

Report of the Head of Economic Regeneration and Planning

Planning Committee - 10 November 2015

DEVELOPER GUIDANCE – PLANNING APPLICATIONS FOR NON-HOUSEHOLDER RESIDENTIAL DEVELOPMENT

Purpose:	To seek the approval of Elected Members to publish a Guidance Note for Developers
Policy Framework:	Swansea Unitary Development Plan; Swansea Local Development Plan Preferred Strategy (2014) and Proposed Allocations (2015)
Reason for Decision:	To enable the Planning Authority to set out a clear and reasoned approach for the determination of future planning applications for non-householder residential development, and to respond in a proactive manner to the identified shortfall in housing land
Consultation:	Legal, Finance and Access to Services
Recommendation(s):	It is recommended that the Guidance Note is approved as the Council's agreed protocol for administering and determining planning applications for non-householder residential proposals
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1.0 Background

- 1.1 The Council's current adopted development plan, the Swansea Unitary Development Plan (UDP) is approaching its 2016 end date and inevitably the number of allocated housing sites that remain undeveloped has significantly diminished. The emerging Swansea Local Development Plan (LDP) will not be adopted before the latter months of 2017. As a result of these and other factors, the Council is currently unable to meet its statutory requirement to maintain a minimum 5 year supply of housing land.
- 1.2 Welsh Government guidance makes clear that a lack of a sufficient supply of housing land must be considered a significant material planning issue when considering the appropriateness of residential development proposals, even if such proposals represent a departure to the adopted development plan.
- 1.3 Having regard to this context, Council on 24 September 2015 agreed that the Planning Authority should take a proactive response to the current shortfall in housing land supply. In particular by engaging positively with developers that wish to submit planning applications on LDP sites and, where appropriate, encouraging applications in advance of formal adoption of the LDP.

2.0 The need to respond to the housing land shortage

- 2.1 The Council as local planning authority has a statutory requirement to maintain a minimum 5 year housing land supply. The number of available and deliverable sites has reduced as the current UDP reaches its end date, a situation that has been made worse by the need to remove a number of sites that have historically formed part of the County's land supply to comply with recently updated Welsh Government Guidance. As a result of this and other factors the Council is currently unable to meet its statutory requirement to maintain a minimum 5 year supply of housing land. The current supply stands at around 3 years, as set out in the latest Joint Housing Land Availability Report (2015), which has been agreed with the Welsh Government and relevant stakeholders.
- 2.2 It was reported to Members on 24 September 2015 that the need to address the housing land shortfall is increasingly acute as the land supply continues to diminish, and that it is anticipated the planning authority will be faced with determining numerous 'departure' planning applications in advance of the adoption of the LDP as a result. Departure applications (i.e. those that do not accord with UDP policies or allocations) are likely to include Greenfield sites that may be subject to particular sensitivities. Even if the Council refuses planning permission for such departure applications, prospective developers may anticipate these will ultimately be allowed on appeal as a result of the significance that a Planning Inspector would give to the need to provide land for housing development.
- 2.3 Members agreed on 24 September 2015 that measures need to be taken with immediate effect to try to increase the available housing land supply, and specifically that Officers should negotiate the preparation and submission, as appropriate, of planning applications for residential development on Strategic Sites in advance of the adoption of the LDP.

This approach will not only serve to address the housing land supply shortage and ensure that large sites are able to be ‘built out’ during the plan period, but will also enable supporting community facilities and/or infrastructure to be delivered at an early stage on such sites, through the imposition of appropriate planning obligations.

- 2.4 By focussing on strategic sites, as well as sites currently within settlement boundaries, the planning authority will be well placed to resist other applications that may be submitted on Greenfield sites not currently allocated in the adopted Unitary Development Plan, since such applications can then be said to be at variance with the Council’s strategy for meeting its land supply shortage. Without such a strategy in place the Council will be in an increasingly vulnerable position to prevent unsatisfactory and unpopular applications gaining planning permission.

