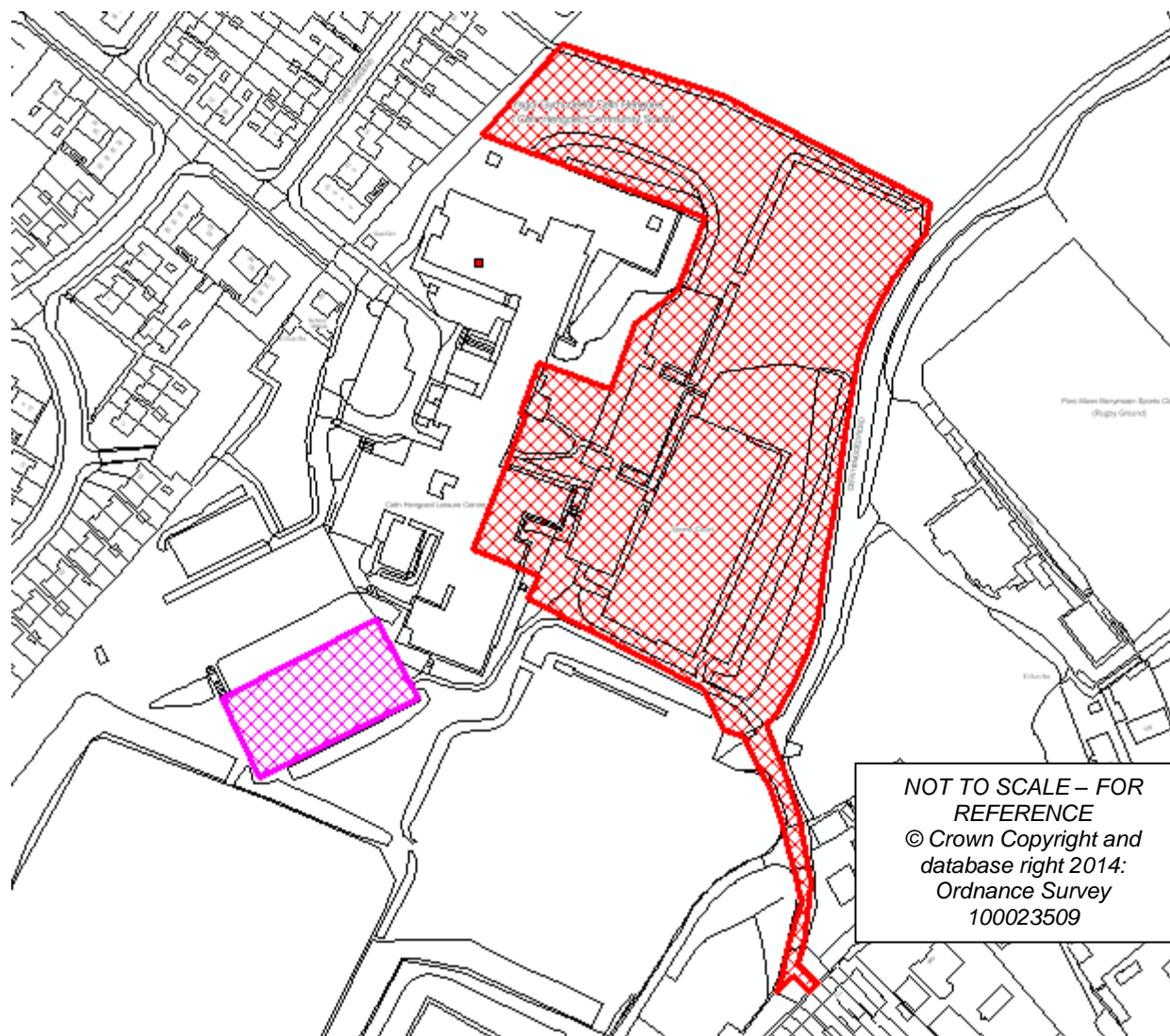


**Item** **Application Number:** 2021/1331/FUL  
**Ward:** Bonymaen - Area 1  
**Location:** Cefn Hengoed Leisure Centre , Caldicot Road, Bonymaen, Swansea, SA1 7HX  
**Proposal:** New indoor pitch, extensions to existing leisure centre buildings together with an internal reconfiguration to allow for the provision of improved gym and changing facilities, a community room, reception and cafe area, re-purposed existing fitness studio to enable beneficial use by the school, refurbishment of existing tennis courts with associated fencing and lighting, interconnecting pedestrian routes between the school and leisure areas and existing external connections surrounding the site, new car park with a new access off Cefn Hengoed Road  
**Applicant:** Mr Rewbridge Swansea Council



## Site History

App Number	Proposal	Status	Decision Date
2019/1561/PRE	PRE APP for a sports barn with associated toilets, entrance lobby, landscaping parking and vehicle access. Existing school gym to be converted to leisure use.	MIXPR E	12.08.2019
99/0419	ERECTION OF METAL CLADDING TO EXISTING GLAZED CURTAIN WALLING OF EXTERNAL STAIRCASE (COUNCIL DEVELOPMENT REGULATION 3)	APP	14.05.1999

## Background

This application is being reported to Planning Committee as it exceeds the threshold for site area (2.37HA) and new floor area (2,570m<sup>2</sup>).

There is significant planning history to this site which is listed above. It should be noted that pre application advice was sought in 2019 (2019/1561/PRE) for the construction of a sports barn with associated toilets, entrance lobby, landscaping, parking and vehicle access and the existing school gym to be converted to leisure use. A broadly positive response was given to this pre-application.

## Site Location

The application site comprises Cefn Hengoed Leisure Centre which is located along Cefn Hengoed Road, Bonymaen. The leisure centre is co-located with Cefn Hengoed School with Bonymaen Rugby Club and their playing fields to the east.

The application site is geographically at the summit of a local upland and within an established residential community. The existing buildings comprising the Leisure Centre are a varying set of aging split-level blocks. This results in difficult access with multiple level changes proving a significant barrier to less able users. The adjoining community school's main buildings have been more recently renovated and this projects seeks to ensure the facilities are more in keeping with the upgraded school facilities.

Vehicular access to the Leisure centre is currently from Caldicot Road via a shared access and drop off loop. The grounds on the east of the site are a mixture of grass including 3 sports fields, hard bituminous surfaces including Multi-Use Game Areas, gravel and dirt.

## **Description of Development**

This application seeks full planning permission for the construction of a new covered indoor pitch, a single storey extension to the existing leisure centre building together with an internal reconfiguration to allow for the provision of improved gym and changing facilities, a community room, reception and cafe area, re-purposed existing fitness studio to enable beneficial use by the school, refurbishment of existing tennis courts with associated fencing and lighting, interconnecting pedestrian routes between the school and leisure areas and existing external connections surrounding the site, new car park with a new access off Cefn Hengoed Road.

The façade materials for both the new extensions and the recladding of the existing gymnasium building are chosen in response to the materials of the existing school building. The existing blue and grey colouring will be replicated in the insulated panel cladding of the new and upgraded elements.

## **Planning Policy**

### **The National Development Framework: 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.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping urban growth and regeneration - Strategic placemaking

Policy 3 - Supporting Urban Growth and Regeneration - Public Sector Leadership

Policy 9 - Resilient ecological networks and Green infrastructure

Policy 12 - Regional Connectivity

Policy 28 - National Growth Area - Swansea Bay and Llanelli

### **Planning Policy Wales (11th Edition) 2021**

#### **Good Design Making Better Places**

3.3 Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area.

3.4 Design is an inclusive process, which can raise public aspirations, reinforce civic pride and create a sense of place and help shape its future. For those proposing new development, early engagement can help to secure public acceptance of new development. Meeting the objectives of good design should be the aim of all those involved in the development process and applied to all development proposals, at all scales.

## Access and Inclusivity

3.5 Good design is inclusive design. Development proposals should place people at the heart of the design process, acknowledge diversity and difference, offer choice where a single design solution cannot accommodate all users, provide for flexibility in use and provide buildings and environments that are convenient and enjoyable to use for everyone.

3.6 Development proposals must address the issues of inclusivity and accessibility for all. This includes making provision to meet the needs of people with sensory, memory, learning and mobility impairments, older people and people with young children. There will often be wider benefits to be gained through the sensitive consideration of such provision, for example, whilst the presence of visual cues will be invaluable in assisting those with hearing loss to engage in a noisy environment, a navigable environment will benefit all. Good design can also encourage people to meet and interact with each other, helping to address issues surrounding loneliness. Good design must also involve the provision of measures that help to reduce the inequality of access to essential services, education and employment experienced by people without access to a car. Design measures and features should enable easy access to services by walking, cycling and public transport.

