



## City and County of Swansea

### Notice of Meeting

You are invited to attend a Meeting of the

## Planning Committee

**At:** Remotely via Microsoft Teams

**On:** Friday, 17 July 2020

**Time:** 10.00 am

**Chair:** Councillor Paul Lloyd

**Membership:**

Councillors: C Anderson, P M Black, W Evans, L S Gibbard, M H Jones, M B Lewis, R D Lewis, P B Smith, D W W Thomas, L J Tyler-Lloyd and T M White

**Watch Online:** <https://bit.ly/38cBCUM>

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### Agenda

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| 1 | Apologies for Absence.   |         |
| 2 | Disclosures of Personal and Prejudicial Interests.<br><a href="http://www.swansea.gov.uk/disclosuresofinterests">www.swansea.gov.uk/disclosuresofinterests</a> |         |
| 3 | Determination of Planning Applications under the Town & Country Planning Act 1990.   | 1 - 198 |

**Next Meeting:** Wednesday, 22 July 2020 at 2.00 pm

A handwritten signature in black ink that reads 'Huw Evans'.

**Huw Evans**  
Head of Democratic Services  
Friday, 10 July 2020

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**Contact: Democratic Services - 636923**

# Agenda Item 3

City and County of Swansea  
Dinas a Sir Abertawe

Report of the Head of Planning & City Regeneration  
to Chair and Members of Planning Committee

DATE: 17<sup>th</sup> July 2020

<b>Bay Area</b> Team Leader: Liam Jones - 635735	<b>Area 1</b> Team Leader Andrew Ferguson - 633947	<b>Area 2</b> Team Leader: Chris Healey - 637424
Castle Mayals Oystermouth St Thomas Sketty Uplands West Cross	Bonymaen Clydach Cwmbwrla Gorseinon Landore Llangyfelach Llansamlet Mawr Morryston Mynyddbach Penderry Penllergaer Penyrheol Pontarddulais Townhill	Bishopston Cockett Dunvant Fairwood Gower Gowerton Killay North Killay South Kingsbridge Lower Loughor Newton Penclawdd Pennard Upper Loughor

**Members are asked to contact the relevant team leader for the ward in which the application site is located, should they wish to have submitted plans and other images of any of the applications on this agenda displayed at the Committee meeting.**

Phil Holmes  
BS(Hons), MSc, Dip Econ  
Head of Planning & City Regeneration



## TWO STAGE VOTING

Where Members vote against officer recommendation, a two stage vote will apply. This is to ensure clarity and probity in decision making and to make decisions less vulnerable to legal challenge or awards of costs against the Council.

The first vote is taken on the officer recommendation.

Where the officer recommendation is for “approval” and Members resolve not to accept this recommendation, reasons for refusal should then be formulated and confirmed by means of a second vote.

**The application will not be deemed to be refused unless and until reasons for refusal have been recorded and approved by Members.** The reason(s) have to be lawful in planning terms. Officers will advise specifically on the lawfulness or otherwise of reasons and also the implications for the Council for possible costs against the Council in the event of an appeal and will recommend deferral in the event that there is a danger that the Council would be acting unreasonably in refusing the application.

Where the officer recommendation is for “refusal” and Members resolve not to accept this recommendation, appropriate conditions should then be debated and confirmed by means of a second vote. For reasons of probity, Members should also confirm reasons for approval which should also be lawful in planning terms. Officers will advise accordingly but will recommend deferral if more time is required to consider what conditions/obligations are required or if he/she considers a site visit should be held. If the application departs from the adopted development plan it (other than a number of policies listed on page 83 of Part 3 of the Constitution) will need to be reported to Council and this report will include any appropriate conditions/obligations.

**The application will not be deemed to be approved unless and until suitable conditions have been recorded and confirmed by means of a second vote.**

Where Members are unable to reach agreement on reasons for refusal or appropriate conditions as detailed above, Members should resolve to defer the application for further consultation and receipt of appropriate planning and legal advice.

## Contents

Item	App. No.	Site Location	Officer Rec.
1	2018/2697/OUT	Land South Of The A4240, Parc Mawr, Penllergaer, Swansea <b>Hybrid planning application comprising: A) Outline planning application with all matters reserved (except those included in full application below) for residential led mixed use development of up to 850 residential dwellings in total (use class C3) to be developed in phases; primary school; provision of local centre including community facilities; spine road with links to Gorseinon Road, A483 and A484; and associated public open space/ play provision, highways, drainage, ecological mitigation, landscaping and engineering works; B) Full application for the erection of 184 dwellings and associated works as part of phase 1a of the development; access off Brynrhos Crescent; the demolition of 31 Gorseinon Road and demolition of identified Parc Mawr Farm buildings. (AMENDED PROPOSALS)</b>	Approve



Item 1 (Cont'd)

Application Number:

2018/2697/OUT

## 1.0 Background

This application is being reported to Planning Committee as it is a major development and has been submitted with an Environmental Statement.

The site is identified as a Strategic Development Area (SDA) within the Adopted Swansea Local Development Plan. SDAs have the greatest potential to contribute to the LDP's vision and objectives and deliver well-being and sustainable development. The size of SDAs presents sufficient scale to enable careful strategic master planning to ensure they create sustainable, cohesive, well-designed and quality new places which are delivered through a strong Placemaking approach. The economies of scale will enable the level of new infrastructure required to be provided and through careful siting of SDAs, they will address infrastructure deficiencies that exist within adjoining communities resulting in part from previous less sustainable developments. However, there is also an important need to address the identified housing requirements of all communities in the County.

The site is allocated as SDA C capable of providing an estimated 644 residential units during the plan period (with a greater number of homes beyond the plan period). LDP Policy SD C – Land South of A4240 Parc Mawr, Penllergaer.

## 2.0 Site Location

The application site covers an area of approximately 79.6 hectares of land situated behind properties on Gorseinon Road and Swansea Road within the ward of Penllergaer, extending approximately 1.65km to the south. The land to the north and east of the northern half of the site contains the existing urban settlement. To the west, the site adjoins a large area of open access land with fields and sporadic farmsteads adjoining the southern half of the site along with the A483. Penllergaer sits to the southwest of J47 of the M4.

The site comprises agricultural land at present with one farmhouse (Parc Mawr Farm) and associated outbuildings located in the centre of the northern half of the site. The farm is accessed from Swansea Road with a single track road with mature hedgerow boundaries on either side. There is a public right of way (ref LC28) located on land to the west of the site which travels in a north to south direction before travelling east across the southern portion of the site. Between the fields of pasture, definition and enclosure is provided through a variety of means including hedges (with and without hedgerow trees), fences and 'cloddiau' (plural of 'Clawdd' – stone built walls with an earth and rubble core often topped with a hedge. These are an attractive characteristic of parts of the site and offer opportunities for incorporation (through retention and new constructions) within any future design proposals.

Phase 1A is located on the eastern side of the northern half of the site at the rear of properties on Swansea Road, Brynderi Close, Brynrhos Crescent and Pen-Y-Bryn Close. Vehicle access would be via Brynrhos Crescent.

The site is located on the west facing 'dip and scarp' plateaux between the River Lliw and River Llan in a mosaic rolling lowland escarpment. In the north of the site, altitude falls from east to west from around 105m Above Ordnance Datum (AOD) to around 70m AOD. The site does not fall within any local or statutory landscape designations. A Site of Importance for Nature Conservation is located immediately to the west of the site (Mynydd Garn Goch Common).

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The site comprises typically triangular and rectangular fields of arable land and improved, poor semi-improved and semi-improved neutral grassland. There are some areas of marshy grassland, particularly in the north-western area. There are also several blocks of broadleaved woodland, particularly in the western and southern parts of the site. A distinctive mature avenue of trees line an old green lane which runs south-west from Parc Mawr Farm to the western boundary. No trees on site are protected by Tree Preservation Orders (at the current time).

Bus stops are found in close proximity to the site along Gorseinon Road, Swansea Road, Pontardulais Road and the A483. Penllergaer Primary School is located to the north east of the site, to the north of the A48 between J47 and the “Old Inn” roundabout. Penllergaer Common is located to the north of the site, on the opposite side of Gorseinon Road, which has an equipped play area and football pitch in a large amenity area. A convenience store is located to the west of the common and a pub and petrol station are located off the “Old Inn” roundabout.

**3.0 Description of Development:**

This application is a hybrid planning application comprising the following elements:

- A) Outline planning application with all matters reserved (except those included in full application below) for residential led mixed use development of up to 850 residential dwellings in total to be developed in phases; a potential 75 bed care home, 3 form entry primary school and the provision of a local centre including community facilities (up to 2,500m<sup>2</sup> of local centre floorspace comprising A1, A2, A3, B1 and D1 uses);
- B) Full application for the erection of 184 dwellings and associated works as part of phase 1A of the development; access off Brynrhos Crescent; the demolition of 31 Gorseinon Road and demolition of identified Parc Mawr Farm buildings.

**Outline Element:**

In addition to the elements stated above, the outline element of the application also includes the creation of a spine road linking Gorseinon Road with the A483 and A484 (to be completed in phases), community facilities including allotments, Public Open Space including facilities for children, and areas of landscaping (including sustainable drainage systems), outdoor sports provision, drainage, ecological mitigation, landscaping and engineering works including new roads / footpaths / cycleways.

The application is supported by an illustrative masterplan for the site and a series of Parameters Plans (covering density, design focus, land use, access and movement, building heights, public realm, landscape and a phasing plan).

The northern access would be located from the crescent to the south of Gorseinon Road and would require the demolition of No. 31 Gorseinon Road (included in the full element of the application) and is indicated to be provided prior to first beneficial occupation of the 185<sup>th</sup> dwelling (i.e. any dwelling after Phase 1A) and would serve subsequent dwellings occupied thereafter. An access would be created on to the A483 to the east (at unit 350) with a further access on to the A484 proposed in the later phases of the development (unit 644). These accesses would be linked via a winding spine street that has a definite character as a place as well as incorporate the important movement function.

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The local centre would comprise of a school to the west of the spine street in the northern part of the site with the other commercial uses set around a village green located adjacent to the spine street (on the eastern side). The proposed care home would be located to the south of the school on the same side of the spine street to enclose the centre. The area to the west of the development would be retained as open green land. The residential element would have a number of different character areas within walkable neighbourhoods, with higher densities at the local centre and lower densities on the rural/ sensitive areas. The existing farm track would be retained as an active travel route. 1 x Neighbourhood Equipped Area of Play (NEAP), 3 x Local Equipped Areas of Play (LEAP) and 10 Local Areas of Play (LAP) would be provided within the site.

The application has been submitted with an Environmental Statement (2017 EIA Regulations) which covers Ecology, Landscape and Visual, Traffic and Transport, Archaeology and Cultural Heritage, Drainage and Flood Risk and Water Quality.

The application has also been submitted along with a Pre-Application Consultation Report, a Design and Access Statement, Arboricultural Report (Site-wide and Phase 1A), Air Quality Assessment, Noise Assessment, Welsh language Action Plan, Socio-economic Impact Assessment, Agricultural Land Classification and Soil Resources Report and a Site Investigation and Coal Mining Risk Assessment. Subsequently, a Sustainable Energy Strategy, Road Safety Audit and an Open Space Assessment have been submitted along with updates to the document originally submitted.

Whilst the whole site has an overall area of approximately 79.5 hectares, it is anticipated that around 35.5 hectares of land would comprise built form (consisting of residential, infrastructure, community facilities and education uses). Whilst the lower third of the site extends down to the A484, the majority of this would remain undeveloped with the exception of the new spine street link and associated footpath/ active travel route.

20% Affordable Housing would be provided on site. Delivery of Affordable Housing would be delivered in numbers and types/ tenures commensurate with each housing phase. The nursery would be provided by unit 250 and the school provided by completion of unit 500. Recreation areas would be delivered in accordance with the phases within which they are located.

It is anticipated that the development would be undertaken between 2020-2028 and the first occupations would take place approx. 8 months from works commencing (2 months of groundworks, 6 months of plot works for 1st occupation).

**Full Element:**

The detailed element has been amended since original submission and 2 dwellings have been removed and the architectural detailing of the dwellings has been significantly enhanced.

Phase 1A proposed 184 dwellings comprising a mixture of 1, 2, 3 and 4 bed dwellings (10 x 1 bed, 20 x 2 beds, 89 x 3 beds and 65 x 4 beds). 37 of these dwellings would be affordable dwellings which equates to 20.1% (10 x 1, 13 x 2, 11 x 3 and 3 x 4beds). The proposed density comprises a mix of densities ranging from lower density (20-30dph) nearer the existing urban edge to a medium density (30-40dph) towards the spine street.



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The dwellings in Phase 1A are proposed to be faced in:

- Fair faced red multi brickwork – Forterra Farmstead Antique or something similar
- Through colour render – finish off White
- Reconstituted stone – Bradstone Keinton or something similar
- All detached garages would be finished in facing brickwork.

Roofing materials would be as follows:

- Plain concrete roofing tiles – Redland Mini Stonewold – colour Slate Grey
- Plain concrete roofing tiles – Redland Mini Stonewold – colour Rustic Brown

The proposal also includes a variety of residential units – apartments, small terraces, semi-detached and detached houses which have been designed to reflect the character of the site and Penllergaer in general. The northern end of Phase 1A would stop at the existing farm access track with development facing onto this feature which would be used as an Active Travel route.

A new access would be created off Brynrhos Crescent, located off Swansea Road that would lead into the site and split to provide what would be a secondary route leading north and south. A Local Area of Play (LAP) would be created at the entrance of the site and the end of Brynrhos Crescent would be formally stopped up. Phase 1A would wrap around Pen-y-Bryn Close and four properties would have direct access off Clos Ty Mawr with pedestrian accesses provided along this route. Phase 1A would provide links to the proposed spine street but no development fronting on to the spine street is included within this phase. Two attenuation ponds are proposed within this phase, with one located on the opposite side of the spine street. Various shared and private drives would lead off the secondary route which would be tree-lined with grass verges in the main. The green corridors / field boundaries in the southern half of the site would be retained but punctures through would be created for pedestrian and vehicular access. A second LAP would be located in the southern green edge to phase 1a.

The full application also includes the demolition of No. 31 Gorseinon Road and some of the farm outbuildings (9 buildings/ extensions proposed to be demolished in total) whilst Parc Mawr Farm and 3 other outbuildings would remain for future community use as part of a later phase. A demolition plan has been submitted with the application clarifying these works.

#### **4.0 Planning Policy Wales (10<sup>th</sup> Edition – December 2018)**

##### **Chapter 1: Introduction:**

Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice Notes (TANs), Welsh Government Circulars, and policy clarification letters, which together with PPW provide the national planning policy framework for Wales.

Paragraph 1.2 explains that the primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015 and other key legislation. A well-functioning planning system is fundamental for sustainable development and achieving sustainable places.

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Paragraph 1.4 states that planning procedural advice is given in the Development Plans Manual and Development Management Manual as well as Welsh Government circulars and letters. Both the Manuals are to be read in conjunction with PPW and the relevant legislation.

Paragraph 1.9 clarifies that PPW should be read as a whole, as aspects of policy and their application to a particular development proposal could occur in several parts of the document. Where 'must' is used in the document it reflects a legislative requirement or indicates where action is needed now to make changes in practice over the long term to achieve strategic outcomes. Where 'should' is used it reflects Welsh Government expectations of an efficient and effective planning system.

Paragraph 1.11 states that the Well-being of Future Generations Act places a duty on public bodies to carry out sustainable development. The concept has been expanded under the Well-being Act and it requires an improvement in the delivery of all four aspects of well-being: social, economic, environmental and cultural. The Well-being Act has established seven well-being goals which are intended to shape the work of all public bodies in Wales (1.13).

A plan-led approach is the most effective way to secure sustainable development through the planning system and it is essential that plans are adopted and kept under review (1.17).

Paragraph 1.26 states that Local Development Plans should set out a vision for how places are expected to change in land-use terms to accommodate development needs over the plan period. This provides certainty for developers and the public about the type of development that will be permitted at a particular location. LDPs contain locally specific policies to explain or develop national policy further and to take forward local priorities for action. Evidence is needed to support LDP policies which is tested through the Examination procedure.

## **Chapter 2: People and Places: Achieving Well-being Through Placemaking**

Paragraph 2.3 states that the planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all.

Placemaking in development decisions happens at all levels and involves considerations at a global scale, including climate change, down to the very local level, such as considering the amenity impact on neighbouring properties and people (2.7). Planning policies, proposals and decisions must seek to promote sustainable development and support the well-being of people and communities across Wales. This can be done through maximising their contribution to the achievement of the seven well-being goals and by using the five Ways of Working, as required by the Well-being of Future Generations Act. This will include seeking to maximise the social, economic, environmental and cultural benefits, while considering potential impacts when assessing proposals and policies in line with the Act's Sustainable Development Principle (2.8).

Paragraph 2.9 states that the most appropriate way to implement these requirements through the planning system is to adopt a placemaking approach to plan making, planning policy and decision making. Good placemaking is therefore essential to the delivery of sustainable development and achieving improvements in the well-being of communities (2.10).

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Paragraph 2.15 states the national sustainable placemaking outcomes should be used to inform the preparation of development plans and the assessment of development proposals. The outcomes provide a framework which contains those factors which are considered to be the optimal outcome of development plans and individual developments. These outcomes, whilst highlighting the sustainable features place development plans and decisions help create, should be the starting point for plan makers and decision takers, and be considered at the earliest possible opportunity.

Not every development or policy proposal will be able to demonstrate they can meet all of these outcomes, neither can it necessarily be proved at the application or policy stage that an attribute of a proposal will necessarily lead to a specific outcome. However, this does not mean that they should not be considered in the development management process to see if a proposal can be improved or enhanced to promote wider well-being. It is for developers and planning authorities to identify these opportunities and act upon them (2.20).

### Chapter 3: Strategic and Spatial Choices

Paragraphs 3.1 and 3.2 state that effective strategic placemaking requires early collective consideration of placemaking issues at the outset, in the formulation of a development plan, or when developing specific proposals. The policy issues should not be considered in isolation from one another. This includes considering the design of a development and its impacts upon everyday lives as well as thinking holistically about where people might live and work and which areas should be protected. These crucial, early decisions will have the greatest impact on the type of development which is ultimately delivered and its contribution to sustainable development and the environmental, social, cultural and economic well-being of Wales. The choices made at this stage should be shaped by appropriate engagement with the public and other stakeholders using the 5 Ways of Working to enhance proposals and ideas and to maximise their contribution to the well-being goals. Getting these aspects right, or in place, at an early stage, will enable more effective and justifiable decisions to be made further on in the development of plans and projects.

Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area (3.3).

Development proposals must address issues of inclusivity and accessibility for all. This includes making provision to meet the needs of people with sensory, memory, learning and mobility impairments, older people and people with young children. There will often be wider benefits to be gained through the sensitive consideration of such provision, for example, whilst the presence of visual cues will be invaluable in assisting those with hearing loss to engage in a noisy environment, a navigable environment will benefit all. Good design can also encourage people to meet and interact with each other, helping to address issues surrounding loneliness. Good design must also involve the provision of measures that help to reduce the inequality of access to essential services, education and employment experienced by people without access to a car. Design measures and features should enable easy access to services by walking, cycling and public transport (3.6).

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Good design can help to ensure high environmental quality. Landscape and green infrastructure considerations are an integral part of the design process. Integrating green infrastructure is not limited to focusing on landscape and ecology, rather, consideration should be given to all features of the natural environment and how these function together to contribute toward the quality of places. This embraces the principles of 'ecosystems services' and sustainable management of natural resources where multiple benefits solution become an integral part of good design. In a similar manner, addressing environmental risks can make a positive contribution to environmental protection and improvement, addressing land contamination, instability and flood risk and providing for biodiversity, climate protection, improved air quality, soundscape and water resources benefits (3.8).

Paragraph 3.9 states that the special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement.

Good design is about avoiding the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys. Achieving these objectives requires the selection of sites which can be made easily accessible by sustainable modes as well as incorporating appropriate, safe and sustainable links (including active travel networks) within and between developments using legal agreements where appropriate (3.12). Existing infrastructure must be utilised and maximised, wherever possible. Where new infrastructure is necessary to mitigate transport impacts of a development and to maximise accessibility by sustainable non-car modes, it should be integrated within the development layout and beyond the boundary, as appropriate. This could include works to connect cycle routes within a site to a wider strategic cycling network or provision of bus priority measures on highway corridors serving a new development (3.13).

Paragraph 3.20 states that disadvantaged and deprived communities tend to be disproportionately affected by health problems. There are links between the built and natural environment and health throughout a person's lifetime and an understanding of the wider determinants of health should be a key component of development plan preparation. The planning system should identify proactive and preventative measures to reduce health inequalities. This will include enabling opportunities for outdoor activity and recreation, reducing exposure of populations to air and noise pollution, promoting active travel options and seeking environmental and physical improvements, particularly in the built environment. Planning authorities should develop and maintain places that support healthy, active lifestyles across all age and socio-economic groups, recognising that investment in walking and cycling infrastructure can be an effective preventative measure which reduces financial pressures on public services in the longer term. The way a development is laid out and arranged can influence people's behaviours and decisions and can provide effective mitigation against air and noise pollution. Effective planning can provide calming, tranquil surroundings as well as stimulating and sensory environments, both of these make an important contribution to successful places (3.22).

