

ITEM 1

APPLICATION NO. 2014/0786

WARD: Uplands
Area 1

Location: 33 Uplands Crescent, Uplands, Swansea SA2 0NP

Proposal: Change of use of first floor from residential flat (Class C3) to restaurant (Class A3) with rebuilding of walls and fencing and associated works at rear of property.

Applicant: Mr B Nunes



BACKGROUND INFORMATION**POLICIES**

Policy	Policy Description
Policy EC5	Development within designated district centres will be encouraged where it is of a type and scale that maintains or improves the range and quality of shopping facilities and meets other specified criteria. (City & County of Swansea Unitary Development Plan 2008)
Policy ECNR	Proposals for non retail uses at ground floor level within shopping centres will be assessed against defined criteria, including their relationship to other existing or approved non retail uses; their effect upon the primary retail function of the centre; the proposed shop front and window display; the time the unit has been marketed for A1 uses, and its likelihood of continuing to be vacant; its location in relation to the primary shopping area; and its impact upon the vitality, viability and attractiveness of the centre. (City & County of Swansea Unitary Development Plan 2008)
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy EV40	Development proposals will not be permitted that would cause or result in significant harm to health, local amenity, natural heritage, the historic environment or landscape character because of significant levels of air, noise or light pollution. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2011/1509	Change of use from retail (Class A1) to a restaurant (Class A3) Decision: Grant Permission Conditional Decision Date: 21/12/2011
2010/1415	Change of use from first floor office (Class B1) to a residential flat (Class C3) Decision: Grant Permission Conditional Decision Date: 21/10/2010

ITEM	1 (CONT'D)	APPLICATION NO.	2014/0786
2014/0346	Variation of condition 3 of planning permission 2011/1509 granted 21st December 2011 to allow the opening hours to be extended Decision: Approve Conditional (S73) Decision Date: 02/06/2014		
75/1162/01	GROUND FLOOR RESTAURANT Decision: *HGPC - GRANT PERMISSION CONDITIONAL Decision Date: 30/10/1975		
76/0124/11	CHANGE OF USE TO PREMISES FOR THE PREPARATION OF TAKE AWAY MEALD Decision: *HRP - REFUSE PERMISSION Decision Date: 29/04/1976		
76/1038/11	CHANGE OF USE TO A HAIRDRESSERS Decision: *HPD - PERMITTED DEVELOPMENT Decision Date: 22/09/1976		
77/0007/11	CHANGE OF USE TO A WINE BAR Decision: *HGPC - GRANT PERMISSION CONDITIONAL Decision Date: 24/02/1977		
97/6042	RETENTION OF INTERNALLY ILLUMINATED FASCIA SIGN AND PROJECTING SIGN Decision: *HGCC - GRANT CONSENT WITH CONDITIONS Decision Date: 13/06/1997		
2013/1754	Change of use of dry cleaners (Class A1) to a mixed use development comprising Class A1 and Class A3 on ground floor, Class A3 on first floor and a Class D1 community resource and media centre on second floor, new shop front and associated fenestrations alterations Decision: Grant Permission Conditional Decision Date: 30/05/2014		

RESPONSE TO CONSULTATION

The application was advertised on site and five neighbouring residents were individually consulted. NO RESPONSE.

Highway Observations

Change of use of first floor from residential flat (Class C3) to restaurant (Class A3) with outside seating area and associated works at rear of property. The restaurant is to be used in conjunction with the ground floor unit and is not intended as a stand alone premises. Customer parking will continue to take place in the on street facilities. The site is also well served by public transport provision. . The nature of the use is such that car travel is not expected to be the main mode of transport. I recommend that no highway objections are raised to the proposal.

Pollution Control – No objection subject to conditions

APPRAISAL

This application has been called to Area 1 Development Control Committee for determination at the request of Councillor John Bayliss to consider the impact of the proposal on the residential amenity of the occupiers of nearby properties. A site visit is requested.

Full planning permission is sought for the change of use of the first floor of 33 Uplands Crescent from residential (Class C3) to restaurant (Class A3).

Planning history

In terms of the planning history of this premises, planning permission was granted on 21st October 2010 (2010/1415 refers) for the change of use of the first floor of 33 Uplands Crescent from offices (Class B1) to a self contained flat (Class C3). The second floor contains a 2 bed self contained flat that has been in-situ for some time and will remain. In this respect there has been an historical commercial use of the first floor.

Planning permission was granted on 21st December 2011 (2011/1509 refers) for the change of use from retail (Class A1) to a restaurant (Class A3). This application seeks to extend the restaurant into the first floor.

A further application was approved on 2nd June 2014 (2014/0346 refers) to vary condition 3 of planning permission 2011/1509 to allow the opening hours to be extended.

Condition 2 of planning permission 2014/0346 states:

The premises shall not be used by customers before 07:00 nor after 23:00 on any day.

Description

The application property is a mid terraced three storey commercial property located within Uplands District Shopping Centre. The proposal will not result in any alterations to the front elevation. The external alterations are proposed to the rear elevation which is visible from the rear access lane. The main external alterations are a new blockwork wall and timber fence to enclose the flat roof area. The windows in the rear elevation at first floor level of the existing two storey building will be blocked up to provide improved toilet facilities at first floor level accessed via an enclosed staircase from the ground floor.

The ground floor restaurant will be extended into the existing store room and the larger doorway to the rear ground floor elevation of the two storey building will be blocked up and replaced with a single doorway providing access to the bin store. This will also facilitate the provision of an accessible toilet to the ground floor. Any external flue and condenser/chiller units will be controlled by appropriate condition.

The original plans submitted proposed an external seating/smoking area to the first floor roof area providing approximately 28 covers. Following concerns raised by Officers and Pollution Control Officers on the impact of the use of a first floor external area which has the potential to give rise to additional noise and disturbance to the detriment of the residential amenity of the occupiers of the adjoining and surrounding residential uses, this element has now been completely removed from the scheme. An appropriate condition is also recommended to ensure that the area is not available for customers to use.

Issues

The main issue for consideration relates to the acceptability of the proposal at this location having regard to prevailing planning policies. There are in this case considered to be no additional overriding issues for consideration having regard to the provisions of the Human Rights Act.

Uplands District shopping centre provides a full range of shopping and complimentary facilities. The ground floor of 33 Uplands Crescent has a lawful A3 use as a restaurant and in this instance the expansion into the first floor will complement an existing ground floor A3 use and will contribute to maintain the vitality, viability and attractiveness of the centre in accordance with Policy EC5. Policy EV1 requires that development shall accord with the objectives of good design and Policy EV3 relates to accessibility.

In terms of visual amenity, the proposal will introduce additional block walling and fencing to the rear elevation, an external flue and associated works, and fenestration alterations to the existing two storey building. The property is located within a primary location in the Uplands District Shopping Centre with other commercial uses either side with residential uses at first floor level. The main external alterations are confined to the rear and are not visible from the main shopping street frontage. In light of this analysis, on balance it is not considered that the proposal raises any significant detrimental impact on the visual amenity of the area that would be so harmful to warrant a recommendation of refusal on these issues alone.