## Environmental Sustainability

3.7 Good design promotes environmental sustainability and contributes to the achievement of the well-being goals. Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution. An integrated and flexible approach to design, including early decisions regarding location, layout, built form, the choice of materials, the adaptability of buildings and site treatment will be an appropriate way of contributing to resilient development.

3.8 Good design can help to ensure high environmental quality. Landscape and green infrastructure considerations are an integral part of the design process. Integrating green infrastructure is not limited to focusing on landscape and ecology, rather, consideration should be given to all features of the natural environment and how these function together to contribute toward the quality of places. This embraces the principles of 'ecosystems services' and sustainable management of natural resources where multiple benefits solution become an integral part of good design. In a similar manner, addressing environmental risks can make a positive contribution to environmental protection and improvement, addressing land contamination, instability and flood risk and providing for biodiversity, climate protection, improved air quality, soundscape and water resources benefits.

## Character

3.9 The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement.

## Community Safety

3.11 Local authorities are under a legal obligation to consider the need to prevent and reduce crime and disorder in all decisions that they take. Crime prevention and fear of crime are social considerations to which regard should be given in the preparation of development plans and taking planning decisions. The aim should be to produce safe environments that do not compromise on design quality in accordance with the cohesive communities well-being goal.

## Movement

3.12 Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys. Achieving these objectives requires the selection of sites which can be made easily accessible by sustainable modes as well as incorporating appropriate, safe and sustainable links (including active travel networks) within and between developments using legal agreements where appropriate

## Car Parking

4.1.40 To encourage the use of Ultra Low Emission Vehicles (ULEVs), the planning system should encourage and support the provision of ULEV charging points as part of new development. Future Wales sets out the Welsh Government's requirements for the provision of electric vehicle charging points for non-residential development.

4.1.49 Car parking provision is a major influence on how people choose to travel and the pattern of development. Where and how cars are parked can in turn be a major factor in the quality of a place.

4.1.50 A design-led approach to the provision of car parking should be taken, which ensures an appropriate level of car parking is integrated in a way which does not dominate the development. Parking provision should be informed by the local context, including public transport accessibility, urban design principles and the objective of reducing reliance on the private car and supporting a modal shift to walking, cycling and public transport. Planning authorities must support schemes which keep parking levels down, especially off-street parking, when well designed. The needs of disabled people must be recognised and adequate parking provided for them.

4.1.51 Planning authorities must require good standards of car parking design, which do not allow vehicles to dominate the street or inconvenience people walking and cycling. Car parking should be overlooked by surrounding properties, to provide natural surveillance.

## Integrating Green Infrastructure and Development

6.2.4 Green infrastructure plays a fundamental role in shaping places and our sense of well-being, and are intrinsic to the quality of the spaces we live, work and play in. The planning system should protect and enhance green infrastructure assets and networks because of these multi-functional roles. The protection and enhancement of biodiversity must be carefully considered as part of green infrastructure provision alongside the need to meet society's wider social and economic objectives and the needs of local communities.

The multiple benefits that resilient ecosystems and green infrastructure offer to society, including the economic and social contribution they make to local areas, should be taken into account when balancing and improving these needs.

6.2.5 The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places, helping to overcome the potential for conflicting objectives, and contributing towards health and well-being outcomes. There are multiple ways of incorporating green infrastructure, dependent on the needs and opportunities a site presents. Landscaping, green roofs, grass verges, sustainable urban drainage and gardens are examples of individual measures that can have wider cumulative benefits, particularly in relation to biodiversity and the resilience of ecosystems as well as in securing the other desired environmental qualities of places.

### **Adopted Swansea Local Development Plan (2010-2025)**

PS 2 Placemaking and Place Management - development should enhance the quality of places and spaces and should accord with relevant placemaking principles.

SI 1 Health and Wellbeing - health inequalities will be reduced and healthy lifestyles encouraged by complying with set criteria.

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; and development that would adversely affect or lead to the loss of facilities will not be permitted unless they satisfy specific criteria.

SI 5 Protection of Open Space - development will not be permitted on areas of open space unless it complies with specific criteria.

RC 2 Retail and Leisure Development - Retail and leisure proposals must in the first instance assess the suitability of sites and premises within the following Centres of the retail hierarchy, (Swansea Central Retail Area; District Centres; and Local Centres) having regard to the nature, scale and location of the proposed development.

ER 8 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.

ER 9 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.

ER 11 Trees, Hedgerows and Development - Development that would adversely affect trees, woodlands and hedgerows of public amenity, natural/cultural heritage value, or that provide important ecosystem services will not normally be permitted. Ancient Woodland, Ancient Woodland Sites, Ancient and Veteran trees merit specific protection and development that would result in specified outcomes will not normally be permitted.

Where necessary a tree survey; arboricultural impact assessment; an arboricultural method statement; tree protection plan and/or scheme for tree replacement, including details of planting and aftercare will be required in support of a planning application.

T 1 Transport Measures and Infrastructure - Development must be supported by appropriate transport measures and infrastructure and dependant 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.

T 2 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.

T 5 Design Principles for Transport Measures and Infrastructure - provides design criteria that the design of the new development, including supporting transport measures/infrastructure must adhere to.

T 6 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.

EU 2 Renewable and Low Carbon Energy Technology in New Development - development will be required to maximise the contribution of renewable or low carbon energy technology to meet the energy demands of the proposal, particularly for Significant Energy Consuming Developments. Larger schemes, as specified in the policy, will be required to submit a comprehensive Energy Assessment to determine the feasibility of incorporating low carbon or renewable energy installations into the scheme and/or connect to renewable or low carbon energy technology and district heating networks.

EU4 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.

RP 1 Safeguarding and Public Health and Natural Resources - development that would result in significant risk to life; human health and wellbeing; property; controlled waters; or the historic and natural environment, especially European designated sites, will not be permitted, particularly in respect of the specified potential risks.

RP 2 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.

RP 3 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.

RP 4 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.

RP 5 Avoidance of Flood Risk - In order to avoid the risk of flooding, development will only be permitted in line with Policy principles.

RP 7 Land Instability - Development which would create, affect or might be affected by unstable or potentially unstable land will not be permitted where there would be a significant direct risk to life, human health, property, buildings and structures, or the natural heritage on the site or in its vicinity. Development will only be permitted on unstable or potentially unstable land where it is in line with policy principles. Development is not permitted within Graig Trewyddfa Slip area.

RP 10 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.

## **Consultations**

### **Placemaking and Strategic Planning**

#### Overview

The application seeks to develop the existing leisure centre and outdoor facilities by utilising land at Cefn Hengoed School for further developments. The Leisure Centre and School form a complex of buildings and outdoor space.

The proposal seeks to develop the sports and community facilities at the site to the benefit of the existing comprehensive school population and local community. The project objectives are:

- to improve access and increase participation in sport in Swansea East by Nov 2021;
- To improve access to and participation in other community facilities and activities such as the library, parenting groups etc by Nov 2021; and



- to improve the existing sporting and physical education facilities at Cefn Hengoed School to support the curriculum and health and well-being aims by Nov 2020.

Proposal includes:

- a new indoor pitch of 2,397m<sup>2</sup>, some 11m high, 61m long and 41m wide;
- extensions to the existing leisure centre buildings, plus internal reconfiguration to allow for the provision of improved gym and changing facilities, a community room, reception and café area (combined total of 543m<sup>2</sup>);
- repurposed existing fitness studio to enable beneficial use by the school;
- resurfacing and fencing of the existing old tennis courts to the side; and
- interconnecting pedestrian routes between the school and leisure areas and existing external connections surrounding the site.

The car park will be refurbished, providing 65 spaces to serve the new barn and leisure facility, including four disabled, 4 motorbike, cycle parking and six electric charging enabled spaces.

The existing comprehensive school will utilise the following facilities:

- sports hall;
- Resurfaced and re-fenced MUGA
- New 3G indoor barn;
- Gym.

Sports barn will be located on the existing MUGA and the area of the 3 existing tennis courts will be refurbished with an improved surface MUGA.

#### Principle of Development

The site is located within the urban area and the proposal to develop the existing leisure centre and outdoor facilities must be determined by the relevant LDP policies as set out below:

The application accords with LDP policy RC2. Policy RC 2 promotes the Plan's defined Centres, as the most appropriate and sustainable locations for locating new retail and leisure development. However, it allows some appropriate flexibility in that a departure to the defined hierarchy can be considered if convincing evidence is submitted in support of a proposal to demonstrate that such development is justified as an exception, and that there would be no material adverse impact caused by the development to the attractiveness, vitality or viability of any Centre defined in the Retail Hierarchy. It is clear in this case that the bespoke new sports hall and related proposals are enhancements integral to an existing complex of facilities and can, therefore, only be located at the existing Leisure Centre/School. They could not be located within the Swansea Central Area, District Centres or Local Centres. A specific need has been identified for the development at this location and therefore it is in accordance with the exceptional circumstances identified under criteria RC2(c).