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Paragraph 3.23 states that green infrastructure can be an effective means of enhancing health and well-being, through linking dwellings, workplaces and community facilities and providing high quality, accessible green spaces. In all development and in public spaces especially, there should be sensitive management of light, and exposure to airborne pollution should be kept as low as reasonably practicable. The compatibility of land uses will be a key factor in addressing air quality and creating appropriate soundscapes which are conducive to, and reflective of, particular social and cultural activities and experiences, particularly in busy central areas of towns and cities. Equally, the provision of quiet, tranquil areas which provide peaceful sanctuaries in otherwise noisy environments can help to reduce general levels of pollution and promote both mental and physical well-being.

The Welsh language is part of the social and cultural fabric and its future well-being will depend upon a wide range of factors, particularly education, demographic change, community activities and a sound economic base to maintain thriving sustainable communities and places. The land use planning system should take account of the conditions which are essential to the Welsh language and in so doing contribute to its use and the Thriving Welsh Language well-being goal (3.25).

Paragraph 3.46 states that a broad balance between housing, community facilities, services and employment opportunities in both urban and rural areas should be promoted to minimise the need for long distance commuting. Planning authorities should adopt policies to locate major generators of travel demand, such as housing, employment, retailing, leisure and recreation, and community facilities (including libraries, schools, doctor's surgeries and hospitals), within existing urban areas or areas which are, or can be, easily reached by walking or cycling, and are well served by public transport. Higher densities should be encouraged in urban centres and near major public transport nodes or interchanges, to generate a critical mass of people to support services such as public transport, local shops and schools (3.47).

Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC) is the best and most versatile, and should be conserved as a finite resource for the future (3.54).

Paragraph 3.57 states that adequate and efficient infrastructure, including services such as education and health facilities along with transport, water supply, sewers, sustainable waste management, electricity and gas (the utilities) and telecommunications, is crucial for economic, social and environmental sustainability. It underpins economic competitiveness and opportunities for households and businesses to achieve socially and environmentally desirable ways of living and working. Infrastructure which is poorly designed or badly located can exacerbate problems rather than solving them.

#### **Chapter 4: Active and Social Places**

This theme supports and enables the provision of a range of well-designed and located homes which are well connected to existing retail and commercial centres situated at the heart of our communities and job opportunities. It emphasises that when planning and managing future development planning authorities need to ensure that residents of existing and new communities have access to jobs and an appropriate range of community facilities including recreation, leisure, health and education. It promotes retail and commercial centres as hubs, for a range of activities, recognising their social, cultural and economic importance.

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It acknowledges the significance of community facilities and recreational spaces for our health, well-being and quality of life and specifically protects and promotes these uses in line with the overarching national sustainable placemaking outcomes (4.0.2).

The design and layout of streets must give a high priority to their role as public spaces and meeting the needs of pedestrians, cyclists and public transport users, reflecting the principles of the sustainable transport hierarchy. To create streets that are social places, the public realm needs to be safe and attractive and the street designed for low speeds (4.1.19). Well integrated green infrastructure, such as SUDS, street trees and verges, not only create a pleasant environment but can also achieve a range of other benefits, including pollutant filtering, urban cooling, water management and habitat creation. Such features should be included as part of a well-designed street layout (4.1.20).

Paragraph 4.1.21 states that the Welsh Government policy, Manual for Streets and its companion guide Manual for Streets 2, requires that street design should not follow the conventional engineering-led approach. The design of new or enhanced streets should respond to urban design principles, including those in Manual for Streets and the Active Travel Design Guidance, and not adhere to ridged standards. Design Bulletin 32: Residential Roads and Footpaths has been superseded by Manual for Streets.

The Active Travel (Wales) Act 2013 makes walking and cycling the preferred option for shorter journeys, particularly everyday journeys, such as to and from a workplace or education establishment, or in order to access health, leisure or other services or facilities. The Active Travel Act requires local authorities to produce Integrated Network Maps, identifying the walking and cycling routes required to create fully integrated networks for walking and cycling to access work, education, services and facilities (4.1.26). New development should be integrated with active travel networks and contribute to their expansion and improvement, through the inclusion of well-designed routes and facilities as part of the schemes and financial contributions to pay for off-site connections. Planning authorities should also seek to assist in the completion of the national cycle network and key links to and from the network. These measures should, where appropriate, be aligned with approaches to secure green infrastructure. Planning authorities should seek opportunities to increase habitat connectivity, mitigate habitat fragmentation, and secure wider green infrastructure benefits along transport networks (4.1.33).

Paragraph 4.1.38 states that planning authorities should consider whether public transport services are of a scale which makes public transport an attractive and practical travel option for occupiers and users travelling to and from development sites. They should also consider whether it is necessary to mitigate the movement impact of a development and minimise the proportion of car trips that the development would generate. Where additional public transport would be required to allow development to proceed, an appropriate policy must be included in the development plan, and financial contributions secured through planning conditions and/or planning obligations.

To encourage the use of Ultra Low Emission Vehicles (ULEVs), the planning system should encourage and support the provision of ULEV charging points as part of new development. Where car parking is provided for new non-residential development, planning authorities should seek a minimum of 10% of car parking spaces to have ULEV charging points. Planning authorities should ensure the level, location and type of charging provision is appropriate to the scheme and local circumstances (4.1.39). Page 13

Transport Assessments are an important mechanism for setting out the scale of anticipated impacts a proposed development, or redevelopment, is likely to have. They assist in helping to anticipate the impacts of development so that they can be understood and catered for appropriately (4.1.56).

Paragraph 4.2.1 states that new housing development in both urban and rural areas should incorporate a mix of market and affordable house types, tenures and sizes to cater for the range of identified housing needs and contribute to the development of sustainable and cohesive communities. Planning authorities must clearly set out the housing requirement in their development plan. These requirements must be based on evidence and clearly express the number of market and affordable homes the planning authority considers will be required in their area over the plan period. Planning authorities should plan for a mix of market and affordable housing types to meet the requirement and specifically consider the differing needs of their communities; this should include the housing requirements of older people and people with disabilities (4.2.5).

Paragraph 4.2.19 states that as part of demonstrating the deliverability of housing sites, financial viability must be assessed prior to their inclusion as allocations in a development plan. At the 'Candidate Site' stage of development plan preparation land owners/developers must carry out an initial site viability assessment and provide evidence to demonstrate the financial deliverability of their sites. At the 'Deposit' stage, there must be a high level plan-wide viability appraisal undertaken to give certainty that the development plan and its policies can be delivered in principle, taking into account affordable housing targets, infrastructure and other policy requirements. In addition, for sites which are key to the delivery of the plan's strategy a site specific viability appraisal must be undertaken through the consideration of more detailed costs, constraints and specific requirements. Planning authorities must consider how they will define a 'key site' at an early stage in the plan-making process. Planning authorities must also consider whether specific interventions from the public and/or private sector, such as regeneration strategies or funding, will be required to help deliver the housing supply.

Paragraph 4.2.21 states that where up-to-date development plan policies have set out the community benefits expected from development, planning applications which comply with them should be assumed to be viable and it should not be necessary for viability issues to be considered further. It is for either the applicant or the planning authority to demonstrate that particular exceptional circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision-maker, having regard to all the circumstances in the case, including whether the development plan and the viability evidence underpinning it are up-to-date, and any change in circumstances since the plan was adopted. Such circumstances could include, for example, where further information on infrastructure or site costs is required or where a recession or similar significant economic changes have occurred since the plan was adopted. Where negotiation is necessary, the planning authority and developer should operate in an open and transparent manner with all information provided on an 'open book' basis.

A community's need for affordable housing is a material planning consideration which must be taken into account in formulating development plan policies and determining relevant planning applications. Affordable housing for the purposes of the land use planning system is housing where there are secure mechanisms in place to ensure that it is accessible to those who cannot afford market housing, both on first occupation and for subsequent occupiers (4.2.25).

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Affordable housing includes social rented housing owned by local authorities and RSLs and intermediate housing where prices or rents are above those of social rent but below market housing prices or rents. All other types of housing are referred to as 'market housing', that is private housing for sale or rent where the price is set in the open market and occupation is not subject to control by the local authority. It is recognised that some schemes may provide for staircasing to full ownership and where this is the case there must be secure arrangements in place to ensure the recycling of capital receipts to provide replacement affordable housing (4.2.26).

Paragraph 4.4.1 states that community facilities perform various functions which cover a broad range of activities and services that can be delivered by the public, private and third sectors. Community facilities contribute to a sense of place which is important to the health, well-being and amenity of local communities and their existence is often a key element in creating viable and sustainable places. They can include schools, cultural facilities, health services, libraries, allotments and places of worship. When considering development proposals planning authorities should consider the needs of the communities and ensure that community facilities continue to address the requirements of residents in the area (4.4.2).

Recreational spaces are vital for our health, well-being, amenity and can contribute to an area's green infrastructure. They provide a place for play, sport, healthy physical activity and a place to relax often in the presence of nature, and they contribute to our quality of life. Networks of high quality, accessible green spaces and recreation spaces will also promote nature conservation, biodiversity and provide enjoyable opportunities for residents and visitors to participate in a wide range of physical activities. These activities are important for the well-being of children and adults and for the social, environmental, cultural and economic life of Wales (4.5.1).

## **Chapter 5: Productive and Enterprising Places**

The provision of sustainable transport infrastructure is essential in order to build prosperity, tackle climate change, reduce airborne pollution and to improve the social, economic, environmental and cultural well-being of Wales. The planning system should facilitate the delivery, decarbonisation and improvement of transport infrastructure in a way which reduces the need to travel, particularly by private vehicles, and facilitates and increases the use of active and sustainable transport (5.3.1).

Paragraph 5.3.6 states that planning authorities must promote and facilitate the provision and decarbonisation of high quality public transport infrastructure. Development plans should identify and support appropriate public transport routes, measures and facilities. This should take into account proposals in the Local Transport Plan (LTP), which could include improved facilities for bus passengers, park and ride schemes, new rail lines, including light rail, the re-opening of rail lines, the provision of new stations, and enhanced passenger services on existing lines. Development plans should also identify where additional public transport is required to support new development.

## **Chapter 6: Distinctive and Natural Places**

Paragraph 6.0.2 states that the special and unique characteristics and intrinsic qualities of the natural and built environment must be protected in their own right, for historic, scenic, aesthetic and nature conservation reasons.



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These features give places their unique identity and distinctiveness and provide for cultural experiences and healthy lifestyles. As well as those characteristics regarded as special or unique there are other, environmental qualities of places which are ubiquitous. Environmental components of places, such as clean air, access to open spaces and water quality, are linked to the quality of the built and natural environment. The environmental components of places influence and shape health and wellbeing as well as playing a role in sustaining and creating places which are adaptable and resilient to change. Distinctive and Natural places must maintain or incorporate green infrastructure, recognising the wide ranging role it can play, as key components of their natural and built fabric. Doing so will maximise health and well-being of communities and the environment (6.0.3).

The historic environment comprises all the surviving physical elements of previous human activity and illustrates how past generations have shaped the world around us. It is central to Wales's culture and its character, whilst contributing to our sense of place and identity. It enhances our quality of life, adds to regional and local distinctiveness and is an important economic and social asset (6.1.1).

Paragraph 6.1.5 states that the planning system must take into account the Welsh Government's objectives to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations. The historic environment is a finite, non-renewable and shared resource and a vital and integral part of the historical and cultural identity of Wales. It contributes to economic vitality and culture, civic pride, local distinctiveness and the quality of Welsh life. The historic environment can only be maintained as a resource for future generations if the individual historic assets are protected and conserved. The planning system recognises the need to conserve archaeological remains. The conservation of archaeological remains and their settings is a material consideration in determining planning applications, whether those remains are a scheduled monument or not (6.1.23).

Green infrastructure is the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places. Component elements of green infrastructure can function at different scales. At the landscape scale green infrastructure can comprise entire ecosystems such as wetlands, waterways and mountain ranges. At a local scale, it might comprise parks, fields, public rights of way, allotments, cemeteries and gardens. At smaller scales, individual urban interventions such as street trees, hedgerows, roadside verges, and green roofs/walls can all contribute to green infrastructure networks (6.2.1).

Paragraph 6.2.3 states that green infrastructure is capable of providing several functions at the same time and as a result offers multiple benefits, for social, economic and cultural as well as environmental resilience. The components of green infrastructure, by improving the resilience of ecosystems, can result in positive benefits to well-being including flood management, water purification, improved air quality, reduced noise pollution and local climate moderation, climate change mitigation and food production. These benefits are important in urban environments where they can facilitate health and well-being related benefits of open space, clean air and improved tranquillity, for example, as well as creating a sense of place and improved social cohesion. In addition, green infrastructure has a role in protecting local distinctiveness, providing economic benefits and social and community opportunities.

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Biodiversity underpins the structure and functioning of ecosystems. It is the diversity of living organisms whether at the genetic, species or ecosystem level. An ecosystem is made up of living organisms, plants, animals and micro-organisms, in conjunction with their non-living environment, air, water, minerals and soil, and all the diverse and complex interactions that take place between them (6.4.1). Planning authorities must seek to maintain and enhance biodiversity in the exercise of their functions. This means development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity (6.4.5).

Paragraph 6.4.20 states that although non-statutory designations carry less weight than statutory designations, they can make a vital contribution to delivering an ecological network for biodiversity and resilient ecosystems, and they should be given adequate protection in development plans and the development management process. Before authorising development likely to damage a local wildlife designation, planning authorities should give notice of the proposed operation to the County Ecologist and third sector environmental organisations.

Trees, woodlands, copses and hedgerows are of great importance for biodiversity. They are important connecting habitats for resilient ecological networks and make a valuable wider contribution to landscape character, sense of place, air quality, recreation and local climate moderation. They also play a vital role in tackling climate change by locking up carbon, and can provide shade and shelter, a sustainable energy source and building materials. The particular role, siting and design requirements of urban trees in providing health and well-being benefits to communities, now and in the future should be promoted as part of plan making and decision taking (6.4.24).

Paragraph 6.6.9 states that the planning system has an important part to play in ensuring that the infrastructure on which communities and businesses depend is adequate to accommodate proposed development. The adequacy of water supply and sewerage infrastructure should be fully considered when proposing development, both as a water service and because of the consequential environmental and amenity impacts associated with a lack of capacity.

Climate change is likely to increase the risk of flooding as a result of sea-level rises, increased storminess and more intense rainfall. Flooding as a hazard involves the consideration of the potential consequences of flooding, as well as the likelihood of an event occurring. Planning authorities should adopt a precautionary approach of positive avoidance of development in areas of flooding from the sea or from rivers. Surface water flooding will affect choice of location and the layout and design of schemes and these factors should be considered at an early stage in formulating development proposals (6.6.22). Development should reduce, and must not increase, flood risk arising from river and/or coastal flooding on and off the development site itself. The priority should be to protect the undeveloped or unobstructed floodplain from development and to prevent the cumulative effects of incremental development (6.25). Planning authorities should be aware of the risk of surface water flooding, usually caused by heavy rainfall, and ensure developments are designed and planned to minimise potential impacts. Development should not cause additional run-off, which can be achieved by controlling surface water as near to the source as possible by the use of SuDS (6.6.27).

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Paragraph 6.7.1 states that clean air and an appropriate soundscape, contribute to a positive experience of place as well as being necessary for public health, amenity and well-being. They are indicators of local environmental quality and integral qualities of place which should be protected through preventative or proactive action through the planning system. Conversely, air, noise and light pollution can have negative effects on people, biodiversity and the resilience of ecosystems and should be reduced as far as possible.

Where land contamination issues arise, the planning authority will require evidence of a detailed investigation and risk assessment prior to the determination of the application to enable beneficial use of land, unless it can already be established that remedial measures can be employed. Where it is known that acceptable remedial measures can overcome contamination, planning permission may be granted subject to conditions specifying the necessary measures and the need for their implementation, including provision for remediating any unexpected contamination which may arise during construction (6.6.19). Ensuring that remediation measures are implemented to required standards is essential and planning authorities will require proof, in the form of a validation/ verification report, or equivalent, that this has occurred. For example, if a property is at risk from the migration of underground gases then a validation/ verification report should contain a test certificate demonstrating that it has been constructed with gas membranes which have been correctly installed, and the risks adequately mitigated (6.6.20).

#### Technical Advice Notes

**Technical Advice Note 2: Planning and Affordable Housing (2006):** This TAN provides advice and guidance in relation to the provision of affordable housing. The guidance requires local planning authorities to:

- Include an affordable housing target in the development plan which is based on the housing need identified in the local housing market assessment.
- Indicate how the target will be achieved using identified policy approaches.
- Monitor the provision of affordable housing against the target (via the Local Development Plan Annual Monitoring Report) and where necessary take action to ensure that the target is met.

**Technical Advice Note 5: Nature Conservation and Planning (2009):** This Technical Advice Note provides advice about how the land use planning system should contribute to protecting and enhancing biodiversity and geological conservation. This TAN brings together advice on sources of legislation relevant to various nature conservation topics which may be encountered by local planning authorities.

**Technical Advice Note 10: Tree Preservation Orders (1990):** This TAN provides guidance on where local planning authorities are to make adequate provision for the preservation and planting of trees when granting planning permission through the process of making Tree Preservation Orders (TPOs).

**Technical Advice Note 11: Noise (1997):** This TAN provides advice and guidance on technical issues in relation to noise and development. It states that Local Planning Authorities must ensure that noise generating developments do not cause an unacceptable degree of disturbance.

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It also states that Local Planning Authorities should consider whether proposals for new noise sensitive development would be incompatible with existing activities, taking into account the likely level of noise exposure at the time of the application and any increase that may reasonably be expected in the future. This TAN also gives detailed guidance on how to assess such issues.

**Technical Advice Note 12: Design (2016):** The purpose of this TAN is to equip all those involved in the design of development with advice on how 'Promoting sustainability through good design' and 'planning for sustainable building' may be facilitated through the planning system.

This TAN defines good design and stresses the importance of good design. Specifically in relation to Residential Development it states that achieving more sustainable residential environments is dependent on linking development to public transport and other uses and services, providing access to local services, and securing the most efficient use of land. For a successful residential area, the design of housing should establish a sense of place and community, with the movement network used to enhance these qualities, and to incorporate features of environmental sustainability. This TAN gives detail advice on good design and states that development proposals, in relation to housing design should aim to:

- create places with the needs of people in mind, which are distinctive and respect local character
- promote layouts and design features which encourage community safety and accessibility
- focus on the quality of the places and living environments for pedestrians rather than the movement and parking of vehicles
- avoid inflexible planning standards and encourage layouts which manage vehicle speeds through the geometry of the road and building
- promote environmental sustainability features, such as energy efficiency, in new housing and make clear specific commitments to carbon reductions and/or sustainable building standards
- secure the most efficient use of land including appropriate densities
- consider and balance potential conflicts between these criteria.

**Technical Advice Note 15: Development and Flood Risk (2004):** This TAN sets out the advice and guidance in relation to development and flood risk. It sets out the way in which the risk of a development flooding and its consequences is to be assessed.

**Technical Advice Note 16: Sport, Recreation and Open Space (2009):** This TAN advises on the role of the planning system in making provision for sport and recreational facilities and informal open spaces, as well as protecting existing facilities and open spaces in urban and rural areas in Wales.

**Technical Advice Note 18: Transport (2007):** This TAN provide advice and guidance on transport issues including the design and location of the development, parking requirements, walking and cycling, public transport, assessing impacts and managing implementation.

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**Technical Advice Note 20: Planning and the Welsh Language (2013):** The purpose of this TAN is to provide guidance on how the planning system considers the implications of the Welsh language when Local Development Plans (LDPs) are prepared.

**Technical Advice Note 24: The Historic Environment (2017):** The purpose of this TAN is to provide guidance on how the planning system considers the historic environment during development plan preparation and decision making on planning and Listed Building (LBC) applications. This TAN provides specific guidance on how the following aspects of the historic environment should be considered:

- World Heritage Sites
- Scheduled monuments
- Archaeological remains
- Listed buildings
- Conservation areas
- Historic parks and gardens
- Historic landscapes
- Historic assets of special local interest.

### **Local Development Plan**

PS1: Sustainable Places – the delivery of new homes, jobs, infrastructure and community facilities must comply with the plan's sustainable settlement strategy.

PS2: Placemaking and Place Management – development must enhance the quality of places and spaces and shall accord with relevant placemaking principles.

PS3: Sustainable Housing Strategy – land is identified for the development of 17,106 homes to promote the creation and enhancement of sustainable communities.

SD1: Strategic Development Areas - Strategic Development Areas (SDAs) are allocated at 12 locations to provide new homes and opportunities for job creation and commercial investment at a strategic scale. Six SDA's are capable of delivering a greater number of homes beyond the plan period.