With regard to residential amenity, the application property is located within the Uplands District shopping centre and is bounded on both sides by commercial properties currently with residential at upper floors. The first floor external seating area has been removed from the proposal to prevent an unacceptable impact on nearby residents. The application sought opening hours that exceeded those hours restricted by condition for the ground floor of the premises (i.e. to be open until midnight Monday to Saturday). In the interests of residential amenity, it is not considered the proposed hours are acceptable and a suitable condition to restrict the hours of operation to be the same as the ground floor is recommended. The application property is within a District Shopping Centre with other A3 uses that open during both daytime and evening hours. Within the street scene there are also commercial uses at first floor level. On this basis, the principle of commercial uses at first floor level within a District Shopping Centre is well established.

On balance and subject to appropriate conditions, it is considered that the change of use of the first floor to a restaurant Class A3 in association with the ground floor use, would have no significant adverse impact upon the residential amenities of the occupiers of neighbouring properties by virtue of unacceptable levels of general noise and disturbance, over and above that associated with the existing ground floor use and other similar uses within the immediate vicinity that would be no harmful to warrant a recommendation of refusal in this instance.

Turning to highway safety, the Head of Transportation and Engineering has noted that the restaurant is to be used in conjunction with the ground floor unit and is not intended as a stand alone premises. Customer parking will continue to take place in the on street facilities and the site is also well served by public transport provision. . The nature of the use is such that car travel is not expected to be the main mode of transport and no highway objections are raised.

Pollution Control has raised no objection subject to conditions relating to ventilation and chiller/refrigeration units. The use of the external first floor area has been removed by condition.

Having regard to all material planning considerations including the Human Rights Act, it is considered that the use of the first floor of 33 Uplands Crescent to a restaurant (Class A3) is an acceptable form of development within this district shopping centre in accordance with the requirements of Policies EV1, EV3 and does not conflict with the aims of Policy EC5. Approval is recommended.

RECOMMENDATION

APPROVE, subject to the following conditions:

- 1 The development hereby permitted shall begin not later than five years from the date of this decision.
Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act, 1990.
- 2 The first floor use hereby approved is for a restaurant (Class A3) use only and for no other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
Reason: The development hereby approved is such that the Council wish to retain control over any future development being permitted in the interests of residential amenity.
- 3 The premises shall not be used by customers before 07:00 nor after 23:00 on any day.
Reason: To safeguard the amenities of the occupiers of neighbouring properties.

- 4 Other than in the case of emergency, the external area of the first floor shall not be used at any time in connection with the use of 33 Uplands Crescent, Uplands.
Reason: To safeguard the residential amenity of the occupiers of neighbouring residential properties.
- 5 Prior to the use commencing, a scheme of ventilation and fume extraction, including full details of the equipment to be installed for that purpose, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully installed prior to the use commencing unless otherwise agreed in writing by the Local Planning Authority.
Reason: To protect the neighbourhood from noise and odour associated with the cooking method at the premises.
- 6 No net increase of surface water shall be allowed to connect (either directly or indirectly) to the public sewerage system unless otherwise approved in writing by the Local Planning Authority.
Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no detriment to the environment.
- 7 Prior to the use commencing, a scheme which specifies the provisions to be made for any condensing units relating to refrigeration and freezing of products shall be submitted to and approved in writing by the Local Planning Authority. Such works that form part of the approved scheme shall be completed before the beneficial use commences and any such units must be implemented and maintained in accordance with the approved details unless agreed otherwise in writing by the Local Planning Authority.
with the approved details.
Reason: To prevent any nuisance from noise and disturbance from any chiller or condenser units to the occupiers of neighbouring premises.

INFORMATIVES

- 1 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: EV1, EV3, EV40, EC5 and ECNR.
- 2 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 3 If the development will give rise to a new discharge (or alter an existing discharge) of trade effluent, directly or indirectly to the public sewerage system, then a Discharge Consent under Section 118 of the Water Industry Act 1991 is required from Dwr Cymru Welsh Water. Please note that the issuing of a Discharge Consent is independent of the planning process and a Consent may be refused although planning permission is granted.

ITEM 1 (CONT'D)

APPLICATION NO. 2014/0786

PLANS

CAS-00-site location plan & block plan, CAS-01A-existing basement floor plan, existing first floor plan, existing ground & lower floor plan, CAS-15-exisitng elevations, CAS-17-existing photos dated 3rd June 2014, Amended plans CAS-16 Rev C proposed elevations, CAS-02 Rev K - Proposed floor plan dated 13th August 2014.

