

# Report of the Head of Planning and City Regeneration

Planning Committee – 7 July, 2020

Planning Application Reference 2019/2846/FUL - Picton Yard, 242-246 Oxford Street, City Centre, Swansea

**Redevelopment, extension and enhancement of the existing building, retaining A1 floor space at ground floor and first floor level, B1 use on the second and third floors. The construction of a new tower in Picton yard comprising ground and first floor D1 Educational Use, B1 Use on second and third floor and the provision of residential apartments over the upper floors , the provision of flexible space within Picton Yard, along with associated works, and public realm improvements**

**Purpose:** To consider the submission of a revised proposal since the resolution on 4 February, 2020 to approve the application subject to the completion of a Section 106 Planning Obligation.

**Recommendation:** 1) That planning permission be granted subject to the revised condition as outlined in the attached report.

## For Decision

### 1.0 Introduction:

1.1 This application was reported to the Planning Committee on 4 February, 2020 when it was resolved to approve the application subject to the completion of a Section 106 Planning Obligation. The section 106 has not been completed to date and the decision notice has therefore not been released and the application remains outstanding.

### 2.0 Update to the Scheme

2.1 Since the February 2020 Planning Committee, the Applicants have now submitted an amended scheme and the applicants have highlighted that the schemes aims to:

- Provide an opportunity to improve the project viability for both developer and RSL through the creation of an additional six residential units and amended mix;
- Improvement on the quantum of commercial and residential space through refined internal layouts;
- Improve generally on the compactness of the design without losing net useable space and the refinement of the floor to floor height within the residential floors;
- Opportunity taken to improve the massing and slenderness of the tower by refining the disposition of elements, fenestration and positioning and proportion of the green housing;
- Improvement of the relationship between publicly accessible rooftop space with that of the private domain;
- Opportunity to improve the fenestration design on the North Elevation;
- Provision of better cycle facilities for occupiers/users and visitors with greater space allocation and distribution along with cleaning and repairing facilities;

- Opportunity to enhance the desirability of the 3 bed Duplex units at the top floor by providing them with a larger living space and access to a private conservatory;
- Opportunity to improve the refuse and recycling capability within the building and to make management easier by amending the previously proposed locations for the new Electrical Transformer;
- Rationalise the public realm area to allow the final public realm uses and proposals to form part of a Council led initiative;
- Presentation of a number of the targeted energy/waste strategies integral to the proposal;

2.2 The applicants have submitted the following revised documents to support the revised proposal:

- DAS Supplement;
- Heritage Setting Assessment
- Preliminary Ecological Appraisal
- Townscape and Visual Impact Assessment
- Daylight & Sunlight Report
- Innovation & Energy Strategy Report
- Transport Statement

2.3 It is indicated that in order to improve the project viability and to take advantage of the selected construction system for the new tower, i.e. reinforced concrete structure, the residential floor to floor height has been reduced and a new residential floor has been introduced. In developing the detailed apartment layouts further in conjunction with the refinement of DQR compliance, it has been possible to provide a more compact layout for each unit type and rationalise the circulation spaces resulting in a reduced external envelope. As a consequence, the footprint of the tower has been slightly reduced and repositioned in relation to the existing building. The vertical glass slot connecting the tower to the new vertical core have been narrowed. Overall, the slenderness of the tower has improved.

2.4 The residential floor to floor height has been reduced from 3.1 to 2.9 meters. This allows the introduction of an additional residential floor, increasing the overall height from level 54.90 to 56.50m (+1.60m). The residential accommodation would now be located on 9 levels from the Fourth to the Twelfth floor which contain 46 flats and 4 duplex units = 50 units. The original scheme proposes 44 units.

### **3.0 Main Issues**

3.1 Compliance with prevailing Development Plan policy and Supplementary Planning Guidance is set out in some detail in the Planning Committee report and the revised proposals do not impact on that assessment. The main material planning considerations in the determination of revised proposal which remain to be considered are:

- Townscape and visual impact;
- Heritage Impact;
- Impact on residential amenity including Daylight & Sunlight Assessment;