SD2: Masterplanning Principles - all SDA development must deliver a comprehensively planned, sustainable neighbourhood with distinct sense of place complying with place-making criteria.

SD C: South of A4240, Parc Mawr, Penllergaer (in full below).

IO1: Supporting Infrastructure - development must be supported by appropriate infrastructure, facilities and other requirements considered necessary as part of the proposal.

IO2: Employment and Training Opportunities - developers are required to maximise added benefits from the development in relation to the creation of training and job opportunities in line with the Council's Beyond Bricks and Mortar Policy.

H2: Affordable Housing Strategy - provision will be made to deliver a minimum 3,420 affordable housing units over the Plan period.

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H3: Affordable Housing – sets the percentage of affordable housing provision required in the 3 different Strategic Housing Policy Zones (20% for this zone).

HC1: Historic and Cultural Environment - the County's distinctive historic and cultural environment will be preserved or enhanced by complying with set criteria.

HC2: Preservation or Enhancement of Buildings and Features - the County's buildings and features of historic importance will be preserved or enhanced by complying with set criteria.

HC3: Development in Welsh Language Sensitive Areas - the Welsh language will be safeguarded and promoted throughout the County with the provision of a Welsh Language Action Plan.

SI1: Health and Wellbeing - health inequalities will be reduced and healthy lifestyles encouraged by complying with set criteria.

SI2: Providing and Safeguarding Community Facilities - new community facilities must be accessible by Active Travel and public transport, and be conveniently located in relation to other facilities and services wherever possible; and development that would adversely affect or lead to the loss of facilities will not be permitted unless they satisfy specific criteria.

SI3: Education Facilities - where residential development generates a requirement for school places developers will be required to either: provide land and/ or premises for new schools or make financial contributions towards providing additional school facilities.

SI6: Provision of New Open Space – open space provision will be sought for all residential development proposals with capacity for 10 or more units. This will include the creation of new on site facilities, or the improvement of existing local provision off site, along with appropriate maintenance contributions.

SI8: Community Safety - development must be designed to promote safe and secure communities and minimise the opportunity for crime.

RC2: Retail and Leisure Development - retail and leisure proposals must in the first instance assess the suitability of sites and premises within the following Centres, having regard to the nature, scale and location of the proposed development – Swansea Central Retail Area; District Centres; and Local Centres.

RC8: Commercial Development within Strategic Development Areas - retail, leisure and appropriate complementary commercial proposals will be supported within allocated Strategic Development Areas where they meet certain criteria.

ER1: Climate Change – Development proposals will be expected to take account of the effects of climate change, adapt to its impacts, and to ensure resilience.

ER2: Strategic Green Infrastructure Network - development will be required to maintain or enhance the extent, quality and connectivity of the County's multi-functional green infrastructure network.

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ER 5 Landscape Protection - Development will not be permitted that would have a significant adverse effect on the character and quality of the landscape of the County.

Priority will be given to protecting, enhancing and managing the character and quality of the 4 Special Landscape Areas (SLAs) (shown on the Proposals Map). Within SLAs development will only be permitted where there is no significant adverse impact, including cumulative impact, on the character and quality of the landscape, a landscape assessment may be required. Permitted development should aim to protect and enhance the features for which the SLA has been designated. In exceptional circumstances, where development that will have a significant impact on the landscape is necessary, a landscaping scheme will be required with appropriate mitigation and enhancement measures.

ER6: Designated Sites of Importance for Nature Conservation - development will not be permitted that would result in a likely significant adverse effect to sites of international or national nature conservation importance. Development that would affect locally designated sites of nature conservation importance should maintain or enhance the nature conservation interest of the site.

ER8: Habitats and Species - development proposals should not have a significant adverse effect on the continued viability of habitats and species, including those identified as priorities in the UK or Swansea Local Biodiversity Action Plan unless it meets specific criteria.

ER9: Ecological Networks and Features of Importance for Biodiversity – development proposals will be expected to maintain, protect and enhance ecological networks and features of importance for biodiversity. Particular importance will be given to maintaining and enhancing the connectivity of ecological network which enables the dispersal and functioning of protected and priority species.

ER11: Trees and Development - development that would adversely affect trees, woodlands and hedgerows of public amenity, natural/cultural heritage value, or that provide important ecosystem services will not normally be permitted.

T1: Transport Measures and Infrastructure - development must be supported by appropriate transport measures and infrastructure, and development that would have an unacceptable impact on the safe and efficient operation of the transport network will not be permitted.

T2: Active Travel - Development must enhance walking and cycling access either by incorporation within the site, and/or making financial contributions towards the delivery offsite of specific measures.

T3: Strategic Bus Based Rapid Transit – to ensure the delivery of efficient, safe and high quality public transit, provision will be made to facilitate the functional integration of specified bus based rapid transit measures with development proposals.

T5: Design Principles for Transport Measures and Infrastructure – provides design criteria that all transport measures/ infrastructure must adhere to.

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T6: Parking - proposals must be served by appropriate parking provision, in accordance with maximum parking standards, and consider the requirements for cycles, cars, motorcycles and service vehicles. In those instances where parking cannot be provided on site, or is judged not to be appropriate, the developer will be required to provide a financial contribution towards alternative transport measures where appropriate.

T7: Public Rights of Way and Recreational Routes - development that significantly adversely affects the character, safety, enjoyment and convenient use of a Public Right of Way (PROW) will only be permitted where an acceptable alternative route is identified and provided. Linkages, and where appropriate extensions, to the existing PROW network will be expected from all new developments, which must have regard to the existing character of the PROW and the aspiration to improve access for all.

EU2: Renewable and Low Carbon Energy Technology in New Development - development will be required to maximise the contribution of renewable or low carbon energy technology to meet the energy demands of the proposal, particularly for Significant Energy Consuming Developments. Residential developments on sites where there is capacity for 100 homes or more, and non-residential developments with a total floorspace of 1000 sq m or more, will be required to submit a comprehensive Energy Assessment to determine the feasibility of incorporating low carbon or renewable energy installations into the scheme and/or connect to renewable or low carbon energy technology and district heating networks.

EU4: Public Utilities and New Development - development will be permitted where the utility infrastructure is adequate to meet the needs of the development.

RP 1: Safeguarding and Public Health and Natural Resources - development that would result in significant risk to life; human health and wellbeing; property; controlled waters; or the historic and natural environment, especially European designated sites, will not be permitted, particularly in respect of the specified potential risks.

RP 2: Noise Pollution - Where development could lead to exposure to a source of noise pollution it must be demonstrated that appropriate mitigation measures will be implemented, and incorporated into the design of the development to minimise the effects on existing and future occupants. Noise sensitive development will not be permitted unless effective mitigation will prevent exposure to existing noise generating uses. Development that would lead to an increase in environmental noise at a NAPPA or would have an unacceptable impact on a Quiet Area will not be permitted.

RP 3: Air and Light Pollution - Where development could lead to exposure to a source of air or light pollution it must be demonstrated that appropriate mitigation measures will be implemented, and incorporated into the design of the development to minimise the effects on existing and future occupants.

RP 4: Water Pollution and the Protection of Water Resources - development that compromises the quality of the water environment, or does not comply with good water resource management, will not be permitted. Development proposals must make efficient use of water resources and, where appropriate, contribute towards improvements to water quality. Sustainable drainage systems (SuDS) must be implemented wherever they would be effective and practicable.



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Water courses will be safeguarded through green corridors/riparian buffers. Development proposals that would have a significant adverse impact on biodiversity, fisheries, public access or water related recreation use of water resources, will not be permitted.

RP 5: Avoidance of Flood Risk – In order to avoid the risk of flooding, development will only be permitted in line with Policy principles.

RP6: Land Contamination - development proposals on land where there is a risk from actual or potential contamination or landfill gas will not be permitted unless it can be demonstrated that measures can be taken to satisfactorily overcome any significant risk to life, human health, property, controlled waters, or the natural and historic environment.

RP 7: Land Instability - Development which would create, affect or might be affected by unstable or potentially unstable land will not be permitted where there would be a significant direct risk to life, human health, property, buildings and structures, or the natural heritage on the site or in its vicinity. Development will only be permitted on unstable or potentially unstable land where it is in line with policy principles. Development is not permitted within Graig Trewyddfa Slip area.

RP10: Sustainable Waste Management for New Development - development will be required to incorporate, as appropriate, adequate and effective provision for the storage, recycling and other sustainable management of waste, and allow for appropriate access arrangements for recycling and refuse collection vehicles and personnel.

The 3 key LDP policies that are applicable to this application are listed in full below:

#### PS 2: PLACEMAKING AND PLACE MANAGEMENT

Development should enhance the quality of places and spaces, and respond positively to aspects of local context and character that contribute towards a sense of place. The design, layout and orientation of proposed buildings, and the spaces between them, should provide for an attractive, legible, healthy, accessible and safe environment. All proposals should ensure that no significant adverse impacts would be caused to people's amenity. Depending on the nature, scale and siting of the proposal, development should also:

- i. Have regard to important elements of local heritage, culture, landscape, townscape, views and vistas;
- ii. Ensure neighbourhoods benefit from an appropriate diversity of land uses, community facilities and mix of densities that in combination are capable of sustaining vibrancy;
- iii. Create or enhance opportunities for Active Travel and greater use of public transport;
- iv. Integrate effectively with the County's network of multi-functional open spaces and enhance the County's green infrastructure network;
- v. Enhance public realm quality, incorporating public art where appropriate;
- vi. Provide for a hierarchy of interconnected streets and spaces;
- vii. Ensure active frontages onto streets and spaces to provide natural surveillance and character;
- viii. Provide an accessible environment for all;
- ix. Provide appropriate parking and circulation areas for cars, cycles, motor bikes and service vehicles;

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- x. Deliver new, and/or enhance existing, connections to essential social infrastructure and community facilities;
- xi. Maximise opportunities for sustainable construction, resource efficiency and contributions towards increased renewable or low carbon energy generation;
- xii. Avoid the loss of land and/or premises that should be retained for its existing use or as an area of open space;
- xiii. Avoid unacceptable juxtaposition and/or conflict between residential and non-residential uses;
- xiv. Ensure no significant adverse impact on natural heritage and built heritage assets;
- xv. Ensure resilience is not undermined and does not result in significant risk to human health, well-being or quality of life; and
- xvi. Ensure that commercial proposals, including change of use proposals:
  - a) incorporate active frontages and shopfront designs that make a positive contribution to the streetscene,
  - b) provide appropriate enclosure,
  - c) relate well to the character of the host building,
  - d) do not compromise the ability to deliver priority regeneration schemes.
- xvii. Have regard to the implications for infrastructure and services.

SD 2: MASTERPLANNING PRINCIPLES

On all sites where there is capacity for 100 homes or more, development must deliver a comprehensively planned, sustainable neighbourhood with distinct sense of place that:

- i. Is founded on a comprehensive and coherent Placemaking approach that relates to a masterplan for the entire site that demonstrates:
  - 1. a clearly structured walkable neighbourhood with hierarchy of streets and spaces;
  - 2. the provision of internal streets designed for low speeds, having regard to key pedestrian routes;
  - 3. attractive and resilient new buildings that reflect positive aspects of local context;
  - 4. connections to essential social infrastructure and community facilities, including access to District and Local Centres where appropriate; and
  - 5. a phasing schedule to demonstrate the timely delivery of development and supporting infrastructure;
- ii. Achieves net residential density across the site of at least 35 homes per hectare, with higher density residential and mixed uses located along public transport corridors and in focal areas, lower densities on rural/sensitive edges, and a range of densities elsewhere to meet different needs and create distinct character areas;
- iii. Has sympathetic regard to, and successfully integrates, existing site features, topography, landscape, seascape and views to and from the site;
- iv. Integrates key movement corridors, in particular to encourage active travel and use of public transport, including links to the wider area;
- v. Creates a network of well overlooked and legible streets and spaces that address townscape and community safety considerations and are not dominated by vehicles;
- vi. Provides for multi-functional and connected green infrastructure that links to the wider area and provide opportunities for relaxation, play and recreation alongside ecological provision in accordance with the Fields in Trust requirements;
- vii. Conserves and enhances biodiversity and natural heritage assets, with suitable buffers where required;

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- viii. Retains and integrates existing important trees and hedgerows, including local native species, to improve local biodiversity and maintain the existing landscape character;
- ix. Integrates watercourses, ponds and other water management measures as appropriate within the public realm and landscape, including opportunities for sustainable drainage; and
- x. Maximises sustainable development opportunities where possible in accordance with the Welsh Government Planning for Sustainable Buildings guidance.
- xi. Have regard to the implications for infrastructure and services.

Proposals at Strategic Development Areas must accord with the above criteria and will also be required to:

- a. Incorporate spine streets lined by active frontages with shared footways/ cycleways on both sides of the street, with verges and appropriate street trees;
- b. Deliver a network of streets to serve discreet development areas;
- c. Create an accessible site which integrates positively with existing communities and sustainable travel routes, public transport facilities, footway and cycle routes;
- d. Extend bus networks and increase the frequency and reliability of services to serve the site with public transport options, with a combination of strategic and local bus services;
- e. Provide, and/or contribute towards, an appropriate range of social infrastructure and community facilities in central locations, which respond to any local deficiencies in existing provision, and are accessible by all travel modes;
- f. Provide Affordable Housing in accordance with the requirements of Policy H3, taking into account any specific financial viability issues arising on the site relating to the provision of strategic infrastructure;
- g. Provide new and varied recreation and leisure facilities at appropriate focal points within the new neighbourhood;
- h. Provide across the site NEAPs, LEAPs and LAPs in accordance with FIT guidelines, all of which must incorporate appropriate equipment as well as incidental space;
- i. Provide play opportunities for children of a range of ages, including opportunities for MUGA and other facilities to allow formal and informal play;
- j. Provide open space in accordance with the NRW standards for Accessible Natural Greenspace;
- k. Provide either a commuted sum for the ongoing maintenance of open spaces and recreation facilities by the Council, or demonstrate that arrangements are in place for a management company or for the site to be managed by an appropriate community organisation;
- l. Demonstrate how habitat and species protection and management will be undertaken throughout the site, and if sites are to be gifted to the council provide commuted sums for this purpose;
- m. Retain trees and hedgerows wherever possible, and a long term commitment to appropriate management and enhancement, and where hedgerows will be lost implement compensatory measures elsewhere within the site;

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- n. Provide ecological management plans, detailing how species and habitats on site are to be managed and maintained, to the satisfaction of the Council's ecologist and arboriculturist, including providing sustainable wildlife links across and within the development and suitable protection for protected species;
- o. Provide for compensatory surface water removal where required to offset the connection of additional foul flow to the combined sewerage network in accordance with the requirements of Policy RP3 Water Pollution and the Protection of Water to ensure a sufficiently robust planning mechanism to deliver a holistic Placemaking approach throughout the plan period;
- p. Integrate opportunities where appropriate to minimise carbon emissions associated with the heating, cooling and power systems for new development; and
- q. Provide a comprehensive and integrated drainage strategy demonstrating how foul, surface water, highway and land drainage shall be dealt with in a sustainable manner.

The Strategic Placemaking approach must be communicated by means of a Design and Access Statement. Where an outline planning application is submitted this must set a comprehensive and robust placemaking framework for the Reserved Matters applications through parameters plans and development principles. In light of the scale of the SDA sites it may be necessary to build in 'time for design' after the outline planning application and prior to the submission of reserved matters applications through conditions requiring approval of Design Codes and Sub Area Masterplans, to ensure a sufficiently robust planning mechanism to deliver a holistic Placemaking approach throughout the plan period.

SD C: South of A4240 Parc Mawr Penllergaer

Site C is allocated for a comprehensive, residential led, mixed use development of circa 644 homes during the Plan period, incorporating Primary School, leisure and recreation facilities, public realm, public open space and appropriate community and commercial uses. Development proposals should accord with the following Placemaking Principles and Development Requirements, which should be delivered in an appropriately phased manner and be formally tied into planning consent.

#### PLACEMAKING PRINCIPLES

- Create a sustainable residential neighbourhood within Penllergaer, comprising a number of character areas that integrate positively with the existing community, existing housing clusters, community facilities, Active Travel networks and public transport facilities.
- Create a multi-functional Green Infrastructure network throughout the site, taking account of the need to create healthy communities, with a particular emphasis on integrating landscape features, protecting biodiversity, habitat creation and native provenance tree planting, and supporting a range of opportunities for formal and informal play, and community led food growing.
- Deliver a new local 'hub' to Penllergaer by means of a concentration of appropriate mixed uses with active frontages around a focal area in the northern part of the site where it is easily accessible to new and existing residents.
- Retain the farm lane as an Active Travel route through the site.
- Retain the farm complex and re-use for community benefit.

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- Provide a mix of higher densities at key points in the layout and lower densities on the rural/sensitive edges.

DEVELOPMENT REQUIREMENTS

- Deliver 3 form entry Primary School incorporating community facilities to be sited in a central location to serve new and existing communities and provide safe Active Travel to school. The school must provide an adequate drop off area and incorporate changing facilities on the basis that these could be available for use by the community in association with the school playing fields.
- Deliver internal spine street and associated junctions to run broadly north to south through the site from the A4240 Gorseinon Road to connect to both the A483 and A484.
- Appropriate off-site infrastructure improvement at existing A48/Pontarddulais Road/Gorseinon Road roundabout, which must be delivered in association with proposed new gateway access at A4240 Gorseinon Road.
- Off-site highway infrastructure improvements as necessary, having regard to requirements arising from the necessary Transport Assessment and as set out in the Transport Measures Priority Schedule.
- On and off-site measures to provide good quality, attractive, legible, safe and accessible pedestrian and cycle linkages, both to and within the new development area, including linkages identified in the Transport Measures Priority Schedule:
  - AT13 - Phoenix Way employment areas to the West of the development area and east to west green corridor link.
  - AT14 - Link to the south via underpass to SD H.
- Incorporate existing PROW within the development by appropriate diversion and enhancement to form legible and safe routes. Specifically as follows:
  - retain and surface existing green lane to provide foot/
- cycle connection to the PROW to the west.
  - provide bridle access and bridle gates to PROW ref LC/28/2.
- New community facility utilising the existing farmhouse building, to provide space 'for hire' by groups and individuals and to be developed in association with opportunities for allotments and food growing.
- New local centre in the north of the site with uses complementing the school and commercial uses with residential above and flexible commercial space at other key nodes within the site.
- Off-site contribution towards improvements to pitches and facilities at Gors Common, including required drainage measures.
- Provide a major east west Green Corridor with new and retained planting, a NEAP, informal and formal recreation, play for older children, kickabout areas and shared pedestrian cycle routes.
- Provide a Village Green with new planting and a LEAP, set within a prominent green copse within the east west Green Corridor.
- A local green to be provided with a LEAP in the southern part of the development area.
- Enhancement of retained wet semi improved fields to the north east for biodiversity.
- Improvement of links to Mynydd Garn Goch Common SINC.
- Green Corridors should be robustly planted with native local provenance tree stock and suitably managed in the long term to provide opportunity for wildlife to migrate across the site.

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- Explore feasibility of provision of Extra Care Home facility.
- On and off-site measures including any appropriate upgrades to the clean water supply or public sewerage networks.
- Take measures to protect, promote and enhance the Welsh language as outlined within a Welsh Language Action Plan submitted with the planning application.
- Provision of affordable housing at the on-site target rate of 20% subject to consideration of financial viability.

**Supplementary Planning Guidance (SPG)**

Places to Live – Residential Design Guide (2014): This guidance has been prepared in order to set out the framework of design considerations in relation to new residential development within Swansea.

Planning for Community Safety (2012): This guidance has been prepared in partnership with South Wales Police to give guidance to all those involved in the built environment on the key issues to be considered in creating a safe environment where people can experience the best possible quality of life.

Planning Obligations (2010): This guidance has been prepared in order to set out how the Council will use obligations to ensure that, where necessary, the impact of development is mitigated by appropriate improvements to local infrastructure, facilities or services.

Car Parking Standards (2012): The aim of this guidance is to ensure that parking provision for new developments meets regional standards.

The Protection of Trees on Development Sites (2016): The aim of this guidance is to ensure that trees are considered early on in development proposals and the impact of development on all trees within a development site is carefully considered.

The above SPG provide further information and guidance to support, and augment, the policies of the LDP. The SPG are referenced in the amplification text of the relevant policies. The SPG documents were formally adopted by the Council on the dates specified above, which followed appropriate public consultation exercises and stakeholder engagement carried out to inform the content of the SPG. In due course these documents will also be subject to updated public consultation and a re-adoption process. Notwithstanding this, it is considered appropriate to have regard to the content of all the SPGs given: they are fundamentally aligned to (and referenced as a supporting document within) LDP Policy; they are consistent with national guidance and overarching principles of Placemaking [PPW], they were relatively recently approved following stakeholder engagement and a comprehensive public consultation process; and ultimately they provide useful guidance to confirm how the Council considers the LDP Policy aims and objectives should be interpreted. Consequently, despite being adopted prior to the adoption of the LDP the Council considers that they should be given considerable weight in this application.

