



City and County of Swansea

Minutes of the **Planning Committee**

Remotely via Microsoft Teams

Tuesday, 2 June 2020 at 2.00 pm

Present: Councillor P Lloyd (Chair) Presided

Councillor(s)

C Anderson
W Evans
R D Lewis
T M White

Councillor(s)

P M Black
M H Jones
P B Smith
L J Tyler-Lloyd

Councillor(s)

L S Gibbard
M B Lewis
D W W Thomas

Officer(s)

Gareth Borsden
Matthew Bowyer
Ian Davies
Sally-Ann Evans
Andrew Ferguson
Liam Jones
Steve Smith
Jonathan Wills

Democratic Services Officer
Principal Telematics Engineer
Development, Placemaking & Heritage Manager
Senior Lawyer
Area Team Leader
Area Team Leader
Placemaking and Heritage Lead
Senior Lawyer

Apologies for Absence

None

52 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 declared a personal and prejudicial interest in Item 3 – Planning Application 2019/2236/S73 and left prior to discussion.

Councillor P Lloyd declared a personal interest in Item 3 – Planning Application 2019/2236/S73.

53 Minutes.

Resolved that the Minutes of the Planning Committee held on 3 March 2020 be approved and signed as a correct record.

54 Items for Deferral/Withdrawal.

None.

55 Determination of Planning Applications under the Town & Country Planning Act 1990.

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

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

Resolved that

- 1) the undermentioned planning applications **Be Approved** subject to the conditions in the report.
(Note: Updates to the report referred to below were circulated to Members the day prior to the meeting)

#(Item 1) – Planning Application 2020/0173/FUL - Construction of solar farm to include the installation of solar panels to generate up to 9.99MW of electricity with substations, transformers, security cameras, fencing, grid connection and associated development at Carn Nicholas Farm, Track From Brokesby Road, Bonymaen, Swansea,

A visual presentation was given.

Report updated as follows:

Late letter in support of the proposed development from Councillor V M Evans (Local Member) was outlined and reported.

Late correspondence from the Council's Ecologist reported as follows:

The Officer Report notes that the Council's Ecologist was due to undertake a Test of Likely Significant Effect which would be reported verbally at Committee (P49). This has been completed and concluded that there would be a significant effect without mitigation and resulted in the need for an Appropriate Assessment (AA). This AA has been undertaken and has concluded that there are no significant effects anticipated on the surrounding designated SAC/ SSSI subject to mitigation including that the submitted CEMP and drainage strategy are implemented and adhered to throughout all project phases.

The Test of Likely Significant Effect and Habitat Regulations Assessment are attached as Appendices B and C to this Update Sheet.

The Council's Ecologist has provided comments and also requested additional survey effort with regards to Great Crested Newts and Reptiles. However, since the Update Sheet was prepared, and following further dialogue on the comments provided by Natural Resources Wales, the Ecologist considers that the additional issues can be covered by condition. It must be remembered that there is an extant permission covering the majority of the site. Further to this, the request was made 2 working days prior to Committee and colleagues were consulted in February. Comments at this juncture would have allowed the applicant to respond appropriately. The survey season for Great Crested Newts is optimal in April and May and sub-optimal in June and the applicant may struggle to get these completed

in this short timeframe before the end of the survey season. Allied to this, it should also be noted that Natural Resources Wales has not raised concern with regards to Great Crested Newts as the ponds lay outside of the development site. It is therefore not considered necessary or reasonable to request these surveys at this time. With regards to reptiles, the submitted Ecological Management Plan (EMP) already includes reptile mitigation.

However, the Ecologist has requested additional detail be included in the EMP and requested an external lighting plan which are considered reasonable and necessary.

In light of the comments from the Ecologist above Condition 8 to be amended to read as follows:

In light of the above, Condition 8 would be amended as follows:

“Prior to the commencement of development including any site clearance works, and notwithstanding the details submitted to date, an amended Biodiversity Management Plan shall be submitted to and approved in writing by the Local Planning Authority to include:

- greater detail regarding the process of monitoring and monitoring targets as well as the triggering of remediation, to include outline proposed remedial actions;
 - details of the organisation/personnel who are to be responsible for the implementation of the plan;
 - the inclusion of habitat enhancements in the form of bat and bird boxes; and
 - details of the annual reporting to the Council providing evidence of the previous years and the proposals for the following years management.
- and
- protection and precautionary working methods to be followed for Great Crested Newts.