ITEM 2

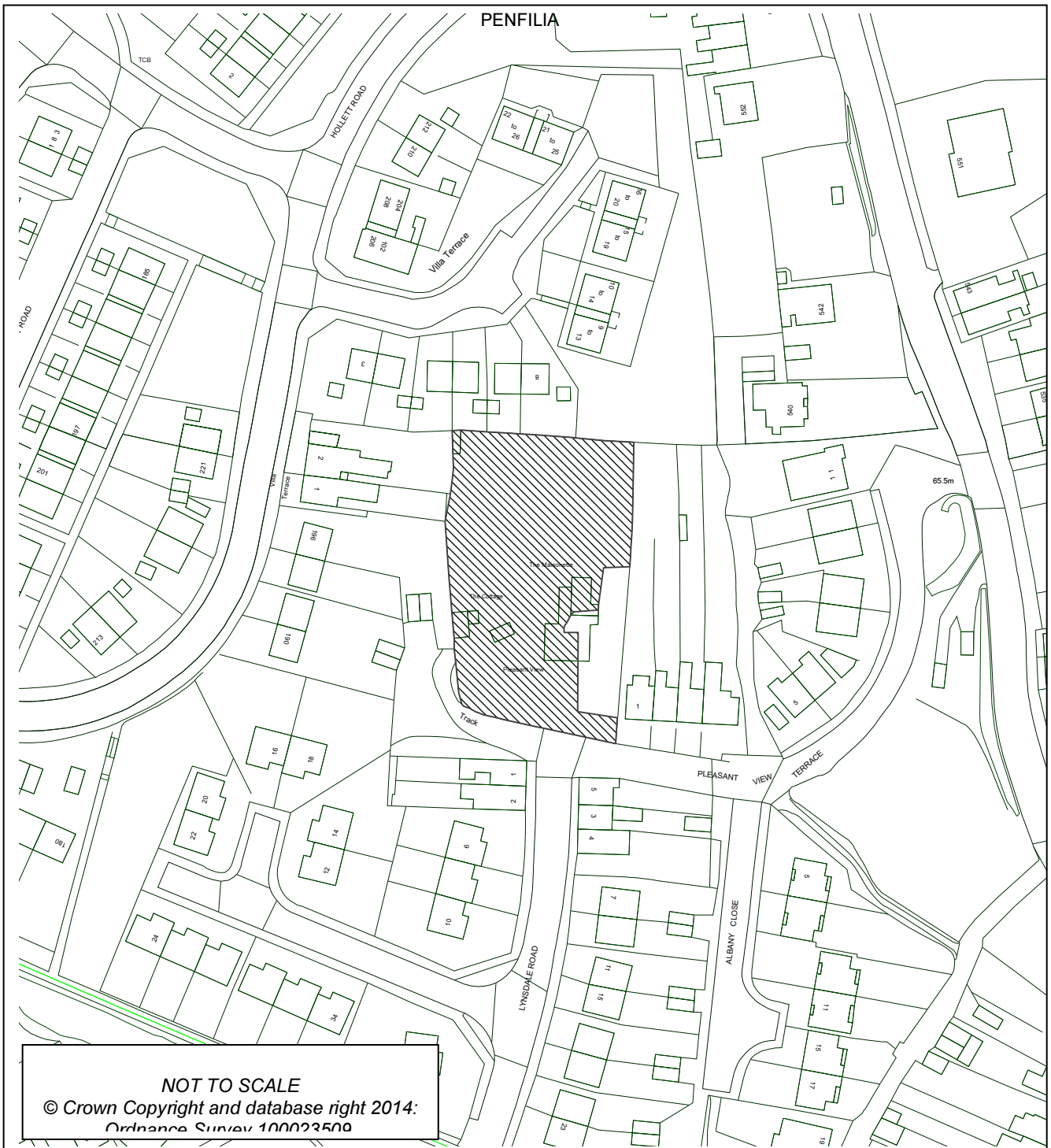
APPLICATION NO. 2014/0420

WARD: Mynyddbach
Area 1

Location: Pleasant View Farm, Pleasant View Terrace, Brynhyfryd, Swansea. SA5 9HB

Proposal: Demolition of existing building, construction of four detached dwellings, new shared driveway and associated works.(Amended and additional plans received)

Applicant: Ashvale Properties (UK) Ltd



BACKGROUND INFORMATION**POLICIES**

Policy	Policy Description
Policy AS6	Provision of car parking in accordance with adopted standards. (City & County of Swansea Unitary Development Plan 2008)
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy EV4	New development will be assessed against its impact on the public realm. (City & County of Swansea Unitary Development Plan 2008)
Policy HC2	Housing development within the urban area will be supported where the site has been previously developed, its development does not conflict with other policies, does not result in ribbon development, and the coalescence of settlements, overintensive development, loss of residential amenity, adverse effect on the character and appearance of the area, loss of urban green space, harm to highway safety, adverse effects to landscape, natural heritage, security and personal safety, infrastructure capacity, and the overloading of community facilities and services. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2013/0588	Construction of four detached dwellings, new shared driveway and associated works Decision: Officer Consideration Decision Date: 08/08/2013
2011/1267	Demolition of existing dwelling, construction of four terraced dwellings, one pair of semi-detached dwellings, two detached dwellings, new service road and associated works Decision: Refuse Decision Date: 08/08/2012

ITEM 2 (CONT'D)

APPLICATION NO.

2014/0420

2006/1885 Detached dwelling (outline)
Decision: Grant Permission Conditional
Decision Date: 30/07/2007

Response to consultations

FIFTEEN NEIGHBOURING PROPERTIES were consulted and the proposal was advertised on site.

ONE LETTER OF OBJECTION was received which may be summarised as follows:

1. Access concerns. Access is via Pleasant View Terrace which is a private road and not up to highways standard. The use of this road by heavy construction traffic will cause considerable damage to the road condition.
2. Highway safety issues due to reduced visibility from trees and bushes that are not maintained.
3. If approved a section 106 agreement should be required to bring pleasant view terrace up to adopted standard

Highway Observations – Request the submission of longitudinal section through the site showing the proposed gradient of the shared drive.

Dwr Cymru Welsh Water – No objection subject to standard conditions and advisory notes.

Amended & Additional Plans – received 14th July 2014.

The original submission proposed the construction of four dwellings in the curtilage of Pleasant View Farm, excluding the existing building from the scheme. Following Officer concerns regarding the proposed layout of the development & in particularly the relationship of plots 2, 3 and 4 at the rear of the site, which were considered to be cramped and would result in overbearing impacts, the scheme has been amended, to include the demolition of the existing building on site and the construction of 4 new dwellings with a shared access driveway.

FIFTEEN neighbouring properties were re-consulted. TWO ADDITIONAL LETTERS OF OBJECTION were received. In addition to the above points the following concerns were raised:

1. Noise and dust pollution during construction;
2. We have not been consulted by the applicant;
3. Overlooking impact;
4. Additional traffic and parking concerns;
5. The scheme is not in keeping with the traditional rural character of the area

Highway Observations – Demolition of existing building, construction of four detached dwellings, new shared driveway and associated works. (Amended and additional plans received).

Access to the site is via Pleasant View Terrace which is a private un-adopted street. There is no street lighting, only one footway, and restricted forward visibility. It is also in a poor state of repair.

There was a recent refusal of planning permission at the site (2013/0588) which would have been recommended for refusal if it had not been appealed on the grounds of non-determination, on the grounds of both Planning and Highways grounds. The appeal was eventually dismissed the Inspector did not agree with a number of issues mentioned, particular regarding the suitability of Pleasant View Terrace to cater for the additional traffic generated by four new dwellings. As such Highways are not in a position to object to the use of Pleasant View as the sole means of access, nor request any form of upgrade. There is a length of footway shown to the south of the site, part of which is not in the control of the applicant. The erection of this element is problematic in two ways, firstly the land is not shown as being in the ownership of the applicant, and secondly the footway extends into what is currently the carriageway, thus the available width would be reduced. We would not be supportive of this element as submitted however if the footway was moved northwards into the site so completion was wholly within land in the applicant's ownership then this would be acceptable from a highways viewpoint. It appears that this can be accommodated without impact to the siting of the dwelling and the building line

The provision of four houses can be serviced off a shared drive, of minimum width 4.5m. The plan shows an access of 4.5m with a turning head at the end. From the spot levels shown on the drive it can be seen that the maximum allowable gradient of 1:9 is not exceeded and as such the layout accords with the requirements of the shared private drive criteria.

Parking is shown at two spaces per plot which is an appropriate level for the proposed two bed units.

Two visitor spaces have been provided in the form of a lay-bye and this should be adequate for the development.

Given the planning history and the most recent appeal decision I recommend that no highway objections are raised to the proposal subject to:

1. The shared drive access being laid out in accordance with the approved plans prior to beneficial occupation of any of the dwellings.
2. The parking areas being laid out in accordance with the approved plans prior to beneficial occupation of any of the units and be retained for parking purposes only in perpetuity.
3. The front boundary walls being kept below 1m in the interests of visibility.