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## 5.0 Consultation Responses

*The comments below are the most up-to-date comments from consultees following amendments and re-consultation and on-going dialogue seeking to resolve issues given the scale and nature of the proposal. All comments submitted are available to view in full on the planning application page on the Council's website.*

### 5.1 Highways:

The Highway Authority, in responding to the above application, gives the following substantive response:

No objections subject to conditions.

#### 1. Background

The proposed development consists of 850 dwellings, nursery school, 3 form entry primary school and local centre.

This is a hybrid application, comprising a full application for phase 1a 186 dwellings accessed from Bryn Rhos Crescent, and outline consent for the remainder of the site, comprising 664 dwellings, schools and local centre, also the proposed 3 new access junctions serving the site.

The site is identified in the Local Development Plan as Strategic Development Area C.

The site was subject to a Pre Application Consultation exercise was undertaken and Highways response issued, this is included in the PAC response.

#### 2. Transport

Dialogue has been ongoing between Transport Officers and the Developer / Agent, including meetings and technical discussions aimed at identifying the scope of assessment to safeguard the operation of the network and provide high levels of sustainable transport options.

The proposed scale of the site makes provision for day to day facilities, local centre, school and healthcare viable which in turn helps reduce reliance on the private car.

The assessments undertaken are consistent with the conclusions of the LDP transport assessments and the requirements for Swansea to reduce reliance on car use as a mode of travel choice.

#### 3. Walking and Cycling

The site is accessible for slow modes, all nearby roads have footways and dropped crossings, and internally roads will be laid out with a 3m shared use path along one side of the spine street and 2m footway on the other. Proposals show a comprehensive network of footways and shared use paths throughout, including green corridors and off road routes.

The surrounding infrastructure has been subject to a review as part of the TA, and the site is thought to be highly accessible.

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There are useful connections to be delivered as part of the development on the former Lliw Valley Council Offices site to new cycle facilities on the A48, which are being delivered as part of this year's Active Travel settlement from Welsh Government. Upgraded crossing points at the A483 Parc Penllergaer junction are being provided as part of a nearby consented development.

To the West connections are proposed to the existing PROW, linking to Phoenix Way, this is welcomed and will provide useful connections onward towards Gorseinon.

To the South, the spine road will retain a 3m shared surface to the A484 junction.

**4. Public Transport**

There are existing bus services which currently stop in close proximity to the site which provide a reasonable frequency to Swansea, Gorseinon and Morriston. The completion of the proposed access junctions on the A4240 and A483 (phase 1) would allow public transport to serve the site directly.

Discussions have been held with operators regarding this, and the primary operator has confirmed the new connections available due to the spine street will be advantageous to existing services in terms of timetabling and commercial viability.

The operator indicates a likely 15min service frequency.

It is essential that bus services are able to service the early development phases before the through route is complete in order to maximise the opportunity for modal shift.

The Applicant should provide confirmation that this can be delivered, which may require a section 106 contribution to pump prime the service until a through route is available.

**5. Site Access**

Phase 1A of the development (186 dwellings) are proposed to be accessed from Bryn Rhos Crescent, off Swansea Road.

Following build out of phase 1A, the proposed new access to the North A4240 will be completed, following this new access onto the A483, and finally the Southern portion of the spine road to the A484.

Here the spine road is proposed to link with the proposed access to Strategic Development Area H to provide for further connections to the South.

**6. Traffic Assessment**

**6.1 Baseline data**

The Transport Assessment (TA) uses survey data supplied by Swansea Council, supplemented by additional turning count and queue length surveys.



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This shows existing peak hour 2 way link flows of:

Swansea Rd: 250

A4240: 1600

A48: 2000

A483: 3200

A484: 2100

These counts have been compared to the validated Swansea Strategic Transport Model (SSTM) and are thought to be representative of existing traffic conditions.

6.2 Analysis

This focuses on the build out phasing of the development, with scenarios modelled for each phase of development both with and without development traffic, to assess the effect of the development in isolation to background traffic growth.

6.3 Trip Rates

These have been calculated and assigned from first principles, based on detailed master planning.

6.3.1 Peak Hour Trip Rates

2020 Phase 1a

	ARRIVALS	DEPARTURES	TOTAL
AM	16	70	87
PM	53	25	78

2021 Phase 1

	ARRIVALS	DEPARTURES	TOTAL
AM	30	98	129
PM	71	38	109

2022 Phase 1 and A483 link

	ARRIVALS	DEPARTURES	TOTAL
AM	39	136	174
PM	99	51	150

2024 Phase 3

	ARRIVALS	DEPARTURES	TOTAL
AM	174	249	424
PM	144	132	276

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2028 Full

	ARRIVALS	DEPARTURES	TOTAL
AM	195	366	560
PM	243	179	421

Comparison with SSTM

These have been checked against the SSTM, the rates are broadly in accordance although slightly lower, this is due to the SSTM rates being based on 1000 dwelling houses, rather than the 850 which will now be provided this resulting in a lower unfettered demand than previously thought. In addition as with any high level highway model the SSTM assumes a single land use within each zone, and takes no account of trips internal to each zone.

6.3.2 Traffic Reassignment due to Spine Street.

This has been calculated from first principles using origin and destination data. Reassigned traffic has been removed from the A48, A4240, and A483 and routes through the site, it has been assumed that vehicles from the A484 travelling towards M4 junction 47 will remain on the higher capacity route. The assumptions used seem sensible, and are compared to the Swansea Strategic Model assignment outputs, this is discussed below.

This results in a reduction of trips of:

Stage 1 mitigation, Spine Street completed to A483

AM Peak

A48 to M4 j47 – 141 vehicles

A483 to A48 to Gorseinon – 93 vehicles

PM Peak

A48 to M4 j47 – 65 vehicles

A483 to A48 to Gorseinon – 138 vehicles

Stage 2 mitigation, Spine Street completed to A484

AM Peak

A48 to M4 j47 – 171 vehicles

A483 to A48 to Gorseinon – 120 vehicles

PM Peak

A48 to M4 j47 – 84 vehicles

A483 to A48 to Gorseinon – 177 vehicles

Comparison to SSTM

The quantum of traffic reassignment is predicted to be broadly the same whether the data has been garnered from the approach used in the TA or the SSTM assignment with the spine street in place.

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The SSTM spine street is coded as a 20mph road for its whole length in order to ascertain the worst-case level of use of the surrounding streets; the question has been raised as to whether the speed and class of road has a significant bearing on the amount of traffic being diverted. Further tests show that the junction capacity at each access point to the proposed development site is the limiting factor, whether the road is a single carriageway 20mph, or dual carriageway makes very little difference to the amount of use.

It is critical that the spine street is able to provide some relief to the main routes without becoming a main arterial route in itself, if the spine road and junctions are designed with too much capacity this in itself will attract more vehicles through Penllergaer.

It is thought that the first principles highway assignment within the TA provides a useful sense check of the SSTM outputs, both provide broadly similar link flows and traffic distribution.

### 6.3.3 Traffic Growth

Traffic growth is based on growth factors obtained from the TEMPro database, using the NTEM (National Trip End Model), this accounts for changes in car ownership, local employment and housing growth to provide future year traffic growth forecasts.

It must be noted that the data used in the growth forecasts will include for the Parc Mawr site itself, as this would be contained within the local housing forecast. As such there is a certain amount of traffic double counting. The future year with development scenarios are therefore extremely robust and predict traffic levels unlikely to be realised.

The future year forecasts have been verified against those used in the SSTM, and are commensurate.

### 6.3.4 Junction Analysis

#### Gorseinon Road / Phoenix Way

This has been assessed using Linsig, an industry standard software package for modelling signalised junctions. Results are presented in terms of Degree of Saturation (DoS) or a particular approach, the Mean Max Queue (MMQ) predicted on each approach and the Practical Reserve Capacity (PRC) of the junction (how much spare capacity exists compared to a junction operating at 90% capacity).

The modelled output for the base year shows a PRC of -1.3% in the AM and -11.1% in the PM. The analysis is based on the right turn and pedestrian stage running every cycle, which in reality they do not, and based on a 60s cycle time, typically the junction operates at around 120 seconds. This accounts for results worse than those actually experienced.

The key output is the comparison between the with and without development scenarios which demonstrates that the development proposals have a limited effect on the junction when compared to background traffic. The TA also provides further model runs for each development scenario, at a cycle time of 90s and 120s, this shows that at higher cycle times the junction will be able to operate at or around capacity for the final 2028 + Development scenario.

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Measures to allow cycle time variation in response to vehicle demand would therefore be required. The existing equipment is of the latest generation and suitable for upgrade. To implement MOVA control utilising the existing controller would require a contribution around £20k, this would also include the provision of a controlled crossing point across Phoenix Way.

**Old Inn Roundabout**

This is assessed in TRL junctions 8, and presents results in terms of Queue length, vehicle delay and the ratio of Flow to Capacity (RFC). The geometric data used has been verified and is correct.

The existing situation shows over capacity on A48 from Pontlliw, and Gorseinon Road in the AM and A48 from junction 47 and Gorseinon Rd in PM. This is in accordance with on street observations.

Trip rates have been assessed for phase 1A resulting in 70 additional trips to the Swansea Road approach the AM peak and 24 additional out in the PM peak. The analysis demonstrates that phase 1a accessed from Swansea Road can be accommodated by the existing infrastructure with no material change in operating conditions, this is due in the main to balancing of flows on the gyratory.

Once the full phase 1 traffic is added, the existing roundabout shows a significant increase in queuing and delay on the A48 Pontarddulais Road and A4240 Gorseinon Road.

Further tests for following development phases show a steady deterioration in performance, although predominantly down to background traffic growth.

The applicant has stated conversion to signalised operation will allow the development traffic to be absorbed, and offer significant benefit when compared to the no development scenario, queues will be redistributed, reducing on the current busier legs and increasing on the currently quieter legs, as is normal with conversion to signal operation, delays are reduced on all approaches in comparison to the without development scenarios.

The improvement should be conditioned and included in the section 278 agreement for the Gorseinon Road Access junction and should be implemented in conjunction with the proposed new A4240 access junction.

**M4 junction 47**

This has been modelled in Linsig, and demonstrates that it operates just under capacity during the AM peak (PRC -3.4%) and under capacity during the PM peak (+14.1%).

Operation steadily deteriorates due to unfettered background growth during both peak hours resulting in the junction operating over capacity in the AM peak and just under capacity in the PM peak, final output of -20.8% in the AM peak and -1.7% in the PM.

The effect of the development on junction 47 is largely offset by the trip diversion due to the provision of the spine street. Increased traffic due to development is negated by reductions in background traffic due to the presence of alternative routes. Further model runs were requested to test the effect of the development in isolation to the operation of the gyratory.

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This again demonstrates that the total traffic using j47 is similar in both the with and without development scenarios.

There are proposals to upgrade junction 47 as part of SDA B. Emerging improvement design proposals will remove the signals from the services exit, and the Westbound A48, signalise the currently un-signalised A483, together with the introduction of spiral road markings on the Eastern side of the gyratory to make full use of the available road space on the gyratory. Also included in the proposals is the introduction of MOVA (microprocessor optimised vehicle actuation) this allows the 3 separate junctions to be dynamically linked and respond to changing traffic conditions rather than operate on fixed timing plans and typically results in a 15-20% betterment in capacity terms, MOVA cannot be explicitly modelled, therefore the outputs discussed above are conservative and real world operation would be improved.

Modelling of these proposals results in the gyratory operating as at present including growth and all development traffic. Queuing on the M4 slip roads will increase as background traffic increases however the predicted 2028 + Dev queues will remain well within the current slip road length.

**A483 / Home Farm Way**

This is a major signalised T junction providing access to the Parc Penllergaer site. The junction has been analysed using Linsig 3 software, and outputs show that currently the junction operates around capacity during the AM and PM peak hours. This accords with on street observations.

Junction performance drops off in all the without development scenarios (i.e. background growth only), as would be expected.

In the with development scenarios, performance decreases up to 2022, when due to the completion of the A483 access, performance in terms of overall capacity and queues improves in both AM and PM models.

Junction performance will again decrease year on year, until the completion of the spine road and A484 link, which results in a significant improvement on the A483. The completed development including mitigation, offers around 10% more capacity, and 30% less queuing than the 2028 no development scenario.

**A483/A484 Roundabout.**

This is a 3 arm roundabout, which currently experiences congestion during peak hours. This has been modelled using Arcady, and demonstrates the development will have a material change to the operating conditions, and overcapacity on all arms.

Mitigation has been proposed to increase the length of the 2 lane approach on the A484, this offers some benefit, and overall the roundabout will operate better in terms of queues and delay than in the 2028 no development scenario. Further improvements are possible if the A483 approach from Penllergaer is remarked, from the current lane 1 flare into 2 lanes, to instead flare lane 2 into 2 lanes. This would allow a full 2 lanes of traffic to turn left towards the City which is the predominant movement from the site.

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These improvements should be secured via a section 106 agreement, the delivery can be phased with the revised road markings being provided prior to the completion of the A483 access, and the A484 widening prior to the completion of the A484 access.

**Gorseinon Road Access**

This is to be delivered prior to the occupation of the 185th dwelling. Analysis shows this to operate generally within capacity during all assessment scenarios. Combining the access with the proposed improvements at the Old Inn, result in a significant improvement on the operation of the area when compared to the 2028 without development scenario.

**A483 Access**

The model demonstrates that this junction is predicted to operate well within capacity during all development scenarios.

**A484 Access**

The model demonstrates that this junction is predicted to operate well within capacity during all development scenarios.

**SWTRA Consultation.**

As part of the consultation process, the South Wales Trunk Road Agency (SWTRA), have carried out an assessment of the submitted transport work, using their term contractor Jacobs. This raised several queries as to how the data (trip generation and distribution) was calculated, together with questions regarding the attractiveness of the proposed spine road as an alternative route, and the effect on Junction 47.

Further technical notes were produced to address each query, and concluded that the estimates used were both correct and robust, broadly in line with the reasons given above.

**In Summary:**

1. Trip Rates and Distribution differ from the SSTM

The SSTM does not take into account specific site characteristics, and complimentary land uses, and as such will tend to overestimate trips. The first principles approach used, does take into account specific site context and as discussed above is appropriate and accurate.

2. Spine Road impact

Questioned how attractive a 30mph (with 20mph in sections) spine street would be.

The design standard of the spine road will be subject to a separate reserved matters application, and will likely contain a higher speed section between the South of the development site and the A484. It is noted that the SSTM has coded the spine road as a 20mph link along its entire length, this shows that use of the link will likely be governed by the capacity of the junctions at each access point. The analysis is both correct and robust and the spine road will offer a valid and useful alternative to junction 47.

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3. Applicant has not tested the development without the spine road.

The spine road forms an integral part of the development as per the LDP policy for SDC. As such testing without the spine road is not appropriate.

4&5. These comments relate to the reassignment of background traffic, and why the approach used differed from the SSTM.

The first principles approach provides a consistent result with the SSTM and effectively verifies the outputs.

6. Questioned that 70% of traffic currently using the A4240 to access the A483 will divert along the spine road.

It should be noted that of the traffic on the A4240 19% AM and 12% PM are routing to the A483. The diversion is therefore a maximum of 13% of total traffic. The SSTM forecasts a higher level of reassignment than the TA, the TA is therefore thought to provide a more robust estimate.

7. SWTRA requested a copy of the model files.

8. The data used for the junction 47 model was from 2010, with growth factors applied to synthesise 2018 base year flows.

The factored 2010 data was checked against the output from the SSTM, and is thought correct. In addition, a further verification exercise has been carried out against publicly available 2018 flows, which confirms accuracy.

9. Asked whether the proposed MOVA traffic signal upgrade at junction 47 can be tested. Any adaptive signal control cannot be explicitly modelled; in general terms if a junction (or set of junctions) performs acceptably in a fixed time traffic model, the application of adaptive signal control will gain between 10 and 20% in terms of overall capacity.

A further assessment of junction 47 was requested to compare the base year and full proposals both with and without the proposed mitigation, which will comprise the removal of signal control from the services, and A48(East), the introduction of traffic signals on the A483 ( Northbound) and revised markings on the Eastern circulatory section to introduce spiral road markings.

A technical note was produced which detailed the results of the additional junction testing, this demonstrates a decrease in overall performance by a maximum of 1.4%.

This result shows that operation of junction 47 will be broadly as existing, it can therefore be concluded that the improvements proposed as part of SDB, together with adaptive control and the implementation of the spine road will result in an improved situation over the existing at junction 47.

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In light of the further technical work, SWTRA have confirmed that:

“we are satisfied that the applicant’s response covers off the issues raised in the Jacobs note including those relating to modelling and the spine road which will be designed with a mix of 50mph and lesser speed limits making it a more attractive route option. There will be an option to review the design at reserved matters”

As such, SWTRA have removed their holding objection.

Internal Layout Phase 1a

A detailed phase 1a layout has been provided, detailing the plots and street layout for the first 186 dwellings which are to be accessed from Brynrhos Crescent.

1. Detail of the proposed new access from Brynrhos Crescent has been provided, this comprises an extension of Brynrhos Crescent, which narrows from its junction with Brynderi Close to 5.5m, 2m footways are provided either side with dropped crossings across Brynderi Close to provide a continuous pedestrian route. The new access will be subject to a section 278 agreement with the Highway Authority. The section 278 agreement shall be entered into and the access works completed to base course level prior to construction.
2. The 5.5m carriageway is proposed to continue into the phase 1a development, where the highway layout is proposed to become less formal, making use of some shared streets and private drives. The details submitted show shared streets with a minimum 1.8m safe pedestrian area on one side and 0.5m service strip on the other. Private drives are normally not suitable for adoption.
3. The site appears highly permeable with a network of pedestrian and shared routes, providing connectivity both through the site, and onto Swansea Road.
4. Parking is proposed in accordance with the current CCS guidance, is a mixture of frontage parking and side drives, the parking allocation seems logical and would serve to keep turning areas free of parked cars.
5. Track plots have been provided for a 9.8m refuse vehicle, 9.5m pantehnicon and 8.5m fire appliance, which demonstrates all areas can be satisfactorily accessed and egressed in a forward gear. A Highway agreement will require tracking of a Phoenix 2 Duo refuse lorry, it would be prudent to test this in addition to those above.
6. Walking routes from the initial phase to existing local facilities in Penllergaer, schools, etc are of good quality, segregated footways and existing controlled crossing points. They are on the limit of what are deemed acceptable walking distances (CIHT Designing for Walking 2015), but are acceptable.
7. Visibility splays have been provided for all junctions and SSDs on bends, these appear acceptable subject to a suitable boundary condition to restrict the height of any planting within each visibility splay.



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8. Any drainage structure or pond, should be lined and a minimum of 6m from the adoptable highway, in order to provide for maintenance.
9. Stage 1 RSA remains outstanding for the access junctions and internal layout, given the presence of flush surfaces, this could be included as a condition.
10. I would like to see some vertical traffic calming features on the route from the Bryn Rhos Crescent Access to the spine road, this will assist in keeping speeds low, and reducing attractiveness as a route once the main site accesses have been delivered.
11. A phasing layout has been provided which lists the trigger points for the construction of the spine road and various access junctions these can be summarised as:  
Bryn Rhos Crescent access to be constructed prior to commencement.  
Link to Gorseinon Road and main access junction by 185th unit.  
A483 Access, spine road completed to Gorseinon Road by 350th unit.  
A484 Access and complete spine road by 800th unit.

Delivery of the through route is key in ensuring sustainable transport is a viable option, therefore it would be preferred if the trigger points were moved forward, and the complete North /South link completed by the 644th unit, delivered during this plan period.

### Conclusion and Recommendation

The applicant has provided a significant element of transport analysis, this has been verified and is consistent with the inputs and outcomes of the Swansea Strategic Transport model.

The analysis shows that without the proposed development traffic growth has the potential to cause significant disruption to the surrounding highway network, delivery of the proposed spine street and other highway mitigation measures allows the effects of the development to be absorbed resulting in highway conditions which are as a minimum improved on the steady state.

As such the Highway Authority recommends no objections to the proposals subject to:

1. All new access junctions including the improvements to the Old Inn Roundabout being constructed via a Section 278 agreement with the Local Highway Authority.
2. Amendment of the trigger point for the completion of the Spine Road link to the 644th dwelling (end of plan period)
3. A section 106 agreement to secure the improvements to the A483/A484 roundabout, and alterations to the Gorseinon Road / Phoenix Way signal junction.
4. Prior to any works commencing on site confirmation will be required that the initial phase 1A will be served by a public transport service, alternatively a s106 contribution to prime the service provision.
5. No development shall commence until a stage 1 road safety audit of the access junctions and internal layout for phase 1a has been submitted to and approved in writing by the LPA, including amelioration measures for any issues identified.
6. Front boundary treatments being kept below 1m in height, and visibility splays shall be kept clear of any obstruction greater than 1m in height.
7. Prior to any works commencing on site a Construction Traffic Management Plan shall be submitted to and approved in writing by the LPA. The approved traffic management plan shall be adhered to at all times unless otherwise agreed by the LPA.