## **4.0 Townscape and visual impact**

- 4.1 A revised Townscape and Visual Impact Assessment (TVIA) has been submitted which highlights that the contemporary building such as that proposed would be distinctly different from the period buildings in the host character area and this report concludes that this would enhance the character and diversity of the street scene significantly in most instances. The proposals are green and innovating, and the appearance of the building would create a new landmark building in this city centre location. The design of the scheme also complements the evolving public realm near The Kingsway. The proposals would not be seen in conflict with the Former Carlton Cinema building which is of strong architectural merit, located opposite the site on Oxford Street. In fact, the differences between the old and the new architecture would allow each to be seen as 'of their time' and offer a true reflection of the natural evolution of growth in the city centre in the 21st century. This would enhance the identity of the townscape character rather than dilute it when the proposals are compared to the baseline conditions of the site.
- 4.2 The proposals would reinforce the spatial hierarchy of the local and wider context to aid legibility and wayfinding in this central location by forming a cluster with the digital village and the Kingsway Student building. When seen from The Kingsway, the proposals would be seen in a key view for users of the trunk road which connects the city to the Gower. The architectural quality and materials proposed display an exemplary level of finish which ensures the architectural integrity of the proposals can be: 1) maintained through its lifespan; and 2) stand as a worthy addition to the Swansea skyline. The positive contribution to the skyline rests on the tall building's relationship with other tall buildings as well as its shape, form and silhouette. In this case, the proposals would form a complementary relationship with the 14-storey student building once completed. Buildings of character as identified in the Tall Buildings SPG should be given sufficient breathing space to preserve their setting. The proposals would impose on one listed building (Ye Olde Wine Shoppe) on Union Street and the effects were considered moderate/minor adverse herein (in townscape terms). Effects were otherwise generally considered as neutral or beneficial in townscape and visual terms.
- 4.3 At street level, the proposals would make a positive contribution overall to the character and street scene of Oxford Street and Picton Lane in particular. At present, Picton Lane has no active frontages however when the Digital Village on the Oceana site is completed, the proposals would complement and complete the public realm in this area through enhanced connectivity between Oxford Street, Picton Lane and The Kingsway. This constitutes negative public realm space in a central location which currently has potential for antisocial tendencies and activity.
- 4.4 The TVIA concludes that the townscape and visual impacts are acceptable perspective and that overall, this innovative and thoughtfully designed proposal would add to the diversity and quality of the city's architectural stock and to the appearance of its skyline.
- 4.5 The following comments have been received from the Council's Placemaking / Heritage Team Lead:

*This application is an amendment of the recently approved scheme for residential conversion of upper floors of former Woolworths Building and new build residential tower in the yard to the rear. The consented scheme was up to 12 stories high with an architectural character incorporating extensive on building greening with the project branded as 'Biophilic living'. The assessment included verified approved and amended visuals from key view points and heritage setting review.*

*The proposal is now to add an extra floor to the new build tower (increasing from 12 to 13 floors) and other minor amendments to massing to increase the number of flats from 44 to 50 for viability reasons. The character and extensive greening remains unchanged.*

*Now that the construction method has been confirmed as concrete frame this allows the floor to floor height to be reduced. This means that despite the additional floor the increase in height is only 1.6m increasing from 54.9m to 56.5m above ground level because the floor to floor height has reduced from 3.1m to 2.9m.*

*A number of other refinements have been made:*

- The new build tower footprint has been reduced due to the flats being re-planned more efficiently to meet the affordable housing space standards.*
- Green terraces amended to provide more growing space for residents;*
- Amendments to the yard enhancement proposals to remove the 'tulip' covers which are not required*

*The principle of a tall building has already been approved so the main issue is whether the additional height and change to massing creates any harm. The verified visuals show that the extra floor and marginal increase in height is not harmful to the cityscape and does not harm the setting of any designated heritage assets. The minor changes to the massing retain the residents terraces and stepped form with green house areas. Overall the additional floor has a neutral effect in comparison to the consented scheme.*

*The additional flats increasing from 44 to 50 are welcomed to increase the levels of city living in line with the regeneration objectives for this area.*

*The footprint of the tower has slightly reduced and the proposals still enhance the yard area as public realm to the rear.*

*The amendments do not affect the Green Space Factor score which is an objective measure of on building greening.*

*These amendments should not have a significant change to wind effects in comparison to the approved scheme but this was lacking in the original submission and still needs to be assessed via condition and mitigated if necessary.*

*Therefore approval is recommended with conditions as previously suggested.*

## **5.0 Heritage Impact**

- 5.1 A revised Heritage Setting Assessment has been submitted. The assessment concludes that the proposed development would result in indirect effects on the significance of historic assets from change within their settings, but no greater than minor effects. In this respect the following effects have been identified:

- A minor negative effect on the character and appearance of the Union Street/ Oxford Street/Nelson Street conservation area due to the proposed tower's presence in the setting of Union Street, Park Street and in views west on Oxford Street towards the eastern edge of the conservation area;
- Change to the setting of the Grade II listed Mond Building, resulting in a very minor adverse effect to its significance, due to its presence in views from Park Street in which it would compete with the listed building for prominence;
- Change to the setting of the Grade II listed Tavern Public House, resulting in a minor adverse effect on the building's significance, due to the proposed tower's background presence in views to it from the east; and
- Change to the setting of the Grade II listed former Carlton Cinema, resulting in a very minor adverse effect to its significance due to the proposed tower being present in views to the listed building from along Oxford Street to the east and west.

## 6.0 Daylight / Sunlight Assessment

6.1 A revised Sunlight/Daylight Assessment has been submitted to determine the impact upon the daylight and sunlight amenity of relevant existing buildings which may arise from the revised proposals, principally upon the residential properties within Principality House, to the rear of the development site.