The development shall thereafter be implemented and managed in accordance with the approved Biodiversity Management Plan.

Reason: To ensure the satisfactory long term landscaping, screening and biodiversity benefits for the development in accordance with LDP Policies ER6, ER8, ER9 and ER11.”

Additional Condition 18 added as follows:

“Notwithstanding the details indicated on the approved plans and prior to the installation of any external lighting, a scheme of external lighting for the construction and operational phases of the development shall be submitted to and approved in writing by the Local Planning Authority. The lighting scheme shall be implemented in accordance with the approved details and shall be retained as approved for the duration of the development.

Reason: To mitigate detrimental impacts to local wildlife within and surrounding the site in accordance with LDP Policies ER6, ER8 and ER9.”

Additional advice notes would be attached regarding bats, badgers, nesting birds, hedgehogs and the reptile survey.

#(Item 2) – Planning Application 2019/2236/RES - Provision of open space and ancillary infrastructure within former quarry basin (details of access, appearance, landscaping, layout and scale pursuant to outline application 2014/0977 granted 11th January 2018) at Cwmrhydyceirw Quarry Co Ltd , Great Western Terrace, Cwmrhydyceirw, Swansea.

A visual presentation was given.

#(Item 3) – Planning Application 2019/2523/S73 - Residential development with construction of new vehicular access off Nantong Way (outline) (2006/1902) as varied by Section 73 planning permissions 2014/1189, 2018/1204/S73 and 2019/0536/S73. Variation of condition 8 (permanent access off Nantong Way) of Section 73 planning permission 2018/1204/S73 granted 3rd October 2018 (to extend the trigger to construct the permanent Nantong Way access) at Land At Upper Bank, Nantong Way, Pentrechwyth, Swansea.

A visual presentation was given.

Report updated as follows:

Late letter of correspondence from the agent reported which outlined the following points:

- a. The report explains that there have been several variations to the original planning permission. There is of course a considerable context to this, not least the need for additional land acquisition, unknown physical constraints, and services/utility/other elements that were unknown and unidentified at the point of purchase - which all required significant reworking of proposals and changes etc. These changes were not of course of the applicants making or even desired by them, rather necessitated to be undertaken in order to bring forward a deliverable scheme.
- b. In terms of the inability to construct a permanent access, the timescales for this, and any uncertainty over its provision, it is considered key to stress that there is a contractual obligation from the developer with the Council to construct the new permanent access (and other services such as the pumping station). Moreover, this obligation is secured by the deposit of a £750,000 cash bond, held by the Council. Clearly all of this provides absolute certainty that a permanent solution will be provided and secured. Moreover, it is clearly in the applicant's interest to facilitate this provision as soon as practicably possible - not least as this will see the return of the substantial cash bond currently deposited with you.
- c. The Local Highways Authority does not object to the proposal.

#(Item 4) – Planning Application 2020/0490/FUL - Construction of a mixed use five storey building (above ground level) to provide flexible office / workspace (Class B1) with ancillary communal and commercial uses at basement, lower ground floor and ground floor levels (Classes B1/ A1 / A3 / D1 & D2) and public event / meeting space at roof level (Classes B1/ A3 / D1 / D2) with creation of new pedestrian link, vehicular servicing, public realm / landscaping / green infrastructure and ancillary works at 71 - 73 The Kingsway, City Centre, Swansea.

A visual presentation was given.

56 Planning Application Ref: 2016/1046 - Former TA Centre, Park Road, Gorseinon - Demolition of existing buildings and construction of a residential development for 37 dwellings comprising of 30 x one bedroomed flats, 6 x two bedroomed flats and one detached bungalow with associated access and landscaping.

The Head of Planning & City Regeneration presented a report which sought authorisation to amend the S106 agreement relating to the application.

The background issues and history relating to the application which was approved in November 2016 were outlined and detailed in the report.

The applicant (Coastal Housing Group) had submitted an application to modify the S106 Agreement to include a Mortgage in Possession (MIP) clause on the social rented units only. The issues and factors around this request were detailed in the report.

The Housing Officer had no objections to the proposal.

Resolved that the modification of the S106 agreement (planning obligation) to provide a MIP clause for Social Rented units only be authorised.

The meeting ended at 3.23 pm

Chair