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8. No development shall commence until full engineering, drainage, street lighting and construction details of the streets proposed for adoption have been submitted to and approved in writing by the LPA.
9. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. [The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established].

Note 1. All works on the existing highway are subject to an agreement under section 278 of the Highways Act 1980. All design and implementation will be at the expense of the developer.

Note 2. The applicant is advised that in order to discharge condition 7 the LPA requires a copy of the completed agreement between the applicant and Local Highway Authority under section 38 of the Highways Act 1980 or the constitution and details of a Private Maintenance and Management Company confirming funding, management and maintenance regimes.

The applicant must contact the Highway Management Group, Swansea Council, Guildhall offices C/O Civic Centre, Swansea SA13SN before carrying out any work. Please email [networkmanagement@swansea.gov.uk](mailto:networkmanagement@swansea.gov.uk).”

Further Comments

“First Cymru whilst very interested in providing a through service once the A483 access is complete are not keen to re-route a service to phase 1A, as this would require additional distance and turning a vehicle within the site. I have confirmed this with First Cymru. The first phase can be serviced from existing bus stops with walking distances to the bus stops acceptable. The Transport Plan submitted does give us the necessary power to draw down on remediation measures if public transport take up is not hitting targets in the form of bus passes, etc to encourage use.

To this end we have confidence that the site can be serviced and we will have the required tools to apply remediation measures and encourage use. The Travel Plans will be monitored by our Transportation section.”

**5.2 Pollution Control:**

“Please attach the following conditions:

**Unforeseen Contamination**

If, during the course of development, contamination not previously identified is found to be present at the site no further development [unless previously agreed in writing with the Local Planning Authority] shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a detailed strategy for dealing with said contamination.

Reason: To ensure that the safety of future occupiers is not prejudiced.

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Noise

Prior to the beneficial use of the development, all fenestration within habitable rooms of the development shall achieve a minimum Rw of 31dB as stated within the AECOM Land at Parc Mawr, Penllergaer Noise Assessment – Project Number 60441284 – December 2018.

Reason: To protect the proposed residential use against noise arising from the traffic use of the area.

Prior to the beneficial use of the development, a scheme shall be submitted to and approved in writing by the Local Planning Authority to ensure that habitable rooms within 50m and directly facing the A483 shall be subject to further sound insulation measures, in order to be compliant with BS8233:2014, so that future residents can keep their windows closed.

No habitable room shall be occupied until the approved sound insulation and ventilation measures have been installed in that room and the approved scheme shall be retained for the lifetime of the development hereby approved.

Reason: To protect the proposed residential use against noise arising from the traffic use of the area.

Re: 106 Contributions.

Contributions required would be for £7,000. This would cover the cost of purchase of a Zephyr Air Quality Sensor and data hosting for two years, after which time the local authority will take over maintenance costs for running the Zephyr Air Quality Sensor. The sensor will be located at the northern boundary of the development.

Re: Noise assessment – A4240.

Whilst I agree that the dominant noise source is likely to be the A4240 for the front of the properties, there will be an increase in traffic noise alongside and to the rear of the properties near the new road layout. I would like to know the applicants response to the requirement for additional screening to mitigate the potential effects on soundscape?"

### 5.3 Drainage:

"We have reviewed the submitted information and offer the following comments.

The proposed discharge rate of 7.2l/s/ha is acceptable, as for all storm events that generate flows greater than that will be controlled and managed and contained on site therefore alleviating some of the flood risk issues downstream but not solving them i.e. a degree of betterment which is in line with TAN15.

We note the comments in the most recent email that Bellway have confirmed that DCWW will adopt the crates and basin for phase 1a, however we are aware that DCWW tend not adopt such systems where they discharge to privately owned watercourses and the Authority can confirm that we do not own the watercourse at the discharge point. We recommend this is explored further with DCWW as part of the Section 104 application as the lack of a 104 for the SW system on phase 1a will cause issues regarding road adoption.

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If the LPA is minded to approve to approve the application we would recommend the following.

Condition 1

No development shall commence until the developer has prepared a scheme for the comprehensive and integrated drainage of the site showing how surface water, and land drainage will be dealt with and this has been approved in writing by the Local Planning Authority. This scheme shall include the following:

- Details of a sustainable drainage system (SUDS) for surface water drainage and/or details of any connections to a surface water drainage network.
- Details on ownership, long-term adoption, access, management/maintenance scheme(s) and monitoring arrangements/responsibilities for the SW scheme.
- Supporting calculations for performance of the system up to and including the 1 in 100 year critical storm including a 30% allowance for climate change.

The development shall not be brought into beneficial use until the works have been completed in accordance with the approved drainage scheme, and this scheme shall be retained and maintained as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a satisfactory comprehensive means of drainage is achieved and that no adverse impact occurs to the environment and to minimise surface water run-off.

Condition 2

The development shall not discharge to the watercourse network at any rate greater than 7.2 litres per second per developed hectare.

Reason: To ensure that a satisfactory comprehensive means of drainage is achieved and that no adverse impact occurs to the environment and to minimise surface water run-off.

Condition 3

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or amending that order), Classes A, B, C, D and E of Schedule 2, part 1 shall not apply.

Reason: To protect the integrity of the chosen surface water management system from additional impermeable areas that the SW system is not designed to accommodate.

Informatives.

Please be aware that under the Flood and Water Management Act 2010 the City and County of Swansea is classified as the Lead Local Flood Authority (LLFA) and as part of this role is responsible for the regulation of works affecting ordinary watercourses. Our prior written consent for any works affecting any watercourse may be required irrespective of any other permissions given and we encourage early engagement with us to avoid any issues.

For all phases beyond Phase 1a as each reserved matter is brought forward they will need to comply with the strategic surface water strategy illustrated, they will also be required to seek SAB approval before any works can commence on site.

We will also highlight that Section 73 applications where there are material changes in layout also trigger the requirement to seek SAB approval.

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Schedule 3, Flood and Water Management Act 2010.

Your development proposal has been identified as requiring SuDS Approval Body consent irrespective of any other permissions given.

From 7 January 2019, all new developments more than 100m<sup>2</sup> will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh ministers.

These systems must be approved by the local authority acting in its SuDS Approving Body (SAB) role before construction work begins. The SAB will have a duty to adopt compliant systems so long as it is built and functions in accordance with the approved proposals, including any SAB conditions of approval.

Which legislation are we referring to?

Schedule 3 of the Flood and Water Management Act (FWMA) 2010 requires surface water drainage for new developments to comply with mandatory National Standards for sustainable drainage (SuDS). Schedule 3 to the FWMA 2010 also places a duty on local authorities as SuDS approving body to approve, adopt and maintain systems compliant with section 17 of the schedule.

What exactly is a SAB?

The SAB is a statutory function delivered by the local authority to ensure that drainage proposals for all new developments of more than 1 house or where the construction area is 100m<sup>2</sup> are designed and built in accordance with the national standards for sustainable drainage published by Welsh Ministers.

The SAB is established to:

- Evaluate and approve drainage applications for new developments where construction work has drainage implications, and
- Adopt and maintain sustainable surface water drainage systems according to Section 17 of Schedule 3 (FWMA).
- The SAB also has powers of inspection and enforcement
- And uses discretionary powers to offer non-statutory pre-application advice

What does it mean for my development?

Whether you are a developer, an agent or an individual seeking planning permission for a development, if your development is of more than 1 house or of 100m<sup>2</sup> or more of construction area you must also seek SAB approval alongside planning approval. You will not be allowed to start construction until the 2 permissions are granted.

Further details on how to apply and guidance can be obtained from the website <https://www.swansea.gov.uk/sustainabledrainage> and by contacting the SuDS Approval Body via email [Sab@swansea.gov.uk](mailto:Sab@swansea.gov.uk)

#### **5.4 Placemaking and Heritage Team Leader:**

The Placemaking and Heritage Team Leader has been heavily involved throughout the pre-application and application process and these comments are included below in the “Placemaking” section of the appraisal to avoid repetition given the comprehensive nature of the comments.

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### 5.5 Housing:

“In response to the planning consult 2018/2697/OUT Land South Of The A4240, Parc Mawr, the proposed 20% onsite is acceptable in line with the LDP. The units to be built to DQR standard, the design and specification of the affordable units should be of equivalent quality to those used in the Open Market Units. The units will be transferred to the Council/RSL, to be determined negotiated.

The proposed tenure mix 70% Social Rented to 30% Intermediate is acceptable. The proposed unit sizes/types and clustering of units are acceptable, please note flats need to be "walk up" design.”

### 5.6 Strategic Planning:

“A number of consultation responses to this application have previously been issued from Strategic Planning (dated 19/03/19 and 09/01/20 and 31/03/20), which have been issued in response to updated information submitted. Various amendments have been made by the applicant to the original plans put forward, which have had regard to comments from officers and other requirements. Following the latest round of amendments made by the applicant, which I understand are the final changes to be made, my comments on the proposals are as follows:

#### Relevant Policy and Guidance

The Swansea Local Development Plan (LDP) was adopted by Members on the 28th February 2019 and is the prevailing development plan for the City and County of Swansea. As such, the Swansea LDP is the starting point for determination of the application. The range of LDP policies relevant to determination have been set out in previous consultation responses issued by Strategic Planning and these should be referenced when considering the merits of the proposals.

The planning application relates to the LDP Strategic Development Site C, Land South of A4240 Penllergaer, which is allocated in policies SD 1 and SD C for a comprehensive, residential led, mixed use development of circa 644 homes during the Plan period up to 2025 (with capacity for 850 homes in total extending beyond the Plan period). The strategic allocation incorporates a Primary School, leisure and recreation facilities, public realm, public open space and appropriate community and commercial uses as set out in the LDP policy SD C Placemaking Principles, Development Requirements and Concept Plan for the site, which are set out below. Also shown below are the relevant extracts from the LDP appendices on site requirements, informatives and priority transport measures:

### 5.7 LDP Policy SD C

#### ***Placemaking Principles:***

- Create a sustainable residential neighbourhood within Penllergaer, comprising a number of character areas that integrate positively with the existing community, existing housing clusters, community facilities, Active Travel networks and public transport facilities.
- Create a multi-functional Green Infrastructure network throughout the site, taking account of the need to create healthy communities, with a particular emphasis on integrating landscape features, protecting biodiversity, habitat creation and native provenance tree planting, and supporting a range of opportunities for formal and informal play, and community led food growing.

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- Deliver a new local 'hub' to Penllergaer by means of a concentration of appropriate mixed uses with active frontages around a focal area in the northern part of the site where it is easily accessible to new and existing residents.
- Retain the farm lane as an Active Travel route through the site.
- Retain the farm complex and re-use for community benefit.
- Provide a mix of higher densities at key points in the layout and lower densities on the rural/sensitive edges.

**Development Requirements:**

- Deliver 3 form entry Primary School incorporating community facilities to be sited in a central location to serve new and existing communities and provide safe Active Travel to school. The school must provide an adequate drop off area and incorporate changing facilities on the basis that these could be available for use by the community in association with the school playing fields.
- Deliver internal spine street and associated junctions to run broadly north to south through the site from the A4240 Gorseinon Road to connect to both the A483 and A484.
- Appropriate off-site infrastructure improvement at existing A48/Pontarddulais Road/Gorseinon Road roundabout, which must be delivered in association with proposed new gateway access at A4240 Gorseinon Road.
- Off-site highway infrastructure improvements as necessary, having regard to requirements arising from the necessary Transport Assessment and as set out in the Transport Measures Priority Schedule.
- On and off-site measures to provide good quality, attractive, legible, safe and accessible pedestrian and cycle linkages, both to and within the new development area, including linkages identified in the Transport Measures Priority Schedule:
  - AT13 - Phoenix Way employment areas to the West of the development area and east to west green corridor link.
  - AT14 - Link to the South via underpass to SD H.
- Incorporate existing PROW within the development by appropriate diversion and enhancement to form legible and safe routes. Specifically as follows:
  - retain and surface existing green lane to provide foot/cycle connection to the PROW to the West.
  - provide bridle access and bridle gates to PROW ref LC/28/2.
- New community facility utilising the existing farmhouse building, to provide space 'for hire' by groups and individuals and to be developed in association with opportunities for allotments and food growing
- New local centre in the North of the site with uses complementing the school and commercial uses with residential above and flexible commercial space at other key nodes within the site.
- Off-site contribution towards improvements to pitches and facilities at Gors Common, including required drainage measures.
- Provide a major east west Green Corridor with new and retained planting, a NEAP, informal and formal recreation, play for older children, kickabout areas and shared pedestrian cycle routes.
- Provide a Village Green with new planting and a LEAP, set within a prominent green copse within the east west Green Corridor.
- A Local Green to be provided with a LEAP in the southern part of the development area.
- Enhancement of retained wet semi improved fields to the north east for biodiversity.
- Improvement of links to Mynydd Garn Goch Common SINC.

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- Green Corridors should be robustly planted with native local provenance tree stock and suitably managed in the longterm to provide opportunity for wildlife to migrate across the site.
- Explore feasibility of provision of Extra Care Home facility.
- On and off-site measures including any appropriate upgrades to the clean water supply or public sewerage networks.
- Take measures to protect, promote and enhance the Welsh language as outlined within a Welsh Language Action Plan submitted with the planning application.
- Provision of affordable housing at the on-site target rate of 20% subject to consideration of financial viability.

**Concept Plan for SD C:**

- |   |  |
|---|--|
| □□□□ Spine Street with active frontages | ■ Low Medium Density Housing                           |
| ▣▣▣▣ Spine Street                       | ■ Gateway centre with higher density residential above |
| ○○○○○ CyclePath / Footpath              | ■ Primary School                                       |
| ■ ■ ■ ■ New Enhanced Off Site Highway   | ■ Village Green  |
| ● ● ● ● Local Centre                    | ■ Allotments   |
| — Outward facing edge onto open space   | ■ Key Areas of Public Access Greenspace                |

- 1 - Enhance existing walking and cycling routes
- 2 - New school in central location to serve new and existing communities
- 3 - Existing farm buildings retained and reused
- 4 - Accessible green space and ecological areas along west side of site
- 5 - Improve existing pitches
- 6 - New local centre facilities and higher density development
- 7 - Area for active play provision
- 8 - Retain farm lane as active travel route
- 9 - Retain sky line trees
- 10 - Southern access point to be confirmed
- 11 - New park and pitches to serve new communities and to help address local deficiencies



The supporting text to Policy SD C provides the reasoned justification to the above requirements and principles, and emphasises that:

- The delivery of a new focus to the community, based around a strong sense of place and high quality design must be at the heart of proposals, with new homes set in an attractive environment, benefitting from local opportunities to spend leisure and recreation time and with access to improved local facilities.
- The quantum of community facilities and commercial uses to be delivered should be limited to small scale provision orientated towards serving day-to-day needs of future residents, incorporating Class A1 – A3 uses and an opportunity to provide a primary care facility in association with any proposals from the ABMU Health Board.



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- A new spine street must be delivered through the site, providing a through link from the A4240 Gorseinon Road to the A484 Llanelli Link Road to the south, which should serve to provide a strategic function and alleviate congestion in the area, as well as deliver an attractive route designed to encourage walking and cycling. A ‘through route’ to either the A483 or A484 must be delivered prior to a significant proportion of the homes and associated development coming forward at the site.
- The scheme must deliver a new Primary School in a suitable, central location for use by the existing and new community. Its delivery must be phased in accordance with a program to be agreed with the Council to ensure its completion before beneficial occupation of the total number of proposed dwellings.
- The existing historic farm group and network of field hedge boundaries, plus prominent skyline trees are important site features and should be retained within the public realm areas to give the new neighbourhood a distinct sense of place that is rooted in the site’s context.
- Significant areas of the site should be retained as Green Infrastructure within the development including a well-defined east west Green Corridor. These areas of greenspace should provide focal spaces, attractive opportunities for recreation, new and retained planting and surface water drainage features, including additional sports facilities and/or opportunities for local food production as appropriate.

LDP Appendix 3 - Allocated Site Requirements and Informatives - provides additional detail to the requirements set out in policy SD C and sets out clearly where the Council will require infrastructure to be provided to support development. The appendix also clearly sets out where Plan policies will require further assessments to be carried out to establish the impact of development in relation to known issues, constraints and designations. The appendix provides a colour notation to indicate whether:

<b>Essential</b>	Measures where the requirement has been clearly identified in the LDP
<b>Required</b>	Measures which are required by policy but the exact details will be the subject of further negotiation in light of additional evidence of need and/or viability.
<b>No Issue/Delivered</b>	No issues, or update evidence shows issues have been resolved, or required infrastructure already delivered.

<b>Related Allocated Site</b>	<b>SD C: Land South of A4240 Parc Mawr, Penllergaer</b>	<b>SHPZ</b>
		<b>GNW</b>
<b>Education</b>	<b>3 form entry Primary School at land south of A4240 Parc Mawr, Penllergaer. in accordance with Policy SD C South of A4240, Penllergaer Development Requirements, Policy SI 3 Education Facilities.</b>	

<p><b>Green Infrastructure Network</b></p>	<p>Create a connected multifunctional Green Infrastructure network throughout the site in accordance with Policy ER 2 Strategic Green Infrastructure Network Strategic Green Infrastructure Network, SD 2 Masterplanning Principles and SD C South of A4240, Penllergaer. To include:</p> <ul style="list-style-type: none"> <li>• provision of a Village Green with new planting and a LEAP, set within a prominent green copse within the east west Green Corridor</li> <li>• provisions of a major east west Green Corridor with new and retained planting, a NEAP, informal and formal recreation, play for older children, kick about areas and shared pedestrian cycle routes</li> </ul>	
<p><b>Open Space</b></p>	<p>In accordance with the FiT guidance set out in Six Acre Standard Document, Policy SI 6 Provision of New Open Space, Council's Open Space Assessment and Open Space Strategy and Policy SD C South of A4240, Penllergaer - the on-site provision of:  <b>LAP's</b> - level of provision to be determined at application stage in light of masterplanning.  <b>LEAP's</b> - minimum of 4.  <b>1 NEAP.</b>  <b>Playing Fields:</b> off-site contribution towards improvements to pitches and facilities at Gors Common, including drainage measures.</p>	
<p><b>Biodiversity Measures and Environmental Enhancements</b></p>	<p>Implement a range of enhancements for biodiversity. Including:</p> <ul style="list-style-type: none"> <li>• planting and long term management of Green Corridors</li> <li>• enhancement of retained wet semi improved fields to the North east for biodiversity.</li> </ul>	
<p><b>Social Infrastructure</b></p>	<p>New community hub to Penllergaer to include-</p> <ul style="list-style-type: none"> <li>• mixed uses with active frontages in Northern part of site</li> <li>• New community facility utilising the existing farmhouse building, to provide space 'for hire' by groups and individuals and to be developed in association with opportunities for allotments and food growing.</li> <li>• potential Primary Healthcare facility</li> <li>• potential Extra Care home facility</li> </ul>	
<p><b>Transport</b></p>	<p><b>On and off-site transport measures including:</b></p> <ul style="list-style-type: none"> <li>• <b>Transport Measures Priority Schedule Measures:</b> RM4, RM5, RM6, and RM10</li> <li>• <b>Active Travel Priority Schedule Measures:</b> AT13, AT14, and AT18</li> <li>• Issues highlighted in Policy SD C South of A4240, Penllergaer.</li> </ul> <p><b>PROW:</b> connections and improvements will be sought to the following PROWs which are onsite or adjacent to the site: <b>LC121 and LC28.</b></p>	
<p><b>DCWW WWTW</b></p>	<p><b>Gowerton WwTW:</b> no issues in the WwTW accommodating the foul flows from the allocation.</p>	
	<p>DCWW HMA Foul Water</p>	<p>Yes. Consult with DCWW.</p>
	<p>DCWW HMA Clean Water</p>	<p>Yes. Consult with DCWW</p>
	<p>Compensatory Surface Water Removal</p>	<p>Yes. Consult with NRW.</p>