3.0 A Guidance Note for Developers

- 3.1 The purpose of the Guidance Note for Developers (attached at Appendix 1) is to make clear to prospective housing developers and the Welsh Government/Planning Inspectorate that the Council has a clear strategy in place to address the current housing land shortfall. In particular, by prioritising applications for sites within settlement in the first instance, but also encouraging early applications on appropriate LDP allocations in advance of LDP adoption. The Guidance sets out the nature of evidence that is required from prospective developers to demonstrate the extent to which their proposals are compliant with the LDP Preferred Strategy and emerging Deposit LDP. The Guidance makes clear that proposals must be subject to an appropriate sustainability appraisal and be shown to be viable and deliverable, such that they will make a genuine and early contribution to meeting housing supply.
- 3.2 The Guidance states that the Council will apply a clear sequential approach to site selection in line with national guidance and to ensure it prioritises those LDP sites capable of delivering the widest social and economic benefit. In the first instance the Council will, wherever possible, endeavour to bring forward planning applications on sites recommended for allocation in the LDP that are within the existing UDP settlement boundary and/or sited on brownfield land. Such sites already benefit from in principle support for development, some of which include Council owned land.
- 3.3 In the case of departure applications, it states that Strategic Sites will be prioritised to ensure the high unit numbers attributed to these sites can be fully delivered over the plan period. Any ongoing delays to start dates on Strategic Sites will reduce the likelihood of delivering the allocated number of units on each site within the Plan period (i.e. by 2025). This would potentially undermine the soundness of the LDP, as there is less flexibility in terms of when homes must start being delivered on the ground at Strategic Sites as compared to non-strategic sites that typically can be built out within a few years. Such concerns can be addressed by prioritising early applications on Strategic Sites and therefore ensuring the delivery of units is reasonably spread on an annual basis over the period to 2025. Details of the housing-led Strategic Sites identified in the Preferred Strategy and recommended for allocation in the Deposit LDP can be found at www.swansea.gov.uk/ldpstrategicsites and are described below:

Land north of Pontarddulais
Land north of Garden Village
Land south of A4240 Penllergaer
Land west of Llangyfelach Road , Penderry
Land north of Clasemont Road Morrison
Land northwest of M4 J46, Llangyfelach
Land north of Waunarlwydd/Fforestfach

The following **Mixed Use Strategic Sites** are also recommended for allocation in the Deposit LDP, which include an element of residential uses, and will similarly be prioritised for early applications for housing where appropriate:

Central Area and Waterfront
Fabian Way Corridor
Swansea Vale

- 3.4 The Guidance states that planning applications relating to Strategic Sites must be underpinned by a masterplan that relates to the whole site, regardless of whether the planning application proposes only an element of the site is delivered as an early phase. It requires that such masterplans are formulated with appropriate stakeholder consultation, meet the policy requirements of the emerging LDP, and are agreed by the Local Planning Authority. It makes clear the Council will seek the delivery of complementary uses and relevant infrastructure alongside proposed new housing, which can provide wider community benefit such as a new school. Strategic Sites are considered best placed to demonstrate that the delivery of such community uses and infrastructure is viable and directly related to the wider development proposed.
- 3.5 The Guidance highlights that **LDP Exception Sites**, recommended for allocation in the Deposit LDP for the delivery of a majority proportion of affordable housing, will also be prioritised. There is a pressing need to deliver affordable housing in certain parts of the County. The latest needs assessment has identified significant shortfalls in provision, in particular within Swansea West, Gower Fringe and Gower AONB. Priority will therefore also be afforded to those planning applications that deliver majority proportions of affordable housing on sites that are recommended for allocation in the Deposit LDP for this express purpose, as well as appropriate sites on the edge of existing village settlement boundaries.
- 3.6 Significantly, the Guidance makes clear that less priority will be afforded to those smaller (non-Strategic) sites recommended for allocation in the Deposit LDP that are located beyond existing settlement boundaries. Departure applications on such sites are not the preferred means of redressing the housing land supply as these:
- are less likely to deliver associated wider community facilities and highway improvements;
 - will deliver fewer units than larger strategic sites;

- may divert the attention and resources of a developer away from delivering units and infrastructure on Strategic Sites; and
- would require multiple land releases to redress the housing shortfall.

