle storage and bin storage. An appropriate condition can ensure that this is provided and retained in perpetuity.

### **Parking and Highway Safety**

The application site is located on Oystermouth Road, a busy thorough fare and one of the main routes in and out of the City Centre. Strict parking regulations are in force on Oystermouth Road. The surrounding streets are controlled by limited time parking and resident only permit bays. The time restrictions and the permit holder bays are subject to civil enforcement should any indiscriminate parking occur. The area is regarded as highly sustainable with excellent transport links and within easy walking distance of a range of amenities within the city centre core and a local shopping district on St Helen's Road. Parking is required for staff and the applicant is providing a dedicated area to the rear of the property for two cars and cycle parking, the inclusion of the latter facility will ensure that non car owners are also catered for. The provision of parking and cycle parking can be secured by a condition. It is felt that visitor parking can be accommodated on street.

The site plan PC21/145/4 submitted on 18th February 2021 indicated that the parking bays fell short of the required depth to be considered as viable parking spaces, this matter was queried and following a site visit when measurements were taken, a revised plan PC19/45/4A was submitted on 18th March 2021 indicating that bays of 2.6m x 4.8m, which comply with current standards, are achievable.

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On balance, given that the site lies within easy walking distance of a range of facilities within the City Centre with a frequent bus route, access to the train station, and provision will be made on site for cycle storage to support sustainability to reduce the dependency on the car, it is not considered that the application will result in any adverse effects on local car parking and highway safety over and above the existing use of the property that can be demonstrated as so harmful to warrant a recommendation of refusal.

On this basis, and given that the site lies within very easy walking distance of a range of facilities within the City Centre with a frequent bus route, access to the train station, and provision will be made on site for cycle storage to support sustainability to reduce the dependency on the car, it is not considered that the application will result in any adverse effects on local car parking and highway safety, that can be demonstrated as so harmful to warrant a recommendation of refusal. There are no highway objections to raise and subject to a planning condition to provide for the two car parking spaces and cycle parking the application is acceptable on its highway impacts.

In conclusion, Oystermouth Road is located within a sustainable location within walking distance of the City Centre and civil enforcement parking restrictions in the area to prevent indiscriminate parking. There are no highway objections and the proposal is in compliance with the provisions of Policies T 6 of the Swansea Local Development Plan and advice contained within the Parking Standards SPG.

### **Ecological Enhancement**

It is recognised that this is an existing dwellinghouse with little opportunity to provide for Green Infrastructure of any meaningful scale. However, there is an opportunity to provide ecological enhancement and a condition is recommended to secure the provision of a combination of bat/bird boxes and/or sparrow terraces within or on the walls of the development in accordance with details to be submitted to and approved in writing, to comply with the provisions of LDP Policy ER9.

### **Response to objection comments**

Many of the objections refer to antisocial issues and antisocial behaviour currently being experienced in the area, associated with the use of existing properties in Oystermouth Road, and that allowing this property to be used a children's home (Class C2) is not an appropriate location, could create more antisocial issues or place vulnerable children at risk and would exacerbate existing problems in the area. Concerns in relation to parking provision and parking issues have also been raised. All material planning considerations have been addressed in the main body of this report. The majority of the issues raised in relation to crime, antisocial behaviour, civil matters in relation to blocking of access, perceived issues of further antisocial behaviour, increase in crime, the appropriateness of a children's home at this location etc., are not controlled by planning legislation but by separate more appropriate legislation such as Social Services, Care Inspectorate Wales and by the Police. Matters relating to the principle of use, visual and residential amenity (including refuse/recycling), and to parking and highway safety are addressed in the report above.

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Whilst many object to the introduction of a Children's home (Class C2) to this residential area, it must be remembered that a Class C2 use is a residential home with an element of care, albeit that the occupants are not related to one another. A Class C2 use could also be occupied as a small scale assisted living residential use by adults that need an element of care.

Planning permission is only concerned with the land use and does not discriminate against the end user. There is other legislation and registration requirements that the developer would need to comply with, which more properly considers the suitability of the property for the intended use, the location and the registration of the use. This would be required in order to operate as a residential children's home and is controlled through separate legislation.

The comments received from the Council's Social Services have been carefully noted. However, as stated above, such issues are controlled through separate legislation and the planning application process can only consider material planning matters in relation to the proposed land use.

### **Conclusions**

Regard has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle under Part 2 Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this recommendation, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WBFG Act and consider that this recommendation is in accordance with the sustainable development principles through its contribution towards one or more of the public bodies well-being objectives set out as required by Part 2 Section 9 of the WBFG Act.

In conclusion, the proposed change of use would provide for a residential home with an element of care and would not result in an over intensification of the property and would provide adequate living conditions for future occupiers. Therefore, it is considered that the development complies with the requirements of Policies PS 1, PS 2 and T 6 of the Swansea Local Development Plan. Furthermore the development complies with the thrust of policies within Future Wales: The National Plan 2040. Approval is recommended.

### **RECOMMENDATION**

#### **APPROVE subject to the following conditions:**

- 1 The development hereby permitted shall begin not later than five years from the date of this decision.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.

- 2 The development shall be carried out in accordance with the following approved plans and documents: PC19/45/4A: Site location plan, P19/45/3A: Site plan, received on 19th March 2021, PC21/145/1: Existing and proposed floor plans, PC21/145/2: Existing and proposed elevations, received on 18th February 2021.

Reason: For the avoidance of doubt and to ensure compliance with the approved plans.



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- 3 The car parking area for two cars as shown on drawing no.PC19/45/4A: Site Plan (each space 4.8m x 2.6m), shall be laid out in accordance with the approved plans and be available for use prior to the beneficial occupation of the development hereby approved and shall be retained for parking purposes in connection with the development only thereafter.

Reason: To ensure adequate parking provision on site.

- 4 Prior to the beneficial use commencing, the secure and covered cycle parking for a minimum of 6 cycles and the refuse/recycling storage area as indicated on drawing no.PC21/145/1: Proposed ground floor plan, shall be fully installed and be available for use, and shall be maintained and retained as such for the lifetime of the use.

Reason: In the interests of encouraging sustainable forms of transport and to ensure safe storage of refuse/recycling in the interests of visual and residential amenity.

- 5 Prior to the beneficial use commencing, a scheme of Ecological Enhancement Measures (in the form of a combination of bird and/or bat boxes and sparrow terrace) to be provided within or on the walls of the building, shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Enhancement Measures shall be shown on an Architectural drawing and shall be fully provided prior to the beneficial occupation of the development hereby approved and shall be retained as such in perpetuity.

Reason: In the interests of biodiversity and to provide Ecological Enhancement Measures

### **Informatives**

- 1 Future Wales: The National Plan 2040. The development plan covering the City and County of Swansea is the Swansea Local Development Plan. The following policies were relevant to the consideration of the application: PS1, PS2, RP2, RP3, SI 1, SI 8, ER 1, ER 2, ER 9, T2, and T6.
- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
-

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Item 2

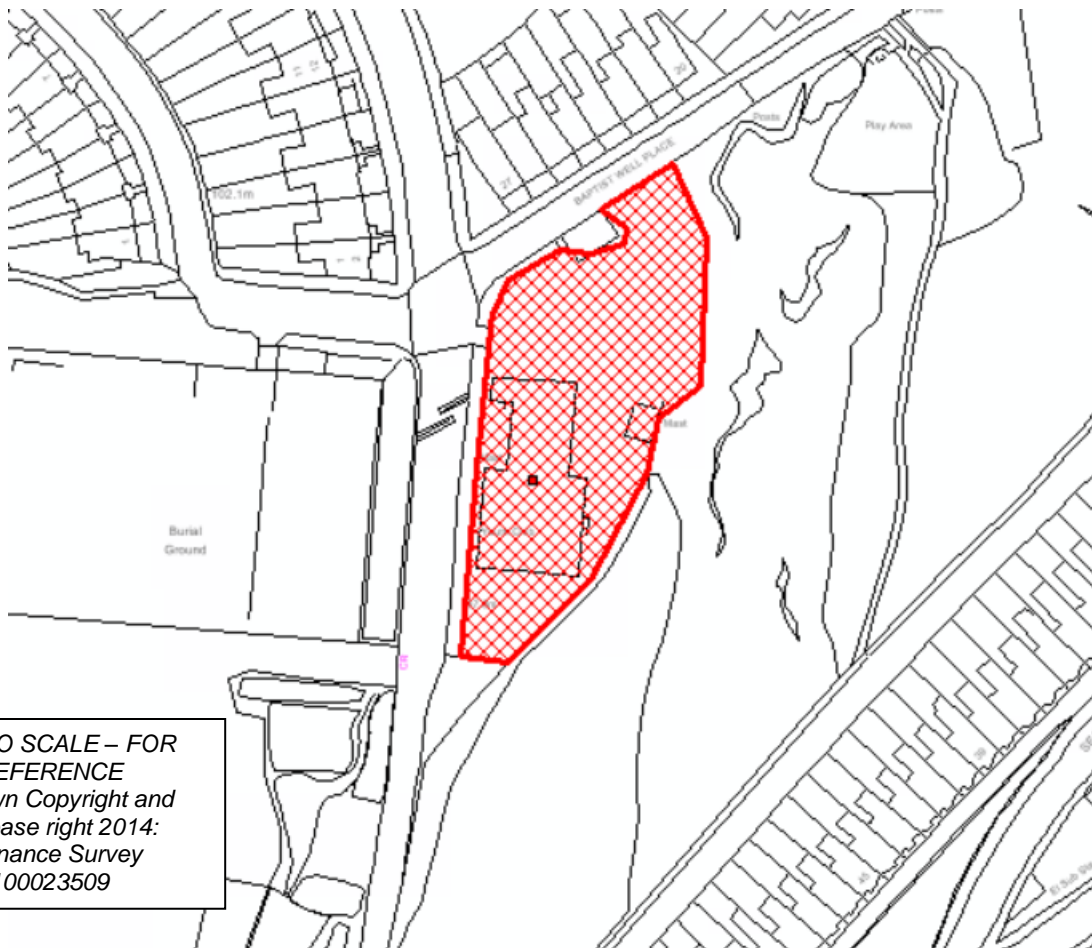
Application Number: 2020/1590/FUL

Ward: Castle - Bay Area

Location: Former Swansea Boys Club, Berwick Terrace, Mount Pleasant, Swansea, SA1 6UT

Proposal: Change of use from Community Facility (Class D2) to Residential Dwellings (Class C3) and redevelopment of site to provide 23 units with associated roof extension, new vehicular access, infrastructure and landscaping works

Applicant: Mr Amit Mohan - Lifestyle Dimensions Ltd



### Background Information

#### **Policies**

LDP - H3 - Affordable Housing

On-Site Affordable Housing - sets the percentage of affordable housing provision required in the Strategic Housing Policy Zones, subject to consideration of financial viability.