This approach also is in accordance with PPW (4.3.21) which states that some education, healthcare and community uses may have specific accessibility requirements which mean they need to be located close to the communities they serve and planning authorities should be flexible in their approach where it is necessary.

Health can be a material consideration in determining planning applications and is an essential element of sustainable development. The proposed development will help reduce health inequalities and encourage healthy lifestyles and meets LDP policy SI1, by providing appropriate social infrastructure and community facilities.

It also meets national planning policy objectives of facilitating accessible and healthy environments by supporting healthy lives. The proposal also accords with the Welsh Government's 'Building Better Places' which pinpoints the most relevant policy priorities and actions to aid in the post Covid-19 recovery, including priorities around placemaking, decarbonisation and well-being.

LDP policy SI2 states that new community facilities must be accessible by Active Travel and public transport and be conveniently located in relationship to other facilities and services wherever possible.

The proposed new sports hall will be developed upon the site of an existing outdoor MUGA. The MUGA will be relocated to the site of 3 existing outdoor tennis courts. It is not clear if there will be an overall loss in outdoor space, or if it is being redeveloped as multi-purpose courts and thus accord with LDP policy SI5ii.

### Placemaking Principles

The Development Plan places significant emphasis on the importance of placemaking, and defines key principles in this regard for all proposals to seek to incorporate:

FW Policy 2 (see Annex A for details) sets out that:

- o development should adhere to key placemaking principles in order that it positively contributes towards building sustainable places that support well-being objectives,
- o opportunities should be taken to ensure that multifunctional GI is fully integrated into development schemes wherever possible.

Swansea LDP Policies PS 2 and ER 2 highlight that:

- all proposals should adhere to key placemaking principles and development criteria, to ensure that proposals make a positive contribution to the experience and enjoyment of places.
- development should enhance the quality of places and spaces, and respond positively to aspects of local context and character.
- the design, layout and orientation of proposed buildings, and the spaces between them, should provide for an attractive, legible, healthy, accessible and safe environment, and must not cause unacceptable impacts on people's amenity.
- development must take opportunities to maintain and enhance the County's GI network, having regard to the extent, quality and connectivity of the GI resource.

### Biodiversity Enhancement

Complementary to the need to align with placemaking requirements, the Development Plan also places significant emphasis on the importance of development integrating nature-based solutions to the design of the built environment wherever possible, which reflects the Council's duty under Section 6 of the Environment (Wales) Act 2016 ("the S6 duty").

FW Policy 9 and PPW (see Annex A for details) require that:

- all applications demonstrate the actions that have been taken where possible to maintain and enhance and biodiversity and ecosystem resilience, as well as relevant GI assets.
- a clear and proportionate approach is taken to considering biodiversity and securing overall enhancement.

Adopted SPG - Biodiversity and Development (see Annex B for details) provides:

- guidance on how the requirement for biodiversity can be addressed and assessed.
- details of specific measures that could be provided to enhance biodiversity and ecosystem resilience depending on the nature of the proposals.

Further advice on whether the proposal follows the stepwise approach is provided by the Council's Ecologist. Lighting may have a potential negative impact upon biodiversity, and so needs to be considered in relation to LDP policy ER8. Lighting is also considered further below.

There are mature trees on site and an arboriculture impact assessment is required for those that are being retained, in accordance with LDP policy ER11.

### Other Key Issues

New external lighting will be provided by as part of the proposal. Given the location of the development in close proximity to mature trees, regard must be taken to the impact upon natural heritage, including protected species. Therefore, in accordance with LDP policy RP3 the lighting should be less than 3000kelvin. This is also reflected in national planning guidance which states that there is a need to balance the provision of lighting to enhance safety and security to help in the prevention of crime and to allow activities like sport and recreation to take place with the need to: protect the natural and historic environment including wildlife and features of the natural environment such as tranquillity; prevent glare and respect the amenity of neighbouring land uses; and reduce the carbon emissions associated with lighting. Planning authorities can attach conditions to planning permissions for new developments that include the design and operation of lighting systems, for example, requiring energy-efficient design and to prevent light pollution.

The proposal would have to meet LDP transport policies, specifically T5: Design Principles for Transport Measures and Infrastructure and T6: Parking. The provision of ELV charging points is welcome.

The development will need SuDS approval and must accord with LDP policy RP4 to ensure that there is no detriment to the water environment and complies with good water resource management.

I note the applicant refers to TAN22 and TAN6 in support of the application. Neither of those TANs are extant documents.

### Final Comments

The proposal is supported in principle subject to other material planning considerations (such as car parking, drainage, biodiversity etc) being acceptable. It accords with the LDPs placemaking and wellbeing goals, promotes sustainable development and healthy lifestyles by providing new and improved facilities for the school and wider community.

### **Placemaking Comments (Heritage Asset)**

This application to improve leisure facilities is within 500m of the Bonymaen Standing Stone on Mansel Road. Given the intervening development and distance of separation there will be no effect on the setting of the designated heritage asset.

## **Local Highway Authority (LHA)**

The site was subject to a pre-application reference 2019/1561/PRE. The main highways issues identified was a lack of a safe pedestrian route along Cefn Hengoed Road to the south linking to Cefn Road. The required land is partially in CCS (Highways Authority) ownership. Deficiencies in the layout of the car park and level of disabled parking was also identified as needing attention, which has now been addressed.

A Transport Statement (which contained a travel plan) was submitted in support of the planning application. The transport element includes a new 65 space car park (including 4 spaces for disabled use) with a new vehicular/pedestrian access off Cefn Hengoed Road. The waste management regime currently in operation at the school will be maintained and a further bin store is proposed adjacent to the new sports barn with access for refuse vehicles.

The proposal will be sited on the existing outdoors pitch. Pedestrian links are available from the main school access from Caldicot Road. The newly proposed footway link and pedestrian crossing facility of Cefn Road to the south will provide a safe attractive walking route to the site. There is also a separate public footpath that links Cefn Hengoed Road to Chirk Gardens. Swansea Council also has an Integrated Travel Map which covers routes that are destined for completion in the future. The following schemes are in the vicinity of the site: Scheme SWA-AS0050 covers improvements from Winch Wen to Trallwn involving a shared use route connecting to Bonymaen and Carmel Road and SWA-MT0021 covers a shared use path connecting Trallwn to Winch Wen. The site is well served by public Transport with a number of bus routes serving the site. There is a railway station at Llansamlet (2.3km to the north) and Swansea Railway station is 3.3km to the south.

The majority of the roads in and around the school site are subject to a speed limit of 20mph. A report of recorded accidents has been included covering 2014 to 2018 which showed 7 accidents in and around the site (Caldicot Road(2)/Caernarvon Way(2)/Cefn Hengoed Road(1)/Cefn Road(1)/Mansel Road(1)). The causes varied but none were attributed to any inherent highway safety issue.

Analysis of the current leisure centre member post codes identified over 50% living in close proximity to the site. The accessibility of the site is such that are a number of sustainable modes of travel available to potential visitors. The upgraded facilities will also enhance the current facilities for the school use, in addition to its use as a standalone leisure facility. LDP policy S12 states that 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. It is considered with the highway improvements proposed that this policy is being met with more than 18,000 people living within a 15 minute journey time using sustainable modes of travel (walking/cycling).

The likely trip generation has been assessed using the national database TRICS. The vehicle trips expected in the traditional a.m. peak are 9 trips, with 24 being expected in the p.m. peak and a total daily of 204. It is noted that the peak operating times of a leisure centre and indoor pitch does not coincide with the traditional peak hours in terms of vehicles on the road. The peak hour is expected to be between 18.00 and 19.00 for the leisure centre (23 vehicles) and 19.00 to 20.00 for the indoors sports pitch (12 vehicle movements). It is therefore concluded that the low levels of vehicles generated by the proposal there are no highway safety issues arising nor capacity issues to consider.

A new vehicular access is proposed and the General Arrangement drawing shows that adequate visibility to Manual For Streets standard is available. A 'Vehicle clearance track run' plan has been submitted to demonstrate that the access gradient is appropriate for a variety of vehicles, including standard buses and fire engines, should they need to enter the site.