- 3.7 The Guidance makes clear that departure applications on sites that are not recommended for allocation in the Deposit LDP, and that are also not currently allocated in the UDP, will not generally be supported by the Planning Authority. The broad assumption is that these proposals, besides being contrary to adopted policy and the Guidance Note, would both individually and cumulatively undermine the soundness of the emerging LDP Settlement Strategy.
- 3.8 The Guidance provides details of the wide range of evidence required to support any departure planning application. Proposals will need to be accompanied by evidence to demonstrate that they are sustainable, viable, compatible with the LDP Preferred Strategy, and crucially will deliver housing completions before adoption of the LDP.
- 3.9 Ultimately the main aim of the guidance is to set out the Planning Authority's positive approach to delivering the necessary new homes across Swansea but to deter the submission of speculative applications for residential development that are unlikely to be supported.

4.0 Timing and Procedures

- 4.1 Publication of the Swansea Deposit LDP is scheduled for early 2016. The Guidance Note makes clear that the Planning Authority considers it inappropriate for the Council to determine any planning application for housing development on a proposed LDP site that represents a departure to the UDP prior to public consultation on the Deposit LDP being concluded. Developers are also advised to await the outcome of the Deposit consultation process before submitting departure applications, and where necessary amend their proposals having regard to any appropriate representations made in relation to the site or the LDP more broadly.
- 4.2 In instances where the Planning Authority recommends approval of a significant residential development (defined as 150+ dwellings) prior to formal adoption of the LDP, the application need will be referred to the Welsh Government for their consideration under the provisions of the Town and Country Planning (Notification) (Wales) Direction 2012.

5.0 Equality and Engagement Implications

- 5.1 There are no direct equality and engagement Implications.

6.0 Financial Implications

- 6.1 There are no immediate financial implications arising from approval of the Guidance Note. Failure to deal with the shortage of housing land is likely to lead to increased incidence of planning appeals however, which could give rise to future requirements for external advice to the Council such as legal support that would have a financial cost.

7.0 Legal Implications

- 7.1 The Council is statutorily obliged to provide a minimum 5 year supply of housing land.
- 7.2 The Developer Guidance Note will be used as a 'check list' by the Planning Authority in the determination of planning applications but the document is not formal supplementary planning guidance. The Guidance Note is therefore an informative to provide transparency of approach and consistency in decision making, and does not form part of the statutory development plan.

Background Papers:

- Swansea LDP Preferred Strategy
- Swansea LDP Proposed Allocations <http://www.swansea.gov.uk/LDPPA>
- Technical Advice Note 1 Joint Housing Land Availability Studies (TAN1)

Appendices:

Appendix 1 - Guidance Note for Developers - Planning applications for Non-householder residential development



Guidance Note - Planning Applications for Non-householder Residential Development

1.0 Overview

- 1.1 The Council is approaching the end date of the current adopted Unitary Development Plan (UDP), which expires on the 31st December 2016. Inevitably the number of sites allocated for housing in the UDP that are undeveloped has diminished in recent years. Furthermore, a number of these undeveloped sites that have historically formed part of the County's housing land supply have now been removed from the agreed figures to reflect updated Welsh Government Guidance¹. As a result of this and other factors the Council is currently unable to meet its statutory requirement to maintain a minimum 5 year supply of housing land.
- 1.2 The Council recognises that a failure to maintain a 5 year supply of housing land could result in increased numbers of planning applications being submitted for housing development that are contrary to adopted UDP policy.
- 1.3 The purpose of this Guidance Note is to make clear to prospective housing developers that the Council has a clear strategy in place to address the current housing land shortfall, and to provide advice to any interested parties as to how the Planning Authority will deal with planning applications submitted on sites not currently allocated within the UDP. In particular the Guidance highlights that all reasonable efforts will be made to bring forward proposals on previously developed land and sites within-settlement. Where appropriate, the Council will also encourage **early applications** on recommended Local Development Plan (LDP) allocations in advance of **LDP adoption**. The Guidance sets out the nature of evidence that is required from prospective developers to demonstrate the extent to which **departure applications** are otherwise compliant with the **LDP Preferred Strategy** and emerging **Deposit LDP**. The Guidance makes clear that proposals must be subject to appropriate sustainability and socio-economic appraisals. They must also be viable and deliverable such that they will make a genuine and early contribution to meeting housing supply.