4. Beneficial occupation of any of the dwellings shall not take place until the completion of the footway to the Pleasant View Terrace frontage (on land wholly in the applicant's ownership) has been completed in accordance with details to be submitted for approval to the LPA to Highway Authority Standards and Specification

APPRAISAL

This application is reported to committee for decision at the request of Councillor Ceinwen Thomas to assess highway safety and local amenity concerns. A site visit has also been requested.

Full planning permission is sought for the demolition of the existing building and the construction of four detached dwellings, new shared driveway and associated works on land at Pleasant View Farm, Pleasant View Terrace, Brynhyfryd.

The most recent planning application at this site (ref: 2013/0588) for the construction of 4 detached dwellings, new shared driveway and associated works was referred to the Planning Inspectorate for non-determination. Had the Local Planning Authority determined the application it would have been refused on visual and residential amenity grounds, the inadequacy of Pleasant View Terrace to support such a development and the internal road layout proposed being substandard. The Planning Inspectorate, on 17th December 2013, resolved to dismiss the appeal on the grounds that the internal road layout was substandard and would result in unacceptable highway safety implications, potential overlooking impact and a visual impact due to the haphazard layout of parking spaces.

A further previous application for the demolition of the existing dwelling and construction of four terraced dwellings, one pair of semi-detached dwellings, two detached dwellings and a new service road and associated works on this site was refused on 8th August, 2012 (ref. 2011/1267). The application was refused for the following reasons:-

1. The proposed development, by virtue of the number of units proposed, represents a cramped, contrived and over-intensive form of development to the detriment of the character and appearance of the wider surrounding area contrary to the criteria set out in Policies EV1, EV2 and HC2 of the City and County of Swansea Unitary Development Plan 2008.
2. The proposed development, by virtue of its siting in front of the building line along Pleasant View Terrace, would have an unacceptable visual impact upon the character and appearance of the wider street scene contrary to the criteria set out in Policies EV1 and EV2 of the City and County of Swansea Unitary Development Plan 2008.
3. The proposed development, by virtue of its scale, massing and close proximity to No. 1 Villa Terrace and No. 196 Hollett Road, would have an unacceptable overbearing and overshadowing impact upon the occupiers of these properties to the detriment of their residential amenity, contrary to the criteria set out in Policies EV1, EV2 and HC2 of the City and County of Swansea Unitary Development Plan 2008.

4. The proposal, due to Pleasant View Terrace not being of a sufficient standard to support this additional level of development for both vehicles and pedestrians; the internal layout not complying with Highway Authority guidelines for adopted roads; there being insufficient provision for pedestrian movement within the site and a lack of provision for visitor parking, fails to achieve satisfactory highway safety provision, contrary to the criteria set out in Policies EV1, EV2 and HC2 of the City and County of Swansea Unitary Development Plan 2008.
5. The applicant has failed to demonstrate that the proposal would safeguard any potential protected species at the site, contrary to Policy EV2 of the City and County of Swansea Unitary Development Plan (2008).

This current planning application seeks to overcome the previous reasons for refusal through the redesign of the internal layout and the provision of contemporary two storey dwellings. The Planning Inspector did not raise issue with the principle of Pleasant View Terrace being unacceptable for the new scheme and therefore, this issue is considered no longer relevant to the determination of this application as the Planning Inspectors decision is a material planning consideration.

The main issues for consideration in this instance relate to the impact of the proposal upon the character and appearance of the area, the effect upon residential amenity, and the impact upon existing highway conditions, having regard to prevailing development plan policies and national planning policy guidance. There are in this instance no additional overriding issues for consideration under the provisions of the Human Rights Act.

Under the provisions of Section 54A of the Town and Country Planning Act 1990 (as amended) planning decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan is the City and County of Swansea Unitary Development Plan (UDP) which was adopted on 10th November 2008.

The site falls within the Urban Settlement limits and is shown as 'white land' on the Proposals Map in the UDP and can therefore be considered as an infill site under Policy HC2. This policy allows infill development in the urban area provided the development does not result in:

- (i) Ribbon development or contribute to the coalescence of settlements;
- (ii) Cramped/overintensive development;
- (iii) Significant loss of residential amenity;
- (iv) Significant adverse effect on the character and appearance of the area;
- (v) The loss of urban greenspace;
- (vi) Significant harm to highway safety;
- (vii) Significant adverse effects in relation to:
 - (a) Landscape,
 - (b) Natural heritage,
 - (c) Security and personal safety,
 - (d) Infrastructure capacity,
 - (e) The overloading of available community facilities and services.

The criteria for assessing whether the design and layout is acceptable in the context of the surrounding area are important. In line with the objectives of Planning Policy Wales (PPW) 2012 and TAN 12: Design, UDP, Policies EV1 and EV2 seek to ensure that new development is appropriate, inter alia, to its local context in terms of scale, height, massing, elevational treatment, materials and detailing, etc., and integrates into the existing settlement with no detrimental impact on local amenity. It is considered generally that developments should have proper regard to the amenities of surrounding areas, in particular visual impact, loss of light or privacy, shared activity, traffic and parking implications. Policy EV3 requires that proposals for new development provide inter alia, access and facilities for all and satisfactory parking in accordance with Council adopted design standards, and contribute to the public realm by improving pedestrian linkages. Policy EV4 requires that buildings should make a positive contribution to the public realm. This is further supported by Policy AS6 which requires proposals to provide appropriate car parking provision within the curtilage of the site.

These policies require that the design and layout of all new development proposals should respect and be sympathetic to the character and amenity of the site and its immediate surroundings, and protect the amenity currently enjoyed by neighbouring residents. The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. This is in line with the overarching objectives of PPW which states that new housing developments should be well integrated within and connected to the existing pattern of settlements. Sensitive infilling of small gaps within small groups of houses, or minor extensions to groups, may be acceptable though much will depend on the character of the surroundings. Insensitive infilling or the cumulative effects of development or redevelopment, including conversion and adaptation, should not be allowed to damage an area's character and amenity.

In terms of visual amenity, the existing dwelling on site was a former farmhouse which lies within its own extensive grounds, and lies adjacent to a row of traditional stone-fronted terraced properties on Pleasant View Terrace and opposite a further row of terraced properties along Lynsdale Road. In terms of the proposed land use and its surrounding context, the application site is located in an area which is primarily residential and characterised by a mix of house types ranging from detached dwellings, flats, terraced properties and semi-detached properties of varying heights and plot sizes that have been built over various eras around the former farmhouse.

The application site measures approximately 44m in width (max) and 60m in length (max). The proposed development is located within the curtilage boundary of Pleasant View Farm. The existing dwelling is sited on land which is approximately 2m higher than the highway to the front of the site, and overall the site slopes some 6m in change of levels from the front of the site to the rear. Whilst the applicant states that the existing dwelling currently accommodates three separate units, there is no planning history held within the Local Planning Authority which supports this. The electoral register indicates that there are two separate units on the site.

The current scheme proposes the demolition of the existing building and the construction of four detached dwellings, new shared driveway and associated works.

