

Update Sheet

1 2023/0253/OUT Land Adjacent To Fairwood Terrace, Gowerton, Swansea

A further **letter of objection** has been received from an objector. The main concerns raised in this correspondence are summarized below, together with Officer comments relating to the concerns raised.

We understand that there was lots to cover but we have concerns that the report does not properly represent the depth of our detailed objections and that in particular the following are overlooked:

1. There is no mention in your report of the 2015 ARUP Strategic Study which is extremely important as it tackles the issue with transport issues in the wider area due to LDP SD developments and specifically mentions the spine street linking the application site with the A484 - we have provided detailed commentary on this in our objections.

Highway Officer Comment - The Highway Authority consultation response considers the site against the established LDP history and also in recognition of the changes which have taken place since in terms of local and national focus, infrastructure schemes and policy direction. In the case of this query, the proposals put forward appear to comply with Inspector's suggested LDP amendments (2.3.68 as set out in page 44 of the Objector's Evidence Pack). It does not appear to prejudice a primary access to park and ride facilities is to be delivered from a new link to the east, outside of these proposals. The proposals do promote a secondary access for a limited number of park and ride at Fairwood Terrace and also an element of residential development the scale of which was determined through a detailed Transport Assessment.

2. There is no mention of our specific reports and conclusions from our Independent Transport Consultant LvW Highways.

Highway Officer Comment - The formal submissions which have been made by the parties named above and in the Evidence Pack

have been reviewed and considered within the preparation of a consultation responses. The determination on the extent of and what information should go into a report is itself a matter for the officers, exercising expertise in each subject area discussed. The findings at the end of the report are balanced against all relevant information and offer the Highway Authority view for review by the Planning Committee.

3. There is no mention of the chronology of discussion regarding the proposed site, including the previous resolutions that the site could only accommodate a maximum of 35 units due to problems with access at Fairwood Terrace.

Highway Officer Comment - The discussion referred to appears to relate to the case of the existing junction and highway infrastructure and a consideration made at a point in time. In the context of the proposals in this application, this has been considered against the form of the upgraded junction which now proposed, and the content of the traffic reduction measures put forward to be provided and installed.

4. There may be additional omissions.

Highway Officer Comment - A review of the Evidence Pack has been carried out and considered against the information which has been submitted previously. This has also been considered against the requirements of the Highway Authority and the information, assessments and evidence it requested from the applicant. It does not appear that there is anything outstanding that would prevent the Highway Authority on completing a consultation response.

We attach our latest Evidence Pack which can be taken as a summary of our most important objections and we will also provide this to the Planning Committee members, but we would also urge you to please add some acknowledgement of these issues either into your report or into the summary to be delivered on the day.

SECTION A – NON-COMPLIANCE WITH

LOCAL DEVELOPMENT PLAN – Page 02 This section lays out in detail how the application is non-compliant with the LDP (and also non-compliant with other Council resolutions were it to be considered as a stand-alone application). It also details the time-line of Council decisions and the mandated transport improvements regarding the site, and the financial justifications.

Planning Officer Comment - The LDP - SDH identifies a spine street from the A484 to the 150 space park and ride at Gowerton Station - this does not form part of this application. The current application includes a 50 space park and ride which will be accessed from Fairwood Terrace only. The two park and ride areas are in separate locations - the 150 space park and ride is to be located outside the current application site, adjacent to the railway line to the south east of Gowerton Station. The bus gate shown on the LDP SDH concept plan is to prevent 'rat running' from the eastern section of the strategic site into the current application site and Fairwood Terrace. None of the dwellings within the current application site will be accessed from the spine street from the east.

The LDP SD-H Policy clearly states at para 2.3.83 "The primary means of access to the rail park and ride will be via the new spine street from the east. Fairwood terrace may provide a secondary access to the park and ride to serve a limited number of spaces and an element of residential development, the scale of which will be determined through a detailed Transport Assessment. A through route from Fairwood Terrace to the wider development areas within site SDH will not be permitted due to highway infrastructure constraints. Detailed design and appropriate traffic management measures will be required to prevent any opportunity for vehicle movements of this nature." (i.e. bus gate).