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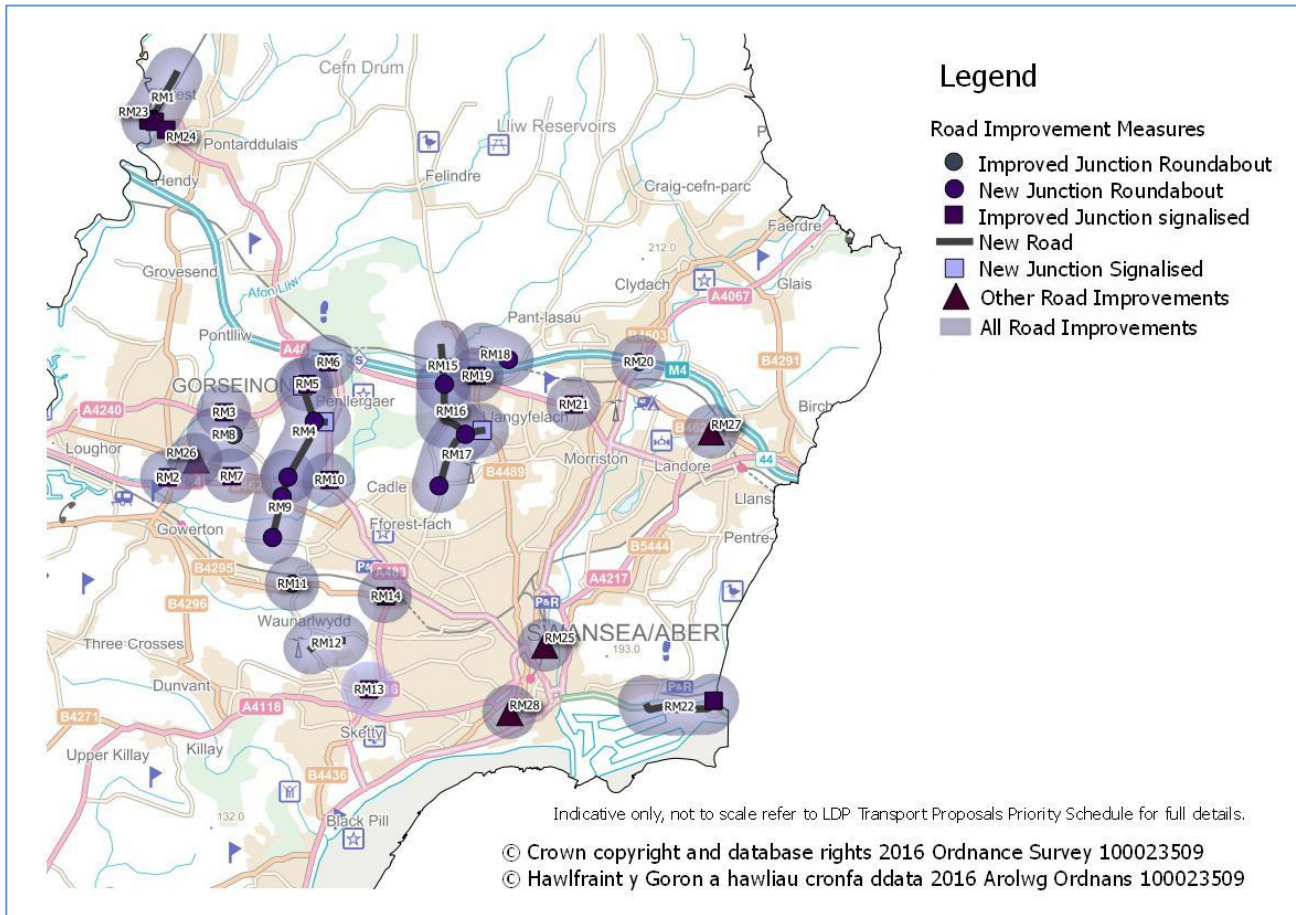
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<b>Flood Risk</b>	No
<b>Welsh Language Action Plan</b>	Yes
<b>SINCS</b>	No
<b>Other Informatives</b>	<ul style="list-style-type: none"> <li>• Site located in close proximity to Air Quality Management Area at Fforestfach. Two traffic counters need to be installed to support the new Nowcaster system.</li> <li>• Consider potential impacts from historic land uses, and shallow mine workings.</li> </ul>

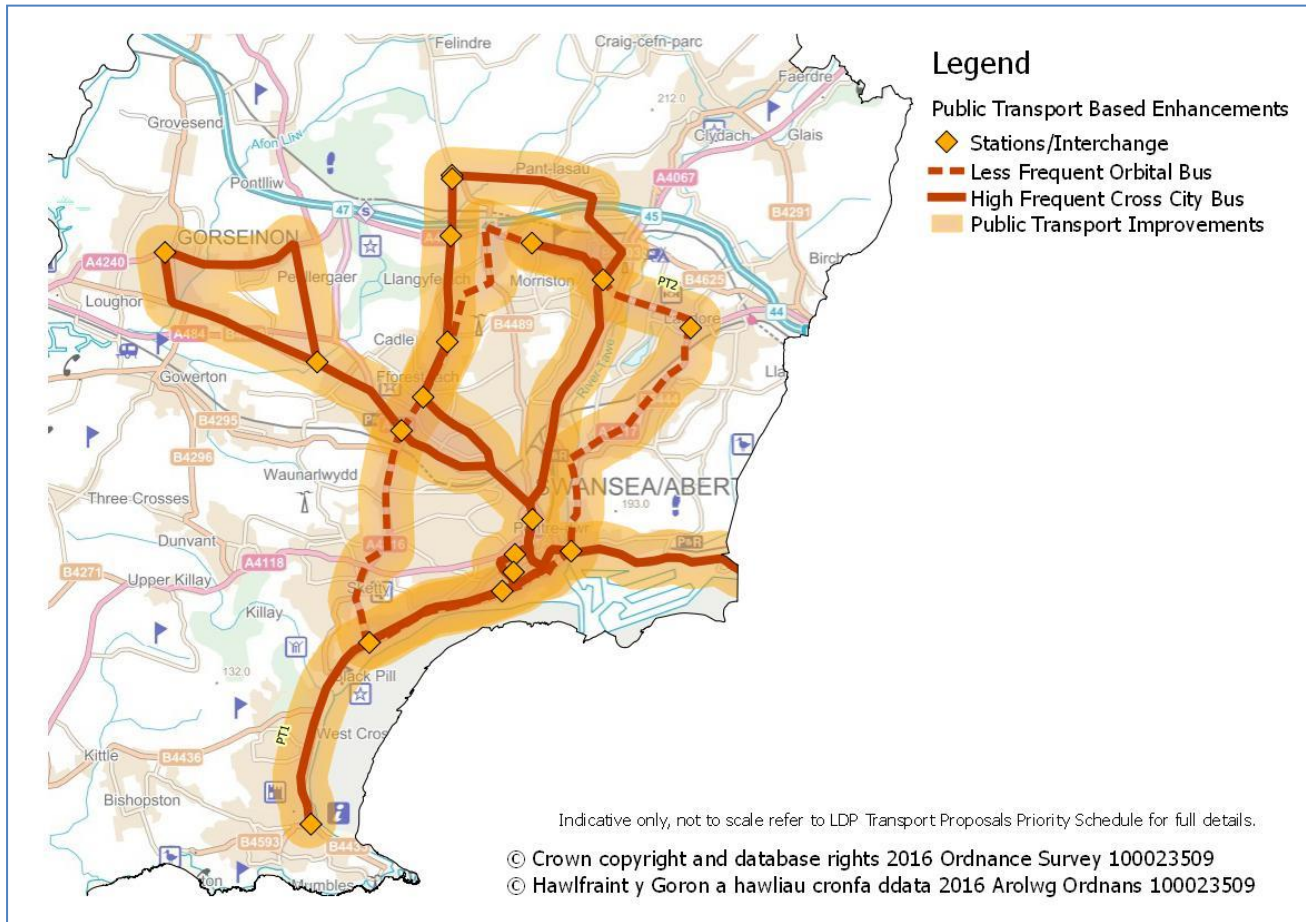
**LDP Appendix 5 - Transport Measures Priority Schedule** – sets out a schedule of highway infrastructure measures and identifies the priority measures to be implemented in association with LDP site SD C. The locations of each measure are plotted on the diagram provided in the LDP Appendix.

To assist the interpretation of the measures in terms of how they relate to the recommendations of the Swansea Strategic Transport Model (SSTM) Study, the schedule also includes a cross reference to the numbering system used in that document.

<b>Penllergaer Area</b>		
RM4	Penllergaer Link Road - link and access road to SDA site C which creates a new north-south link road. This internal 'spine street' and associated junctions are to run broadly north to south through the site from the A4240 Gorseinon Road to the A483 and A484. New roundabout within SDA site C to provide routes to A483 (inclusive of new signalised junction onto A483) and A484, A4240/Penllergaer Link Signal junction. Inclusive of a new road link between A48 and A484, A4240/Penllergaer Link Junction, in combination with RM5.	SSTM – 5, 6, JN, JS, 36, 37, 38, Q, 13  Relevant SDA Site(s) - C
RM5	Pontarddulais Rd/Gorseinon Rd/Swansea Rd Roundabout. Existing Pontarddulais Rd/Gorseinon Rd/Swansea Rd Roundabout converted to signal control in co-ordination with new gateway access to SDA site C.	
RM6	M4 Junction 47 Improvement. Likely to include 4th lane on gyratory, 2 ahead lanes and 2 right turn lanes.	
RM10	A484 Pontarddulais Rd/A483 Swansea Rd roundabout. Modify roundabout to potentially become traffic signal controlled.	



<b>Bus Corridor Public Transport Priority Measures:</b>		
PT1	High frequency cross-city bus or city-wide Swansea bus-rapid-transit network and Corridor improvements	4 to 5 cross-city high frequency (5 per hour) services - travelling through the city centre but not terminating there. Each corridor shall be subject to bus priority measures, including high quality bus stops (at a distance of around 500-600m from each other – to minimise journey speed while retaining good catchment around stops) with real time information available to passengers.
PT2	A less frequent orbital bus service	A less frequent orbital bus service (minimum 2 per hour) connecting existing nodes and proposed developments; less frequent orbital service linking Morniston to Llansamlet, Llansamlet to the City Centre via Winch Wen, City Centre to Swansea University, University to Morniston via Llangyfelach.



<b>Active Travel – Shared Use Path Measures:</b>			
<i><b>Bold</b> = Priority Schemes    Grey = Schemes Associated with Strategic Sites</i>			
<b>Ref</b>	<b>Name</b>	<b>Details</b>	<b>Associated SDA</b>
AT13	<b>Parc Mawr Link</b>	<b>A link from Phoenix Way to the Parc Mawr Development (SDA site C).</b>	<b>C</b>
AT14	<b>Parc Mawr Shared Use Path</b>	<b>Strategic shared use provision within the Parc Mawr Development (SDA site C) to encourage sustainable transport access to local facilities.</b>	<b>C</b>
AT18	<b>A48 Link</b>	<b>Shared use path provision adjacent to the carriageway and forming an important part of the strategic network for northern Swansea.</b>	<b>C &amp; E</b>

As well as the policies and supporting evidence of the LDP, material considerations include consideration of relevant matters set out in national guidance, particularly Planning Policy Wales (PPW) edition 10, as discussed below.

National Planning Policy

The following national policy in **Planning Policy Wales (PPW) edition 10** is of relevance:

*Type and mix of housing (para 4.2.2; 4.2.25; 4.2.29)* - enable provision of a range of well-designed, energy efficient, good quality market and affordable housing that will contribute to the creation of sustainable places. A community's need for affordable housing is a material planning consideration which must be taken into account in formulating development plan policies and determining relevant planning applications. Where development plan policies make clear that an element of affordable housing or other developer contributions are required on specific sites, this will be a material consideration in determining relevant applications. Applicants for planning permission should therefore demonstrate and justify how they have arrived at a particular mix of housing, having regard to development plan policies. If, having had regard to all material considerations, the planning authority considers that the proposal does not contribute sufficiently towards the objective of creating mixed communities, then the authority will need to negotiate a revision of the mix of housing or may refuse the application.

*Placemaking* - The concept of placemaking is central to PPW and delivering on the aspirations of the Well-being of Future Generations Act and achieving well-being through plan making and development management decisions. It defines placemaking as: a holistic approach to the planning and design of development and spaces, focused on positive outcomes. It draws upon an area's potential to create high quality development and public spaces that promote people's prosperity, health, happiness, and well being in the widest sense. Placemaking considers the context, function and relationships between a development site and its wider surroundings. This will be true for major developments creating new places as well as small developments created within a wider place. Placemaking should not add additional cost to a development, but will require smart, multi-dimensional and innovative thinking to implement and should be considered at the earliest possible stage. Placemaking adds social, economic, environmental and cultural value to development proposals resulting in benefits which go beyond a physical development boundary and embed wider resilience into planning decisions. Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area.

*Sustainable travel (para 4.18-4.24)* - The planning system has a key role to play in reducing the need to travel and supporting sustainable transport, by facilitating developments which: are sited in the right locations, where they can be easily accessed by sustainable modes of travel and without the need for a car; are designed in a way which integrates them with existing land uses and neighbourhoods; and make it possible for all short journeys within and beyond the development to be easily made by walking and cycling. Well-designed, people orientated streets are fundamental to creating sustainable places and increasing walking, cycling and use of public transport. New development should improve the quality of place and create safe, social, attractive streets where people want to walk, cycle and enjoy, and children can play. The Welsh Government policy, Manual for Streets (MfS) and its companion guide MfS 2, requires that street design should not follow the conventional engineering-led approach.

The design of new or enhanced streets should respond to urban design principles, including those in MfS and the Active Travel Design Guidance, and not adhere to ridged standards. Planning authorities must ensure the design of streets contributes to the creation of high-quality places, which will require a multi-disciplinary approach, and should challenge development proposals with standardised, prescriptive, engineering-focussed, risk-adverse street designs. Design and Access Statements should demonstrate how the design of new or enhanced streets has responded to urban design principles.

*Community facilities (4.4.1-2)* - contribute to a sense of place which is important to the health, well-being and amenity of local communities and their existence is often a key element in creating viable and sustainable places. They can include schools, cultural facilities, health services, libraries, allotments and places of worship. When considering development proposals planning authorities should consider the needs of the communities and ensure that community facilities continue to address the requirements of residents in the area.

*Biodiversity and Resilience of Ecosystems (S6 Duty) (paras 6.4.1 to 6.4.8)* - In accordance with s6 of the Environment Act 2016, the Council has a duty to maintain and enhance biodiversity. [NB: In Swansea, the section 6 duty is embedded as one of the 4 Well Being Objectives in the Public Service Board's Well Being Plan – "Working With Nature". It is also included as Objective 6 of the Council's Corporate Plan "maintaining and enhancing Swansea's Natural Resources.] The s6 duty means that development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity. In doing so, the LPA must take account of and promote the resilience of ecosystems, in particular the following aspects: diversity, connectivity, scale, condition and adaptability. In fulfilling this duty the LPA must have regard to S.7 list of habitats and species important for Wales and the SoNaRR and any up to date ecological survey information provided. Planning authorities must follow a step-wise approach to maintain and enhance biodiversity and build resilient ecological networks by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for; enhancement must be secured wherever possible.

*Green infrastructure (para 6.2.1, 6.2.4, 6.2.5)* - is the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places. Green infrastructure plays a fundamental role in shaping places and our sense of well-being, and is intrinsic to the quality of the spaces we live, work and play in. The planning system should protect and enhance green infrastructure assets and networks because of these multi-functional roles. The protection and enhancement of biodiversity must be carefully considered as part of green infrastructure provision alongside the need to meet society's wider social and economic objectives and the needs of local communities. The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design.

*Land contamination (paras 6.9.19-21)* - where issues arise, the planning authority will require evidence of a detailed investigation and risk assessment prior to the determination of the application to enable beneficial use of land, unless it can already be established that remedial measures can be employed. Where it is known that acceptable remedial measures can overcome contamination, planning permission may be granted subject to conditions specifying the necessary measures and the need for their implementation, including provision for remediating any unexpected contamination which may arise during construction. If contamination cannot be overcome satisfactorily, the authority may refuse planning permission.

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*Drainage and utility infrastructure (para 6.6.9)* - The adequacy of water supply and sewerage infrastructure should be fully considered when proposing development, both as a water service and because of the consequential environmental and amenity impacts associated with a lack of capacity.

*Historic environment (para 6.1.5 / 29)* - The planning system must take into account the Welsh Government's objectives to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations. The historic environment is a finite, non-renewable and shared resource and a vital and integral part of the historical and cultural identity of Wales. It contributes to economic vitality and culture, civic pride, local distinctiveness and the quality of Welsh life. Planning authorities may develop lists of historic assets of special local interest, that do not have statutory protection, but that make an important contribution to local distinctiveness and have the potential to contribute to public knowledge. Where a planning authority chooses to identify historic assets of special local interest, policies for the conservation and enhancement of those assets must be included in the development plan.

*The Welsh language (para 3.25)* - The land use planning system should take account of the conditions which are essential to the Welsh language and in so doing contribute to its use and the thriving Welsh Language well-being goal.

Appraisal

This is a hybrid planning application comprising:

- a) An outline planning application with all matters reserved (except those included in the associated full application – see (b)) for residential led mixed use development of up to 850 residential dwellings in total (use class C3) to be developed in phases; primary school; provision of local centre including community facilities; spine road with links to Gorseion Road, A483 and A484; and associated public open space/ play provision, highways, drainage, ecological mitigation, landscaping and engineering works.
- b) Full application for the erection of 186 dwellings and associated works as part of phase 1a of the development; access off Brynrhos Crescent; the demolition of 31 Gorseion Road and demolition of identified Parc Mawr Farm buildings.

As set out in the Policy and Guidance Section above, the land that is the subject of this application is allocated in the Swansea LDP for a comprehensive residential led mixed use development of circa 644 homes in the Plan period (up to 2025) – as set out in policies SD 1 and SD C. The site forms a fundamental part of the LDPs sustainable housing strategy set out in Strategic Policy PS 3 which provides for the development of housing to meet the identified housing requirement of 15,600 homes over the Plan with a significant contribution from the creation of new neighbourhoods at Strategic Development Areas within and on the edge of established settlements.

The LDP policy sets out requirements for the delivery of a range of uses, facilities and undeveloped spaces to complement the new homes, including primary school, leisure and recreation facilities, public realm, public open space and appropriate community and commercial uses. The policy refers to incorporating A1 - A3 uses, and highlights the opportunity to provide a primary care facility to form a new local hub in the north of the site and also further space at key nodes within the site.



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There is no doubt that the principle of a transformative, residential led, mixed use development at this location is supported by the Council's adopted development plan. In order to be considered sufficiently in accordance with the LDP however, the details of the scheme proposed by the applicant must be aligned to the key policy themes set out in the Plan as well as the site specific development requirements and placemaking principles.

Below is my analysis of the applicant's proposals under the following main headings:

1. Affordable Housing
2. Placemaking
3. Environmental Protection, Enhancement and Mitigation
4. Green Infrastructure and Open Space
5. Other Infrastructure Measures and Phasing
6. Neighbourhood Centre and Facilities
7. Welsh language impact

1. Affordable Housing – The application proposes 20% affordable housing provision for Phase 1a. This proportion aligns with the affordable homes target specified in LDP policy SD C. The tenure of affordable homes proposed for phase 1a include a range of social rented accommodation and intermediate properties. The Council's Housing Department will need to provide comments on the suitability of this mix in relation to the existing housing need.

2. Placemaking – It is absolutely imperative the development proposals of the scale that is proposed (i.e. a proposal to create a whole new neighbourhood in an established residential area), exhibits very strong placemaking principles, which should underpin all aspects of the scheme. To this end, it is important to highlight that the applicant rightly entered into extensive pre-application discussions with the Planning Authority from the outset of the planning process, which informed the masterplanning process at the earliest stages. Since submission of the application, the applicant also demonstrated a commitment to refining the proposals as part of the normal process of discussions with officers on the detailed elements of the proposed scheme, some of which did indeed necessitate that the applicant amended its proposals to ensure the scheme sufficiently accorded with the Council's placemaking objectives for the site.

Detailed comments on the final scheme submitted for determination will be provided from the Council's Placemaking, Design and Heritage team, both in terms of the outline proposals for the whole site and the detailed design elements of phase 1a. At a high level however, I am of the view that the submitted proposals in their final amended form are indeed sufficiently aligned to the objectives of the Plan for this site in relation to placemaking, which is very much welcomed.

3. Environmental Protection, Enhancement and Mitigation – The proposals would clearly lead to the loss of a significant area of open land, some of which is Grade 3 agricultural land, and would also inevitably have an impact on biodiversity. Detailed comments in relation to these matters will be provided from the relevant Council department(s) for consideration, including those teams dealing with Biodiversity and Drainage matters. Such comments will be required in order to ultimately determine whether the relevant LDP policies have been sufficiently addressed. I would however make the following comments on the key principles that apply regarding these matters:

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In terms of biodiversity impact, I have set out above the national policy and legislation that requires the Council to maintain and enhance biodiversity. This is a duty that has been translated at the local and regional level to the Public Service Board's Well Being Plan – "Working With Nature", and the Council's Corporate Plan. Having regard to this framework and the LDP policies, it is clear that overall the development should not cause any significant loss of habitats or populations of species, locally or nationally and must provide a net benefit for biodiversity. Furthermore, the proposals must adequately promote the resilience of ecosystems, in particular in relation to: diversity, connectivity, scale, condition and adaptability. PPW requires that a 'step-wise approach' is followed in the formation and assessment of schemes, in order to maintain and enhance biodiversity and build sufficiently resilient ecological networks. This approach requires that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for. The views of the Council's biodiversity officers will be important to ultimately determine whether a suitable approach has been followed in this regard, and whether the scheme ultimately has secured appropriate biodiversity mitigation and enhancement.