The car park is laid out to an appropriate layout in terms of dimensions and aisle width, and a link from the existing pedestrian footway on Cefn Hengoed Road is brought into the site and goes around the outside of the car park to allow for safe, segregated pedestrian access. The internal footway also links to provide direct access to the school building.

Cycle storage is also included in the form of Sheffield stands (18 providing 36 spaces) adjacent to the main entrance lobby and also motorcycle parking (4 spaces) is provided in the main car parking area.

Swept paths have been provided under the title 'track roads' and these show that car park can be accessed and exited by standard cars, mini bus, fire engine and standard buses. The plans have been amended to reflect the footway being brought into the site off the main access and the swept paths show that the vehicles can still access safely.

Four site plans were originally submitted covering the whole site and only one of them partially included the requested missing link on the Cefn Hengoed boundary for a shared use path (shown pink on site plan 2). This plan (titled 'proposed scheme plan R547\_001 P2), has now been submitted for formal consideration and shows a clear pedestrian link (suitable for shared use with a minimum width of 3m) along Cefn Hengoed Road with the inclusion of an 'at grade' pedestrian crossing on Cefn Road in the form of a plateau.

The highway improvement works are in line with those outlined as being minimum requirements when the principle of the sports barn was considered under the submitted pre-app. The inclusion of a safe pedestrian link will encourage more sustainable modes of travel such as cycle and on foot.

Furthermore the introduction of an pedestrian crossing facility on Cefn Road will be of benefit to the whole community and provide a safe link to Cefn Hengoed School from the south (Cefn Road) whereas currently the footway is intermittent with no continuous link.

It is considered that the traffic generated can be accommodated within the existing infrastructure (subject to the pedestrian/cycle improvements identified as being required). In summary the proposal is not considered to give rise to any highway safety issues.

I recommend that no highway objections are raised to the proposal subject to:

1. The completion of the off-site improvements works (as outlined on plan R547\_001 P2) prior to beneficial occupation of the development.
2. The completion of the site access works and car park (as outlined on plan P04-1) prior to beneficial occupation of the development.
3. No development shall commence, including any works of demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall provide for:

- i. the parking of vehicles of site operatives and visitors;
- ii. loading and unloading of plant and materials;
- iii. storage of plant and materials used in constructing the development;
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v. wheel washing facilities;
- vi. measures to control the emission of dust and dirt during demolition and construction; and
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To reduce the likelihood of obstruction of the highway, danger to road users, to conserve public health and local amenity, to ensure satisfactory standard of sustainable development and in order to ensure a proper standard of development and appearance in the interests of conserving the amenities and architectural character of the area.

4. The car and cycle parking being laid out in accordance with the approved plans, and maintained as such thereafter.

### **Local Drainage Authority**

Schedule 3, Flood and Water Management Act 2010.

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 Approval Body via email [Sab@swansea.gov.uk](mailto:Sab@swansea.gov.uk)

## **Coal Authority**

The Coal Authority Response: Material Consideration

As you are aware, the Coal Authority did not consider, in our previous letter do you dated 03 June 2021, that the applicant had demonstrated to the LPA that all coal mining risks recorded at this site had been fully assessed by the applicant's geo-environmental consultants: Earth Science Partnership.

We welcome the submission of and Addendum Coal Mining Risk Assessment Report, 30 July 2021 prepared by Earth Science Partnership who informs that since production of their initial Report: Geo-Environmental and Geotechnical Assessment, dated October 2019, the site boundary had been increased to include 2no additional areas (Areas B and C, illustrated on Insert 1 of the Report). In light of the above, the report author confirms the following:

### **Area A**

Based on the ground investigations previously undertaken, the Report informs that as a result of shallow coal workings being found within the Swansea 5ft coal seam beneath the site, recommendations have been made that ground stabilisation works are required to mitigate the risk of surface instability for the redevelopment of this part of the site. Full details can be found within Section 8.2.2: Geo-Environmental and Geotechnical Assessment, dated October 2019.

### **Area B**

The Coal Authority records indicate that recorded shallow coal mine workings are present. Therefore, Earth Science Partnership inform that whilst it is considered to be a relatively low risk of subsidence (due to the depths of the Swansea 5ft coal seam in this area) if the seam is split and extraction thicknesses are greater than anticipated, a higher risk of subsidence would be likely. Therefore, the report author considers it prudent to drill a series of check holes to confirm the ground model / anticipated risk.

### **Area C**

As a result of the 2no. mineshafts recorded within this area, recommendations have been made that a further assessment and investigation into the exact location / condition of these mining features is required.

Abandonment plans may contain information on their location, depth and condition, and this will enable Earth Science Partnership to carry out their own geo-referencing of these mining features and to minimise the physical works / intrusive site investigations required on site.

Due to the history of mining in the area, we welcome the comments made that vigilance should be maintained during all ground preparation works for any unforeseen mining related workings (and / or unrecorded mine entries). If unrecorded mine entries are found they should initially be fenced off to make the area safe. Any identified ground anomaly should be thoroughly assessed by an experienced and competent body and the Coal Authority will need to be notified if any such ground anomalies relative to coal are found.

The intrusive site investigations / mitigation strategy should be designed and undertaken by competent persons to ensure that these are appropriate to assess the ground conditions on the site to establish the coal-mining legacy present and the risks it may pose to the development.

The applicant should be aware that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property. Please note that any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

#### Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

#### Sustainable Drainage

It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

#### The Coal Authority Recommendation to the LPA

In light of the above, the Coal Authority is satisfied that the applicant, based on the professional assessment / opinion provided by Earth Science Partnership has demonstrated to the LPA that the coal mining risks identified at this site have been assessed and can be appropriately mitigated (intrusive site investigations / remediation works).

The Coal Authority recommends the imposition of the following conditions:

1. No development shall commence within an Area until;



- a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and;
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. This should include the submission of the approved site layout plan to illustrate the exact location / influencing distance (area of instability) of the 2no. recorded mine entries (Area C only).

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

2. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

The Coal Authority has no objection to the proposed development subject to the imposition of the conditions to secure the above.

### **Natural Resources Wales (NRW)**

Based on the information provided, we would have no objection to the proposed development and provide the following advice.

We note that the bat report submitted in support of the above application (Cefn Hengoed school, Bon-y-Maen, Swansea, Bat and Protected Species Survey by Pryce Ecology dated 9 July 2021) has identified that bats were not using the application site. We therefore have no comments to make on the application as submitted.

### **Other Matters**

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our website for further details.

## **Designing Out Crime Officer**

In relation to the above planning application I would have the following observations to make :-

(i). Perimeter security.

The existing perimeter security on site should be protect the new build and the vehicle parking area. Entry onto site, when the site is unoccupied must be prevented by sliding gates (as per drawings). The gates and fencing should be the same standard and specification as the perimeter security on the adjacent school site.

(ii). Vehicle parking.

The vehicle parking area must be lit the lighting meeting the British Standard 5489:2013. The area should be protected by CCTV.

(iii). CCTV.

If there is CCTV on site, it should be extended to cover the new sports barn, the main entrances into the building and the vehicle parking area.

The CCTV cameras should be located in elevated positions and ideally the CCTV would be monitored.

The images produced must be admissible in a court of law and the General Data Protection Regulations (GDPR) must be complied with.

(iv). Signage.

Signs should be sited advertising the fact that CCTV cameras are operating in the area if CCTV is installed.

(v). Lighting.

The whole of this development should benefit from lighting that is effective and that compliments and enhances CCTV if it is installed on site.

The lighting must be situated in elevated positions to prevent vandalism.

(vi). Building shell security.

The building must be constructed of materials that are resistant to attack. The first two metres of the external walls must be brickwork or materials of a similar strength.

The design of the building must take into account the need to prevent features that aid scaling or climbing and hidden areas must be designed out.

(vii). Drainpipes.

Rainwater down pipes can provide a convenient scaling aid onto roofs, or to reach windows above ground floor level. Rain water pipes should be either flush fitting (i.e. square profile) or concealed within the cavities.

(viii). Intruder alarm systems.

The leisure centre should be alarmed with the alarm system linked to a central monitoring station. All rooms where there is valuable equipment or information stored should be alarmed and any alarm wires should be protected.

Panic buttons linked to the alarm system should be installed at appropriate locations for use when staff are under attack or are threatened by members of the public.

(ix). Access control.

Access in the building from public areas into semi private and private areas must be controlled via access control e.g. fob, swipe card etc.

Entry into all rooms where valuable equipment is sited should also be controlled e.g. the changing rooms, store rooms etc. and these rooms must be kept locked when not in use.

Access control should meet SBD standards and specifications.

(x). Door security.