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**LDP - ER8 - Habitats and Species**

Habitats and Species - Development proposals that would have a significant adverse effect on the resilience of protected habitats and species will only be permitted where they meet specific criteria.

**LDP - PS1 - Sustainable Places**

Sustainable Places - the delivery of new homes, jobs, infrastructure and community facilities must comply with the plan's sustainable settlement strategy which; directs development to the most sustainable locations within defined settlement boundaries of the urban area and Key villages; requires compliance with Sustainable Housing Strategy (PS 3) and Sustainable Employment Strategy (PS 4); safeguards Green Wedges; and resists development in the open Countryside.

**LDP - PS2 - Placemaking and Place Management**

Placemaking and Place Management - development should enhance the quality of places and spaces and should accord with relevant placemaking principles.

**LDP - PS3 - Sustainable Housing Strategy**

Sustainable Housing Strategy - the Plan provides for the development of up to 15,600 homes to promote the creation and enhancement of sustainable communities.

**LDP - RP2 - Noise Pollution**

Noise Pollution - Where development could lead to exposure to a source of noise pollution, it must be demonstrated that appropriate mitigation measures will be implemented, and incorporated into the design of the development to minimise the effects on existing and future occupants. Noise sensitive development will not be permitted unless effective mitigation will prevent exposure to existing noise generating uses. Development that would lead to an increase in environmental noise at a NAPPA or would have an unacceptable impact on a Quiet Area will not be permitted.

**LDP - RP3 - Air and Light Pollution**

Air and Light Pollution - Where development could lead to exposure to a source of air or light pollution it must be demonstrated that appropriate mitigation measures will be implemented, and incorporated into the design of the development to minimise the effects on existing and future occupants.

**LDP - RP4 - Water Pollution and the Protection of Water Resources**

Water Pollution and the Protection of Water Resources - development that compromises the quality of the water environment, or does not comply with good water resource management, will not be permitted. Development proposals must make efficient use of water resources and, where appropriate, contribute towards improvements to water quality. Sustainable drainage systems (SuDS) must be implemented wherever they would be effective and practicable. Water courses will be safeguarded through green corridors/riparian buffers. Development proposals that would have a significant adverse impact on biodiversity, fisheries, public access or water related recreation use of water resources, will not be permitted.

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#### LDP - RP10 - Sustainable Waste Management for New Development

Sustainable Waste Management for New Development - development will be required to incorporate, as appropriate, adequate and effective provision for the storage, recycling and other sustainable management of waste, and allow for appropriate access arrangements for recycling and refuse collection vehicles and personnel.

#### LDP - SI1 - Health and Wellbeing

Health and Wellbeing - health inequalities will be reduced and healthy lifestyles encouraged by complying with set criteria.

#### LDP - SI8 - Community Safety

#### LDP - IO1 - Supporting Infrastructure

Supporting Infrastructure - development must be supported by appropriate infrastructure, facilities and other requirements considered necessary as part of the proposal.

#### LDP - ER1 - Climate Change

Climate Change - To mitigate against the effects of climate change, adapt to its impacts, and to ensure resilience, development proposals should take into account the climate change principles specified in the policy.

#### LDP - ER2 - Strategic Green Infrastructure Network

Strategic Green Infrastructure Network - Green infrastructure will be provided through the protection and enhancement of existing green spaces that afford valuable ecosystem services. Development that compromises the integrity of such green spaces, and therefore that of the overall green infrastructure network, will not be permitted. Development will be required to take opportunities to maintain and enhance the extent, quality and connectivity of the County's multi-functional green infrastructure network in accordance with the green infrastructure principles set out in the policy.

#### LDP - ER9 - Ecological Networks and Features of Importance for Biodiversity

Ecological Networks and Features of Importance for Biodiversity - Development proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. Particular importance will be given to maintaining and enhancing the connectivity of ecological network. Development that could have an adverse effect on such networks and features will only be permitted where meet specific criteria are met.

#### LDP - T1 - Transport Measures and Infrastructure

Transport Measures and Infrastructure - Development must be supported by appropriate transport measures and infrastructure and dependent the nature, scale and siting of the proposal, meet specified requirements. Development that would have an unacceptable impact on the safe and efficient operation of the transport network will not be permitted.

#### LDP - T2 - Active Travel

Active Travel - Development must take opportunities to enhance walking and cycling access either by incorporation within the site, and/or making financial contributions towards the delivery off site of specific measures, as specified in the policy. Developments must not have a significant adverse impact on existing active travel routes as specified in the policy.

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#### LDP - T6 - Parking

Parking - proposals must be served by appropriate parking provision, in accordance with maximum parking standards, and consider the requirements for cycles, cars, motorcycles and service vehicles. In those instances where adequate parking cannot be provided on site, or is judged not to be appropriate, the developer will be required to provide a financial contribution towards alternative transport measures where appropriate. The provision of secure cycle parking and associated facilities will be sought in all major development schemes.

Proposals on existing car parks that would reduce parking provision will not be permitted where the loss of the parking facility would result in outcomes specified in the policy.

#### LDP - EU4 - Public Utilities and New Development

Public Utilities and New Development - development will be permitted where the utility infrastructure is adequate to meet the needs of the development.

Development that requires new or improved utility infrastructure will be permitted where it can be satisfactorily demonstrated that the developer will make an appropriate contribution to secure the provision of the infrastructure.

### Site History

App Number	Proposal	Status	Decision Date
2020/1590	Change of use from Community Facility (Class D2)) to Residential Dwellings (Class C3) and redevelopment of site to provide 23 units with associated roof extension, new vehicular access, infrastructure and landscaping works	PDE	
2016/1406	Pre-application - extension and refurbishment of existing derelict youth club/community centre	PREMI X	04.08.2016
2014/0098	Installation of a 15 metre high replacement street works monopole and two equipment cabinets (application for the Prior Notification of proposed development by telecommunications code system operators)	PGRA NT	24.02.2014
2006/2746	Erection of a 15 metre high streetworks monopole with 6 internal antennae and equipment cabinet (application for the Prior Approval of the Local Planning Authority)	PAREF	23.01.2007

**Item 2 (Cont'd)**

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### **Procedural**

This application is reported to Planning Committee as it is a Major Development and meets the threshold set out in the Council's Constitution.

### **Description**

Full planning permission is sought for the change of use from Community Facility (Class D2) to Residential Dwellings (Class C3) and redevelopment of site to provide 23 units with associated roof extension, new vehicular access, infrastructure and landscaping works at Former Swansea Boys Club, Berwick Terrace, Mount Pleasant.

The existing site comprises a part two storey part three storey detached building, at the top of a sloping site. The building is split into two distinct parts, with what appears to be the original two storey pitched roof building attached to a three storey flat roofed addition. The building was originally used as a social club, however it has not been occupied for a significant period and has been bordered up for security. Since the application was made, there have been a number of antisocial behaviour incidents at the site, including small fires and a large fire which caused significant damage to the building.

The proposal will see the creation of 23 one bed apartments, the majority of which have an open plan kitchen/living room and a toilet, with a few having a separate kitchen.

The site currently has no parking and Berwick Terrace has no vehicle access. The application includes the opening up of the highway to provide access and the creation of 21 parking spaces, in part, through levelling part of the site and installation of retaining walls. There will also be the creation of a bin and cycle storage area.

### **Assessment of the immediate area**

The application site is positioned in a predominantly residential area, with a school and graveyard to the West of the site.

### **Planning History**

There is no relevant planning history for the site.

### **Responses to Consultations**

The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) by means of notice in the local press on 28<sup>th</sup> August 2020 and a site notice on the 1<sup>st</sup> September 2020. No representations from members of the public have been received to date.

### **Drainage Officer**

The SAB has received a pre-application on this site, reference 2020/0037/SPA which we are considering.

Schedule 3, Flood and Water Management Act 2010.

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Your development proposal has been identified as requiring SuDS Approving Body consent irrespective of any other permissions given.

From 7 January 2019, all new developments more than 100m<sup>2</sup> will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh ministers.

These systems must be approved by the local authority acting in its SuDS Approving Body (SAB) role before construction work begins. The SAB will have a duty to adopt compliant systems so long as it is built and functions in accordance with the approved proposals, including any SAB conditions of approval.

Which legislation are we referring to?

Schedule 3 of the Flood and Water Management Act (FWMA) 2010 requires surface water drainage for new developments to comply with mandatory National Standards for sustainable drainage (SuDS). Schedule 3 to the FWMA 2010 also places a duty on local authorities as SuDS approving body to approve, adopt and maintain systems compliant with section 17 of the schedule.

What exactly is a SAB?

The SAB is a statutory function delivered by the local authority to ensure that drainage proposals for all new developments of more than 1 house or where the construction area is 100m<sup>2</sup> are designed and built in accordance with the national standards for sustainable drainage published by Welsh Ministers.

The SAB is established to:

- Evaluate and approve drainage applications for new developments where construction work has drainage implications, and
- Adopt and maintain sustainable surface water drainage systems according to Section 17 of Schedule 3 (FWMA).
- The SAB also has powers of inspection and enforcement
- And uses discretionary powers to offer non-statutory pre-application advice

What does it mean for my development?

Whether you are a developer, an agent or an individual seeking planning permission for a development, if your development is of more than 1 house or of 100m<sup>2</sup> or more of construction area you must also seek SAB approval alongside planning approval. You will not be allowed to start construction until the 2 permissions are granted.

Further details on how to apply and guidance can be obtained from the website <https://www.swansea.gov.uk/sustainabledrainage> and by contacting the SuDS Approving Body via email Sab@swansea.gov.uk

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## **Welsh Water**

In respect of the aforementioned planning application, we can confirm that Dwr Cymru Welsh Water have been previously informed of the proposed development and consulted, as a 'Specialist Consultee', in accordance with Schedule 1C Article 2D of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016.

We note that our consultation response (Ref: PPA0004982) has been acknowledged and included at Appendix G of the accompanying Pre-Application Consultation (PAC) Report, prepared by Asbri Planning Ltd, which highlights that foul flows can be accommodated within the public sewerage system whereas surface water will be subject to SAB consent. As part of this application, we acknowledge receipt of a 'Drainage Plan' (Drawing No. J007/002) and 'SuDS Compliance Statement (Ref: J007/SCS) which indicates proposals to dispose foul and surface water flows to the public sewer and soakaway system respectively and in principle we offer no objection.