¹ Technical Advice Note 1 Joint Housing Land Availability Studies (TAN1)

2.0 Status and Purpose of this Guidance

- 2.1 This Guidance Note [*is to be/has been*] endorsed by Elected Members of the Council². The document is not supplementary planning guidance to adopted policy and is instead intended to provide information for developers that have submitted, or are considering submitting, a planning application.
- 2.2 The main purpose of the guidance is to set out the Council's positive and proactive approach to delivering the necessary new homes across Swansea. It also aims to dissuade the submission of inappropriate departure applications for residential development that are unlikely to be supported by the Planning Authority.
- 2.3 The Guidance applies with immediate effect to any planning application currently being considered by the Planning Authority, as well as applications that may be submitted in the future.

3.0 Housing Land Supply within Swansea

- 3.1 Welsh Government Planning Guidance states that "*Local planning authorities must ensure that sufficient land is genuinely available, or will become available, to provide a 5-year supply of land for housing judged against the general objectives and the scale and location of development provided for in the development plan*"³. According to the method of calculating housing land supply prescribed by the Welsh Government⁴, the Council does not currently have the required 5 year supply of housing land. The current land supply for the County identified in the latest published **Joint Housing Land Availability Report (2014)** is 2.7 years. Although the 2015 study has not yet been published it is anticipated that this figure will increase, however there will continue to be a shortfall.
- 3.2 Welsh Government guidance states that the housing land supply figure should be treated as a material consideration in determining planning applications. It also makes clear that an Authority should act when the land supply falls below the required 5 years by having a strategy that will redress the shortage and increase land availability. Whilst the need to increase housing supply will be a material factor in considering applications, Welsh Government guidance also highlights the importance of ensuring proposals still comply with other relevant development plan and national planning policies.

4.0 Determining Planning Applications on Recommended LDP Sites

- 4.1 Officers will take a positive approach to the negotiation and preparation of appropriate early planning applications for residential development on sites recommended for allocation in the Deposit LDP, subject to the requirements and approach set out below.

² City & County of Swansea Planning Committee, 10 November 2015

³ Planning Policy Wales (PPW), Paragraph 9.2.3

⁴ Technical Advice Note 1 Joint Housing Land Availability Studies (TAN1)

- 4.2 In the first instance the Council will, wherever possible, endeavour to bring forward planning applications on sites that are within the existing UDP settlement boundary and/or sited on previously developed land, including sites recommended for housing allocations in the LDP. Such sites already benefit from in principle support for development and therefore increased efforts will be made to facilitate the delivery of new housing units at these locations, including measures to bring forward appropriate Council owned land.
- 4.3 In the case of departure applications, the Council will prioritise **LDP Strategic Sites** recommended for allocation in the Deposit LDP and identified in the approved LDP Preferred Strategy. The Planning Authority has a specific mandate from Elected Members to consider early applications on these Strategic Sites⁵. Applications will be prioritised to ensure the high unit numbers attributed to these sites can be fully delivered over the plan period. Delays incurred to start dates for development on Strategic Sites could reduce the likelihood of delivering the allocated number of units across such sites by 2025. This would potentially undermine the soundness of the LDP, as there is less room for flexibility on Strategic Sites compared to non-strategic sites in terms of when new homes need to start being delivered on the ground. Such concerns can be addressed by prioritising early applications on Strategic Sites and therefore ensuring the delivery of units is reasonably spread on an annual basis over the period to 2025. Overall, these sites are most capable of delivering the widest social and economic benefit. Delivering new homes at Strategic Sites at the earliest reasonable opportunity will therefore make a significant contribution to the LDP settlement strategy.
- 4.4 Details of the Housing led Strategic Sites identified in the Preferred Strategy and recommended for allocation in the Deposit LDP can be found at www.swansea.gov.uk/ldpstrategicsites and are described below:

Land north of Pontarddulais
Land north of Garden Village
Land south of A4240 Penllergaer
Land west of Llangyfelach Road , Penderry
Land north of Clasemont Road Morrison
Land northwest of M4 J46, Llangyfelach
Land north of Fforestfach / Waunarlwydd

The following **Mixed Use Strategic Sites** are also recommended for allocation in the Deposit LDP, which include an element of residential use. New housing on these sites will similarly be prioritised for early applications, in association with other supporting uses where appropriate:

⁵ Reports of the Cabinet Member for Enterprise, Development and Regeneration to Council on 2nd December 2014 and 24th September 2015

Central Area and Waterfront
Fabian Way Corridor
Swansea Vale

- 4.5 Planning applications relating to Strategic Sites must be underpinned by a masterplan that relates to the whole site, regardless of whether the planning application proposes only an element of the site is delivered as an early phase (see Section 6 'Additional Guidance' below regarding hybrid applications). The masterplan should be formulated with appropriate stakeholder consultation and meet the policy requirements of the emerging LDP, and be agreed by the Planning Authority. The Council will seek the delivery of complementary uses and infrastructure that provide wider community benefit alongside proposed new housing. Strategic Sites are considered best placed to demonstrate that the delivery of such community uses and infrastructure is viable and directly related to the wider development proposed.
- 4.6 There is a pressing need to deliver affordable housing in certain parts of the County. The latest needs assessment has identified significant shortfalls in provision, in particular Swansea West, Gower Fringe and Gower AONB. Further detail is available at <http://www.swansea.gov.uk/article/5147/LDP-strategic-housing-market-assessments>. Priority will therefore also be afforded to those planning applications that deliver majority proportions of affordable housing on sites that are recommended for allocation in the Deposit LDP for this expressed purpose, including appropriate sites on the edge of existing village settlement boundaries. Prospective developers of such schemes are encouraged to discuss the details of their proposals with the Planning Authority at an early stage, in order to help identify the suitability of the site proposed early on in the process. The overall numbers that such sites would contribute towards meeting the current housing shortfall would be small, however such sites are being prioritised at this stage for the particular purpose of meeting identified needs for affordable housing.
- 4.7 Less priority will be afforded to bringing forward in advance of LDP adoption those smaller (non-Strategic) sites that are recommended for allocation in the Deposit LDP but that are currently located beyond existing settlement boundaries as defined by the UDP. Departure applications on such sites are not the preferred means of redressing the housing land supply as these:
- are less likely to deliver associated wider community facilities and highway improvements;
 - will deliver fewer units than larger strategic sites;
 - could divert the attention and resources of a developer away from delivering units and infrastructure on Strategic Sites; and
 - would require multiple releases to redress the shortfall.

Notwithstanding this broad approach regarding non-Strategic sites, the Council does not wish to 'freeze out' small scale developers from the process and would therefore encourage any prospective developer to discuss its proposals with the Planning Authority from an early stage, in order to consider the individual merits of an application and have full regard to the particular circumstances and planning issues.

For example there may be instances where negotiations on Strategic Sites and Exception Sites are insufficiently advanced within an area and/or unlikely to lead to the delivery of sufficient numbers of residential units to address the identified housing shortfall. In such circumstances a small scale site could provide a contribution to housing numbers that cannot reasonably be secured by other sites.

- 4.8 The Planning Authority does not encourage departure applications on sites that are not recommended for allocation in the Deposit LDP or currently allocated in the UDP. Such proposals will not generally be supported by the Planning Authority. The broad assumption is that such proposals, besides being contrary to adopted policy and this Guidance Note, would both individually and cumulatively undermine the soundness of the emerging LDP Settlement Strategy. Fundamentally such proposals are considered unlikely to be capable of successfully meeting the requirements, tests and evidence that are set out in this Guidance Note.

5.0 Evidence required for Departure Planning Applications

- 5.1 Departure applications will need to demonstrate that the proposed development is in-line with the emerging LDP, and will deliver a meaningful and early contribution to meeting housing supply. In addition to the supporting information normally required to determine applications, proposals will also need to be accompanied by the following evidence and demonstrate that they are sustainable, viable, compatible with the LDP Preferred Strategy, and will deliver housing completions before adoption of the LDP:

a) Site and Settlement Appraisal

- 5.2 The appraisal should consider the nature and function of the settlement within which the site is proposed, as well as the characteristics of the individual site. An assessment of the requirement for housing should be provided, having regard to the immediate locality and neighbourhood, as well as the housing requirements for the County as a whole.
- 5.3 The appraisal should consider how the site aligns within the search sequence required by national planning guidance to demonstrate sustainability of approach⁶ and its compatibility with the **LDP Sustainable Settlement Strategy**. This approach requires developers to follow the same principles in terms of identifying and prioritising sustainable sites as the Council has followed in the preparation of the UDP and LDP.