In terms of site density, the proposal for four dwellings is considered broadly in line with that previously accepted as appropriate infill development at this site. Two dwellings are proposed to the front of the site, following the established building line along Pleasant View Terrace, with a central access point on the frontage, gaining access to the two dwellings at the rear, and the parking areas for each of the dwellings. Such back land development has previously been considered acceptable, primarily due to the presence of the farm house set back in the site.

Plot A presents a dwelling that is highly prominent and is located on the entrance to the site. The dwelling is contemporary in design and, whilst reflecting more traditional elements of dwellings in the vicinity such as a set down and set back of the subordinate side wing and satisfactory proportions between the main section of the dwelling and 'additional' elements, there are some design concerns regarding the pattern of fenestration and roof and eave detailing. The dwelling proposes a uniformed mix of square windows, rectangular windows, box windows and vertical emphasis windows which could be construed as adding architectural confusion to the elevations. Additionally the two storey side element does not include eave details, guttering etc. The plans indicate, however that whilst the main section of the dwelling is to utilise facing brick and reconstituted slate, the two storey side element is to utilise the contrasting material of zinc cladding to the walls and roof with the intention of adding visual interest and contrast.

Plots B and C provide the same house type, albeit handed. These properties make use of the site's topography and incorporate the rising site levels to include split level dwellings with the rear wing being half a storey higher than the main section of the dwelling. Again, the use of zinc cladding is included in an attempt to offer some architectural interest to the dwellings. The use of irregular window sizes is also apparent with box windows mixed with flush windows and horizontal emphasised windows on the front elevations. It is noted that these properties are typically back land developments and therefore are not highly prominent from the main public vantage points of Pleasant View Terrace and surrounding streets. Furthermore, the side projection is set down and subordinate to the main section of the dwelling.

The dwelling on plot D offers the most visually pleasing design, being located along the building line of Pleasant View Terrace with more balanced proportions and simple design. Smooth render, blue facing brick and timber cladding are proposed with more orderly fenestration detailing on the front elevation. This dwelling would be highly visible due to its frontage position and it is considered to satisfactorily represent the transition from the traditional terraced dwellings on Pleasant View Terrace to the more contemporary dwellings proposed in this development.

Whilst the proposal delivers contemporary residential units on a difficult site, and not withstanding the design concerns on several of the dwellings, there is a wide mix of dwelling types in the area ranging from traditional dwellings, terraced dwellings, 1960s semi-detached properties etc, each displaying a wide range of materials in their construction, it is considered that, on balance, the proposal would satisfactorily result in an acceptable redevelopment of this site and provide additional housing stock in the area in accordance with the criteria set out in Policies EV1, EV2, EV3, EV4 and HC2 of the City and County of Swansea Unitary Development Plan 2008.

Turning to residential amenity, the nearest residential property is that of No.1 Pleasant View Terrace with its gable end facing the application site. The proposed dwelling to the south east of the site (plot D) is located approx. 2.4m from the side elevation of No. 1. However as there are no habitable room windows on the side of No. 1 or plot D, there are no overlooking or overbearing issues in this respect. Furthermore, the rear elevation does not project beyond the rear elevation of No. 1, which further aids in minimising any impact from this property. However, the use of a balcony on the rear elevation of this house may result in a level of overlooking being introduced and the balcony would allow for sitting out and gaining views into the outdoor amenity space of No. 1. It is considered, however, that should the Planning Committee be mindful to approve this application, a condition be attached requiring a 2m high obscurely glazed panel be inserted on the eastern end of the balcony to restrict views to the rear of the amenity space of No. 1 and effectively increase the separation distance.

With regard to the property to the south west i.e. plot A, the nearest residential property to the rear is located some 36m to the west (No. 190) with the rear boundary of that property being located approx. 16m away. The garden depth of plot A is approx. 6m and is separated from No. 190 by an access track and detached garage. There are other properties which share a similar relationship with plot A. It is considered, however, that in this instance the separation distances between plot A and the neighbouring properties in addition to the topography of the site are sufficient to ensure that there would be no adverse physical impact in terms of overlooking, overbearing or loss of privacy.

With regard to plots B and C (house type B), these dwellings are located to the rear of the site, backing onto the significant land level rise at the rear. The nearest residential property to plot B is located approx. 23m to the north west with the common boundary being located approx. 10m to the north west. Due to the topography of this section of the site and the separation distances involved, there are no overbearing, overshadowing or overlooking issues to the rear of these properties.

The site layout has been carefully considered with regard to the relationship with existing neighbouring residential properties, and it is considered that it meets the standards of separation distance normally applied by the Council to ensure that there is no adverse effect from any of the proposed dwellings on the residential amenities of occupiers in the surrounding nearest neighbouring dwellings.

In terms of the impact of the proposal on the amenities of the future occupiers, the dwellings are sited within relatively large plots and would provide adequate outdoor amenity space. The scheme has been designed to achieve the required separation distances between dwellings on site, thus providing acceptable physical impacts in terms of overbearing and overshadowing between the rear dwellings and the front of site dwelling. Furthermore the properties to the rear are sited in a way that mitigates any physical overbearing or overshadowing impact.

In terms of overlooking, where there are windows proposed on side elevations of the dwellings, there is adequate separation distances to ensure that no unacceptable levels of overlooking can occur. Where the relationship falls below the guidelines of 10m to the rear boundaries, e.g. the side/front of plot B and the side of plot A, the angles are oblique and the orientation of the dwellings would serve to ensure no unacceptable levels of overlooking.

In view of the above, the proposal is therefore considered to be in accordance with the criteria set out in Policies EV1 and HC2 of the City and County of Swansea Unitary Development plan 2008.

In terms of highway safety, the Head of Highways and Transportation has raised no objection to the scheme subject to the conditions outlined above.

In response to the points raised in the letters of objection, these have been addressed above. Issues relating to construction traffic and inconvenience caused during construction are not material planning considerations and therefore cannot be taken into consideration when determining this planning application.

In conclusion and having regard to all material planning considerations including the Human Rights Act the proposal is considered to represent an acceptable form of infill residential development, which accords with the criteria set out in Policies EV1, EV2, EV3, EV4, HC2 and AS6 of the City and County of Swansea Unitary Development Plan 2008. Accordingly, approval is recommended.

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 Before the development hereby approved is occupied the means of enclosing the boundaries of the site and individual curtilages of all dwellings shall be completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of visual amenity and general amenity.
- 3 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.
- 4 The materials used for the external surfaces of the development shall be in accordance with details submitted to and approved in writing by the Local Planning Authority before the development is commenced.
Reason: In the interests of visual amenity.
- 5 Notwithstanding the details hereby approved, the balcony serving house type C shall include a privacy screen along its eastern edge in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to works commencing on the dwelling. The dwelling shall not be brought into use until the balcony screen has been erected in accordance with the approved plans and the privacy screen shall be retained as approved at all times unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interest of residential amenity.

ITEM 2 (CONT'D)

APPLICATION NO.