Notwithstanding, if you are minded to grant Planning Consent for the above development, we would request that the following Condition and Advisory Notes are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets:

### **Condition**

No building shall be occupied until the foul drainage system for the site has been completed in accordance with the approved details. Thereafter no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

### **Advisory Notes**

As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the City & County of Swansea Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991).



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The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com).

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

### Placemaking & Heritage Team

The above application seeks the change of use from community facility (Use Class D2) to residential (Use Class C3) comprising 23no. Units with associated roof extension, new vehicular access, infrastructure and landscaping works.

This submission follows a pre-app (ref: 2019/2544/PRE) for a similar description of development.

At pre-app stage, concern was raised specifically in terms of the northern element of the proposal, namely the lack of inset and excessive height of the third floor roof extension. It was detailed that if a roof extension is to be considered appropriate in this location it must be sufficiently set back from the existing building line and designed to complement the host building.

The following advice is provided on the compliance with the design and placemaking policies of the LDP and Residential Design Guide SPG which focusses on development of 10 or more homes and is underpinned by the proactive placemaking planning approach.

#### Comments:

- The new roof extension has been lowered and is now inset which is welcomed. However, the stair core is not - is there a reason for this/ can this be amended? Additionally, the top floor should be made recessive through the use of a darker colour to better juxtapose the main body and break up the mass of the whole building. To achieve this, and also from a maintenance point of view, it would be better to see this in a more robust materiality such as grey standing seam metal or similarly appropriate. Furthermore, the roof edges should have less projection - this was also raised at pre-app. At present the roof extension fails to be sufficiently subservient and is not supported in its current form.
- The fenestration proportions are unacceptable. The pre-app visuals showed the retention of the existing, generous windows which assisted in breaking up the bulk and massing. The proposal now shows replacement windows, in many instances with smaller windows. This has a negative impact on the proportions/appearance of the overall building. The windows should be reinstated to that previously shown at pre-app.

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- Is there scope to provide some Juliet/full balconies as private amenity space and maximise outlook, in particular to the east facing elevation? This is a fantastic site that fails to fully respond to the context/opportunity. Also, could the ground floor flats have direct access to external private terraces as amenity space?
- Notably there is a lack of overlooking of the main parking to the north - only 3 windows, which can result in risk of car crime, personal safety and anti-social behaviour. Additional windows should be added to the north facing elevation.
- The cycle storage needs to be covered and secure - the external hoops are not acceptable.

This a visually prominent building and at present the proposal is not acceptable and refusal is recommended unless the issues above can be suitably rectified.

### Highway Authority

This application relates to the conversion of the former Swansea Boys Club, Berwick Terrace into 23 1 bedroom residential units, and has been the subject of a pre application to the LPA ref 2019/2544/PRE, and a statutory Pre-application consultation, comments on both were submitted by the Highway Authority at that time.

This application is for 23 one bed units, the proposals to repurpose adopted highway as parking have been removed from the proposals, and it is presented with 21 off street spaces. The applicant has completed the sustainability appendix from the current adopted parking SPG, this has been checked and is correctly applied, the proposed 21 parking spaces acceptable.

Berwick Terrace is an adopted highway, which currently has a prohibition of driving TRO to prevent its use as a through route. This application will necessitate moving the point of the restriction South along Berwick Terrace to provide a secondary access and turning facility. This will require amendments to the existing TRO and relocation of the barriers, the developer must meet all costs for this. Swept Paths have been provided which demonstrate the proposed turning head on Berwick Terrace is acceptable, and a service vehicle has the required space to safely turn.

There is an adopted 2m wide highway verge on the Southern side of Baptist Well Place, the applicant will be required to construct footway along this section from the existing footway on Baptist Well Place to the Eastern site boundary.

The site plan details the presence of retaining walls, any wall over 1.5m in retained height, or 1.37m if within 4ft of a highway will require formal approval by the LPA, as per the West Glamorgan and Highways Acts. This should be secured through a suitable condition.

Concerns were raised previously over the gradient of the car park access road and pedestrian provision into the car park, pedestrian access is shown as segregated, which is welcomed, however I would still like to see confirmation of the gradient of the car park access, this to ensure adequate visibility vertically as well as horizontally for any emerging vehicle. The access is in close proximity to the existing cross roads, Baptist Well Place/ Long Ridge / High View and Berwick Terrace.

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As such it would be advisable to place give way road markings on the side roads (Baptist Well Place and High View) to reinforce right of way, and reduce the likelihood of collisions.

The submitted Transport Statement seeks to quantify vehicle based trips from the development, the data has been checked and is thought to be correct. The effect of the development is not thought to have any adverse effect on the operation of the highway.

Subject to confirmation of the horizontal and vertical visibility splays Highways would have no objection to the proposals, subject to the improvements listed above, and the usual conditions relating to boundary treatments, working on the adopted highway and retaining walls.

If you could request the further information relating to the car park access, to allow me to complete my observations.

*The additional information was received and passed onto the Highway Officer, who provided an updated comment:*

Further to the confirmation below I can confirm that Highways have no objection to the proposals subject to:

1. The completion of the footway on Baptist Well Place between its junction with Berwick Terrace and the North Eastern Site boundary.
2. The construction of the new access and turning head to Highway Authority standard and specification.
3. The relocation of the vehicle barriers on Berwick Terrace, and amendments to the Traffic Regulation Order.
4. No development shall commence until full design details of any retaining structure above 1.5m in retained height or 1.37m if within 4yds of an adopted highway must be submitted to and approved in writing by the LPA

Note: Any alterations to the Public Highway must be constructed via an agreement under Section 278 of the Highways Act 1980 with the Council, which would specify the works and terms and conditions under which they are to be carried out. Please contact the Highway Authority's Network Management Team at [networkmanagement@swansea.gov.uk](mailto:networkmanagement@swansea.gov.uk), allowing sufficient time for preparation and signing the agreement.

NB: Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved. All design and implementation will be at the expense of the developer.

### **Placemaking & Heritage Team**

The Authority's Placemaking Officer provided comments and suggestions on a number of iterations of the proposals, leading to the formation of the most recent plans under consideration. They consider that given the viability issues on site, recent arson attacks and benefits of the building being brought into beneficial use the amended proposals can be considered acceptable.

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## Planning Ecologist

The Authority's Ecologist attended the site following the fire and consider that the building still has bat roost potential. On that basis it was advised that an updated bat survey was required.

## APPRAISAL

### Consideration of planning merits

The main issues for consideration with regard to this application relate to:

- Principle of development and compliance with prevailing Development Plan policy and Supplementary Planning Guidance;
- The impact of the proposal on the character and appearance of the street scene and the wider area;
- Impact on residential amenity and the Well-being of Future Generations (Wales) Act 2015;
- Parking and Highway Safety;
- Drainage;
- Ecology;
- Affordable Housing.

There are considered to be no additional issues arising from the provisions of the Human Rights Act.

### Development Plan Policy and Supplementary Planning Guidance

Future Wales: The National Plan sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping Urban Growth and Regeneration - Strategic Placemaking

Policy 3 - Supporting Growth and Regeneration - Public Sector Leadership

Policy 9 - Resilient Ecological Networks and Green Infrastructure

National Planning Guidance The Well-being of Future Generations (Wales) Act 2015 places a duty (including Welsh Ministers) that they must carry out sustainable development. The Planning (Wales) Act 2015 introduces a statutory purpose for the planning system in Wales for statutory bodies carrying out a planning function to exercise those functions in accordance with the principles of sustainable development as set out in the Well-being of Future Generations (Act) Wales 2015. Paragraph 4.2.2 states that the planning system provides for a presumption in favour of sustainable development to ensure that social, economic and environmental issues are balanced and integrated, at the same time, by the decision-taker in taking decisions on individual planning applications.

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In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, Paragraph 4.2.4 states that a plan-led approach is the most effective way to secure sustainable development through the planning system and states there is a presumption in favour of development in accordance with the development plan for the area unless material considerations indicate otherwise.

Para 4.9.1 indicates the preference for the re-use of land of previously developed (or brownfield) land should, wherever possible, be used in preference to Greenfield sites and that many previously developed sites in built-up areas may be considered suitable for development because their re-use will promote sustainability objectives. Paragraph 4.9.2 adds that many previously developed sites in built-up areas may be considered suitable for development because their re-use will promote sustainability objectives. This includes sites:

- in and around existing settlements where there is vacant or under-used land, commercial property or housing;
- in suburban areas close to public transport nodes which might support more intensive use for housing or mixed use;
- which secure land for urban extensions, and;
- which facilitate the regeneration of existing communities.

Development should be located having regard towards securing a sustainable settlement pattern, on previously developed land and at locations for higher density development at hubs and interchanges and close to route corridors where accessibility on foot and by bicycle and public transport is good. New development should minimise the need to travel and increase accessibility by modes other than the private car. Wherever possible, developments should be located at major public transport nodes or interchanges. Higher density development should be encouraged near public transport nodes and corridors well served by public transport.

Planning Policy Wales (PPW)

Technical Advice Note (TAN) 5: Nature Conservation and Planning

TAN 5 brings together advice on sources of legislation relevant to various nature conservation topics which may be encountered by local planning authorities.

Para 6.2.2 advises that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted. Planning permission should not be granted subject to a condition that protected species surveys are carried out and, in the event that protected species are found to be present, mitigation measures are submitted for approval.