The LDP concept plan clearly denotes the two separate locations of the park and ride areas and their separate means of access from the spine road and from Fairwood Terrace.

A bus loop will be provided within the current application site to ensure that a bus service can enter and leave the site via Fairwood Terrace. This will ensure that a bus service can be provided prior to the spine road being

constructed to the east.

The retained area to the east of the site for the proposed bus route and connection to the spine street for the 150 park and ride spaces will be secured via a S106 - the FCA identifies that this area will be part of the flood mitigation and flood exceedance pathway - see comment below under 'flood risk'

Therefore it is considered that the current application can be determined without the provision of the spine road to the east as the development of 216 dwellings is not reliant on a spine road to provide a vehicular traffic connection into the current application site.

In addition, the LDP - SDH for the wider site includes on and off-site transportation measures

RM9 is the spine from Titanium Road to the A484. Discussion on this element will be more appropriate when the remainder of the allocation comes forward.

RM10 is the A483/A484 Roundabout at Cadle. Strategic Site SDB has improvements here, wider improvements would only be necessary once we agree on the extents of RM9.

RM11 Gypsy Cross improvements. Fairwood Terrace impact here extremely limited. Not something we would wish to pursue at this time.

RM14 Station Rd / Cwmbach Rd Traffic Signals. Again the Fairwood Terrace end of the allocation has limited impact, and money better used on Gowerton signals.

The objectors evidence pack includes many references to the LDP candidate site process. However this pre-adopted LDP process has been concluded via the adoption of the LDP as currently shown within SD-H, which identified that the Fairwood Terrace site would contain high density residential dwellings and the transit hub for Gowerton Station.

SECTION B – TRANSPORT AND CONGESTION ISSUES - Page 19 This section details issues regarding transport and congestion issues. It also shows how the Council's ARUP Swansea Strategic Transport

Model shaped the requirements for the site in the LDP. It also contains findings of our independent transport advisor LvW Highways.

Highway Officer Comment - As discussed, earlier in this update document, the Highway Authority have responded on the representations made. This includes consideration of the current and potential future transport issues, the requirements for additional analysis and evidence base on junction design and active travel measures.

SECTION C – TRANSPORT AND SAFETY ISSUES – Page 30 This section details safety issues regarding the access to the proposed site, and safety and visibility issues with the junction and proposed crossing near the low railway bridge and includes expert testimony from LvW Highways.

Highway Officer Comment - As discussed, earlier in this update document, the Highway Authority have responded on the representations made. This includes consideration of the current and potential future transport issues, the requirements for additional analysis and evidence base on junction design and active travel measures.

SECTION D – SIGNIFICANT LIMITATIONS OF HOMEWORKING ACTIVE TRAVEL AND PUBLIC TRANSPORT BENEFITS – Page 38 This section provides evidence that any mitigation that the applicant has claimed due to Homeworking, Active Travel and Public Transport have been overstated and do not have any material impact on the Transport Assessments.

Highway Officer Comment - As discussed, earlier in this update document, the Highway Authority have responded on the representations made. This includes consideration of the current and potential future transport issues, the requirements for additional analysis and evidence base on junction design and active travel measures.

SECTION E – FLOODING AND ACCESS ISSUES – Page 41 This section details some of the flooding issues associated with the site, and

also shows how land ownership issues surrounding the site make it currently impossible for the applicant to deliver the “spine street” that is mandated in the LDP

Planning Officer Comment - The retained area to the east of the site for the proposed bus route and connection to the spine street for the 150 park & ride spaces will be secured via a S106 - the FCA identifies that this area will be part of the flood mitigation and flood exceedance pathway - ‘transport infrastructure’ is classed as ‘less vulnerable development’ in TAN 15. The future transport corridor and flood exceedance pathway has been designed to intercept and convey flood water back to the Gors-Fawr Brook during an exceptional flood event, therefore it is considered that complies with test in para 6.2 of TAN 15 on this basis.