2014/0420

- 5 Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 34 of the Environmental Protection Act 1990. Carriers transporting waste must be licensed waste carriers.
- 6 The activity of importing waste into the site for use as, for example hardcore, must re-registered by the Environment Agency Wales as an exempt activity under the Management Licensing Regulations 1994.

PLANS

183-02 existing site plan; 183-05 House type A (plot A) floor plans; 183-06 House type A (plot A) elevations; 183-07 House type B (plot B) floor plans; 183-08 House type B (plot B) elevations received 20th March 2014; 183-10 House Type B handed (plot C) floor plans; 183-11 House type B handed (plot C) elevations received 4th April 2014; 183-01A site location plan; 183-03B proposed site plan; 183-09B proposed block plan; 183-12 House type C (plot D) floor plans; 183-13 House type C (plot D) elevations; 183-14 Site sections received 14th July 2014.

ITEM 3

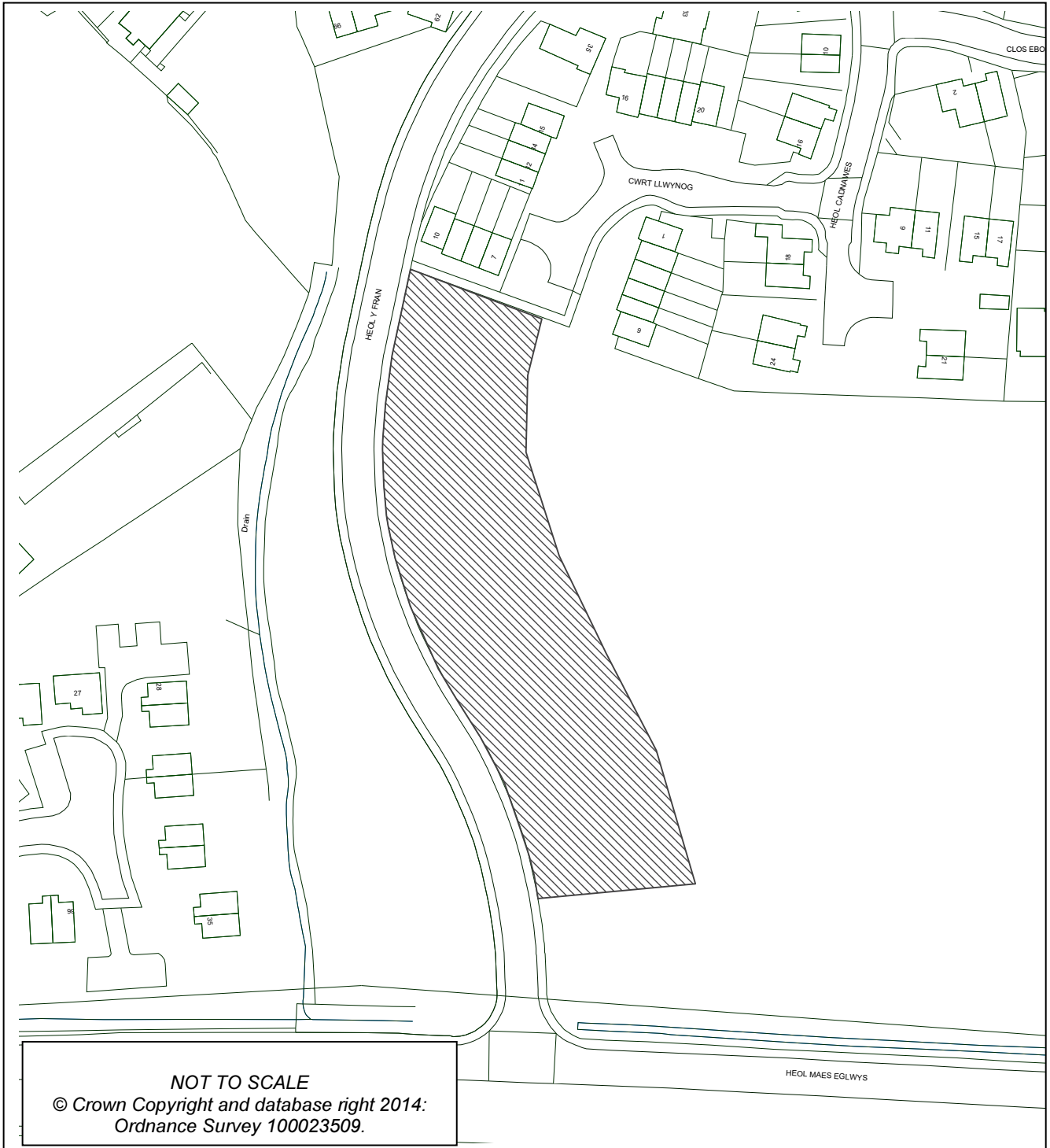
APPLICATION NO. 2014/0922

WARD: Morriston
Area 1

Location: Land at Heol Y Fran, Morriston, Swansea

Proposal: Fourteen 3 bedroom semi- detached dwellings (details of the appearance, landscaping and scale pursuant to outline planning permission 2013/1632 granted 7th February 2014)

Applicant: Grwp Gwalia



BACKGROUND INFORMATION**POLICIES**

Policy	Policy Description
Policy EV1	New development shall accord with a defined set of criteria of good design. (City & County of Swansea Unitary Development Plan 2008).
Policy EV2	The siting of new development shall give preference to the use of previously developed land and have regard to the physical character and topography of the site and its surroundings. (City & County of Swansea Unitary Development Plan 2008).
Policy EV3	Proposals for new development and alterations to and change of use of existing buildings will be required to meet defined standards of access. (City & County of Swansea Unitary Development Plan 2008)
Policy HC2	Housing development within the urban area will be supported where the site has been previously developed, its development does not conflict with other policies, does not result in ribbon development, and the coalescence of settlements, overintensive development, loss of residential amenity, adverse effect on the character and appearance of the area, loss of urban green space, harm to highway safety, adverse effects to landscape, natural heritage, security and personal safety, infrastructure capacity, and the overloading of community facilities and services. (City & County of Swansea Unitary Development Plan 2008)
Policy HC23	Development proposals that involve the loss of land for community recreation purposes will only be permitted where they comply with a defined set of criteria. (City & County of Swansea Unitary Development Plan 2008)

SITE HISTORY

App No.	Proposal
2013/1632	Fourteen 3 bedroom semi- detached dwellings (including details of access and layout) (outline) Decision: Grant Permission Conditional Decision Date: 07/02/2014
2012/0826	Construction of temporary car park and new temporary access road for a period of 2 years (Council Development Regulation 3) Decision: Withdrawn Decision Date: 25/09/2012

RESPONSE TO CONSULTATIONS

THIRTY FIVE neighbouring properties were consulted and the proposal was advertised on site. TWENTY THREE LETTERS OF OBJECTION have been received which are summarised as follows:

1. Objection to the building of houses on a school field. This field is used by the local community. There are very limited parks and or playing areas around the site.
2. Concerns regarding additional traffic on a heavily congested road which is also a bus route. The estate receives a lot of traffic and the building of houses on a dangerous bend will generate more problems. There have recently been alterations to the road layout in the area which have resulted in collisions and any additional traffic can only increase these instances.
3. Concerns regarding the safety of pedestrians and road users who use Heol Y Fran and that the driveways will make this side of the road impassable by pedestrians.
4. Concerns that the traffic calming measures proposed do not necessarily slow traffic down but increase noise, vibration and pollution.
5. Concerns that the decision must be made by Development Committee due to strength of feeling from local residents a large number of whom have already registered complaints and objections when the initial outline application was submitted.
6. The local primary school is at capacity and has already registered an objection.
7. Concerns that the area already has significant social housing and erecting properties here will have a detrimental effect on the estate with falling house values.
8. Concerns that additional surface water causing flooding when flooding is already a problem.
9. The palisade fencing provides a full view of this green space and keeps the site secure from off road vehicles.
10. Concerns that if this development goes ahead, how long before the whole playing field is developed?

Dwr Cymru Welsh Water – No objection subject to standard conditions and advisory notes. No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.

Highway Observations – Outline permission has already been granted thus the principle of residential development has already been established. The site is fronted by Heol Y Fran and is part of the grounds of Morrision Comprehensive School. Individual vehicular accesses are gained directly off Heol Y Fran. The site is considered to be in a sustainable location to promote non car usage.

Parking at 2 spaces per house is an appropriate level given the proximity to local amenities such as schools, the hospital and the bus services. The layout of the spaces on the drive is to the current standard of 3.2m width.

Concerns have been raised regarding the reversing impact of the cars either onto or off Heol Y Fran and speeds along the road. It is proposed to condition some traffic calming measures along the site frontage in order to address speed issues at the site and also minimise the impact of reversing vehicles to passing traffic by virtue of the reduced speeds. In addition the front boundaries will need to be kept below 1m in the interests of visibility.

The new vehicular accesses off Heol Y Fran will need to be constructed by (and under Agreements) with the Highway Authority. The development would only be predicted to generate low levels of vehicular movements (approximately 9 movements in the peak hour) and hence the impact at school drop off/pick up should be minimal with regard to cars leaving the site.

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

1. The applicant is required to submit a Travel Plan for approval within 12 months of consent and that the Travel Plan is implemented prior to the beneficial use of the dwellings commencing.
2. The front boundary walls along Heol Y Fran being kept below 1m in the interests of highway safety.
3. The construction of vehicular crossings to facilitate vehicular access to the plots to Highway Authority Specification.
4. A traffic calming scheme to be implemented along the site frontage in accordance with details to be submitted for approval, and implemented prior to beneficial occupation of any of the units.

Note: The Developer must contact the Highway Management Group , The City and County of Swansea , Penllergaer Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Senior Engineer (Development), e-mails to: jim.marshall@swansea.gov.uk or the Team Leader, e-mails to mark.jones@swansea.gov.uk tel. no. 01792 636091

APPRAISAL

This application is reported to Committee for decision at the request of Councillors Andrea Lewis and Robert Stewart to consider public concern and to assess the impact on the area. A site visit has also been requested.

This application seeks reserved matters consent for fourteen 3 bedroom semi-detached dwellings (details of the appearance, landscaping, and scale pursuant to outline planning permission 2013/1632) on land at Heol Y Fran, Morriston.

The application site is located within the urban settlement of Morriston, on land currently forming the western extent of the Morriston Comprehensive school playing fields. This 0.39 hectare site is an area of rough grassland that forms a buffer zone between the sports pitches of the school and Heol Y Fran to the west. It comprises of a moderately sloping banked area taking up the changes in levels between the site frontage on the eastern side of Heol Y Fran and the school playing field to the east. The site is bounded by residential properties in Cwrt Llwynog, a cul-de-sac to the north.

To the south the site boundary stops approximately 30m before the junction of Heol Y Fran and Heol Maes Eglwys. Access to the site will be derived directly off the front highway of Heol Y Fran. Currently there is a high palisade fence in situ which runs along the length of the site preventing access into the site via Heol Y Fran.

Main Issues

The site layout and number of proposed units has already been determined under the outline planning permission (2013/1632 granted 7th February 2014). The principle of the development of this site for residential purposes has therefore been established. The main issues for consideration in this instance relate to whether the proposed development is an acceptable form of residential development in terms of the appearance, landscaping and scale. There are in this instance no additional overriding issues for consideration under the provisions of the Human Rights Act.

The UDP Policies considered relevant to this application are Policies EV1 (Design), EV2 (Siting), EV3 (Accessibility), HC2 (Urban Infill Housing). Also considered relevant is the Supplementary Planning Guidance (SPG) entitled 'Places to Live: Residential Design Guide', which relates to developments of 10 or more houses.

Visual Amenity

In terms of impact on visual amenity, the site layout and number of proposed units has already been established as part of the approved outline application. The 14 semi-detached properties are all 2 storey in height with simple pitched roofs of artificial slate. The walls are to be textured brown brick with projecting single storey bays of a contrasting brick. The roof of the bay continues to form the entrance canopy to the front door. The windows will be dark grey in colour and have been configured and detailed with a contemporary vertical emphasis. A condition was placed on the outline permission requiring the submission of samples of all external finishes before the development is commenced.

In terms of landscaping and boundary treatment, a number of different boundary treatments are proposed. At the outline stage it was recognised that these elements of the scheme would require careful consideration to ensure the most appropriate transition between the proposed residential and existing recreational use. It is proposed to enclose the rear boundaries of the plots with a 2.1 metre high timber fence beyond which will be a 2.1 metre metal fence with integrated planning. This design solution will ensure the extended length of boundary fencing at the rear of the plots will be screened and softened. It is noted that this treatment does not extend to the northern side boundary of plot 1 and, if approved, it is recommended that additional screening takes place along part of this boundary to improve the overall visual appearance of the development from wider views. This can be secured by a condition.

The front boundaries will be enclosed by a low brick wall with hoop top railings above which will provide a good quality boundary treatment along this prominent road frontage. This treatment is also used to demarcate the side boundaries and provide screening to the frontage parking areas.

In terms of landscaping some ornamental trees are indicated within the front gardens of plots 1, 9 and 10. However, it is considered the provision of additional trees to plots 6 and 7 would serve to screen the frontage parking for plots 7 and 8. This can be secured by condition.

The two storey scale of the new dwellings is reflective of the scale of housing in the sounding area and the design of the dwellings provides a contemporary aesthetic to a traditional semi-detached property. The materials will reinforce the contemporary design, however, the use a face brick will ensure visual continuity with surrounding residential properties. Overall therefore the scale, appearance, layout and landscaping are considered to be satisfactory and would ensure that the development would be acceptable in terms of its visual impact on the character and appearance of the area. In visual terms therefore the development would accord with UDP policies EV1, EV2 and HC2 and would also be in accordance with the advice contained within the above referenced SPG.