Swansea Local Development Plan ('LDP')

In the case of this particular proposal, the following LDP policies are relevant:

- PS 1: Sustainable Places
- PS 2: Placemaking and Place Management
- PS 3: Sustainable Housing Strategy

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- RP 2: Noise Pollution
- RP 3: Air and Light Pollution
- RP 4: Water Pollution and the Protection of Water Resources
- RP10: Sustainable Waste Management for New Development
- SI 1: Health and Wellbeing
- SI2: Providing and Safeguarding Community Facilities and Locally Important Uses
- SI 8: Community Safety
- IO 1: Supporting Infrastructure
- ER 1: Climate Change
- ER 2: Strategic Green Infrastructure Network
- ER 8: Habitats and Species
- ER 9: Ecological Networks and Features of Importance for Biodiversity
- T1: Transport Measures and Infrastructure
- T2: Active Travel
- T5: Design Principles for Transport Measures and Infrastructure
- T6: Parking
- EU4: Public Utilities and New Development

Supplementary Planning Guidance (SPG):

- Places to Live - Residential Design Guide (Adopted January 2014)
- Parking Standards (Adopted March 2012)
- Planning Obligations (Adopted March 2010)
- Planning for Community Safety (Adopted December 2012)
- Biodiversity and Development (Adopted February 2021)

### Principle of Use

The application property is positioned within the Swansea Urban Area and a predominantly residential area. Its use for residential flats can therefore be considered acceptable. It is noted that Policy SI2 requires that important community facilities such as social clubs should be preserved unless it is demonstrated that the use is defunct, replaced nearby or well served in the local area by similar existing uses. The Policy states the following:

*SI 2: Providing and Safeguarding Community Facilities and Locally Important Uses*

*New community facilities must be accessible by Active Travel and public transport, and be conveniently located in relation to other facilities and services wherever possible.*

*Development that would adversely affect the operation, or lead to the loss, of a community facility of local value will not be permitted unless:*

- i. An alternative facility of at least equal quality and scale to meet community needs will be provided; or*

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- ii. It can be demonstrated that the existing provision is surplus to the needs of the community and there is sufficient provision of a similar relatively accessible and convenient facility to serve the community nearby; or*
- iii. Evidence is provided that the existing use is no longer viable; and*
- iv. Evidence is provided of appropriate marketing undertaken to secure an occupier for the established use.*

The property has been vacant for a significant period of time and allowed to fall into a state of disrepair. Attempts appear to have been made to bring the building into beneficial use, however none were successful and the property was put on the market for sale in 2015 by Swansea Council. In recent years the property has been a target for anti-social behaviour, despite security fencing, and there have been numerous break-ins and arson attacks. Towards the end of 2020 an arson attack caused significant damage to the property, leading to further concerns over the stability and safety of the building. It is clear that the existing function of the building as a community facility is no longer required and furthermore the building is in desperate need of redevelopment. It is therefore considered that the principle of the change of use is acceptable, encouraged and compliant with Policy SI2.

**Visual Amenity**

The existing structure is a relatively large building of little character, which through its raised position is highly visible from the wider public realm. The existing building arguably detracts from the character of the local area as it is clearly abandoned and falling into disrepair, even prior to its recent fire damage.

The existing property forms two distinct parts with what appears to be the original part-pitched part flat roofed two storey building, with a three storey flat roofed extension. The incongruous flat-roofed projection dominates the original building and the skyline. The proposal will see the removal of the existing pitched roof and replacement with a third floor with a flat roof increasing the ridge height. There will also be an additional floor fitted to the existing flat roofed projection, this extension is set-back from the existing external wall. The extensions and external alterations seek to renovate the existing building to reflect more modern residential flats, utilising render and Juliet balconies. The set-back roof extension will be clad with a different material, which is a style reflected to similar roof extensions in the city centre.

The proposed extensions will increase the scale and bulk of the building, and this would not strictly be in keeping with the scale of the buildings in the local area. It is noted however that the scale of the existing building is similarly at odds with the scale of the predominantly traditional residential dwellings nearby. Furthermore it is not considered that the increase in height would have a significant visual impact compared to existing circumstances. It is also considered that the resultant structure and continuous flat roof would have an improved visual relationship than the existing miss-matched pitched roof and flat roof structures.

In terms of the detailed design the proposed window openings and high degree of uninterrupted render, create a fairly bland and uninteresting façade. However some account is given to the viability of the scheme given the likely relatively low value of the resultant flats and the significant works needed to make the building habitable.

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Furthermore the benefits of bringing the building back into use both in regard to visual impact and protection against anti-social behaviour, can be considered sufficient to allow some shortfall in standards in this instance.

The proposal includes some landscaping work and levelling of the site to create a parking area. The level of hard standing and retaining walls represent a significant change. Whilst the large hardstanding is not in-keeping with the local area, it is not considered that either the impact or loss of a relatively small area of unusable green space would have an unacceptable visual impact.

It is therefore considered that the proposal represents an acceptable development that will on balance have a positive visual impact on the character of the immediate and wider area, in compliance with LDP Policy PS2.

### **Residential Amenity**

In regard to neighbouring residential amenities, it is not considered that the proposal would result in any significant impacts in terms of overbearing, overlooking and overshadowing, given its physical separation from neighbouring properties. In terms of noise and disturbance, it is noted that the comings and goings from the flats, including cars would be fairly significant. However consideration is given to the fact that the lawful use of the property is a social club and if this use recommenced it would also likely result in a level of noise and disturbance itself. Furthermore, the residential nature of the properties is considered consistent with the local area, and therefore any impacts can be considered acceptable.

Turning to the suitability of the proposed flats for future occupants a key consideration is whether the flats provide sufficient useable space to achieve an acceptable standard of modern living that is appropriate for the health and wellbeing of occupants. The Authority's Residential Design Guide recommends that as a minimum 1 bedroom flats should provide 46m<sup>2</sup> internal floor area, which all flats achieve.

The occupants of the flats should also benefit from an outlook and natural lighting to ensure a sufficient standard of living. The flats contain a bedroom, bathroom and kitchen/living space, with a few flats having separate kitchens. The majority are well served by external windows, with those with an Eastern aspect having a Juliet balcony. It is considered that all the living rooms should have Juliet balconies, however it is accepted that the necessary layout to fit all the flats prevents this and all the flats are needed to make the scheme viable. The flats with separate kitchens, lack external windows to these spaces, however, in this instance this relationship can be considered acceptable as the bedrooms and living rooms to these spaces provide adequate lighting and outlook.

There is a proposed flat on the lower ground floor of the building which contains a living/dining area, kitchen, bathroom and bedroom amounting to a total of 50m<sup>2</sup> space and is served by a hall. The flat has a western facing aspect from the main living/dining area whilst the bedroom looks out towards the east to the rear of the site. The living/dining room of the flat is served by a single high level small window only. This raises some concerns in so far that the outlook from the room is limited and there will be lower levels of natural light to the flat.



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The applicant has advised that they consider this window to allow a greater level of security to the flat, given that the window faces the street and is in any event set-down from the highway facing a small bank. On balance, it is noted that the flat is for a single occupant or couple, who would have an outlook and natural lighting from the Eastern facing bedroom. Furthermore whilst these circumstances would not normally be desirable, the benefit of bringing this building into beneficial use for the reasons described above, weighs in favour of allowing this minor impact in this instance.

It is therefore considered that the proposal will have an acceptable impact on neighbouring residential amenity and provide adequate accommodation for future occupants.

### **Parking and Highway Safety**

The application site currently contains no parking and the proposal includes the creation of 20 parking spaces. The Authority's Car Parking Standards SPG requires that single bedroom flats should be served by a minimum of 1 parking space per flat with an additional visitor space per 5 flats. The 23 flats would therefore create a demand for 27 spaces and result in a shortfall of 7 spaces. It is noted that sites in accessible locations can have a shortfall of spaces, however this is not considered to be an accessible location. That being said it is noted that there is an existing shortfall on site from the lawful use of the property as a social club. In addition, the scheme indicates a cycle storage area on site in the form of hoops. Provision of a covered secure area is considered to be appropriate in order to encourage sustainable forms of transport, which can be secured through a planning condition.

On balance the proposed shortfall on parking spaces can be considered acceptable in this instance especially given the positive of bringing the building back into beneficial use. Conditions are to be imposed in order to require the laying out of the access, retention of the parking areas, removal of the vehicle barrier along Barwick terrace to allow access to visitor parking, continuation of the footway along the boundary of the application site and the provision of further information in connection with the retaining structures to be provided on site. On this basis it can be regarded that the application is acceptable on its planning and highway safety impacts.

### **Drainage**

The Authority's Drainage Officer has raised no objections to the proposal and a SAB application has been received. The drainage details are therefore considered acceptable.

### **Ecology**

The submitted Bat Survey advises that some evidence of bats was observed in the local vicinity and that a licence from NRW should be obtained. However, following receipt of the application in August 2020 the building has suffered from fire damage. This may impact upon any bat population in the building. The Council's Planning Ecologist has recommended that a new survey be undertaken, however, in the interest of moving the application forward to decision (given that surveys could only be undertaken between May and September) the applicant has provided a recent document entitled 'Method Statement - Bats' as a follow on to the original survey and to set out bat mitigation measures.

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The survey sets out the short term installation of bat roost boxes on the southern and eastern elevations of the building and then in the long term the provision of 6 no. Schwegler Bat Tube/Box/panels integrated into the building.

Whilst plans of the indicated mitigation have not been provided at this stage it is considered reasonable and acceptable in this instance to require, by condition, plans/details of the full mitigation measures to be provided prior to the commencement of development. The applicant is aware that a bat licence from NRW will be required prior to any work being carried out on site.

Planning Policy Wales (Chapter 5 - Conserving and Improving Natural Heritage and the Coast) sets out the requirements for determining planning applications for developments where protected species are present.

The Regulations allow developments that would be likely to result in disturbance or harm to individuals of a European protected species, or to their breeding sites and resting places, but only if there is:

- no satisfactory alternative and
- if the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. In addition,
- the development works to be authorised must be for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

These derogations from the Habitats Directive to allow disturbance or harm to bats and their breeding and resting places are granted by licences issued by Natural Resources Wales.

The proposal is for the redevelopment of a derelict former social club for residential use and it is not considered that there is a satisfactory alternative location for this development. The proposal includes mitigation measures to compensate for the loss of any bat roosts in the existing building and therefore it is not considered that the proposal would have a detrimental impact on the population of the protected species in the local area. The proposed development is justified insofar that it will provide housing for the immediate local area and bring back into use a derelict property. Furthermore the building has been subject to recent arson attacks which have made the building unsafe, so the development is required to improve public health and safety. It is therefore considered that the proposal is suitable justified in line with the requirements for a bat licence.

On that basis, the impact upon protected species from the development can be considered acceptable and is in accordance with policies ER8, ER9 and advice in the Biodiversity and Development SPG.

### **Affordable Housing**

Proposals that include residential development on sites within settlement limits with capacity for 5 or more dwellings should ordinarily provide for affordable housing on site in accordance with the requirements of Policy H 3.

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The application site is within the Central Area and that requirement would extend to 20%. Notwithstanding this normal policy requirement, the plan, at paragraph 2.4.17, specifically sets out that 'proposals for the conversion, demolition or change of use of commercial property will be exempt from the policy'. On this basis, the provision of affordable housing at the site is not a policy requirement.

## **Conclusions**

In conclusion, it is considered that the proposal represents an acceptable form of development. The proposed change of use will have an acceptable impact on residential amenity, visual amenity, highway safety, ecology and the loss of the social club use is considered justified and compliant with the aims and requirements of the policies contained within the Swansea Local Development Plan (Adopted February 2019) and the Supplementary Planning Guidance Documents: Places to Live - Residential Design Guide (Adopted 2014), Car Parking Standards (Adopted 2012), Biodiversity and Development SPG (Adopted February 2021).