It is anticipated that when (if) the remainder of the SDH site comes forward, further flood modeling will take place and further flood mitigation measures will be explored to ensure that the future spine road will be fully assessed in terms of flood risk at that time.

The proposed attenuation ponds / basin are required as part of Sustainable Urban Drainages systems (SUDS).

Separate approval is required from the Suds Approval Body (SAB). The planning permission cannot be implemented until SAB approval is granted.

Impacts upon 3rd party land have been addressed in the report.

It is reiterated that none of the proposed dwellings will be located within the C2 flood zone - part of the eastern sector of the site falls within flood zone C2, although it will remain undeveloped and will form part of the multi-functional Green Infrastructure and incorporate flood mitigation features - it is considered to be a ‘less vulnerable’ use and therefore meets the justification tests set out in TAN15.

SECTION F – ISSUES WITH SAFEGUARDING PUBLIC SERVICES – Page 47 This section provides written evidence that the local primary healthcare services cannot support this

additional development.

Planning Officer Comment : Issues relating to public health (Doctors surgery) have already been addressed in the committee report.

SECTION G – NON-COMPLIANCE WITH SPECIFIC POLICIES – Page 48 This section provides evidence of specific LDP and other policies that the application is not compliant with.

Planning Officer Comment - Issues relating to compliance with other LDP policies have already been addressed in the committee report.

SECTION H – SUMMARY STATEMENT – Page 51 This section provides a summary of why we submit that the application must be refused:

This evidence pack shows that if this application were to be granted it would:

A. Not be compliant with requirements set out in the LDP B. Not meet requirements with respect to transport and congestion issues

C. Not provide a safe access junction to the site for vehicles or pedestrians

D. Not deliver on its claims regarding Homeworking, Active Travel, or Public Transport

E. Not be able to deliver on future claims regarding access to a wider SD-H development due to flood issues on third party properties , contain a large number of potentially unsafe retention ponds, and may well have further issues with flooding on the site itself, and so not comply with TAN15.

F. Not properly safeguard public health amenity

G. Not be compliant with many policies in the adopted Local Development Plan (and Planning Policy Wales) and as such it would be unlawful to grant permission contrary to the Town and Country Planning Act 1990 Section 70c.

The application must be refused. We reserve the right to update this evidence pack should new information be available up to the date of the Planning Committee Meeting.

Two additional **letters of objection** received from the same person. No new planning issues/objections are raised in these two letters.

Concerns have been raised regarding the timing

of the Committee site visit being at 10.30am - people who are working cannot attend and that rush hour traffic will have gone so no congestion.

The Council's **Education Department** have made additional comments as follows;

Education replied to the application as part of the SDA due to the details described in the LDP. It is difficult this SDA is coming through as separate applications rather than the site as a whole and this particular development is distant and separate from the 'main' SDA. The rest of the SDA coming through with separate applications will continue to negatively impact on education contributions and in turn any new school build development for SDA H will be at risk due to funding constraints. With regard to the mention of temporary accommodation / demountables – we include this line in our responses as the current planning obligations state;

The Council seeks contributions for all age groups (including early years and sixth form provision) for all maintained schools, i.e. community, voluntary aided and foundation schools (both English and Welsh medium). In general, contributions will be sought from proposed developments (including mixed use developments) containing the equivalent of 10 or more new dwellings where:

f There is potential to increase demand on local schools beyond their existing or planned capacity; and/or f Existing surplus capacity is of unsatisfactory standard and would require investment to make it suitable for children generated from the proposed development.

However the capacity quoted does not discount these areas – it is for information only. We are not asking for the developer to take account of the demountables. The 10% 'buffer' quoted is not an Education Department's desire as it is put. It is a Welsh Government's recommendation.