Residential Amenity

In terms of impact on residential amenity, the nature of the application site is such that there are only a limited number of existing residential properties on Cwrt Llwnog that immediately adjoin the site. A separation distance of some 15 metres would be maintained in a front-to-side relationship with the existing properties on Cwrt Llwnog. This relationship is considered satisfactory and would ensure there would be no significant overbearing or overshadowing impacts to the occupiers of these properties. In terms of overlooking the floor plans for plot 1 (adjacent to Cwrt Llwynog) indicate that there would be no habitable windows in the side elevation of this property. It is therefore considered that there are no adverse overlooking issues in this instance.

Having regard to the above, it is considered that the proposed development is satisfactory in terms of its impacts on the residential amenities of the occupiers of neighbouring dwellings, and would therefore be in accordance with the provisions of UDP policies EV1, EV2 and HC2. In this respect the development would also accord with the advice contained in the above referenced SPG.

Access and Highway Safety

In terms of impact on highway safety, the means of access of Heol Y Fran was previously agreed as part of the outline approval.

Parking is being provided at 2 spaces per house, which is considered an appropriate level given the proximity to local amenities such as schools, the hospital and the bus services. The layout of the spaces on the drive is to the current parking standards.

Concerns have been raised regarding the reversing impact of the cars either onto or off Heol Y Fran and speeds along the road. There is a condition on the outline permission for the provision of traffic calming measures along the site frontage in order to address speed issues at the site and also minimise the impact of reversing vehicles to passing traffic by virtue of the reduced speeds. The front boundaries are proposed to be kept below 1m which will allow for satisfactory visibility for the future occupiers when reversing onto Heol Y Fran. The new vehicular accesses off Heol Y Fran will need to be constructed by (and under Agreements) with the Highway Authority.

The site is served by regular bus services that run along Heol y Fran and Heol Maes Eglwys including the FTR which runs between Morryston and Singleton Hospital. The site is therefore considered to be in a sustainable location to promote non car usage. Additionally the development would only be predicted to generate low levels of vehicular movements (approximately 9 movements in the peak hour) and hence the impact at school drop off/pick up is considered to be minimal with regard to cars leaving the site.

The Head of Transportation and Engineering has confirmed that no highway objections are raised to the reserved matters details subject to the requirements set out in the above Highways Observations. These requirements have already been addressed by conditions and informatives on the outline permission. As such it is not considered necessary for the provision of further conditions in this respect.

Other Issues

Concerns have been raised in letters of objection that the loss of the school field will result in a loss to the community. The principle of residential development on this land was fully considered under the outline planning permission where it was considered that the proposed development would accord with UDP policy HC23 (Community Recreation Land).

Concerns have been raised in letters of objection that the schools in the area are already at capacity. At the outline application stage there was no objection from the Education Department to the proposal, although it is noted at the time that the Headmaster of the local primary school commented on the limited availability of school spaces. Notwithstanding this, the land was identified as surplus to Education and other service requirements. The Capital receipt from the land disposal would be re-invested into the local community by the QED programme and to facilitate school improvements.

Concerns have been raised in letters of objection regarding the potential impact on property values in the area. This is not a material planning consideration that would carry any weight in the determination of this application.

Concerns have been raised in letters of objection that the proposal is for social housing. The site is proposed to be developed for 100% affordable housing by Grwp Gwalia. In planning terms there is no distinction between the tenure of a dwelling, whether owner occupied, private or social rented. In addition it should be recognised that current government guidance and UDP policy seeks to encourage the provision of affordable housing in new residential schemes.

Concerns have been raised in letters of objection regarding the potential impact of the development on surface water flooding. The outline application was accompanied by a flood risk assessment which identified that surface water would be discharged from the site at an attenuated rate to an existing watercourse to the south of the site. The Council's Drainage Officer previously confirmed this would be an acceptable means of disposal and a condition was placed on the outline planning permission for the provision of a comprehensive foul, surface and land drainage scheme for the site.

Concerns raised in letters of objection regarding access, parking and highway safety issues have been considered at the outline planning application stage and have been further considered in the above Highways observations. In respect of concerns regarding noise, vibration and pollution from the proposed traffic calming measures, it is not considered such measures would result in any significant impacts in this respect upon existing or future occupiers.

All other matters raised in letters of objection are not considered to be material to the determination of this reserved matters application.

Conclusions

The principle of residential development of the site was established under the outline planning permission. The proposal is considered to be an acceptable form of development that complies with Policies EV1, EV2 and HC2 of the City & County of Swansea Unitary Development Plan. The provisions of the Human Rights Act would raise no additional material planning considerations. Approval is therefore recommended.

RECOMMENDATION

APPROVE, subject to the following conditions:

- 1 Notwithstanding the details submitted on Drawing No. AS10 Rev A, before the development hereby approved is occupied, the means of enclosure along the northern side boundary of plot 1 shall be completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority..
Reason: In the interests of visual amenity.

- 2 Notwithstanding the details submitted on Drawing No. AS10 Rev A additional tree planting shall be included to the frontage of plots 7 and 8 in accordance with details to be submitted to and agreed in writing by the Local Planning Authority before the development is commenced. The trees shall be planted in the first planting season following completion of the development. Any trees shrubs or plant material which are part of the scheme, which die, become seriously diseased within two years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
Reason: In the interests of visual amenity.

INFORMATIVES

- 1 It is noted that there is a scaling error on Drawings No. AL.HT.00 D; AL.HT.01 B; AL.HT.02 A; AL.HT.03 which should read 1:100 at A3.

- 2 The development plan covering the City and County of Swansea is the City and County of Swansea Unitary Development Plan. The following policies were relevant to the consideration of the application: (EV1, EV2, EV3, HC2).

- 3 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.

- 4 The applicant is informed that this decision constitutes an approval of Reserved Matters as described in the decision and does not itself constitute a grant of planning permission. This decision must be construed in the context of the outline planning permission to which the Reserved Matters relate, the conditions of which remain in full force and except so far as satisfied by this or other Reserved Matters approvals.

PLANS

AS.00 site plan, AS.00 B block plan, AS.02 A proposed site plan including wider context, AS.10 A proposed boundary treatment plan, AS.11 A proposed surface treatment plan, RIO 0244_AR 006 proposed site plan - boundary treatment, TDA.2046.01 detailed soft landscape proposals, AE.00 C Plots 1-2 coloured elevations, AE.02 A Plots 3-12 coloured elevations, AE.03 Plots 13 and 14 coloured elevations, AE.01 A coloured street elevation dated 27th June 2014; AL.HT.00 D Plot 1 floor plans and elevations; AL.HT.01 B Plots 3, 5, 7, 9, 11 & 13 floor plans and elevations; AL.HT.02 A Plots 2, 4, 6, 8, 10 & 12 floor plans and elevations; AL.HT.03 Plot 14 floor plans and elevations dated 3rd July 2014.