Regard has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle under Part 2 Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WCFG Act"). In reaching this recommendation, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WCFG Act and consider that this recommendation is in accordance with the sustainable development principles through its contribution towards one or more of the public bodies well-being objectives set out as required by Part 2 Section 9 of the WCFG Act.

## **RECOMMENDATION**

### **APPROVE subject to the following conditions:**

- 1 The development hereby permitted shall begin not later than five years from the date of this decision.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.

- 2 The development shall be carried out in accordance with the following approved plans and documents: 066-01 site location plan, 066-03 proposed site plan received on 21st August 2020. J007/001 car park layout, J007/002 drainage plan received on 24th September 2020. 066-24 REV B proposed upper second floor plan, 066-25 REV A proposed roof plan received on 2nd November 2020. 066-20 REV C proposed lower ground floor plan, 066-21 REV D proposed ground/upper ground floor plan, 066-22 REV D proposed first & upper first floor plan. 066-23 REV C proposed second floor plan, 066-26 REV D proposed elevations sheet 1, 066-27 REV D proposed elevations sheet 2 received 27th January 2021.

Reason: For the avoidance of doubt and to ensure compliance with the approved plans.

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- 3 No building shall be occupied until the foul drainage system for the site has been completed in accordance with the approved details. Thereafter no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

- 4 Prior to the commencement of development details to provide for a safe continuation of the footway on Baptist Well Place between its junction with Berwick Terrace and the North Eastern Site boundary shall be submitted to and approved in writing by the Local Planning Authority. The footway shall thereafter be completed in accordance with the approved details.

Reason: In the interests of highway and pedestrian safety, in line with the requirements of Policies T5, T6, and PS2 of the Swansea Local Development Plan.

- 5 The apartments hereby approved shall not be brought into beneficial occupation until the new access and turning head has been laid out to Highway Authority standard and specification.

Reason: In the interests of highway and pedestrian safety, in line with the requirements of Policies T5, T6, and PS2 of the Swansea Local Development Plan.

- 6 The apartments hereby approved shall not be brought into beneficial occupation until such time that the vehicle barriers on Berwick Terrace have been removed, and amendments to the Traffic Regulation Order, have been completed.

Reason: In the interests of highway and pedestrian safety, in line with the requirements of Policies T5, T6, and PS2 of the Swansea Local Development Plan.

- 7 No development shall commence until full design details of any retaining structure above 1.5m in retained height or 1.37m if within 4yds of an adopted highway are submitted to and approved in writing by the Local Planning Authority, the works shall thereafter shall be completed in accordance with the agreed details prior to the beneficial occupation of the approved building.

Reason: In the interests of highway and pedestrian safety, in line with the requirements of Policies T5, T6, and PS2 of the Swansea Local Development Plan.

- 8 The car parking area shall be laid out in accordance with the approved plans prior to beneficial occupation of the development hereby approved and shall be retained for parking purposes unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure adequate parking provision on site.

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- 9 Prior to the commencement of the development of the proposed building structure, details of the external materials shall be submitted to and agreed in writing with the Local Planning Authority. In regard to the external render specification, this shall be an anti-fungicidal coating/possible roughcast with detailing such as projecting drips to shed water rather than running down the façade. The development shall thereafter be carried out in full accordance with the agreed details.

Reason: In the interests of visual amenity and to ensure the proposal is constructed to an acceptable standard in compliance with Policy PS2 of the Swansea Local Development Plan.

- 10 Full details of the boundary treatments shall be submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in full accordance with the agreed details, prior to the beneficial occupation of the building.

Reason: In the interests of visual amenity and to ensure the proposal is constructed to an acceptable standard in compliance with Policy PS2 of the Swansea Local Development Plan.

- 11 Prior to the commencement of development and notwithstanding the submitted 'Proposed Site Plan' drawing full details of a cycle storage facility shall be submitted to and approved in writing by the Local Planning Authority. The facility shall be provided prior to beneficial occupation of the development hereby approved and shall be retained for cycle parking purposes for the residents of the flats in perpetuity.

Reason: To ensure adequate cycle parking provision on site.

- 12 Prior to the commencement of development full details of the refuse/recycling store shall be submitted to and approved in writing by the Local Planning Authority. The store shall be laid out in accordance with the approved plans prior to the beneficial occupation of the development hereby approved and shall be retained for waste/recycling storage in perpetuity.

Reason: to ensure adequate refuse/recycling storage areas on site.

- 13 Prior to the commencement of development detailed plans of the proposed ecological mitigation and enhancement measures to compensate for the loss of bat roost habitats in the existing building, as described in the document entitled: Method Statement - BATS received on 24th March 2021, shall be submitted to and approved in writing by the Local Planning Authority. The mitigation and enhancement measures shall be provided on site prior to the first beneficial occupation of the development and retained as such for the lifetime of the development.

Reason: In order to mitigate for the potential impact to protected species from the development and provide opportunity for ecological enhancement at the site.

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- 14 Before the development is commenced, a sensitive lighting strategy (relating to both the construction and operational phases of the development) shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall outline the measures to be taken to avoid the impacts of lighting (both during the construction phase and the operational phase) on bats and other nocturnal species. The lighting strategy shall ensure that the habitats adjacent to and within the site are not lit and that protected species using the site for commuting and foraging purposes can continue to do so without disturbance.

The measures contained within the approved lighting strategy shall be implemented at all times thereafter and any external lighting serving the proposed development shall not conflict with the mitigation measures contained within the lighting strategy at any times.

Reason: In the interest of bats and other nocturnal species.

- 15 Prior to works commencing on site a precautionary method statement with regards to reptiles shall be submitted and agreed with the Local Planning Authority. The method statement shall outline how the development will avoid, mitigate and compensate for any potential impacts on reptiles. The development shall be undertaken in adherence to the agreed method statement.

Reason: In the interests of protecting reptiles.

- 16 A detailed scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority, and shall be implemented prior to the commencement of work on site.

Reason - In the interests of the ecology and amenity of the area.

### Informatives

- 1 The development plan covering the City and County of Swansea is the Swansea Local Development Plan. The following policies were relevant to the consideration of the application: Policies PS2, RP2, T5, T6, and SI2.
- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 3 Bats may be present. All British bat species are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2017. This legislation implements the EC Habitats & Species Directive in the UK making it an offence to capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal whether a bat is present at the time or not. It is also an offence to recklessly / intentionally to disturb such an animal.

If evidence of bats is encountered during site clearance e.g. live or dead animals or droppings, work should cease immediately and the advice of the Natural Resources Wales sought before continuing with any work (0300 065 3000).

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- 4 Birds may be present in this building and grounds please note it is an offence under the Wildlife & Countryside Act 1981 (as amended) to intentionally (intentionally or recklessly for Schedule 1 birds) to:
- Kill, injure or take any wild bird
  - Take, damage or destroy the nest of any wild bird while that nest in use or being built
  - Take or destroy an egg of any wild bird

No works should be undertaken between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests either in vegetation or buildings immediately before the vegetation is cleared and/or work commences on the building to ensure that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

- 5 Any alterations to the Public Highway must be constructed via an agreement under Section 278 of the Highways Act 1980 with the Council, which would specify the works and terms and conditions under which they are to be carried out. Please contact the Highway Authority's Network Management Team at [networkmanagement@swansea.gov.uk](mailto:networkmanagement@swansea.gov.uk), allowing sufficient time for preparation and signing the agreement.
- 6 Planning permission is not permission to work in the highway. A Highway Agreement under Section 278 of the Highways Act 1980 must be completed, the bond secured and the Highway Authority's technical approval and inspection fees paid before any drawings will be considered and approved. All design and implementation will be at the expense of the developer.
- 7 As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the 'Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems'. It is therefore recommended that the developer engage in consultation with the City & County of Swansea Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of [www.dwrcymru.com](http://www.dwrcymru.com).

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The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

- 8 From 7 January 2019 the Welsh Government enacted Schedule 3 of the Flood and Water Management Act 2010; all new developments of more than 1 house or where the construction area is 100m<sup>2</sup> or more will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with the document 'Statutory Standards for Sustainable Drainage Systems' published by Welsh Ministers. If your development meets the above criteria then Sustainable Drainage Approval will be required before any construction work commences. Further details can be found on the Authority's website: - <https://www.swansea.gov.uk/sustainable-drainage> and the SuDS Approval Team can be contacted via [SAB.Applications@swansea.gov.uk](mailto:SAB.Applications@swansea.gov.uk) for further advice and guidance.
- 9 **Warning: A European protected species (EPS) Licence is required for this development.**  
This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>
- 10 Hedgehogs may be present. Hedgehogs are protected under Schedule 6 of the Wildlife and Countryside Act (WCA) 1981, which prohibits killing and trapping by certain methods. They are also a UK Priority species under the NERC Act (SEC.41) 2006. The species is therefore considered one of the UK's target species to avoid further population decline. To avoid killing or injuring of hedgehogs it is best practice for any brush piles to be cleared by hand. Any trenches on site should be covered at night or be fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework with an outside diameter of greater than 120 mm must be covered at the end of each work day to prevent animals entering/becoming trapped.
- 12 Reptiles may be present. All British reptiles are protected under Schedule 5 of the Wildlife and Countryside Act 1981 as amended. This makes it an offence to intentionally kill or injure adder, grass snake, slow worm and common lizard. If the reptiles listed above are encountered work must cease immediately and the advice of Natural Resources Wales sought before continuing with any work (01792 634 960 or 0300 065 3000 or contact the species team by email on [trwyddedrhywogaeth@cyfoethnaturiolcymru.gov.uk](mailto:trwyddedrhywogaeth@cyfoethnaturiolcymru.gov.uk)).





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Proposals to increase residential chalets on 4 existing chalet sites will not be permitted.

LDP - ER4 -Gower Area of Outstanding Natural Beauty (AONB)

Gower Area of Outstanding Natural Beauty (AONB) - Development must have regard to the purpose of the designation to conserve and enhance the natural beauty of the area in accordance with policy criteria. Cumulative impact will also be taken into consideration. Development proposals that are outside, but closely interlinked with the AONB must not have an unacceptable detrimental impact on the natural beauty of the AONB.

LDP - TR11 - Caravan Rallies

Caravan Rallies - Permission for caravan rallies will be permitted subject to compliance with specific criteria. Preference will be given to rallies on established rally sites.