b) Sustainability Appraisal

- 5.4 Sites proposed in the Deposit LDP have been subject to a **Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA)** to demonstrate why and how it represents a sustainable form of development in relation to both the local and national policy context. The principles and objectives of SA/SEA are set out Welsh Government Guidance⁷. Any planning application for a site that is not proposed for allocation in the Deposit LDP must carry out an SA/SEA using the same methodology and SA Framework as used by the Council.

c) Viability Appraisal

⁶ Planning Policy Wales, Paragraph 9.2.8

⁷ Planning Policy Wales, Paragraph 4.3.1 and 4.4.3

- 5.5 A viability appraisal is required to demonstrate that the site can be developed on the basis of accommodating appropriate policy requirements (e.g. obligations for affordable housing, education, highways, open space provision, etc), as well as providing other necessary infrastructure. The appropriate balance of planning obligations will vary depending on the particular circumstances and characteristics of the site. This appraisal is an important part of demonstrating the sustainability and deliverability of the proposal.

d) Housing and Infrastructure Delivery Statement

- 5.6 A Housing and Infrastructure Delivery Statement is required to set out precisely how the proposed development would deliver new homes and supporting infrastructure to help reduce whatever is considered to be the identified shortfall in housing supply at the time of determination. This should clearly identify a timeline for the development including the expected start date, the relevant phasing of infrastructure, the annual completion rate, and the expected completion date for the whole development. This should also clearly identify which developer(s) will be building the homes. This requirement is to ensure compliance with advice in Welsh Government Guidance⁸ that states: *“...sites must be free, or readily freed, from planning, physical and ownership constraints, and economically feasible for development, so as to create and support sustainable communities where people want to live”*.

e) Welsh Language Impact Assessment

- 5.7 Having regard to the provisions of national planning guidance⁹ and the legislative requirements from the Planning (Wales) Act 2015, the needs and interests of the Welsh language must be considered in determining the suitability of significant new residential developments. Where appropriate, for example in areas above a certain threshold of Welsh speakers and/or designated as a ‘language sensitive area’, development proposals should be accompanied by a Language Action Plan (LAP) setting out the measures to be taken to promote, protect and enhance the Welsh language. The detailed requirements for a LAP should be discussed with the Planning Authority in advance of the submission of any application. The Council has produced an LDP Topic Paper on Welsh language, which may be of assistance to developers considering submission of a planning application. The Topic Paper is available at <http://www.swansea.gov.uk/ldpbackgroundpapers>.

f) Screening

- 5.8 Applications may need to be screened to ascertain whether the development requires an Environmental Impact Assessment (EIA) to be submitted as part of the supporting documentation. The LPA would encourage this screening process to be undertaken prior to the submission of an application. Developers should be aware that any subsequent decision would be publicly available. The submission of a Screening Opinion alongside the application, rather than being done in advance, may give rise to a delay in the determination of the proposed scheme if it is subsequently found that an EIA is required.

⁸ Planning Policy Wales, Paragraph 9.2.3

⁹ Technical Advice Note 20: Planning and the Welsh Language (2013)

5.9 Developers must have regard to the requirements of the Habitat Regulation Assessment (HRA) under the Conservation of Habitats and Species Regulations 2010, to ensure that no harm would arise to **Natura 2000** sites as a result of approved development. The first stage of the HRA is a screening stage this identifies all the likely impacts both directly or indirectly on Natura 2000 sites either alone or in combination with other plans or projects. The purpose of the screening stage is to determine whether or not the likely impacts will be significant and as such site proposers will need to provide sufficient evidence to enable this assessment.