In regard to the loss of the agricultural land, it should be noted that the LDP Inspectors' Report (published January 2019) recognised that the development of the site would significantly extend Penllergaer onto an area of greenfield land (including around 14 hectares of Grade 3a agricultural land), however it concluded that the evidence underpinning the LDP justifies the Plan strategy as a whole, including the provision of new housing in this location (para. 5.22). The Inspectors Report also concluded that the indicative layout shown on the concept plan indicates a design-led approach which would retain key features of the site. Proposed new uses would satisfactorily interface with the adjoining settlement and Green Wedge, and would avoid uncontrolled sprawl or harmful coalescence (para. 5.24). In relation to the loss of agricultural land specifically, the Inspectors report states the following at paragraphs 3.2-3.5: "Opportunities to maximise the reuse of previously developed land have been sought and an assessment of the availability of brownfield land for residential development has been undertaken [by the Council]. This confirms that, although the majority of new dwellings could be accommodated on brownfield sites, to meet housing needs and deliver a meaningful range and choice of housing sites, the Plan would need to accommodate a release of greenfield land....In assessing suitable alternative sites for development a number of factors were considered, including potential impacts on resources such as agricultural land. Initially, the Council sought to determine the extent of probable Best and Most Versatile (BMV) agricultural land on proposed Strategic Development Area (SDA) allocations in consultation with the Welsh Government. It also sought agricultural land surveys from those promoting the development of smaller sites. During the examination, a new Wales-wide Predictive Agricultural Land Classification Map was published. The Council used this to re-evaluate and quantify BMV land on allocated sites. This found that allocated sites would incorporate nearly 90 hectares of BMV land, primarily in the east, northwest and southwestern parts of the County. 3.4....Allocating these sites will inevitably sterilise the BMV agricultural land resource, even if the land itself were not physically built on. A substantial loss of BMV agricultural land would occur at SDA I, and to a lesser extent at some other SDAs and non-strategic sites allocated under policy H 1. Sites allocated for local needs and affordable housing under policy H 5 would in themselves amount to a loss of nearly 7 hectares of BMV land. These losses, however, have to be weighed against the need to provide a range and choice of new homes and jobs to meet evidenced needs.

The Council has adequately demonstrated that there is insufficient brownfield or lower grade agricultural land within the County to accommodate the necessary scale of development within the Plan period.

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In the case of the policy H 5 allocations, those sites are few and relatively limited in extent and would contribute to meeting needs arising in those specific localities...Overall, we consider that the benefits of retaining the land in agricultural use would not outweigh the advantages of providing the required housing and employment development on the affected sites, for which there is an overriding need. Further, there is currently a limited supply of housing emanating from existing built up areas within the County. The allocation of SDAs and extensions to existing settlements is inevitable if sufficient housing is to be delivered and a 5-year supply of housing land sustained. We are satisfied that the Council has satisfactorily considered reasonable alternatives in terms of the level and location of growth to be accommodated by the Plan on greenfield land.”

Having regard to the above, I consider that the loss of agricultural land as a result of the proposals is not at variance with the LDP or national policy requirements.

In respect of the requirements for Habitats Regulations Assessment (HRA) the following should be noted:

LDP policy ER 6 Designated Sites of Ecological Importance states that ‘Development will not be permitted that would result in a likely significant adverse effect on the integrity of sites of international nature conservation importance’ and refers to the need for compliance with the Habitat Regulations (refer paragraph 2.9.41). Under the Habitat Regulations, this proposal is a project that requires a HRA. The HRA of the LDP assessed site allocation SD C and concluded that on the basis of the information available at the time, there would be no likely significant effects (lse) resulting from its implementation (refer Swansea LDP shadow HRA June 2018 section 5, figure 5.2 and Appendix 1). However, the LDP HRA was only a generic level assessment appropriate for the LDP, there is now more detailed information available relating to the development of part of site allocation SD C and this warrants an individual HRA. As there has been a significant change (in terms of more detailed information being available) from the previously assessed LDP allocation and a new consent in the form of planning permission is required, this project cannot be regarded as a continuous single operation or an ongoing proposal without any material change, which under the habitat regulations might be exempt from HRA procedure. It therefore follows that this project should be screened for any likely significant effect on the integrity of European Sites and further HRA undertaken as appropriate. As the competent authority the Council should undertake this HRA. The advice and findings of the Council’s ecologist will be important in this regard.

For waste water discharge: In accordance with Policy EU 4 Public Utilities and New Development, development will only be allowed where provision is made for the necessary waste water infrastructure. The reasoned justification for EU 4 states that DCWW has confirmed that there is capacity within Gowerton Waste Water Treatment Works (WwTW) to accommodate all the development proposed in the LDP within its catchment, including this site (paragraph 2.13.22 refers). This is also reflected in the LDP’s Appendix 3 Allocated Site Requirements and Informatives. However, there may be issues with the capacity of the sewer network to accommodate the proposed development and a Hydraulic Modelling Assessment (HMA) is likely to be required, DCWW will advise on this. Policy EU 4 sets out the mechanisms that are in place to address deficiencies in infrastructure provision. Any required sewer network reinforcement may take the form of a hard engineering upgrade or the removal of compensatory surface water from combined sewers (paragraph 2.13.24 refers).

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For water abstraction: Policy RP 4 Water Pollution and the Protection of Water Resources does not permit development that compromises the quality of the water environment. Water abstraction can have a detrimental impact on water quality and in accordance with the requirements of Policy RP 4, development should only be allowed where there is the required water supply. DCWW are responsible for the provision of water and water abstraction is licensed by NRW. Decisions relating to water supply are based on DCWW's Water Resource Management Plan (WRMP). The current Plan predicts that the Tywi WRZ which supplies the Swansea area will be in surplus throughout the period of the LDP (refer draft Water Resource Management Plan 2019 section 15.18). The observations and requirements of DCWW will be crucial in this regard.

Drainage matters and safeguarding water resources are a key technical area and the detailed comments of the relevant specialist officers will need to be provided for full consideration of these issues.

Potential impacts from historic land uses, such as shallow mine workings, will need to be considered.

A Landscape and Visual Assessment has been carried out by the developer and such an Assessment was considered as part of the LDP process. This concludes that the proposed allocation, due to its spatial relationship with Penllergaer, its undulating topography, well developed landscape structure and subsequent low visibility, would visually integrate with the existing urban context of the well established Penllergaer settlement and surrounding landscape.

The Assessment states that the site is not within, adjacent or significantly visible from the SLA and Penllergaer Historic Park and Garden and would not have a significant effect on the character of these landscapes. The key overall features of the aspect areas identified within LANDMAP that are evaluated as moderate, high or outstanding are not significantly affected by the likely form of development. Furthermore the visual amenity, setting and enjoyment of the Gower Way National Trail would not be significantly affected by the illustrated form of development.

4. Green Infrastructure (GI), including Open Space – In determining the application the Planning Authority must be satisfied that the applicant has sufficiently engaged with the Council as part of a commitment to ensure proposals adhere to the principle of creating a connected multi-functional Green Infrastructure network within the site, in the interests of achieving high quality sustainable development that maximises the benefits from ecosystem services and which facilitates Active Travel. Key requirements of this site are the creation of a major east-west green corridor with new and retained planting, accessible green space and ecological areas along the west of the site, creation of a village green, retaining existing trees and hedgerows, integrating landscape features and protecting biodiversity, including appropriate landscaping, and opportunities for formal and informal play and recreation.

Discussions between the applicant and the Council have highlighted the need to ensure that the provision of multifunctional GI is achieved throughout the site. The benefits of the scheme in terms of site wide GI, i.e. the green edges, green corridors and public open space provided, were clearly apparent from the outset however the Authority has continued to highlight to the applicant the need for smaller scale green infrastructure to be integrated into the built environment and within the net development area, particularly at dwelling and street level.

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A Green Blue Infrastructure Strategy (GBIS) was requested to set out the rationale for the proposals and demonstrate how the applicant has sought to maximise the GI functionality of each site wide GI element, and focus on what specific measures are proposed for the detailed first phase.

Following engagement between the applicant and LPA, the GI merits of the scheme were enhanced and a high quality and comprehensive GBIS submitted. A significant amount of work was undertaken on GI aspects to revise the Phase 1A layout in order to incorporate a substantial amount of additional green verges, hedge boundaries, tree planting and build outs within the street scene. These proposals have served to significantly improve the sense of place created within these built up areas, and will increase opportunities to achieve biodiversity gain and GI benefits and the submitted GBIS seeks to demonstrate the potential ecosystem services/GI functions that these areas will provide. The document clearly explains the evidence based process which identified site constraints and opportunities which informed the integration and retention of key assets into the site wide layout. This is supported by clear signposting to relevant surveys and assessment. The Strategy also shows a good appreciation of the GI Principles promoted through the Council's planning policy and the emerging council GI Strategies. Section 4 provides a clear assessment of key aspects of strategic GI against the principles of GI and sets out the GI benefits which each aspect is expected to deliver. As requested in our previous response, it is therefore now possible to;

- understand the relationship between the information presented in each of the technical reports and the GI proposed, and
- appraise the multi-functionality, connectivity and ecosystem functions of the elements of GI proposed and the extent to which these represent enhancements

Consultation responses from Strategic Planning identified further refinements as being necessary to ensure the document identifies sufficiently clear measures and requirements at both outline and detailed phase 1a elements, and also to ensure the GI strategy is linked to the Drainage strategy. Amendments have been made to the GBIS and I am of the view that the proposals now do integrate sufficiently multi-functional GI provision in compliance with the requirements of the LDP policies and national guidance. The amended GBIS incorporates amendments that were identified by officers as being necessary. With regard to the proposed seed mix for wildflower planting, final confirmation on whether the mix is appropriate will be provided by the Council's ecologist and/or biodiversity officers.

In terms of open space and outdoor recreation provision across the site, the LDP at Appendix 3 Site Requirements and Informatives states that 1 NEAP and a minimum of 4 LEAPs are required across the site. The planning application proposes 1 NEAP and 3 LEAPs. This is technically short of the provision set out in the Plan (3 LEAPs instead of 4) and this must be acknowledged. That said, I recognise that there is an existing LEAP on Gorseinon Road just north of the site, and that the proposals are providing new pitches within the heart of the site. In overall terms, my view is that the provision of formal, equipped and informal play areas proposed across the site is sufficient and does offer a balanced distribution of play and recreation facilities for a range of age groups that will reside within the new neighbourhood. The applicant has addressed, through iterations of the scheme, initial deficiencies in this regard, and has taken the opportunity to consider the provision of such facilities in a holistic manner, setting out how young children, older children, and adults would be served by the open space and recreation proposals, including having regard to the availability of existing provision.

It is noted that sports pitches are proposed as part of the primary school to be provided at a later phase of development. The LDP concept plan requires pitch provision in two different locations and the requirement in the Plan is that the primary provides facilities for wider community use. The Planning Authority should use any appropriate mechanism that is available to it to ensure that the public use of these facilities, including changing rooms, will be provided outside of normal school hours for the benefit of the wider community.

5. Other Infrastructure Measures and Phasing – In terms of transport measures and traffic impact, the Council's Highways and Transportation department will provide detailed comments on the merits of the proposals and the applicants overall transport strategy, and will provide a technical assessment of the suitability of the approach. I would however make the following comments:

- It is noted that the highway access for Phase 1a is proposed off Brynrhos Crescent. The provision of the spine road link between Gorseinon Road and the A483 is proposed for the following phase, which will be subject of a separate Reserved Matters application. The LDP states that a 'through route' to either the A483 or A484 must be delivered prior to a significant proportion of the homes and associated development coming forward at the site, and so a judgement will need to be made as to whether this quantum is acceptable. It should be noted that an assessment of scheme viability undertaken to underpin the LDP, which found the scheme to be financially viable in principle, assessed the link from Gorseinon Road to the A483 as being in place at delivery of 300 homes.
- The LDP sets out various junction and off site transport measures and active travel improvements relating to this site, as set out in the policy SD C, Appendix 3: Site Requirements and Appendix 5: Informatives and the Transport Measures Priority Schedule. These mitigation measures followed detailed analysis of the transport and access impacts of the allocation through the Swansea Strategic Transport Model (SSTM) undertaken to underpin LDP development allocations. The SSTM was found to provide a sound evidence base by the Inspector during the Examination of the Plan (para 5.25 of the Inspectors' Report). In accordance with LDP requirements, appropriate mitigation measures should be delivered as integral elements of development phases for this scheme, having regard to the relevant Priority Transport Measures identified. It is noted that the access and movement strategy and Transport Implementation Strategy makes clear that it is not the intention of the applicant to deliver the full schedule of off site transport measures referenced in the LDP as being required to mitigate the development. Fundamentally, whilst the focus on sustainable travel measures is welcomed as part of the proposals, the non-compliance with the LDP sought measures should only be considered acceptable by the LPA if the technical assessment of the Local Highways Authority resolves that the scheme would not give rise to unactable impacts on the highway network.

In terms of education provision and obligations, the comments of the Council's education department will obviously be important to assess the proposed approach for school delivery. The fundamental LDP requirement for the site is that a 3 form entry school will be delivered at this location. It requires that the school incorporates community facilities to serve the new, as well as the existing, community. The size of the school stipulated in the LDP arose from detailed discussions with the applicant and the Council's Education Department at the time of LDP production, and again during the Examination of the Plan.

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These specific requirements, for a 3 form entry school to be at the heart of the new neighbourhood, have been integrated into the masterplan and were promoted by the Council and the applicant in its Statement of Common Ground submitted to the Examination.

The 3 form entry school requirement was prescribed in the LDP to align with the Education Department's forward planning strategy in terms of the nature and location of new schools required to serve current and future populations. As such, unless consultations with the Education Department indicate there has been a change to the Council's strategy for future education provision for this area, it remains the case that the development must enable a 3 form entry school to be delivered at the site. The exact contributions and/or buildings to be constructed at the site will need to be appropriate having regard to 'CIL Regulations' and be appropriately related to what the application itself generates in terms of obligations. Whatever is agreed for stipulation in the s106 as being an appropriate quantum of contributions to be paid /size of school building to be constructed by the developer, it is important that the area of land reserved for the primary school is large enough to facilitate the delivery of a 3 form school over time. This approach will be in accordance with the LDP requirements and policy objectives, subject to appropriate facilities within the school being intended to be made available for wider community use.

The above approach to education measures will ensure the Council can continue to strategically plan in a co-ordinated, sustainable manner for Swansea's growth, and safeguards the recreational and educational needs of its communities now and into the future. Having regard to the plans submitted, the applicant has indeed considered the school requirements in some detail, including its appropriate location, and has suitably determined that the facility should be an integral part of the scheme. This has been evident during the applicant's comprehensive masterplanning of the site.

The phasing of the delivery of the school (including whether it is proposed to be delivered and opened in stages, having regard to the demand generated by the development and where this is agreed to by the Education Department), will need to be the subject of detailed considerations as part of the s106 agreement. The s106 negotiations will also determine the amounts, and timings, of any financial contributions that may be considered necessary in lieu of the applicant themselves constructing the school. Clearly such discussions will need to involve the Education Department. Such considerations need also to have regard to the viability evidence that underpinned the allocation of the site in the LDP and any updated evidence on viability matters if that is submitted.

Financial viability matters are of course of relevance not just for education provision. It is a vital factor for consideration of the whole phasing programme for the development and all infrastructure requirements, having regard to the requirements set out in LDP policy. I am not aware of viability being raised by the applicant at this stage as a reason to not be able to deliver any development requirements set out in the Plan.

6. Neighbourhood Centre and Facilities – Key to delivering an appealing and successful place is an appropriate mix and balance of uses for the new neighbourhood. The proposed commercial ground floor uses in the north of the site, and at the spine street intersection, is in compliance with the specific requirements sought by the LDP to deliver such provision for the benefit of the new community and help re-inforce a sense of place. There is limited detail provided in the outline application on the proposed use of the buildings proposed to be designed flexibly for “potential commercial use” in the north of the site and at the intersection of the spine streets.

It is stated these uses are proposed to be dependent on demand. The application refers to 'up to 2,500 sq m of local centre floorspace' and potential uses for these buildings are referenced as A1, A2, A3 and B1. Ultimately the Authority will need to consider whether the scale, location and range of uses is of a nature that is reasonably capable of fulfilling the LDP policy requirements in SD 2 and SD C, and in-line with RC 8 (and RC 12 if significant B1 use is proposed), of delivering a new local hub to Penllergaer comprising an appropriate mix of uses in the northern part of the site and providing facilities at other key nodes within the site.

As well as A1-A3 uses, the LDP policy supporting text refers to the opportunity for a primary care facility having regard to discussions during Plan preparation with healthcare providers. GP facilities within the wider area have experienced pressure in terms of meeting demand and representatives have indicated they would wish to continue discussions about the potential provision of a new facility at the site. There is a lack of detail about any discussions with the health sector that may have been undertaken in this regard or analysis on how the scheme is capable of providing and/or facilitating this opportunity.

The policy requires retention of the farm complex and its re-use for community benefit. The Authority will need to consider whether the proposed part retention and part demolition of farm buildings for potential community use and the new build proposed around them is appropriate and provides enough clarity that this policy requirement will be delivered.

In terms of the proposed retail provision, national guidance (Planning Policy Wales, Section 10.4), states that: "...when determining a planning application for retail, commercial, leisure or other uses complementary to a retail and commercial centre, including redevelopment, extensions or the variation of conditions, local planning authorities should take into account:

- compatibility with the development plan;
- quantitative and qualitative need for the development/extension, unless the proposal is for a site within a defined centre or one allocated in an up-to-date development plan;
- the sequential approach to site selection;
- impact on existing centres;
- net gains in floorspace where redevelopment is involved and whether or not it is like-for-like in terms of comparison or convenience;
- rate of take-up of allocations in any adopted development plan;
- accessibility by a variety of modes of travel;
- improvements to public transport;
- impact on overall travel patterns; and
- best use of land close to any transport hub, in terms of density and mixed use.

PPW states at 10.4.4 that for smaller retail planning applications (i.e. stated in PPW as less than 2,500 sqm GFA for developments that require RIAs), local planning authorities will need to determine whether an assessment of retail impact is necessary, for example if the Authority considers a development smaller than 2,500 sqm may have a significant impact on a centre. It states that requests for retail impact assessments by local planning authorities on smaller developments should be proportionate to potential impacts. PPW also states at 10.4.5 that the three standard requirements for retail need assessment, sequential test and retail impact assessments may apply to new retail developments, but that proposals in accordance with an up-to-date development plan will not require the application of a test, as this will have been undertaken when the plan was prepared. Page 63



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Given the above national policy, and the above referenced development plan policy context (including specific requirements in the LDP for a commercial centre to be provided at the heart of the new neighbourhood), and having regard to the location of the commercial centre as shown on the submitted masterplan, I do not consider it reasonable or necessary to request the applicant undertakes a sequential test. Neither is it necessary in my view to carry out an impact assessment of the small scale commercial element (it is noted that the proposed provision should technically be less than 2500 sqm, however the difference of a few sqm is not significant). The commercial centre is well located, in an accessible location at the north of the neighbourhood, with potential to serve the existing community and new development, and is connected to proposed residential by active travel links. It is proposed at the most preferable location in relation to the wider development context. The proposals are limited in scale and the LDP refers to this threshold as being commensurate with 'small scale' commercial development.

My judgement is that a small scale proposal of this nature, at the location shown in the masterplan, does not give rise to any potential concerns regarding adverse impact upon the vitality, viability or attractiveness of existing centres. National guidance as outlined above allows for such a judgement to be made by the Authority, without the need for detailed technical assessments to be submitted. A planning condition would provide an appropriate mechanism to restrict the maximum size of any retail unit within the commercial centre, which may be necessary in the interests of limiting unit sizes by way of extensions, mezzanines etc.

7. Welsh language impact – The site is located in the designated Welsh Language Sensitive Area. There is a requirement to submit a Welsh Language Action Plan, setting out the measures to be taken to protect, promote and enhance the Welsh language. The applicant has done this and observations have been provided on what the WLAP should contain. Planning permission should be subject to conditions or legal agreement requiring the implementation of the recommendations of the WLAP.

## Conclusion

This application represents a highly significant development proposal for Swansea, the delivery of which would have a transformative impact upon an established residential area. It would create a new neighbourhood that would serve to substantially extend the existing settlement at Penllergaer.

There is no doubt that the principle of the proposed development is acceptable having regard to the provisions of the Council's adopted LDP. It is critical however that, as well as ensuring the many technical requirements generated by the proposal have been satisfactorily addressed, the proposals in the final analysis must ultimately be considered by the LPA to represent a scheme that meets the high standards that are set in the LDP in relation to placemaking and sustainable development.

In this regard the applicant has made significant efforts throughout the planning process to liaise with (and respond to the comments of) the Planning Authority and key stakeholders, including on the masterplanning work undertaken and to produce the extensive range of supporting and complementary documents. There have been various consultation responses issued by officers in relation to earlier iterations of the scheme, which have set out a number of areas where there was considered to be a lack of clarity or where it was considered the proposals needed to be revised in order to ensure compliance with policy objectives.

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The applicant has entered into continuing dialogue with the LPA to address various issues. I consider this process has certainly served to significantly improve the scheme and moved the proposals towards delivering on the LDP objectives for this site.