### Site History

App Number	Proposal	Status	Decision Date
2017/0292/TEM	Use of land for a caravan rally for a maximum of 30 units from 28th July 2018 to 11th August 2018 (inclusive)	APP	27.03.2017
2017/0712/TEM	Use of land for caravan rally for a maximum of 60 units in field 0005 from 27th October 2017 to 1st November 2017 (inclusive)	APP	24.05.2017
2017/1362/TEM	Use of land for a caravan rally for a maximum of 60 units from 26th October 2018 to 1st November 2018 (inclusive)	APP	10.08.2017
2017/1371/TEM	Use of part of land for a caravan rally for a maximum of 90 units for Field 7700 from 30 March 2018 to 15 April 2018 (inclusive)	APP	24.08.2017
2017/1372/TEM	Use of part of land for a caravan rally for a maximum of 60 units for Field 0005 from 28th December 2018 to 1st January 2019 (inclusive)	APP	07.08.2017
2017/1374/TEM	Use of land for a caravan rally for a maximum of 90 units in field 7700 from 25th May 2018 to 3rd June 2018 (inclusive)	APP	24.08.2017

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2017/1375/TEM	Use of land for a caravan rally for a maximum of 90 units from 25th July 2018 to 22nd August 2018 (inclusive)	APP 07.08.2017
2017/1577/TEM	Use of land for a caravan rally for a maximum of 70 units from 25th May to 3rd June 2018 (inclusive)	APP 11.09.2017
2017/2716/FUL	Two storey side extension to existing clubhouse	REF 27.03.2018
2018/0012/TEM	Use of land for a caravan rally for a maximum of 40 units from 28th July 2018 to 11th August 2018 (inclusive)	WDN 21.06.2018
2018/0152/TEM	Use of land for a caravan rally for a maximum of 40 units from 28th July to 11th August 2018 (inclusive)	APP 07.03.2018
2018/0214/TEM	Use of land for a caravan rally for a maximum of 70 units from 10th May to 20th May 2018 (inclusive)	APP 15.03.2018
2018/0612/TEM	Use of land for a camping rally for a maximum 90 units from 12th April to 26th April 2019 (inclusive)	APP 11.05.2018
2018/0613/TEM	Use of land for a camping rally for a maximum 90 units from 24th May to 2nd June 2019 (inclusive)	APP 11.05.2018
2018/0614/TEM	Use of land for a camping rally for a maximum 90 units from 20th July to 17th August 2019 (inclusive)	APP 11.05.2018
2018/0615/TEM	Use of land for a camping rally for a maximum 60 units from 27th December 2019 to 2nd January 2020 (inclusive)	APP 13.06.2018
2018/0882/FUL	Two storey side extension to existing clubhouse including an increase in ridge height	APP 15.10.2018
2018/1679/TEM	Use of land for a caravan rally for a maximum of 80 units from 24th May to 2nd June 2019 (inclusive)	APP 13.09.2018

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<b>Item 3 (Cont'd)</b>	<b>Application Number:</b>	2020/2393/TEM
2018/2523/TEM	Use of land for a caravan rally for a maximum of 40 units from 26th July 2019 to 10th August 2019 (inclusive)	APP 15.01.2019
2019/0630/TEM	Use of land for a camping rally for a maximum 90 units from 3rd April to 19th April 2020 (inclusive)	APP 09.05.2019
2019/0634/TEM	Use of land for a camping rally for a maximum 60 units from 30th December 2020 to 3rd January 2021 (inclusive)	APP 13.06.2019
2019/0635/TEM	Use of land for a camping rally for a maximum 90 units from 22nd May to 31st May 2020 (inclusive)	APP 09.05.2019
2019/0636/TEM	Use of land for a camping rally for a maximum 90 units from 20th July to 16th August 2020 (inclusive)	APP 09.05.2019
2019/1606/TEM	Use of land for a caravan rally for a maximum of 80 units from Thursday 21st May 2020 to Sunday 31st May 2020 (inclusive)	APP 30.08.2019
2019/2308/TEM	Use of land for a caravan rally for a maximum of 30 units from 24th July 2020 to 9th August 2020 (inclusive)	APP 12.11.2019
2019/2420/TEM	Use of land for a caravan rally for a maximum of 30 units from 23rd May to 30th May 2020 (inclusive)	WDN 08.11.2019
2019/2421/TEM	Use of land for a caravan rally for a maximum of 30 units from 13th June to 28th June 2020 (inclusive)	APP 03.12.2019
2019/2578/TEM	Use of land for a camping rally for a maximum 30 units from 23rd May 2020 to 30th May 2020 (inclusive)	APP 31.12.2019

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<b>Item 3 (Cont'd)</b>	<b>Application Number:</b>	<b>2020/2393/TEM</b>
2019/2611/TEM	Use of part of land for a caravan rally for a maximum of 80 units for Field 7700 from 27th August 2020 to 6th September 2020 (inclusive)	APP 31.12.2019
2020/0841/TEM	Use of land for camping and caravan rally for a maximum of 30 units from 4th to 18th July 2021 (inclusive)	APP 25.06.2020
2020/1049/TEM	Use of land for a caravan rally for a maximum of 30 units from 23rd July 2021 to 8th August 2021 (inclusive)	APP 20.07.2020
2020/1050/TEM	Use of land for a camping rally for a maximum 30 units from 28th May 2021 to 5th June 2021 2021 (inclusive)	APP 20.07.2020
2020/1441/TEM	Use of land for camping and caravan rally for a maximum of 90 units from 26th March 2021 to 11th April 2021 (inclusive)	APP 15.09.2020
2020/1442/TEM	Use of land for camping and caravan rally for a maximum of 90 units from 28th May 2021 to 6th June 2021 (inclusive)	APP 15.09.2020
2020/1446/TEM	Use of land for camping and caravan rally for a maximum of 90 units from 29th December 2021 to 2nd January 2022 (inclusive)	APP 15.09.2020
2020/1447/TEM	Use of land for camping and caravan rally for a maximum of 90 units from 19th July 2021 to 16th August 2021 (inclusive)	APP 15.09.2020
2020/1662/TEM	Use of land for a caravan rally for a maximum of 80 units from 28th May 2021 to 6th June 2021 (inclusive)	APP 16.10.2020
2020/1682/TEM	Use of land for camping and caravan rally for a maximum of 40 units from 31st August 2021 to 5th September 2021 (inclusive)	APP 14.10.2020

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<b>Item 3 (Cont'd)</b>	<b>Application Number:</b>	<b>2020/2393/TEM</b>	
2020/2393/TEM	Use of land for a camping rally for a maximum 130 units from 25th August 2021 to 5th September 2021 (inclusive)	PDE	
2021/0126/FUL	Two external umbrellas	APP	30.03.2021
2021/0303/TEM	Use of land for a camping rally for a maximum 50 units from 9th August 2021 to 22nd August 2021 (inclusive)	APP	26.03.2021
2021/0809/FUL	Proposed front canopy, side and rear extension	PCO	
2016/1850	Use of land for a caravan rally for a maximum of 80 units from 26th May to 4th June 2017 (inclusive)	TEM	09.11.2016
2016/1375		WDN	11.07.2016
2016/1083	Use of land for a caravan rally for a maximum 70 units from 26th May to 4th June 2017 (inclusive)	APP	15.07.2016
2016/1082	Use of land for a caravan rally for a maximum 70 units from 28th July to 20th August 2017 (inclusive)	APP	15.07.2016
2016/1081	Use of land for a caravan rally for a maximum of 60 units from 29th December 2017 to 1st January 2018 (inclusive)	APP	15.07.2016
2016/1079	Use of land for a caravan rally for a maximum of 60 units from 14th April to 23rd April 2017 (inclusive)	APP	15.07.2016
2016/1078	Use of land for a caravan rally for a maximum of 60 units from 28th October to 1st November 2017 (inclusive)	APP	15.07.2016
2015/1476	Use of land for a caravan rally for a maximum of 80 units from Friday 27th May to Sunday 5th June 2016 (inclusive)	APP	25.08.2015

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<b>Item 3 (Cont'd)</b>	<b>Application Number:</b>	<b>2020/2393/TEM</b>
2015/0769	Use of land for a caravan rally for a maximum of 60 units from 30th December 2015 to 3rd January 2016 (inclusive)	APP 09.06.2015
2015/0767	Use of land for a caravan rally for a maximum of 60 units from 30th December 2016 to 1st January 2017 (inclusive)	APP 09.06.2015
2015/0534	Use of land for a caravan rally for a maximum 70 units from 27th May 2016 to 5th June 2016 (inclusive)	APP 15.05.2015
2015/0531	Use of land for a caravan rally for a maximum of 60 units from 25th March to 3rd April 2016 (inclusive)	APP 18.05.2015
2015/0526	Use of land for a caravan rally for a maximum 70 units from 5th August 2016 to 30th August 2016 (inclusive)	APP 18.05.2015
2015/0504	Use of land for a caravan rally for a maximum of 40 units from 28th October to 30th October 2016 (inclusive)	APP 12.05.2015
2014/1763	Use of land for a caravan rally for a maximum of 40 units from 1st to 6th September 2015 (inclusive)	APP 08.01.2015
2014/1758	Use of land for a caravan rally for a maximum of 40 units from Saturday 8th August to Saturday 22nd August 2015 (inclusive)	APP 03.02.2015
2014/1659	Use of land for a caravan rally for a maximum of 30 units from 27th December 2014 to 2nd January 2015 (inclusive)	APP 22.12.2014
2014/1762	Use of land for a caravan rally for a maximum of 30 units from 27th December 2015 to 2nd January 2016 (inclusive)	APP 08.01.2015

