



City and County of Swansea

## Minutes of the **Planning Committee**

Council Chamber, Guildhall, Swansea

Tuesday, 4 June 2019 at 2.00 pm

**Present:** Councillor P Lloyd (Chair) Presided

**Councillor(s)**

C Anderson  
L S Gibbard  
D W W Thomas

**Councillor(s)**

P M Black  
R D Lewis  
L J Tyler-Lloyd

**Councillor(s)**

W Evans  
P B Smith  
T M White

**Officer(s)**

Gareth Borsden  
Matthew Bowyer  
Ian Davies  
Sally-Ann Evans  
Dave Owen  
Jonathan Wills

Democratic Services Officer  
Principal Telematics Engineer  
Area Team Leader  
Senior Lawyer  
Principal Planning Officer  
Senior Lawyer

**Apologies for Absence**

Councillor(s): S M Jones and M B Lewis

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### 5 **Disclosures of Personal and Prejudicial Interests.**

In accordance with the Code of Conduct adopted by the City and County of Swansea, the following interests were declared:

Councillor P M Black – Personal & Prejudicial – Item 2 – 2019/0536/S73 – received donation from developer during Welsh Assembly re-election campaign and left prior to discussion.

Councillor P Lloyd - Personal – Item 2 – 2019/0536/S73 – I know the applicant.

### 6 **Minutes.**

**Resolved** that the Minutes of the Planning Committees held on 7 and 9 May 2019 be approved and signed as correct records.

### 7 **Items for Deferral/Withdrawal.**

None.

### 8 **Determination of Planning Applications under the Town & Country Planning Act 1990.**

A series of planning applications were then presented on behalf of the Head of Planning & City Regeneration.

Amendments/updates to this schedule were reported and are indicated below by (#)

**Resolved** that the undermentioned planning applications **Be Approved** subject to the conditions in the report and/or indicated below(#):

**#(Item 1) – Planning Application 2019/0980/S73 - Outline planning application (with all matters reserved) for the refurbishment, alteration and/or demolition of all existing buildings / structures on the site (except St Mary's Church and St David's Church) and redevelopment of site with indicative access / layout and scale parameters on the north site of a maximum of 1 to 7 storeys and maximum new floorspace of 84,050 sqm comprising retail / commercial /office use (Classes A1/A2/A3/B1) residential (Class C3), non-residential institution (Class D1) and leisure (Class D2), multistorey car park and redevelopment of south site of a maximum of 40,700 sqm of floorspace comprising a new arena (Class D2), up to 13 storey hotel / residential building (Class C1/ C3), food and drink (Class A3), undercroft car park, potential energy centre. Across both sites, the provision of associated new public open space / public realm and landscaping, new pedestrian and vehicular access and servicing arrangements (including a pedestrian bridge link across Oystermouth Road), provision of new bus stops on Oystermouth Road, new pedestrian access through existing arches along Victoria Quay, relocation of Sir H Hussey Vivian statue, earthworks, and plant - Section 73 application to incorporate minor material amendments to the wording of Condition 1 (approved parameter plans and sections, and supporting documents) of planning permission 2017/0648/OUT granted 13th June 2017 at Former St David's Centre And Other Land North And South Of, Oystermouth Road, Swansea**

Spencer Winter (Rivington Land Developers) addressed the Committee and spoke in support of the application.

A visual presentation was provided.

Report updated as follows:

The following late Consultation Responses were reported to Committee:

**CADW** - Having carefully considered the information provided with this planning application, we have no objections to the impact of the proposed development on the scheduled monuments or registered historic parks and gardens.

#### Assessment

Outline planning consent (2017/0648/OUT) for the refurbishment, alteration and/or demolition of all existing buildings/structures on the site (except St Mary's Church and St David's Church) and redevelopment of St.Davids Centre was granted planning consent in 2017. This advice is given in response to section 73 application to incorporate minor material amendments to the wording of Condition 1 (approved parameter plans and sections, and supporting documents) attached to the consent.

In response to the original planning application we determined that the proposed development would only have an impact on the setting of scheduled monument GM012 Swansea Castle and that this would be very slight and not significant. The

proposed changes that are the subject of this application will not alter this impact.

