



Report of the Head of Planning and City Regeneration

Planning Committee – 1 May 2018

Planning Application Ref: 2014/0977 -Proposed Cessation of Landfill and Other Operations Enabled by Residential Development Circa 300 Dwellings, Public Open Space, Associated Highway and Ancillary Work (Outline)

Parc Ceirw, Cwmrhydyceirw Quarry and Adjoining Land, Cwmrhydyceirw, Swansea

1.0 Background

- 1.1 On 7th June 2016, Planning Committee refused the above application, contrary to officer recommendation for the following reasons:
 1. The applicant has failed to prove that the additional traffic movements generated by the proposal will not have an adverse effect on local congestion to the detriment of the safe and free flow of vehicles and pedestrians, contrary to the provisions of policies EV1, AS2 and HC2 of the City and County of Swansea Unitary development Plan (2008).
 2. The proposal fails to provide sufficient affordable housing to contribute towards the demonstrable need within the area, to the detriment of community regeneration and social inclusion. The proposal is therefore contrary to the aims of Planning Policy Wales (edition 8) and the well-being of future generations Act 2015.
- 1.2 An appeal was submitted against the decision to refuse the application which was considered by the appointed Inspector at a hearing in January and February 2017. Due to the scale of the development, the appeal was recovered for determination by the Welsh Ministers and following the Hearing, the Inspector presented a report of his findings to the Welsh Ministers for decision.
- 1.3 In the Inspector's view, the main considerations in the appeal were the effect of the development on highway safety and whether the proposal made adequate provision for affordable housing.
- 1.4 The inspector noted that pressures on the local highway network were evident during the site visit, which coincided with pupils leaving Cwmrhydyceirw Primary School and Morryston Comprehensive School. He was of the view that the proposed entrances into the development would provide safe and suitable access to the appeal scheme and considered that the proposed highway mitigation measures would address the existing congestion and likely highway impacts of the scheme while supporting alternative modes of transport to the private car.
- 1.5 In terms of affordable housing, the Inspector considered that the proposed provision of 5% affordable housing was carefully considered within the Officer report and due to

the exceptional development costs associated with the development, the proposal complied with policy HC3. In refusing the application, Committee considered that the level of affordable housing proposed was insufficient which would be detrimental to community regeneration and social inclusion and contrary to the Well-being of Future Generations Act 2015. In this regard, the Inspector recognised that there is clearly a need for affordable housing within the locality of the appeal site and that affordable housing contributes to the achievements of well-being goals.

However, Policy HC3 enables a balance to be struck where exceptional development costs are demonstrated and the Inspector did not consider that the proposal conflicted with development plan policies. The Inspector also noted the absence of a 5 year land supply and the need to increase supply provided significant weight in favour of the appeal scheme.

- 1.6 The Inspector considered other matters raised during the consideration of the appeal but found no grounds on which to dismiss the appeal.
- 1.7 In recommending approval of the scheme, the Inspector considered that the planning obligations entered into gave significant weight on favour of the scheme as they address matters regarding compliance with planning policy, ensuring the acceptability and appropriateness of the proposal and ensuring a sustainable form of development which would contribute to the well-being goals of the WCFG Act.
- 1.8 In considering the Inspector's recommendation on highway safety, the Welsh Minister found no reason to disagree with the Inspector's conclusions. In terms of the affordable housing provision within the proposed scheme, the Minister accepted that the proposal would provide a 5% provision of affordable housing and agreed with the Inspector that the proposed development complied with planning policies. The minister concurred with the Inspector that the appeal scheme would be a form of sustainable development which would contribute to meeting the well-being goals of the Well-being of Future Generations Act. Accordingly, the appeal was allowed and planning permission granted subject to conditions and the signed Section 106 Unilateral Undertaking dated 7th November 2017. No application for costs was made in this case.
- 1.9 In reaching the decision, the Minister stated:
'...I have considered the duty to carry out sustainable development under section 2 of the Planning (Wales) Act 2015. The decision made is in accordance with the sustainable development principle set out in the FG Act 2015. In accordance with section 3(2) of the FG Act 2015 and the well-being objectives of the Welsh Ministers, the decision will "build healthier communities and better environments" and "build resilient communities, culture and language" by providing housing in a sustainable location where there is a clear need for new housing.'
- 1.10 A copy of the Inspector's report and the Minister's decision letter are attached to this report as Appendix 1.

2.0 Recommendation

- 2.1 The appeal decision be noted.

Background Papers: None

Appendices: Inspectors Letter

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