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<b>Item 3 (Cont'd)</b>	<b>Application Number:</b>	<b>2020/2393/TEM</b>
2014/0667	Use of land for a caravan rally for a maximum 160 units from 24th July to 16th August 2015 (inclusive)	APP 26.06.2014
2014/0664	Use of land for a caravan rally for a maximum 160 units from 22nd May to 31st May 2015 (inclusive)	APP 26.06.2014
2014/0137	Use of land for a caravan rally for a maximum of 80 units from 23rd May to 1st June 2014 (inclusive)	APP 13.03.2014
2013/1461	Use of land for a caravan rally for a maximum of 60 units from 23rd May to 1st June 2014 (inclusive)	APP 25.11.2013
2013/1281	Use of land for a caravan rally for a maximum of 80 units from 25th May to 1st June 2014 (inclusive)	WDN 04.02.2014
2013/1277	Use of land for a caravan rally for a maximum of 25 units from 21st to 23rd March 2014 (inclusive)	APP 21.10.2013
2013/1004	Use of land for a caravan rally for a maximum 160 units from 23rd May to 1st June 2014 (inclusive)	APP 23.09.2013
2013/0713	Use of land for a caravan rally for a maximum of 60 units from 24th - 29th October 2014 (inclusive)	APP 25.06.2013
2013/0711	Use of land for a caravan rally for a maximum of 60 units from 18th - 27th April 2014 (inclusive)	APP 24.06.2013
2013/0709	Use of land for a caravan rally for a maximum 160 units from 23rd May to 1st June 2014 (inclusive)	APP 24.06.2013
2013/0704	Use of land for a caravan rally for a maximum 160 units from 18th July to 10th August 2014 (inclusive)	APP 24.06.2013
2013/0575	Use of land for a caravan rally for a maximum of 40 units from 26th July to 9th August 2014 (inclusive)	APP 06.06.2013



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<b>Item 3 (Cont'd)</b>	<b>Application Number:</b>	<b>2020/2393/TEM</b>
2013/0116	Use of land for a caravan rally for a maximum of 35 units from 24th July to 13th August 2013 (inclusive)	WDN 04.04.2013
2013/0027	Use of land for a caravan rally for a maximum of 30 units from 27th July to 11th August 2013 (inclusive)	APP 05.04.2013
2013/0157	Use of land for a caravan rally for a maximum of 58 units from 5th to 15th September 2013 (inclusive)	APP 08.04.2013
2012/1482	Use of land for a caravan rally for a maximum 50 units from 2nd April to 7th April 2013 (inclusive)	APP 19.02.2013
2012/1216	Use of land for a caravan rally for a maximum of 30 units from 27th July to 11th August 2013 (inclusive)	WDN 08.01.2013
2012/0990	Use of land for a caravan rally for a maximum of 100 units from 15th to 27th August 2014 (inclusive)	APP 17.12.2012
2012/0989	Use of land for a caravan rally for a maximum 300 units from 21st August to 26th August 2014 (inclusive)	APP 17.12.2012
2012/0457	Use of land for a caravan rally for a maximum of 60 units from 25th to 31st October 2013 (inclusive)	APP 28.05.2012
2012/0447	Use of land for a caravan rally for a maximum 160 units from 24th May to 2nd June 2013 (inclusive)	APP 16.05.2012
2012/0442	Use of land for a camping rally for a maximum 160 units from 2nd to 27th August 2013 (inclusive)	APP 16.05.2012
2012/0440	Use of land for a caravan rally for a maximum of 60 units from 29th March to 7th April 2013 (inclusive)	APP 04.05.2012

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<b>Item 3 (Cont'd)</b>	<b>Application Number:</b>	<b>2020/2393/TEM</b>
2012/0228	Use of land for a caravan rally for a maximum of 80 units from 3rd August to 17th August 2013 (inclusive)	APP 02.04.2012
2012/0154	Use of land for a caravan rally for a maximum of 80 units from 24th May 2013 to 2nd June 2013 (inclusive)	APP 29.02.2012
2012/0153	Use of land for a caravan rally for a maximum of 30 units from 30th July, 2012 to 13th August, 2012 (inclusive)	APP 11.04.2012
2012/0039	Use of land for a caravan rally for a maximum of 35 units from July 26th to 13th August 2012 (inclusive)	APP 24.02.2012
2011/1375	Use of land for a caravan rally for a maximum 40 units from 11th May 2012 to 13th May 2012 (inclusive)	APP 21.12.2011
2011/0862	Use of land for a caravan rally for a maximum of 80 units from 1st to 10th June 2012 (inclusive)	APP 12.04.2012
2011/0532	Use of land for a caravan rally for a maximum of 80 units from 6th - 15th April 2012 (inclusive)	APP 06.06.2011
2011/0531	Use of land for a caravan rally for a maximum 160 units from 1st - 10th June 2012 (inclusive)	APP 02.06.2011
2011/0529	Use of land for a caravan rally for a maximum 160 units from 3rd - 29th August 2012 (inclusive)	APP 02.06.2011
2011/0231	Use of land for a caravan rally for a maximum of 30 units from 8th June to 13th June 2011 (inclusive)	APP 09.05.2011
2010/1705	Use of land for a caravan rally for a maximum 80 units from 1st July 2011 to 3rd July 2011 (inclusive)	APP 31.12.2010

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<b>Item 3 (Cont'd)</b>	<b>Application Number:</b>	<b>2020/2393/TEM</b>
2010/1576	Use of land for a caravan rally for a maximum of 30 units from August 6th 2011 to August 20th 2011(inclusive)	APP 22.03.2011
2010/1540	Use of land for a caravan rally for a maximum of 35 units from 20th July to 10th August 2011 (inclusive)	APP 22.03.2011
2010/0841	Use of land for a caravan rally for a maximum 120 units from 27th August 2010 to 31st August 2010 (inclusive)	APP 23.07.2010
2010/0691	Use of land for a caravan rally for a maximum of 80 units from 27th May 2011 to 5th June 2011 (inclusive)	APP 07.10.2010
2010/0570	Use of land for a caravan rally for a maximum of 35 units from 20th July to 10th August 2010 (inclusive)	APP 27.05.2010
2010/0568	Use of land for a caravan rally for a maximum 160 units from 22nd April 2011 to 3rd May 2011 (inclusive)	APP 24.06.2010
2010/0564	Use of land for a caravan rally for a maximum 160 units from 22 July 2011 to 14 August 2011 (inclusive)	APP 24.06.2010
2010/0491	Use of land (Field 0005) for a caravan rally for a maximum 25 units from Friday 28th May 2010 to Tuesday 1st June 2010 (inclusive)	WDN 28.06.2010
2009/1602	Demolition of storage/workshop and cellar (application for Conservation Area Consent)	APP 28.06.2010
2009/1575	Replacement building to provide laundry, storage and cellar and office/reception with first floor self-contained apartment and change of use of existing flat (Class C3) to communal room ancillary to the existing clubhouse.	APP 28.06.2010

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<b>Item 3 (Cont'd)</b>	<b>Application Number:</b>	2020/2393/TEM
2009/1269	Use of land for a caravan rally for a maximum of 30 units from 21st to 23rd May 2010 (inclusive)	APP 08.10.2009
2009/1268	Use of land for a caravan rally for a maximum of 30 units from 12th to 14th March 2010 (inclusive)	APP 08.10.2009
2009/1484	Use of land for a caravan rally for a maximum of 30 units from 30th April 2010 to 3rd May 2010 (inclusive)	APP 19.11.2009
2009/1037	Use of land for a caravan rally for a maximum of 30 units from 21st to 23rd March 2010 (inclusive)	APP 28.08.2009
2009/0953	Use of land for a caravan rally for a maximum of 30 units from 5th to 23rd August 2010 (inclusive)	REF 28.08.2009
2009/0918	Use of land for a caravan rally for a maximum of 60 units from 28th May to 6th June 2010 (inclusive)	APP 06.08.2009
2009/0624	Use of land for a caravan rally for a maximum 160 units from 23rd July to 15th August 2010 (inclusive)	APP 16.07.2009
2009/0031	Use of land for a caravan rally for a maximum 60 units from 10th April 2009 to 14th April 2009 (inclusive)	APP 19.03.2009
2008/1886	Use of land for a caravan rally for a maximum of 50 units from 1st to 4th May 2009 (inclusive)	APP 05.11.2008
2008/1884	Use of land for a caravan rally for a maximum of 35 units from 10th July 2009 to 12th July 2009 (inclusive)	APP 06.11.2008
2008/1858	Use of land for a caravan rally for maximum of 50 units from 10th June to 15th June 2009 (inclusive)	APP 11.02.2009

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<b>Item 3 (Cont'd)</b>	<b>Application Number:</b>	<b>2020/2393/TEM</b>
2008/1728	Use of land for a caravan rally for a maximum 160 units from 16th August 2009 to 5th September 2009 (inclusive)	APP 16.10.2008
2008/1721	Use of land for a caravan rally for a maximum 80 units from 22nd May 2009 to 31st May 2009 (inclusive)	APP 16.10.2008
2008/1232	Use of land for a camping and caravan rally for a maximum 160 units from 22nd May to 31st May 2009 (inclusive)	REF 04.08.2008
2008/1227	Use of land for a camping and caravan rally for a maximum 160 units from 24th July to 16th August 2009 (inclusive)	REF 04.08.2008
2008/0957	Demolition of existing storage/workshop and cellar (application for Conservation Area Consent)	REF 31.07.2008
2008/0951	Replacement building to provide cellar, ground floor workshop/store and reception area with first floor self-contained apartment	REF 28.08.2009
2008/0904	Use of land for camping and caravan rally for a maximum of 30 units from 20th to 22nd March 2009 (inclusive)	APP 17.06.2008
2008/0793	Use of land for a caravan rally for a maximum 60 units from 1st to 15th August 2009 (inclusive)	APP 11.06.2008
2008/0792	Use of land for a caravan rally for a maximum 60 units from 22nd May to 31st May 2009 (inclusive)	APP 11.06.2008
2008/0543	Use of land for camping and caravan rally for a maximum of 38 units from 23rd May 2009 to 30th May 2009 (inclusive)	APP 28.04.2008

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<b>Item 3 (Cont'd)</b>	<b>Application Number:</b>	2020/2393/TEM
2008/0422	Use of land for a caravan rally for a maximum 20 units from 3rd August 2008 to 17th August 2008 (inclusive)	REF 05.06.2008
2008/0077	Use of land for a caravan rally for a maximum 50 units from 1st May 2008 to 5th May 2008 (inclusive)	APP 20.02.2008
2007/2728	Demolition of workshop, storage and cellar building (application for Conservation Area Consent)	REF 06.03.2008
2007/2574	Use of land for camping and caravan rally for a maximum of 40 units from 20th June 2008 to 22nd June 2008 (inclusive)	APP 11.01.2008
2007/2573	Use of land for a caravan rally for a maximum 30 units from 14th March 2008 to 16th March 2008 (inclusive)	APP 13.12.2007
2007/2678	Replacement building to provide cellar, ground floor workshop/store and reception area with first floor self-contained apartment	REF 06.03.2008
2008/0147	Use of land for a caravan rally for a maximum 30 units from 1st to 15th August 2008 (inclusive)	WDN 15.04.2008
2007/2498	Use of land for a caravan rally for a maximum 50 units from 13th June 2008 to 15th June 2008 (inclusive)	APP 17.12.2007
2007/2483	Use of land for camping and caravan rally for a maximum of 60 units from 26th August 2008 to 31st August 2008 inclusive	APP 17.12.2007
2007/2256	Use of land for camping and caravan rally for a maximum of 50 units from 18th July 2008 to 3rd August 2008 inclusive	APP 31.10.2007