**Dwr Cymru Welsh Water** - With respect to our most recent consultation response (Ref: PLA0036308), in relation to an application approval of reserved matters for Phase 1 (2018/1648/RES), we refer to our extensive representations to date and welcome the opportunity to submit further comments on this latest consultation exercise for Swansea Central Regeneration.

We acknowledge that this latest application seeks variation of condition 1 on outline planning permission 2017/0648/OUT, to enable amendments to the parameters of Swansea Central redevelopment along with adjustments to the design, access and public realm, as described in the accompanying cover letter 25th April prepared by Savills. As part of this application, we also acknowledge that the recently submitted 'Drainage Statement' (9th May 2019) advises there are no amendments to the proposed drainage strategy and anticipates a lessened impact on the 1650mm sewer located in Albert Row. In principle, therefore, we offer no objection to the variation of condition 1 on permission 2017/0648/OUT; however we respectfully request that conditions 17 – 22 are maintained on any new consent granted for the development, in particular condition 22 which refers to the aforementioned sewer in Albert Row:

*22) Prior to the commencement of development within Development Zone DZ3, a scheme shall be submitted to and approved in writing by the Local Planning Authority, to protect the 1650mm diameter public combined sewer below Albert Row. The scheme shall incorporate measures for mitigation in the event of a requirement for access to the sewer in the future for maintenance or operational issues. The development shall be constructed in accordance with the approved scheme.*

*Reason: In order to safeguard the integrity of the 1650mm diameter public combined sewer and to allow access for future maintenance if required.*

**Highway Authority Observations** - A Transport Statement (TS) has been submitted alongside the Section 73 application, this has been reviewed in the context of the Transport Assessment (TA) submitted with the now approved planning application.

The main amendments being sought to the original permission Arena relate to the removal of long coach layby along the west bound carriageway of Oystermouth Road and a revision to the Arena / hotel service access. The revised scheme will create a revised service yard access, providing access to two coach drop off / pick-up bays and the service area in the Arena. The two coach spaces will be shared with the proposed Arena, hotel and existing LC2 building. The area will also provide a taxi drop-off for the Arena / hotel.

The TS sets out that in addition to the internalised coach drop off / pick up bays the revised scheme also proposes to provide two additional laybys along the bus route adjacent to the Paxton Street car park. There will also be two coach bays constructed on Wellington Street as part of the associated improvement works.

Therefore overall the revised proposal would not result in any loss of coach bays compared to the approved scheme, albeit more separated than previously proposed and still within a short walking distance. It is confirmed within the TS that coaches

will be required to lay over at the Park and Ride facilities or at Bracelet Bay, as previously agreed.

The service yard access will retain the principle of a left-in/left-out arrangement on the western carriageway of Oystermouth Road. This will minimise the impact on traffic utilising the gaps in traffic created by the traffic signal junction. The submitted swept path analysis demonstrate turning manoeuvres are designed to allow internal manoeuvres from large vehicles, although there appears to be little room for error. The proposed exit onto Oystermouth Road requires HGVs and PSVs to cross into the centre lane of the carriageway. This raises concern and will need to be addressed within the detailed designed stages in order to be found acceptable and safely accessed.

The amendments also include proposed revisions to the northern MSCP comprise the following:

- a revised MSCP layout/footprint resulting in an increased car park use GIA from 17,600sqm (max) to 20,000sqm (max);
- a revised car park entrance/exit location on Albert Row;
- improved vehicle lane widths on Albert Row;
- a service layby (Albert Row);
- improved pedestrian routes along both sides of Albert Row;
- a shared pedestrian and vehicle area allowing service, public transport and emergency vehicles direct access from the eastern end of Wellington St onto Albert Row

The revised floor area for the car park layout will result in an increase of parking provision from 588 spaces to 606 spaces. The TS advises that an alteration to the internal layout of the car park will include 37 (6%) disabled spaces, 15 spaces with electric vehicle charging points and 24 enlarged spaces.

The TA assessed a proposed parking provision of 588 spaces at the northern MSCP, which is 18 fewer than now proposed. There are a number of measures already agreed to be implemented to help manage parking provision in this area of the city. It is considered that this slight increase in parking provision will not significantly change the conclusions of the TA. Therefore the proposed increase in parking is acceptable.