6. Additional Guidance

- 6.1 Publication of the Swansea Deposit LDP is scheduled for early 2016. The Planning Authority considers it inappropriate for the Council to determine any planning application for housing development on a proposed LDP site that represents a departure to the UDP prior to public consultation on the Deposit LDP being concluded.
- 6.2 Developers are advised to await the outcome of the Deposit consultation process before submitting departure applications, and where necessary amend their proposals having regard to any appropriate representations made in relation to the site or the LDP more broadly.
- 6.3 Departure planning applications should either be a full or 'hybrid' application to allow the Council to properly assess proposals, particularly in terms of the housing requirement to be met, the nature of the housing to be provided, and the deliverability of the scheme. Outline applications are not considered acceptable, as without full and detailed information being provided for the initial phases of housing being proposed it will prove difficult for the Council to be satisfied that the proposal represents an appropriate, sustainable, viable and deliverable form of development.
- 6.4 A failure or unwillingness to provide the essential requirements set out in this Guidance Note for Developers will leave the Council unable to adequately assess the sustainability of the proposed development.
- 6.5 In instances where the Planning Authority recommends approval of a significant residential development (defined as 150+ dwellings) prior to formal adoption of the LDP, the application will be referred to the WG under the provisions of the Town and Country Planning (Notification) (Wales) Direction 2012.

Glossary of Terms

This glossary provides an explanation of the terms used in this note, in so far as they apply within the context of this guidance specifically:

Departure Application – a planning application that is at variance with adopted UDP policy, for example that relates to a site that is not defined as a housing allocation in the UDP, and/or is located outside the current settlement boundary. A departure application site may, or may not, be proposed as an allocation in the Deposit LDP.

Deposit LDP – the full version of the LDP that is based on the evidence compiled and updated throughout the plan preparation process, and that has regard to public consultations and stakeholder engagement carried out during earlier pre-Deposit stages. The Deposit document features both a written statement and Proposals Map.

Early application – a planning application relating to a site that is proposed as an allocation in the Deposit LDP but that is submitted to the Planning Authority in advance of adoption of the Plan.

Housing-led Strategic Site – an LDP Strategic Site (see below) that is allocated for primarily residential development, but in association with other relevant complementary and supporting uses

Joint Housing Land Availability Report (2014) – a report of the findings of the City & County of Swansea Joint Housing Land Availability Study for 2014 that sets out the housing land supply for the area at the base date of 1st April 2014. It has been prepared in accordance with the requirements of Planning Policy Wales, Technical Advice Note 1 (2006), and the Welsh Government Guidance Note on the JHLAS process (September 2012).

LDP adoption – within 8 weeks of receiving the Inspector's Report, an Adoption Statement will be prepared to show that the Council has formally adopted the LDP. The LDP will then become the statutory plan for the City & County of Swansea and will be used to provide development principles and guide decisions on planning applications.

LDP Exception Sites – recommended LDP housing sites proposed for allocation on the proviso that the development delivers a majority of affordable housing i.e. in excess of 50% of the total number of units to be delivered on the site

LDP Preferred Strategy – a strategic level, pre-'Deposit', planning document that sets out the broad approach the Council will take to ensure the City and County of Swansea is developed in a sustainable manner over the period to 2025

LDP Sustainable Settlement Strategy – the proposed means by which the LDP will meet the requirement to identify sufficient land to accommodate future growth in population and housing demand, as set out in Policy 2 of the LDP Preferred Strategy.

LDP Strategic Site – sites by virtue of their nature, scale or location contribute significantly to the spatial strategy of the LDP, as defined in the LDP Preferred Strategy. Housing led Strategic Sites will be allocated in the Deposit LDP for a minimum of 600 homes.

Mixed Use Strategic Site – an LDP Strategic Site that incorporates an extensive element of non-residential uses including (depending on the location) retail and leisure, other commercial, business, and general industrial uses. Housing will also form an element of Mixed Use Strategic Sites.

Natura 2000 Site – an EU wide network of nature protection areas established under the 1992 Habitats Directive, the aim of which is to assure the long-term survival of Europe's most valuable and threatened species and habitats. It is comprised of Special Areas of Conservation (SAC) and Special Protection Areas (SPAs), which are defined in the UDP.

Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) – a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. economic, environmental and social factors). Each LPA is required by Section 62(6) of the 2004 Planning Act to undertake an SA of its LDP. This form of sustainability appraisal fully incorporates the requirements of the Strategic Environmental Assessment (SEA) Directive & Regulations. An SEA is a generic term used internationally to describe environmental assessment as applied to policies, plans and programmes. The SEA Regulations require a formal “environmental assessment of certain plans and programmes, including those in the field of planning and land use”.