The external doors of the building, those separating public and private areas and those protecting rooms where valuable property or information is stored should meet SBD standards, i.e. PAS 24 2016 or equivalent, and be third party tested and certificated.

Glass in door panels or adjacent to door panels should be laminated and doors in recesses of more than 600mm should be avoided.

Fire doors must not have external door furniture fitted, and meet SBD standards and specifications. They must also be alarmed. Doors that are described as fire doors, or where fire performance is declared or implied, are required to have third-party certification for both security and fire performance.

(xi). Window security.

All vulnerable external windows should meet SBD standards i.e. PAS 24 2016 or equivalent and be third party tested and certificated.

All glass in vulnerable windows i.e. ground floor windows within this development should be laminated.

(xii). Intruder alarm.

The building should be alarmed with the alarm linked to a central monitoring station. Any alarm wires should be protected.

Further more detailed information can be found on the Secured by Design website at [www.securedbydesign.com](http://www.securedbydesign.com).

If you or the developer require any further information or to discuss any of the points raised in this report please do not hesitate to contact me.

## **Dwr Cymru 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: PPA0005625) has been acknowledged and included at Appendix 7 of the accompanying Pre-Application Consultation (PAC) Report, prepared by SGW Planning, which highlights that foul and surface water flows can be accommodated in the public foul and surface water sewers respectively albeit that the latter will require SAB consent. As part of this application, we acknowledge receipt of 'Outline Drainage Proposals' (No. 5192924) which are considered acceptable in principle.

However, we would advise that the site is crossed by a trunk watermain along the eastern boundary and therefore the distance and relationship of SuDS features to the protection zone of the watermain, highlighted in the attached, will need to be considered for the purposes of any forthcoming SAB application.

Accordingly, if you are minded to grant planning permission, we would request that the following 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:

### **Advisory Notes**

The proposed development is crossed by a trunk watermain, the approximate position being shown on the attached plan. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. We enclose our Conditions for Development near Watermain(s). It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.

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).

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.

### **Local Authority Tree Officer**

No objection.

There are several existing trees shown on the landscape plan that are being retained; however, no details are provided to show the quality of these trees.

To ensure they are retained and in the first instance are suitable to retain please could you condition an arboricultural impact assessment, tree protection plan and arboricultural method statement in accordance with BS5837:2012.

A couple of these trees are annotated as 'retained if possible', if they are removed they will need to be mitigated by replanting.

### **Local Authority Ecologist**

#### **OUTCOME OF ECOLOGICAL INVESTIGATION**

Relevant documents reviewed:

- Preliminary Ecological Appraisal, Pryce Consultant Ecologists March 2020;
- Bat and Protected Species Survey, Pryce Consultant Ecologists July 2021;
- Landscape Proposals, CCS April 2021; and
- Luminaire Schedule, Peter Deer and Associates March 2020.

Bats:

No bats were found to be roosting within the buildings or trees on site, but bats did forage on site.

Please include the following informative:

All UK bat species are protected under Schedule 5 of The Wildlife & Countryside Act 1981 (as amended) and 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:

- Deliberately take, injure or kill a bat;
- Intentionally or recklessly disturb a bat in its roost;
- Damage or destroy the breeding site or resting place of a bat (even if it is not occupied at the time);
- Intentionally or recklessly obstruct access to a bat roost.

If evidence of bats is encountered during development, work must cease immediately and the advice of a suitably qualified ecologist or Natural Resources Wales (NRW) sought before continuing with any work (01792 634960 / 0300 065 3000).

Breeding/nesting birds:

Please include the following informative:

It is an offence under The Wildlife & Countryside Act 1981 (as amended) to intentionally:

- Kill, injure or take any wild bird;
- Take, damage or destroy the nest of any wild bird while that nest is in use or being built; and
- Take or destroy an egg of any wild bird.

Additionally, bird species listed on Schedule 1 of the Act are also protected from intentional or reckless:

- Disturbance while it is building a nest or is in, on or near a nest containing eggs or young; and
- Disturbance to dependent young of such a bird.

Condition:

No clearance/pruning of trees, shrubs or scrub shall be undertaken during the bird nesting season (late February-early September). Where this is not possible, a check for active nests by a suitably qualified ecologist will be required prior to clearance. Any active nests will be left in situ until chicks have fledged or the nest is no longer active. If any nests of Schedule 1 species are found, additional measures to avoid disturbance will be required.

Badgers:

Please include the following informative:

Badgers and their setts are protected under The Protection of Badgers Act 1992. It is an offence to:

- Kill, injure or take a badger;
- Damage, destroy or obstruct access to a badger sett; and
- Disturb a badger when it is occupying a sett.

If evidence of badgers is encountered during development, work must cease immediately and the advice of a suitably qualified ecologist or NRW sought before continuing with any work (01792 634960 / 0300 065 3000).

Condition:

All trenches and excavations must be fenced off or covered overnight to prevent any animals from falling in and becoming trapped. If this is not possible an adequate means of escape must be provided (i.e. a gently graded side wall or provision of gently sloped wooden plank or equivalent). Any exposed pipes and trenches must be checked for trapped wildlife each morning before starting construction activities.

Hedgehog:

There is the potential for hedgehogs to be present in the area. Hedgehogs are protected under Schedule 6 of The Wildlife and Countryside Act 1981 (as amended), which prohibits killing and trapping by certain methods. They are also listed on Section 7 of The Environment (Wales) Act 2016. This is a list of the living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.

Condition:

In order to retain habitat connectivity for species of principal importance, such as hedgehogs, boundary treatments should not be flush to the ground, or suitably sized gaps 13 x 13 cm should be left at strategic points. See: <https://www.hedgehogstreet.org/hedgehog-friendly-fencing/>

Reptiles & Amphibians:

Please include the following informative:

Reptiles & amphibians may be present. All British reptile & amphibian species are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It makes it an offence to intentionally kill or injure reptiles.

Condition:

As per Section 5.7 of the Preliminary Ecological Appraisal: A visual "finger-tip" search of long grassland/scrub habitat should be undertaken by a suitably qualified ecologist on the commencement of, and during vegetation clearance. Initial disturbance should be carried out only using hand-tools, following the completion of which, mechanical plant may be employed. Any animals found will be removed to safety by the ecologist. If more than a few animals are discovered in the initial stages of habitat clearance, the ecologist will decide whether a different strategy should be employed which might include reptile exclusion and translocation.

Lighting Strategy

The lighting detailed within the Luminaire Schedule are not acceptable and must be below 3000K (with the exception of sports pitch flood lighting).

Condition:

A sensitive lighting strategy for the site must be submitted to the LPA for approval prior to the commencement of development on site. It should aim to protect bats and other nocturnal species. A plan showing location, light spill and specification for any proposed lights on the site (during construction & operation) must be submitted for approval. The lighting plan should reflect the Bat Conservation Trust's Bats and Artificial Lighting in the U.K. (2018) guidance: <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting>

Construction Environmental Management Plan (CEMP)

Condition:

A CEMP for the site must be submitted to the LPA for approval prior to the commencement of development (including site clearance) on site. The document will need to include sufficient detail to demonstrate how construction will be managed to ensure pollution prevention and protection of habitats and species on and adjacent to the site.

Landscape and Ecological Management Plan (LEMP)

Condition:

A LEMP for the site must be submitted to the LPA for approval prior to the commencement of development (including site clearance) on site. This site-specific document must outline processes and instructions to manage and monitor the site, and its operations, both during and after development, in such a way so as to protect and enhance the biodiversity and ecology of the site. In particular, the methods regarding the following species shall be detailed: bats, nesting birds, badger, hedgehog, reptiles & amphibians. Toolbox talks should be given to all site operatives prior to commencement of the development, detailing the potential for protected species on site, the mitigation measures in place and the procedures to follow should any be discovered.

### Invasive Non-native species (INNS)

It is an offence to plant or otherwise cause to grow in the wild any plant species listed on Schedule 9 of The Wildlife and Countryside Act 1981 (as amended) or Schedule 2 of The Invasive Alien Species (Enforcement and Permitting) Order 2019.

#### Condition:

As Japanese knotweed was recorded, an INNS Management Plan will need to be submitted to the LPA for approval prior to the commencement of development (including site clearance) on site. It should detail methods of avoidance, containment or removal in order to avoid the spread of INNS. If any other INNS are identified during development, works must cease until the management of these species is agreed.