The revised MSCP access location will result in the entrance and exit being moved further northwest along Albert Row.

The lane widths on Albert Row are proposed be widened and amended to provide two separate southbound lanes for left turning and right turning traffic from the MSCP onto the Albert Row and Oystermouth Road junction. The TS includes swept path assessments which demonstrate that the proposed layout is adequate. The relocation of the entrance and exit does improve the available stacking room and queuing space on Albert Road at the signalised junction with Oystermouth Road.

The intention to provide a further service layby on Albert Row adjacent to the proposed MSCP, for the use of service vehicles travelling southbound, is acceptable. The swept path assessments demonstrate that this can be adequately accessed. Refuse vehicle manoeuvres are shown using the shared space and ramp area to turn, although this type of vehicle could also access the service layby if required.

The revisions proposed along Albert Row include improvements to pedestrian's facilities along both sides of the carriageway. In addition to this, a shared space is proposed which will be used predominantly for a visual change in environment and part of the management of private vehicles.

The shared surface will allow emergency access through this section, allow delivery vehicles, coaches and buses to travel south from Wellington Road but prohibit access by private vehicle. This low trafficked shared space will encourage pedestrian movements and form a natural crossing point.

A previous consideration for the proposed layout changes was to ensure that commercial deliveries could continue to be achieved, in this location a primary concern was the Tesco service area. The swept path assessments confirm that the proposed changes would allow Tesco deliveries to be made to and from Oystermouth Road and Albert Row. The delivery vehicle is also shown accessing Albert Row via Wellington Street the shared surface area. However, there does not appear to be an assessment which demonstrates access to the Tesco service yard from this south bound approach turn and exit back onto Albert Row. This must be demonstrated and is required to be submitted for inspection.

#### Conclusions:

The Highway Authority recommends that no objection is raised to the Section 73 application, subject to the refinement of the layout at detailed design stage, to include improved HGV and PSV turning on Oystermouth Road from the Area service access and ensuring that Tesco service yard can be served from the Wellington Road approach.

The above recommendation will require that the previous conditions associated with our planning consultation response are retained.

Application **Approved** in accordance with recommendation subject to the following amendments to conditions:

The proposed development shall be substantially implemented in accordance with the approved Parameter Plans and Sections, Architectural Section 73 Comparison Document and Public Realm Strategy Addendum which set out the vision, objectives, urban design principles, development strategy, masterplan, accessibility and movement, scale, quantum of development, building concept, infrastructure, environmental sustainability and structural landscaping principles of the development.

Reason: To ensure that the site is comprehensively developed to a high standard of sustainable urban design in accordance with National and Local Planning Policy advice and guidance.

Phase 1 of the development relating to the South Site shall be implemented in accordance with the Piling Risk Assessment approved under condition discharge ref: 2019/0583/DOC.

Piling or any other foundation designs using penetrative methods shall not be permitted on other phases of the development other than with the express consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to

groundwater.

Reason: There is an increased potential for pollution of controlled waters from inappropriate methods of piling.

**#(Item 2) – Planning Application 2019/0536/S73 - Residential development with construction of new vehicular access off Nantong Way (outline) (2006/1902) as varied by Section 73 planning permissions 2014/1189 and 2018/1204/S73. Variation of condition 7 of planning permission 2018/1204/S73 granted 3rd October 2018 to replace the reference to the temporary access road approved under 2018/1790/FUL with the reference to a temporary access along the alignment of the permanent access road approved under 2017/0026/FUL at Land At Upper Bank, Nantong Way, Pentrechwyth, Swansea**

A visual presentation was provided.

## **9 Appeal Decision - 214, St Helen's Avenue.**

The Head of Planning & City Regeneration presented a report which outlined the result of an appeal to the Planning Inspectorate against a decision made by the Planning Officers not to grant planning permission for a HMO at 214 St Helens Avenue, Brynmill.

The background to the original decision and the letter from the Planning Inspector were outlined in the report.

**Resolved** that the appeal decision be noted.

The meeting ended at 2.35 pm

**Chair**