6.2 In terms of Daylight, the report has found that:

*“Of the twelve windows assessed, only two will continue to meet the Vertical Sky Component (VSC) target values as set out in the BRE guide; ten room windows will not. However, eight of the ten windows serve two bedrooms, a room use which the BRE considers less important than principal rooms, such as sitting/dining/kitchen areas. Both of the two bedrooms are served by four windows each, and whilst there are reductions in daylight to each window, overall the bedrooms will continue to receive a good amount of daylight. This is confirmed by the Daylight Distribution (DD) analysis, for which the BRE recommended target is met for both of the bedrooms. The rooms served by the other two windows that do not meet the target are living/kitchen/dining LKD) rooms. However, in both instances the rooms are served by a second window that faces in the opposite direction to the development site and both these second windows meet the BRE recommended target, mitigating the adverse effects on the other windows. The BRE Guide's DD target is met for one of the LKDs; the second falls marginally short at 75% of the existing, compared to the BRE recommended target of 80%. Overall, due to the levels of light retained and the room uses affected, the day-to-day effects on daylight amenity of the two adjoining flats are considered to be relatively minor, if not negligible”*

6.3 In terms of Sunlight, the report has found that:

*“Of the ten windows assessed, eight will continue to meet the target values set out in the BRE guide for sunlight. The two windows that do not meet the target, fall short only marginally, achieving 18% and 21% of the overall annual probable sunlight hours. The recommended target for probable sunlight hours is 25%. The winter sunlight levels are expected to be 4% and 5%; the winter target is 5%. Overall, due to the levels of sunlight retained and the room uses affected the day-to-day effects on sunlight amenity for both flats are, again considered to be relatively minor, if not negligible.”*

- 6.4 Overall, it concluded that “*While there will be an effect on the daylight and sunlight received to a limited number of room windows serving two flats to the rear, the levels of retained light are considered good and the day-to-day impacts on the adjoining occupiers enjoyment of the flats are expected to be limited on the basis of the results of our assessments*”.

## **7.0 Conclusion**

- 7.1 The original report to Planning Committee on 4 February 2020 recommended approval of the application and the revised proposal is still recommended for approval.

## **8.0 Recommendation**

- 8.1 The application be approved in accordance with the recommendation set out in the Report subject to the completion of a Section 106 Planning Obligation and subject to the following amended condition:

2. *The development shall be carried out in accordance with the following plans and documents:*

*EX(0)100\_A - Existing Block Plan; EX(0)101\_A - Existing Basement & Ground Floor Plan; EX(0)102\_A - Existing First & Second Floor Plan; EX(0)103\_A - Existing Third Floor Plan & Roof Plan; EX(0)104 - Existing Site Plan; EX(0)200 - Existing Street Elevations; EX(0)201\_A - Existing Elevations I; EX(0)202\_A - Existing Elevations II; EX(0)300\_A - Existing Sections; P(0)100\_A Site Location Plan; - Plans Received 16 December, 2019.*

*P(0)101\_Rev B Proposed Block Plan; P(0)102\_Rev B Proposed Basement Plan; P(0)103\_Rev B Proposed Ground Floor Plan; P(0)104\_Rev B Proposed First Floor Plan; P(0)105\_Rev B Proposed Second Floor Plan; P(0)106\_Rev B Proposed Third Floor Plan; P(0)107\_Rev B Proposed Fourth Floor Plan; P(0)108\_Rev B Proposed Fifth Floor Plan; P(0)109\_Rev B Proposed Sixth Floor Plan; P(0)110\_Rev B Proposed Seventh & Eighth Floor Plan; P(0)111\_Rev B Proposed Ninth & Tenth Floor Plan; P(0)112\_Rev B Proposed Eleventh Floor & Roof Plan; P(0)113\_Rev A Proposed Site Plan; P(0)114\_Rev B Proposed Roof Plan; P(0)200\_Rev B Proposed Street Elevations; P(0)201\_Rev B Proposed Front Elevation to South; P(0)202\_Rev B Proposed Rear Elevation to North; P(0)203\_Rev B Proposed Side Elevation to East; P(0)204\_Rev B Proposed Side Elevation to West; P(0)300\_Rev B Proposed Long Section A-A; P(0)301\_Rev B Proposed Long Section B-B; P(0)302\_Rev B Proposed Long Section C-C; P(0)303\_Rev B Proposed Cross Section D-D; P(0)304\_Rev B Proposed Cross Section E-E; P(0)400\_Rev B Proposed Views – plans received June, 2020.*

*Reason: To define the extent of the permission granted.*

## **BACKGROUND PAPERS**

Local Government Act 1972 (Section 100) (As Amended)

The following documents were used in the preparation of this report:

Application file (Ref: 2019/2846/FUL) together with the files and documents referred to in the background information section of the appended Planning Committee report.

Contact Officer: David Owen Tel: No: 07970680587

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