#### Ecological Enhancements:

The Biodiversity Supplementary Planning Guidance (SPG) should be referred to for further information: <https://www.swansea.gov.uk/biodiversityspg>

#### Condition:

A scheme to demonstrate that the development will conserve and enhance biodiversity and resilient ecosystems will need to be approved by the LPA prior to the commencement of development on site. This is in line with the Section 6 Duty of the Environment (Wales) Act 2016, the Resilient Wales Goal of the Well-being of Future Generations Act 2015, Planning Policy Wales Edition 11 and Technical Advice Note 5.

The landscaping proposals, including native tree and shrub planting and boulder piles, are welcomed. To further increase the value of the site for biodiversity, the "amenity grass" seed mixes should be substituted for a florally diverse grass seed mix, such as Emorsgate EL1 Flowering Lawn Mixture or EM2 Standard General Purpose Meadow Mixture. Additionally, 2no. WoodStone swift boxes and 2no. WoodStone bat boxes shall be installed either on the new leisure centre building or on existing school buildings. The proposed specification and location of the enhancements shall be shown on an architectural drawing submitted to the LPA for approval. The approved enhancements shall be fully provided no later than 6 months within the completion of the development and shall be retained as such in perpetuity.

### **Sport Wales**

Thank you for your letter inviting comments on the above application. Sport Wales is commenting here in its role as the statutory consultee on developments affecting playing fields as set out in the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (SI 2012/801).

Sport Wales were consulted pre-application on the basis that the proposed development would affect an existing sporting facility. Sport Wales offered no objection to the principle of development but questioned the replacement of the existing games courts with the covered artificial pitches.

As the proposals now include the relocation and upgrading of existing tarmac surfaced games courts to the south-west of the existing facilities with an all-weather surface, new boundary fencing and floodlighting to provide a year-round outdoor playing surface, suitable for a variety of sports uses, Sport Wales has no objection.



## **Pollution Control**

No response received to date.

## **Public Consultations**

The application was advertised by site notice.

3 letters of objection have been received which are summarised below:

- Parking problems will increase with the development
- The surrounding roads are narrow
- There will be an increase in flooding in the area
- The entrance to the sports barn will be on a blind corner

149 letters of support have been received, along with 2 letters of comment, which are summarised below:

- The proposals will benefit the local community
- There is adequate car parking

## **APPRAISAL**

### **Main Issues**

Having due regard to the provisions of the Swansea Local Development Plan (2010- 2025), the main issues for consideration relate to the principle of development at this site, visual appearance, any effect on residential amenity, ecology and highways issues.

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

### **Principle of Development**

Policy RC2 of the Swansea Local Development Plan (LDP) states that:

Retail and leisure proposals must in the first instance assess the suitability of sites and premises within the following Centres of the retail hierarchy, having regard to the nature, scale and location of the proposed development:

- i. Swansea Central Area Retail Centre
- ii. District Centres
- iii. Local Centres

Retail and leisure proposals will only be permitted at out of centre locations outside Retail Parks in exceptional circumstances, and where a specific need is identified for:

- a. Small scale development intended only to serve an identified local need (in accordance with Policy RC6 Local Centres);
- b. Development that is part of a planned new Centre or is a specific facility proposed to serve a substantial new residential neighbourhood within a Strategic Development Area (in accordance with Policy RC 8 Commercial Development Within Strategic Development Areas;

- c. Development that requires a particular type of unit, either with an extensive floor area and/or bespoke designed premises, that is not normally available within Centres or Retail Parks, in order to accommodate the proposed range of goods to be sold.

The applicant has submitted information to justify the application in relation to Policy RC2 of the LDP. The applicant has submitted an assessment of available sites within the Local Authority in order to demonstrate that the proposed facilities cannot be located elsewhere. It has been demonstrated that there are no suitable sites elsewhere for the development. It is also clear in this case that the proposals are to be co-located with the existing school and represent an enhancement to the current facilities, rather than a new leisure site. The proposals represent enhancements to the existing complex and can therefore only be located at the existing site. A specific need has been identified for the development at this location and will therefore accord with the requirements of Policy RC2 of the LDP.

Furthermore the proposed development will assist in reducing health inequalities and encourage healthy lifestyles in accordance with the provisions of SI1 of the LDP.

Policy SI2 and its amplification states that facilities such as sports centres should be located within close proximity to the communities they are intended to serve so that they can be more readily reached by walking, cycling and public transport. Therefore the proposed upgrading of the existing facilities in this location will meet this requirement and further assist in encouraging healthy lifestyles by making attractive and modern facilities accessible to the local community.

In relation to open space provision, Policy SI5 states that development will not be permitted on areas of open space unless:

- i. it would not cause or exacerbate a deficiency of open space,
- ii. the substantive majority of existing open space provision on the site is to be retained and enhanced,
- iii. the development can provide appropriate open space provision,
- iv. a satisfactory financial contribution to compensatory provision is provided towards an acceptable alternative.

It is recognised that the proposed indoor sports pitch will be located on the existing outdoor Multi Use Games Area (MUGA) and the MUGA will be relocated to the site of the existing outdoor tennis courts. The facilities are being upgraded throughout the site and will provide for new facilities with floodlighting to provide a year-round outdoor playing surface, suitable for a variety of sports uses. It is considered that this represents benefit to the wider community and Sport Wales have offered no objections to the proposals. It is considered therefore that the proposals accord with the provisions of Policy SI5 and would not have a detrimental impact upon open space provision.

Therefore, having regard to the above policy considerations it is considered that the proposals will accord with the policies of the LDP and the principle of this type of development in this particular location is acceptable.

### **Visual Amenity**

The leisure centre facilities currently comprise of a sports hall that is shared with Cefn Hengoed School and a gym. There is an existing Multi-Use Games Area (MUGA) comprising of tennis courts and tarmacked areas.

The proposed indoor sports pitch will be located on the area of the current MUGA and the existing tennis courts will be refurbished with an improved surface, mesh fencing and the addition of floodlights. It is considered that the refurbishment of this area will contribute to the upgrading of the site as a whole and will have a positive impact upon the visual amenity of the site. It is expected that the MUGA will primarily be used in connection with the school during school opening hours but would be available to users of the leisure centre outside school hours.

Internal reconfiguration of the existing leisure centre will provide for upgraded changing facilities, gym studio, storage, café and reception area. The existing building will be re-clad in order to upgrade the appearance of the building and better facilitate the internal reconfiguration. A single storey extension is proposed to the east elevation of the existing building which will provide for a legible entrance to the building, including a platform lift, and will comprise of a flat roof with metal cladding walls and automatic sliding doors, ramped access to this entrance will also be provided in order to provide for safe access for all. A smaller extension is also included adjacent to this for a new internal ramp.

The proposed indoor sports pitch will measure approximately 61m in length, 41m in width and will comprise of a curved roof measuring approximately 11m at its highest point. A single storey element will be attached to the building to provide entrance to the building. The scale of this building is necessitated by the use of the building as an indoor sports pitch. The proposed building will be clad in materials to match that of the leisure centre building in order that the complex of buildings are read as one development. However a condition will be imposed to ensure that the exact materials proposed are appropriate for the site. It is considered that due to the landscaping proposed and the location of the building within the site, the main bulk of the building will be sufficiently screened. Whilst it is recognised that the height of the building means that it cannot be screened completely, it is considered that when read in context with the wider site, the building would not have a detrimental impact upon the visual amenity of the surrounding street scene.

The existing car park will be refurbished to provide for 65 car parking spaces with a new access from Cefn Hengoed Road. The proposals also include the provision of a 3 metre wide footway along the southern extent of Cefn Hengoed Road/Cefn Road and a pedestrian crossing facility. Pedestrian linkages through the site from the school to the leisure centre will be improved to ensure that the site is accessible and legible. It is considered that these additions will assist in meeting Active Travel requirements and encouraging the use of alternate modes of transportation to access the site which is welcomed.

Furthermore it is considered that the proposed landscaping and location of the car park below the existing level of Cefn Hengoed Road, would limit its appearance from public vantage points and would be in keeping within the context of this particular site.

Overall it is considered that the proposed development would not have a significant detrimental impact upon the character and appearance of the wider surrounding area.

## **Residential Amenity**

The application site is located some 50m from the nearest surrounding residential property boundary (to the west) and over 70m to the nearest properties to the east. It is not therefore considered that the proposed development would have a detrimental impact upon any neighbouring properties, particularly given that the site currently houses a school and existing leisure facilities.

Whilst it is recognised that a new access to the facilities is proposed along Cefn Hengoed Road, it is unlikely that this would create disturbance or impact over and above the use of the existing and surrounding roads to nearby residential properties. The submitted 'public lighting plan' indicates that whilst two 6m steel single arm lighting columns are proposed along Cefn Hengoed Road, adjacent to Cefn Road, these will replace two existing lighting columns in the same locations. It is not therefore considered that these lighting columns would have an adverse impact upon the residential amenity of the properties along Cefn Road and would represent an upgrading of the current facilities in this location which is welcomed.