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<b>Item 3 (Cont'd)</b>	<b>Application Number:</b>	2020/2393/TEM
2007/1121	Use of land for camping and caravan rally for a maximum of 50 units from 16th May 2008 to 7th June 2008 inclusive	APP 31.07.2007
2007/1206	Use of land for camping and caravan rally for a maximum of 160 units from 25th July to 17th August 2008 inclusive	APP 06.07.2007
2007/1202	Use of land for camping and caravan rally for a maximum of 50 units from 23rd May to 1st June 2008 inclusive	APP 06.07.2007
2007/0645	Use of land for a caravan rally for a maximum 50 units from 23rd August 2007 to 2nd September 2007 (inclusive)	APP 27.04.2007
2006/0753	Use of land for a caravan rally for a maximum of 160 units from 27th July 2007 to 19th August 2007 (inclusive)	APP 15.05.2006
2006/0752	Use of land for a caravan rally for a maximum of 160 units from 25th May 2007 to 3rd June 2007 (inclusive)	APP 15.05.2006
2006/0751	Use of land for a caravan rally for a maximum of 160 units from 19th October to 28th October 2007 (inclusive)	APP 19.06.2006
2005/1023	Use of land for a caravan rally for approximately 160 units from 14th July to 6th August 2006 (inclusive)	APP 24.06.2005
2005/1021	Use of land for a caravan rally for approximately 160 units from 26th May to 4th June 2006 (inclusive)	APP 24.06.2005
2005/0243	Temporary use of land for siting of tents for approximately 100 units from 23rd July 2005 to 14th August 2005 (inclusive) and 26th August 2005 and 30th August 2005 (inclusive)	APP 21.03.2005

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<b>Item 3 (Cont'd)</b>	<b>Application Number:</b>	<b>2020/2393/TEM</b>
2004/1557	Use of land for a camping and caravan rally for approximately 160 units from 15th July 2005 to 7th August 2005 (inclusive)	APP 20.08.2004
2004/1554	Use of land for a camping and caravan rally for approximately 160 units from 27th May 2005 to 5th June 2005 (inclusive)	APP 20.08.2004
2004/1121	Temporary use of land for siting of tents for approximately 100 units from to 30th July 2004 to 11th August 2004 (inclusive) and 27th August 2004 to 31st August 2004 (inclusive)	APP 09.07.2004
2004/0293	Use of land for a caravan rally for approximately 35 units from 14th May to 16th May 2004 (inclusive)	APP 19.03.2004
2003/1927	Siting and occupation of touring caravans for up to 12 months each year in fields 1700,1388 and 0289 at Bank Farm, Horton (application for a Certificate of Lawfulness)	WL 20.02.2004
2003/1900	Occupation of caravans for residential or holiday purposes for 12 months each year (application for a Certificate of Lawfulness)	IL 27.04.2004
2003/1032	Use of land for a caravan rally for approximately 160 units from 16th July to 8th August 2004 (inclusive)	APP 23.07.2003
2003/1025	Use of land for a caravan rally for approximately 160 units from 28th May to 6th June 2004 (inclusive)	APP 23.07.2003
2003/0963	Use of land for a caravan rally for approximately 80 units from 28th May to 6th June 2004 (inclusive)	APP 10.07.2003
2003/0958	Use of land for a caravan rally for approximately 50 units from 7th - 9th May 2004 (inclusive)	APP 10.07.2003



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<b>Item 3 (Cont'd)</b>		<b>Application Number:</b>	2020/2393/TEM
2003/0899	Temporary use of land for siting of tents for approximately 100 units from 23rd May 2003 to 28th May 2003 (inclusive), 25th July 2003 to 10th August 2003 (inclusive) and 22nd August 2003 to 26th August 2003 (inclusive)	APP	04.07.2003
2002/0951	Use of land for a caravan and camping rally for approximately 300 units from 23rd May to 1 June 2003 (inclusive)	APP	19.07.2002
2002/0748	Temporary use of land for siting of tents for approximately 100 units from 31st May to 9th June 2002 (inclusive), 25th July to 5th August 2002 (inclusive) and 23rd August to 27th August 2002 (inclusive)	APP	14.06.2002
2001/1364	Use of field for a caravan rally for approximately 150 units from 24 May to 5 June 2002 (inclusive)	APP	21.09.2001
2001/0897	Use of land for caravanning rally for approximately 150 units from 24 May to 2 June 2002 (inclusive)	APP	13.07.2001
2001/0895	Use of land for a caravan rally for approximately 150 units from 19 July to 11 August 2002 (inclusive)	APP	13.07.2001

### **RESPONSE TO CONSULTATIONS**

The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) by placing a Site Notice within the vicinity of the site on 18th January 2021. The application was also advertised by means of a Press Notice, as a departure to the Swansea Local Development Plan. No objections have been received to date.

### **Penrice Community Council**

Council did not object providing that the CCS are monitoring the number of caravans in the area at any one time and that the number is not excessive to the amount that would detrimentally affect the area for the residents and visitors to the Gower.

### **Head of Transportation and Engineering**

No objection

Item 3 (Cont'd)

Application Number:

2020/2393/TEM

## APPRAISAL

### Introduction

This application is reported to Planning Committee for determination as it does not accord with the provisions of the Swansea Local Development Plan.

### Description

This application seeks temporary planning permission for the use of land for a caravan rally for a maximum of 130 units, from 25th August 2021 to 5th September 2021 (inclusive) at Field 7700 Bank Farm, Horton.

### Policy Context

The primary issues in the consideration of this application relate to the impact of the proposed development on the character and appearance of the area and highway safety, having regard to Policies PS2, CV2, ER4 and TR11 of the Swansea Local Development Plan (2019).

### Planning Considerations

Policy TR 11 - relating specifically to caravan rallies - states that 'The duration of any one rally on a site will be restricted to no more than 28 consecutive days or a total of 65 days in any one calendar year'.

Field 7700 of Bank Farm has already been given planning permission for the following events during 2021:

2020/1441/TEM - Use of land for camping and caravan rally for a maximum of 90 units from 26th March 2021 to 11th April 2021 (inclusive)

2020/1442/TEM - Use of land for camping and caravan rally for a maximum of 90 units from 28th May 2021 to 6th June 2021 (inclusive)

2020/1447/TEM - Use of land for camping and caravan rally for a maximum of 90 units from 19th July 2021 to 16th August 2021 (inclusive)

The above events amount to a total of 56 days. The additional 12 days requested as part of this application would mean that the site could in theory be used for a total of 68 days in this calendar year, contrary to the '65 day cap' specified in Policy TR 11.

The first scheduled rally was not permitted to commence on the 26th March due to pandemic restrictions, but was only able to commence on the 27th March, when self-catering holiday accommodation was permitted to take place in Wales. Consequently, if this application was approved, the site would only be used as a caravan rally for 67 days - 2 days in excess of the 65 day cap.

**Item 3 (Cont'd)**

**Application Number:**

2020/2393/TEM

It should be noted that Policy TR 11 limits the duration of rally days to one site for two reasons; to avoid significant highway impacts and to avoid landscape impacts.

In July 2020, the Welsh Government wrote to all Local Planning Authorities to explain how the planning system can aid in the recovery of the economy and businesses during the Coronavirus crisis. In terms of caravan parks and self-catering accommodation the Welsh Government advises that "the industry has identified a need to boost income and encourage recovery by supporting an extension of the season for caravan parks and self-catering accommodation which are prevented from opening all year."

It is accepted that this application is contrary to Policy TR11, as the proposed caravan rally will result in the site being used for a cumulative number of 67 days this calendar year, which is 2 days in excess of the 65 days permitted by this policy. However, given the Welsh Government's advice above, it is considered that the additional 2 days should be permitted for this calendar year, as it will aid the economic recovery of the tourism sector during the current Coronavirus crisis. It should also be noted that no objections have been made to the application by third parties or consultees.

**Access and Highway Safety**

The Head of Transportation was consulted and responded with the following comments:

Bank Farm is an established site regularly used by the Caravan and Camping Club. The site is well managed with established access from the highway network. Given that arrivals and departures are managed in accordance with club and site rules and not all arrivals and departures are not expected to occur simultaneously there are no highway objections.

It is noted that there is already a rally taking place at another field within Bank Farm at this time. Approval has been given for 40 units on Field 0005 from 31st August 2021 to 5th September 2021 (ref. 2020/1682/TEM). As such, it is important to take in to account the cumulative impact of all rallies on the area. The applicant has stated that if this application was granted, planning permission 2020/1682/TEM would not be necessary and therefore would not be implemented. Notwithstanding this, it is not considered that a combined total of 130 units would have such a detrimental impact upon highway safety to warrant the refusal of this application.

Notwithstanding this, arrivals and departures would need to be adequately managed by the site. If there are problems reported, they would be taken into account for any subsequent applications.

**Conclusions**

In conclusion, it is considered that the proposal represents an acceptable form of development. Whilst it is accepted that the proposed development would fail to comply with Policy TR11 of the Swansea Local Development Plan (2019), in this instance, the temporary highway and landscape impacts should not outweigh the economic benefit to the site owner and the wider tourism sector within Swansea. On that basis, approval is therefore recommended.

Item 3 (Cont'd)

Application Number:

2020/2393/TEM

## RECOMMENDATION

### APPROVE subject to the following conditions:

- 1 This permission relates to the siting of a maximum of 130 touring caravans and permission is granted for a temporary period only from 25th August 2021 to 5th September 2021 (inclusive) after which time the use shall cease. No caravans or other structures associated with the use hereby approved shall be on the site before 25th August 2021 or after 5th September 2021.

Reason: To define the scope of this permission and to enable the Local Planning Authority to review the situation at the end of that period.

- 2 The development shall be carried out in accordance with the following approved plans and documents: Site location plan, received 19th November 2020.

Reason: To define the extent of the permission granted.

### Informatives

- 1 The development plan covering the City and County of Swansea is the Swansea Local Development Plan. The following policies were relevant to the consideration of the application: PS2, CV2, ER4 and TR11
- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 3 The site shall be kept in a neat and tidy condition at all times and compliance with this requirement will be taken into account in the consideration of any subsequent application for the renewal of this consent.
- 4 The applicant shall comply with the requirements of the Head of Environmental Management and Protection of the City and County of Swansea.