New lighting is also proposed in the new car park and on the relocated external multi-use playing facility but lighting plans have been submitted for both of these facilities indicating that light spill would not be a significant issue for residents adjoining the site

Cefn Hengoed Leisure Centre's opening times are currently Monday to Friday 3pm to 9pm and Weekends 10am to 3pm. It is proposed to increase these opening hours as part of the improvements to the site. The new opening times will be Monday to Friday 6.30am to 10.30pm, Saturday 7am to 9pm and Sunday 8am to 9pm. It is not considered that these additional opening hours would give rise to any detrimental impacts to neighbouring properties over and above that which is currently experienced. In fact it is considered that the additional opening hours will benefit the wider community by providing leisure facilities that are accessible for longer periods of the day. Cefn Hengoed School will also use the leisure facilities for physical education classes. It is not considered necessary to impose a condition with regards to opening hours and given it is a Council operated site there is control in this regard. The proposals will therefore accord with Policies PS2, SI1 and SI2 of the Swansea LDP.

### **Access, Parking and Highway Safety**

A Transport Statement (which contained a travel plan) was submitted in support of the planning application. The transport element includes a new 65 space car park (including 4 spaces for disabled use) with a new vehicular/pedestrian access off Cefn Hengoed Road. The waste management regime currently in operation at the school will be maintained and a further bin store is proposed adjacent to the new sports barn with access for refuse vehicles. The Transport Statement indicates there would be 204 daily two-way movements and peak trip generation would be 9 movements in the AM and 24 in the PM peak.

The inclusion of a safe pedestrian link will encourage more sustainable modes of travel such as cycle and on foot. Furthermore the introduction of a pedestrian crossing facility on Cefn Road will be of benefit to the whole community and provide a safe link to Cefn Hengoed School from the south (Cefn Road) whereas currently the footway is intermittent with no continuous link.

Future Wales requires new car parks to provide 10% provision for the charging of ULEV vehicles and the applicant has indicated 8 ULEV charging stations within the site (over 10%). The provision of these would be secured via condition.

It is considered that the traffic generated can be accommodated within the existing infrastructure (subject to the pedestrian/cycle improvements identified as being required). In summary the proposal is not considered to give rise to any highway safety issues and accords with Active Travel requirements.

## **Land Stability**

The application site is located within a Coal Mining Development High Risk Area and Coal Mining Risk Assessments have been submitted with the application. The Coal Authority was consulted and is satisfied that the applicant, based on the professional assessment provided by Earth Science Partnership, has demonstrated to the LPA that the coal mining risks identified at this site have been assessed and can be appropriately mitigated (intrusive site investigations / remediation works). Therefore appropriate conditions will be imposed to ensure that these intrusive site investigations are undertaken. The Authority has no evidence that ground gas would be an issue but may need to be considered further as part of a subsequent Building Regulations application.

## **Ecology**

The submitted ecological information found that no bats were using the building or grounds. The site was found to have very limited ecological value, comprising of species-poor amenity grassland, hard surfaces and buildings. The survey also found that large stands of Japanese Knotweed were located within the vicinity of the southern access road. Therefore a condition with regards to the removal of Japanese Knotweed is considered necessary and will be placed on the application. Overall, the proposals are considered to have a minor impact upon the wildlife value both within the site and the surrounding area, conditions with regards to management and lighting are however considered necessary given the scale of the development. Conditions with regards to tree clearance, trenches, habitat connectivity and visual searches were suggested by the Council's Ecologist. However it is considered that these would be more suitable as informatives to the application. It is considered that the conditions with regards to construction environmental management and landscape environmental management, lighting and Japanese Knotweed will suitably protect the identified habitats and wildlife on site and meet the requirements of the other suggested conditions without the need for duplication. It should be noted that neither NRW or the Council's Ecologist object to the proposal.

In terms of ecological enhancements Policy 9 of Future Wales states that in all cases, action towards securing the maintenance and enhancement of biodiversity (to provide a net benefit), the resilience of ecosystems and green infrastructure assets must be demonstrated.

Policy ER 9 of the LDP supports this and states that proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. The applicant has not indicated any measures as part of the application; a condition to secure a scheme of ecological enhancement measures to ensure that a net benefit is provided to biodiversity as part of this application is considered reasonable and necessary.

## **Drainage**

The Local Authority's Drainage Engineer has confirmed that the development will require sustainable drainage to manage on-site surface water and subsequent SuDS Approval Body Consent will be required. In addition, the site is not located within an identified flood area within the Development Advice Maps.

DCWW has confirmed that that foul and surface water flows can be accommodated in the public foul and surface water sewers respectively and therefore offer no objection to the proposals.

## **Energy**

It should also be noted that Policy EU2 of the LDP requires that development maximises the contribution of renewable or low carbon energy technology to meet the energy demands of the proposal. The applicant has submitted an Energy Statement which has determined that whilst the building area of the site will increase the related emissions will decrease. This is due to replacing existing single glazed windows with double glazing, replacing fluorescent lighting with LED lighting, installation of high efficiency heat pumps and the installation of low water fittings.

It is considered that the use of these high efficiency systems will reduce the energy usage of the site and subsequent energy demand. It is therefore considered that these proposals will utilise low carbon technology and will meet the aims of Policy EU2 of the LDP.

## **Other Matters**

This site is within 500m of the Bonymaen Standing Stone on Mansel Road. However it is considered that given the intervening development and distance of separation there will be no effect on the setting of this designated heritage asset.

## **Public Objections**

Objections have been raised to the development with regards to access, increased traffic, parking and flooding. It is considered that these issues have been adequately addressed in the main body of this report. The applicant will also be advised to review the comments of the Police D.O.C.O.

## **Conclusions**

In conclusion it is considered that the proposals represent an acceptable form of development. The proposals will not have a detrimental impact upon the visual and residential amenity of the surrounding area, nor will it have a detrimental impact upon ecology, land stability, trees and drainage. The proposed development will therefore accord with LDP policies, placemaking and well-being goals and promotes healthy lifestyles by providing new and improved facilities for the school and the wider community. Approval is recommended.

Consideration 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 section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this recommendation due regard has been given to the ways of working set out at section 5 of the WBFG Act and it is considered that this recommendation is consistent with the sustainable development principle as required by section 8 of the WBFG Act.

## **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:

5172\_010\_B location plan, 5172\_015\_H proposed site plan overview, 5172\_016\_F proposed site plan 1, 5172\_017\_E proposed site plan 2, 5172\_018\_D proposed site plan 3, 5172\_019\_A proposed site plan 4, 5172\_025\_C proposed site topography 1, 5172\_026\_B proposed site topography 2, 5172\_027\_A proposed site topography 3, 5172\_100\_B proposed leisure centre - GA plan, 5172\_105\_B setting out plans, 5172\_150\_B proposed indoor sports pitch - general arrangement plan, 5172\_200\_A proposed leisure centre - elevations, 5172\_250\_B proposed indoor sports pitch - elevations, 5172\_350\_B proposed indoor sports pitch - GA section ZZ, 5172\_375\_A proposed site sections, 5172\_375\_A proposed site sections, 5172\_700\_B proposed visuals, E/700 P1 site plan external lighting services layout, PL.782/20/01.R.C landscape proposals, SWMWREC-DR-CD-000001 P03.1 outline drainage proposals, SWMWREC-DR-CD-000001\_P02 outline drainage proposals, SWMWREC-DR-CH-000001 P02 general arrangement, SWMWREC-DR-CH-000002\_P02 track roads, SWMWREC-DR-CX-000001 P02 typical sections, received 14th May 2021.

R547\_001 P2 proposed scheme plan, R547\_002 P2 site clearance plan, R547\_003 P2 construction details, R547\_004 P2 proposed public lighting plan, received 5th August 2021.

P01.1 standard details, P01.1 vehicle clearance track runs, P03.1 track runs, P04.1 general arrangement, received 9th August 2021.

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

- 3 No development shall commence on any Area as identified within the Geo-Environmental and Geotechnical Assessment, dated October 2019 and Addendum Coal Mining Risk Assessment Report, 30 July 2021 prepared by Earth Science Partnership until:

- a) a scheme of intrusive site investigations has been carried out on site for that Area to establish the risks posed to the development by past coal mining activity, and;
- b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, for that Area, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. This should include the submission of the approved site layout plan to illustrate the exact location / influencing distance (area of instability) of the 2no. recorded mine entries (Area C only).

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason: To ensure the coal mining risks identified at this site have been assessed and can be appropriately mitigated.

- 4 Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the coal mining risks identified at this site have been appropriately mitigated and verified.

5 Prior to the commencement of development, a scheme of Ecological Enhancement Measures and an Implementation Timetable shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Enhancement shall thereafter be undertaken in accordance with the approved scheme and Implementation Timetable and retained thereafter for the lifetime of the development.

Reason: In the interests of biodiversity and to provide a net benefit to biodiversity in accordance with Policy 9 of Future Wales and ER 9 of the Swansea Local Development Plan (2010-2025).

6 Prior to the commencement of development, including any clearance works, a Construction Environmental Management Plan (CEMP) detailing all necessary pollution prevention measures for the construction phase of the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in strict accordance with the approved CEMP. The CEMP shall include:

- The parking of vehicles of site operatives and visitors;
- Details of the storage, loading and unloading of plant, machinery and materials (including any oils, fuels and chemicals), the location of any construction compound(s) and any temporary facilities for construction/ sales staff);
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- Wheel washing facilities;
- Measures to control the emission of dust and dirt during construction;
- Detailed external lighting plan (to include security lighting) during the construction to ensure dark corridors of habitat are maintained across the site;
- A scheme for recycling/disposing of waste resulting from construction works.
- Details of all pollution prevention measures to include surface water management and maintenance
- Operational hours
- Details of emergency response kits and procedures
- A complaints procedure and community liaison point of contact; and
- Details of emergency contacts, for example Natural Resources Wales' Pollution hotline: 0300 065 3000.

Reason: To ensure the site is developed in a sensitive manner that respects the surrounding environment with regards to highway safety, public health, contamination and ecology.

7 Prior to the commencement of development, including any clearance works, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall outline processes and instructions to manage and monitor the site, and its operations, both during and after development, in such a way so as to protect and enhance the biodiversity and ecology of the site. The LEMP shall include details of the methods regarding the following:

- i) Bats
- ii) Nesting birds
- iii) Badger
- iiii) Hedgehog



- v) Reptiles & amphibians
- vi) Toolbox talks to site operatives

The development shall thereafter be carried out and operated in accordance with the approved LEMP.

Reason: In the interests of ecology and biodiversity enhancement.

- 8 Notwithstanding the details submitted to date, and prior to the commencement of development, a sensitive external lighting strategy for the car park lighting shall be submitted to and approved in writing by the Local Planning Authority. The strategy should aim to protect bats and other nocturnal species. The lighting plan should reflect the Bat Conservation Trust's Bats and Artificial Lighting in the U.K. (2018) guidance: <https://www.bats.org.uk/our-work/buildings-planning-and-development/lighting> and lighting should be below 3000K.

The development shall be carried out in accordance with the approved lighting strategy and retained as such thereafter.

Reason: In the interest of ecology and biodiversity.

- 9 No development shall commence until full details and/ or samples of the materials to be used in the construction of the external surfaces of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details.  
Reason: To ensure a proper standard of development and appearance in the interests of conserving the amenities and architectural character of the area.

- 10 No development shall take place until Arboricultural Impact Assessment and Arboricultural Method Statement in accordance with BS5837:2012 has been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter take place in accordance with the approved Arboricultural Impact Assessment and Method Statement.  
Reason: To prevent detrimental impact to trees, hedges and other landscape features which contribute to the amenity, landscape and biodiversity of the site and surrounding area.

- 11 Notwithstanding the details submitted to date, no development or site clearance shall take place until there has been submitted to and approved in writing by the Local Planning Authority a fully detailed scheme of landscaping including species, spacings and height when planted of all new planting. The scheme shall include indications of all existing trees (including spread and species) and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the first beneficial occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of maintaining a suitable scheme of landscaping to protect the visual amenity of the area, to maintain the special qualities of the landscape and habitats through the protection, creation and enhancement of links between sites and their protection for amenity, landscape and biodiversity value.

- 12 Prior to the first beneficial occupation of the development hereby permitted, the off-site highway improvements works as indicated on Drawing No. R547\_001 Rev. P2, and the site access works and car park as indicated on Drawing No. SW-3\_001 Rev. P04-1) shall be completed in accordance with the approved details, and retained thereafter for the lifetime of the development.

Reason: In the interests of highway safety and to ensure the improvement works are undertaken in a timely manner.

- 13 Prior to the first beneficial occupation of the development hereby approved, the car parking provision shall be completed and shall be clearly demarcated on the ground as indicated on Drawing No. SW03\_001 Rev P04.1 and retained as such solely for the parking of vehicles for the lifetime of the development.

Reason: To ensure adequate car parking provision is provided and retained for users of the development.

- 14 The Ultra Low Emission Vehicle (ULEV) charging points as indicated on Drawing Number E/700 rev. P1 (Site Plan External Lighting Services Layout Plan) shall be provided prior to the first beneficial occupation of the development hereby permitted and retained as such thereafter for the lifetime of the development.

Reason: To ensure ULEV charging points are provided to comply with Policy 12 of Future Wales.

- 15 The cycle parking as indicated on Drawing Number 150 Rev. B (Proposed Indoor Sports Pitch GA Plan) shall be provided prior to the first beneficial occupation of the development hereby permitted and retained as such thereafter for the lifetime of the development.

Reason: To ensure cycle parking is provided to encourage sustainable modes of transport.

- 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 national development plan is Future Wales: The National Plan 2040. The following policies were relevant to the consideration of the application:

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping urban growth and regeneration - Strategic placemaking

Policy 3 - Supporting Urban Growth and Regeneration - Public Sector Leadership

Policy 9 - Resilient ecological networks and Green infrastructure

Policy 12 – Regional Connectivity

Policy 28 - National Growth Area - Swansea Bay and Llanelli

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, SI1, SI2, RC2, ER8, ER9, ER11, T1, T2, T5, T6, EU4, RP1, RP2, RP3, RP4, RP5, RP7 and RP10.

- 2 Under the provisions of Schedule 3 of the Flood and Water Management Act 2010, your development may require Sustainable Drainage Approval before any construction work commences. Further details can be found on the Authority's website:- <https://www.swansea.gov.uk/sustainabledrainage> 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.
- 3 The proposed development is crossed by a trunk watermain, the approximate position being shown on the attached plan. Dwr Cymru Welsh Water as Statutory Undertaker has statutory powers to access our apparatus at all times. We enclose our Conditions for Development near Watermain(s). It may be possible for this watermain to be diverted under Section 185 of the Water Industry Act 1991, the cost of which will be re-charged to the developer. The developer must consult Dwr Cymru Welsh Water before any development commences on site.

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).

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.

- 4 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).

- 5 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 is in use or being built
  - Take or destroy an egg of any wild bird

You are advised that any clearance of trees, shrubs, scrub (including gorse and bramble) or empty buildings should not be undertaken during the bird nesting season, 1st March - 31st August and that such action may result in an offence being committed.

- 6 Badgers and their setts are protected under The Protection of Badgers Act 1992. It is an offence to:
- Kill, injure or take a badger;
  - Damage, destroy or obstruct access to a badger sett; and
  - Disturb a badger when it is occupying a sett.

If evidence of badgers is encountered during development, work must cease immediately and the advice of a suitably qualified ecologist or NRW sought before continuing with any work (01792 634960 / 0300 065 3000).

All trenches and excavations must be fenced off or covered overnight to prevent any animals from falling in and becoming trapped. If this is not possible an adequate means of escape must be provided (i.e. a gently graded side wall or provision of gently sloped wooden plank or equivalent). Any exposed pipes and trenches must be checked for trapped wildlife each morning before starting construction activities.

- 7 There is the potential for hedgehogs to be present in the area. Hedgehogs are protected under Schedule 6 of The Wildlife and Countryside Act 1981 (as amended), which prohibits killing and trapping by certain methods. They are also listed on Section 7 of The Environment (Wales) Act 2016. This is a list of the living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.

In order to retain habitat connectivity for species of principal importance, such as hedgehogs, boundary treatments should not be flush to the ground, or suitably sized gaps 13 x 13 cm should be left at strategic points. See: <https://www.hedgehogstreet.org/hedgehog-friendly-fencing/>

- 8 Reptiles & amphibians may be present. All British reptile & amphibian species are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It makes it an offence to intentionally kill or injure reptiles

- 9 Please note that the Ecological Enhancement Measures could include: bat boxes, bird boxes, green walls/ roofs, the provision of hibernacula in the garden for animals, a pond or native planting/ wildflowers in any landscaping scheme. The above are provided as an example and are not an exhaustive list.
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