Following receipt of any necessary final consultation responses from statutory consultees and internal Council departments, the LPA will be able to reach a final judgement on the extent to which the applicant has successfully addressed not only the key matter of placemaking, but also the important technical issues highlighted in the above Appraisal that relate to transport impact; education provision; drainage and biodiversity requirements.

Subject to any final consultations highlighting that there are no areas of dispute or unresolved issues, my own view in conclusion is that the applicant has produced a set of proposals that successfully incorporates the essential elements and requirements of LDP policies for this site. I also consider the proposals to be consistent with national policy and guidance.

Subject to the Council reaching agreement on the details of the necessary s106 document, I welcome that the proposals will deliver a new neighbourhood and community for Swansea that will provide much needed new open market and affordable homes, and provide community facilities and new infrastructure that will benefit the wider locality and ultimately create a great place to live that can be enjoyed by many future generations.

## 5.8 Education:

“Review of the effect on Catchment Schools of Proposed Development: -

1. Planning Application: 2018/2697/OUT- Land South of the A4240 Parc Mawr, Penllergaer, Swansea. Hybrid planning application comprising A) outline planning application with all matters reserved (except those included in the full application) for residential led mixed use development of up to 850 residential dwellings in total to be developed in phases.

2. Catchment Schools, capacity and projected capacity

2.1. The development is in the Penllergaer Ward, and the catchment schools are:

	Catchment Schools	Number of unfilled places January 2018	%	Forecast Number of unfilled places September 2024	%
English Medium Primary	Penllergaer Primary	-3	-0.93%	16	4.98%
English Medium Secondary	Pontarddulais Comprehensive	26	3.25%	16	2.00%
Welsh Medium Primary	YGG Pontybrenin	43	8.58%	3	0.60%

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Welsh Medium Secondary	YG Gwyr	119	11.48%	-176	-16.97%
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3. Demountables – It should be noted that there is currently 1x double demountable at Penllergaer Primary, 3x double demountables at YGG Pontybrenin and 1x single, 3x double demountables at YG Gwyr.

4. SPG Pupil Generation:

Penllergaer Ward	Total Pupil Numbers	£	Pupil Numbers rounded up/down WM	Pupil Numbers rounded up/down EM
WM 11.2%			11.20%	88.80%
Primary	263.5	£3,961,195.50	29	234
Secondary	187	£4,295,390.00	21	166
Post 16 provision	34	£838,406.00	4	30
<b>Total</b>		<b>£9,094,991.50</b>		

5. Existing Commitments

School	Pupil numbers	PA – Description
Penllergaer Primary		
	22	Former Council offices, Penllergaer. (Civic)
Penllergaer Primary Cumulative Total	22	
Pontarddulais Comprehensive		
	10	Former Walters Yard, Pontlliw
	3	Land to rear of 188 St Teilo St., Pontarddulais
	4	Land at The Yard, Cambrian Place, Pontarddulais
Pontarddulais Comprehensive Cumulative Total	17	
YGG Pontybrenin		
	1	Land at Ffordd yr Afon
	66	Land North of Garden Village
	3	Former Council offices, Penllergaer. (Civic)
YGG Pontybrenin Cumulative Total	73	

YG Gwyr		
	1	Land at Ffordd yr Afon
	2	Land off Loughor Road, Loughor
	1	Land Off Summerland Lane, Newton
	1	Land to rear of 188 St Teilo St., Pontarddulais
	2	Former Council offices, Penllergaer. (Civic)
	1	Land at The Yard, Cambrian Place, Pontarddulais
YG Gwyr Cumulative Total	8	

6. LDP Candidate sites impact (excluding SDA C)

School	Potential number of units	Est Pupil numbers based on SPG
Penllergaer Primary	130	40.3
Pontarddulais Comprehensive	2540	558.8
YGG Pontybrenin	% of above and other developments	
YG Gwyr	% of above and other developments	

7. Position of capacity:

7.1 Primary:

7.1.1. English-medium: the English medium primary school (Penllergaer Primary) is currently over capacity by 9.97%. By September 2025 the current projections are indicating that this is expected to change slightly to have surplus capacity of 2.99%, however we are aware of continuing admission issues which is likely to impact on any perceived 'unfilled places'. In year admissions are hard to secure due to the lack of places in each year group.

7.1.2. Welsh-medium: the Welsh medium primary school (YGG Pontybrenin) currently has surplus capacity of 1.00%, this is expected to increase to 10.58% surplus capacity by September 2025, however the school continues to face capacity issues on an extremely constrained site.

7.2. Secondary:

7.2.1. English-medium: the English medium secondary school (Pontarddulais Comprehensive) currently has 7.25% surplus capacity, this is expected to reduce to 2.62% surplus capacity by September 2025.

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7.2.2. Welsh-medium: the Welsh medium secondary school (YG Gwyr) currently has 9.73% surplus capacity, however by September 2025 it is expected to be over capacity by - 16.28%.

8. Education requirements detailed in Deposit LDP Consultation Document and Masterplan information:

8.1 The requirements for the school need to be in accordance with the Masterplan for the site in the Deposit LDP consultation document. As this application is pertinent to a Strategic Site, the Local Authority have requested that the developers' contributions for primary and secondary education are pooled into a primary school building on site as indicated in the master plan. It is the expectation as above, that the developer will deliver this primary school building in accordance with Swansea School Standards Specification and relevant documentation and requirements stated within that document. Close working with the Local Authority and sign off procedures will need to be adhered to during the design and build of the primary school building.

8.2 The developer to deliver a 3 form entry Primary School incorporating community facilities to be sited in a central location to serve new and existing communities and provide safe active travel to school. The school design must also take account of providing adequate drop off areas. If it is the intention that playing fields are to be used by the community, the school design should incorporate changing facilities.

9. Recommendation and Phasing

9.1 As detailed in the Design Access Statement and Planning Statement the Nursery element of the Primary school to be delivered and handed over to the Local Authority for occupation by completion of unit 250

9.2 The remainder of the 3 Form Entry School to be delivered and handed over to the Local Authority by completion of unit 500."

**5.9 Ecology:**

**"OUTCOME OF ECOLOGICAL INVESTIGATION**

Relevant documents reviewed:

Updated walkover survey, 31/1/18

Environmental Statement (ES) Vol 2, Chapter 6, Ecology, Asbri Planning

Addendum to ES, Chapter 6 Ecology, Asbri Planning. Nov 2019

Condition:

Pre-construction/site clearance checks for bats and nesting birds in buildings due for demolition shall be undertaken. A licensed bat worker/Ecological Clerk of Works (ECoW) shall be employed to oversee the work and check for any evidence of nesting birds or roosting bats. The ECoW shall be in attendance when parts of the roof and other external features are dismantled. They shall supervise a 'soft strip' methodology to minimise the chance of bats being killed/injured and take appropriate measures should bats be located.

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Breeding/nesting birds

Records exist of roof nesting birds locally.

Please include the standard nesting bird informative.

Condition:

No clearance of trees, shrubs, scrub (including gorse and bramble) or empty buildings shall be undertaken during the bird nesting season, March to September inclusive.

Reptiles

Common lizard were recorded in the west of the site. Please therefore include the standard reptile informative and the following conditions:

Condition:

A Reptile Translocation/Mitigation Strategy shall be submitted to the LPA for approval. The approved methodology must be adhered to.

Reason:

To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development.

Condition:

Pre-construction checks for reptiles shall be undertaken. Any vegetation clearance shall avoid the main hibernation period October to March inclusive.

Section 6.3.56 of the original report highlights the presence of an active badger sett to the SW of the site. The ES indicates that 3 active badger setts within the south and west boundary habitats will be affected by the proposals. This must be mitigated for.

Therefore please include the standard badger informative and the following conditions:

Condition:

A pre-construction walkover survey shall be undertaken for badgers no less than three months prior to the start of vegetation clearance. Any active sett located within a minimum of 30m of development works (depending on the nature of the works) will potentially require a disturbance licence from NRW prior to the commencement of works. Note that NRW will only issue licences to interfere with a badger sett between July and November. Pre-construction checks for badger setts shall be undertaken up to 100m from the development site.

Condition:

A badger mitigation strategy shall be submitted to the LPA for approval. This shall include but not be limited to the following:

- Retention of main badger sett with provision of a 30m buffer zone surrounding the outermost entrances.
- Protection measures during construction to include the erection of Heras fencing (with suitable entrances for badgers to pass underneath/ through) to ensure equipment and materials do not pass into this buffer zone.
- No artificial lighting (either during or after construction) to be positioned where it would fall on the main badger sett, or well used paths leading directly from it.

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- The site to include safe areas of passage away from the sett to existing foraging habitat within their territory by provision of unlit 'green corridors'.

#### Dormouse

Please include the following informative:

Dormice are protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017. Consequently, it is an offence to intentionally or recklessly kill a dormouse, disturb a dormouse whilst it is occupying a resting place or breeding site.

#### Condition

##### Pre-commencement Site Check

As there may be suitable habitat on site, the following procedure is essential. Immediately prior to the commencement of any pre-construction/enabling works onsite, including vegetation clearance, a site walkover must be conducted by a suitably qualified ecologist, to determine any significant changes to those habitats supported by the site with respect to dormouse. The purpose of the site walkover is to determine whether any further, species-specific working methodologies or a Dormouse Mitigation Strategy document will be required. The survey results and proposed mitigation shall be submitted to the LPA for approval prior to construction.

#### Reason:

To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development.

It is also noted that Field G meets SINC criteria for marshy grassland. As a priority habitat, this shall be retained.

#### INNS

#### Condition:

As Japanese knotweed is present on site, an updated pre-construction INNS survey is required to be submitted to the LPA for approval, together with an INNS strategy for the site. A method statement for removal of any INNS must also be submitted for agreement with the LPA (as per 8.14 of the 2019 report).

#### Condition:

Notwithstanding the details contained within the submitted reports, if, prior to the commencement of development, any Invasive Non-Native Species (INNS) listed within Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) are identified on the site, no further development shall take place until a method statement for the removal of the INNS has been submitted to and approved in writing by the LPA. The scheme shall be implemented in accordance with the approved method statement.

Reason: In the interests of the ecology and amenity of the area.

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Ecological enhancement

Planning Policy Wales Edition 10 (2018): Biodiversity and Ecological Networks section 6.4 Paragraph 6.4.3, The Environment (Wales) Act 2016 enhanced biodiversity and resilience of ecosystems duty (Section 6 Duty) and TAN 5 Section 40(1) of the Natural Environment and Rural Communities Act (NERC) 2006 all encourage developments in Wales to provide a net benefit for biodiversity conservation with no significant loss of habitats or populations of species, locally or nationally.

Condition

The full details of the proposed enhancements (type and location) shall be shown on an architectural drawing, submitted to the LPA for approval. The approved Ecological Enhancement Measures shall be fully provided no later than 6 months within the completion of the development and shall be retained as such in perpetuity.

Reason: In the interests of ecology and biodiversity enhancement.

Hedgehog

Records show that there is the potential for hedgehogs to be present in the area. Hedgehogs are protected under Schedule 6 of the Wildlife and Countryside Act (WCA) 1981, which prohibits killing and trapping by certain methods. They are also a UK Priority species under the NERC Act (SEC.41) 2006. The species is therefore considered one of the UK's target species to avoid further population decline.

Condition:

All trenches and excavations must be fenced off or covered-over at night to prevent any animals (hedgehogs, badgers, otters and other species) from falling in and becoming trapped. If this is not possible an adequate means of escape must be provided (i.e. a gently graded side wall or provision of gently sloped wooden plank or equivalent). Any exposed pipes and trenches must be checked for trapped wildlife each morning before starting construction activities.

Condition:

In order to retain habitat connectivity for Species of Principal importance, such as hedgehogs, boundary treatments should not be flush to the ground, or suitably sized gaps 13 x 13 cm should be left at strategic points. See <https://www.hedgehogstreet.org/hedgehog-friendly-fencing/>

Hedgerows

The report highlights the hedgerows, many of which are considered to be species rich, and of considerable age, with indicator species such as native bluebells recorded. As hedgerows are a priority habitat, efforts should be made to retain and enhance these within the development, particularly on the northern and western boundaries, as outlined in the surveys. Retained hedgerows shall be buffered from surrounding development, and not incorporated into domestic boundaries. Protection of the hedgerows and adjacent areas must be agreed with the LPA and established prior to any works commencing.

The submitted 2019 ES Addendum report states in section 6.1.13 that the following will be affected ie. lost by the new Concept Masterplan proposals:

- a) a total of 42621 metres of hedgerows
- b) 2325 metres of Species Poor Hedgerow



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The impact on the hedgerow itself will be greatly reduced if the hedgerow can be translocated rather than entirely removed. This is the preferred option.

The report also states that in the new Concept Masterplan and Phase 1A, no Species Rich Hedgerow will be lost which is noted. It is also noted that in section 6.1.14, updated figures propose approximately 6333m of hedgerow planting, which equates to an increase of 3712m approximately of hedgerow resource, when compared to the original Phase 1a layout and Concept Masterplan figures.

**Condition**

A Hedgerow Management Plan shall be submitted to the LPA for approval, detailing measures/methodology for the retention, enhancement and creation of the hedgerow resource.

**Condition:**

Hedgerow translocation - No works in relation to the translocation of any section of any existing hedgerow shall commence unless a Method Statement for those works has been submitted to and approved in writing by the local planning authority. The Method Statement shall include a detailed mitigation plan for any protected species that are known or are likely to use the hedge for nesting (including dormice and breeding birds) and the method and timing of the translocation of the hedge. All works should subsequently be carried out in accordance with the approved details and programme.

**Long-term Maintenance and Management of hedgerow**

**Condition:**

To ensure the long-term viability of all retained, translocated and newly planted trees, hedgerows and shrubs on site, an assessment of their condition must be carried out by an Arboricultural Association (AA) approved arboricultural contractor or professional arboriculturalist every two years for the first six years, to ensure that the tree stock is managed for its health and safety and its lifespan and coverage optimised.

**Landscape Ecological Management Plan (LEMP)**

**Condition:**

No development, including any site enabling works or vegetation clearance, shall take place unless a Landscape Ecological Management Plan (LEMP) has been submitted to and approved in writing by the LPA.

The LEMP shall cover a ten year period and shall include; (1) Measures for the establishment, enhancement and management of habitats within the site, including planting schedules and details of ongoing management. (2) A programme and timetable for the implementation of the works and for subsequent management activities as well as a monitoring schedule for habitats and species, post completion. All measures and works shall be completed in accordance with the approved details and programme. The LEMP shall include the recommendations outlined in section 6.5.1 and 6.5.3 of the addendum to the ES report.

**Lighting Strategy: Condition**

A sensitive lighting plan shall be adopted to protect bats, badgers and other nocturnal species, and to protect nearby habitats. A plan showing location and specification for any proposed lights on the site must be submitted to the LPA for approval, prior to any determination.

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The lighting plan should reflect the Bat Conservation Trust's Bats and Lighting in the U.K. (2018) guidance (with light levels only between 2700-3000 kelvin).

**Landscaping**

The use of native species of local or at least Welsh provenance and species of known benefit to wildlife in any soft landscaping scheme associated with the development is essential, together with use of diverse seed mixes for lawns/ gardens to enhance the habitat for local birds and invertebrates. This will improve ecological connectivity across the site and with other nearby habitats.

**Condition:**

A Landscape and Planting Scheme strategy shall be submitted to the LPA for approval, prior to determination

**Construction Environmental Management Plan (CEMP)**

A detailed Construction Environmental Management Plan (CEMP) is required to be submitted to the LPA for approval and must outline all necessary pollution prevention measures (especially regarding any nearby water bodies such as the Afon Llan and the Carmarthen Bay & Estuaries SAC, Burry Inlet SPA and Ramsar site and the Burry Inlet and Loughor Estuary SSSI), for the construction and operational phase of the development (and proportional to the size of the development).

**Condition:**

No development approved by this permission shall be commenced until a CEMP detailing all necessary pollution prevention measures for the construction and operational phase of the development is submitted to and approved in writing by the LPA. The details of the CEMP shall be implemented as approved.

**Reason**

Prevent pollution of controlled waters and the wider environment.”

**Updated Comments:**

**Bats**

Please note all previous comments submitted. Following receipt of the above reports, the following comments apply:

Section 6.3 of the Second Addendum to Environmental Statement (Feb 2020) confirms that following DNA analysis of the droppings, the species concerned is Soprano pipistrelle. The report also states that bat activity was recorded not only of Soprano pipistrelle, but also of common pipistrelle and noctule bats.

The previous 2019 Addendum (Appendix 6.1 additional bat survey) stated that a small, non-breeding bat roost was present within the Parc Mawr farmhouse and no evidence of roosting bats was associated with other buildings on site. The 2020 Addendum report also confirms that the Parc Mawr farmhouse is a bat roost for both common and soprano pipistrelle.

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As per the 2019 addendum, the 2020 report concluded that no evidence of roosting bats was found in any of the other buildings or structures on site. However, use of the structures by individual bats as night roosts could not be precluded.

However, as Parc Mawr Farmhouse is a confirmed bat roost, any future renovation work to the building will require a European Protected Species Licence, prior to the commencement of the work and pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017).

In addition, bat surveys for 31 Gorseinon Road were last undertaken in January 2017. This building is scheduled to be demolished. Although the 2017 surveys found no bat evidence, they are now out of date. Best practice guidance states that the findings of a survey are considered valid for a period of 2-years. Therefore, an updated bat assessment of the building is required to be undertaken and the report submitted to the LPA for approval, prior to any demolition works.

**Trees**

Mature trees on site were identified as having high bat roost potential in the 2015 report. It is noted that these trees are to be retained and will be unaffected by the proposed development.

**Condition**

If any trees are to be felled or impacted by the proposals, a fully updated bat roost tree survey shall be undertaken prior to any tree works being carried out, or any site works commencing, and submitted to the LPA for approval.

**Habitats**

It is noted that the ES Non-Technical Summary states in section 5.6 that mitigation measures incorporated into the construction phase will include the retention/ protection of as much woodland, grassland, scrub, ditches, running water and hedgerow habitat as practicable. I am also pleased to see the incorporation of some of the habitats into proposals including; Habitat Retention, Green Corridors and Buffer Zones around natural features, combined with ongoing future management of these habitats.

**Marshy grassland & marsh fritillary**

As per previous comments, restoring the connectivity of marsh fritillary habitat between the development site and Nant-y-Crimp SSSI will enhance the habitat for the protected marsh fritillary, particularly as devil's bit scabious is present on site. Section 6.4.8 notes that the more valued areas of on-site Marshy Grassland will be retained and form part of the Green Infrastructure into the Concept Masterplan Layout.

**Condition**

A specific marsh fritillary/marshy grassland management strategy shall be submitted to the LPA for approval, prior to any determination.

**Landscape Ecological Management Plan**

Please see previous comments. In addition, future management proposals for the marshy grassland, and other protected habitats (to be retained or created) shall be included within the proposed LEMP.

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Condition:

The Landscape and Ecological Management Plan (LEMP) shall be submitted to the LPA for approval, prior to determination. The LEMP shall include details of:

1. mitigation measures outlined in Section 6.5.1 (Vol 2 of the ES)
2. further updated tree and building bat surveys to be carried out for each phase as stated in section 6.3.68 and 6.3.74 of the ES
3. Management plans for the retained habitats
4. Method statement for translocating existing hedgerows which are currently proposed to be removed
5. A landscape masterplan detailing planting of wildlife-friendly native species
6. Details of SUDs and other wetland features which provide benefits to wildlife.

Landscaping

The green verged should be planted with native and perennial wildflower species, with raingardens created at suitable locations.

SuDS

It is noted that the proposals include green roofs, rain-gardens, tree pits, permeable surfaces and swales, in addition to detention basins and ponds. However, further details are required of how these features will be designed to benefit biodiversity.”

Further Comments:

“Green Blue Infrastructure Strategy, Soltys Brewster, Jan 2020  
Design and Access Statement  
Phase 1A planting scheme

Please also refer to all previously submitted ecological comments.

It is acknowledged that Phase 1A has attempted to incorporate the sensitive environmental effects identified in the ES within the design of the development, particularly in terms of ecological aspects. Mitigation measures to avoid or minimise impacts on biodiversity and enhancement of GI related assets during construction and operation were also identified, including: retention/protection of as much woodland and trees, grassland, scrub, ditches, running water and hedgerow habitat as practicable.

The details contained within page 62 06 GI Phase 1A Addendum – Ecology section are noted.

It is acknowledged that 62 bat/bird boxes are proposed to be incorporated into Phase 1A. However, the location of these is unclear and further details are requested, in terms of the proposed type of bat and bird box, the species they are providing for and the location shown on an architectural drawing. This shall be submitted to the LPA for approval.

It is also noted that hedgerows will be retained wherever possible, and gaps planted with native species where appropriate. Whilst there are also proposals for planting new hedgerows, I would still advise that as per my previous comments, translocation elsewhere on site of the existing species-rich hedgerows which are to be lost should be fully considered. Further details of this and the proposed hedgerow translocation methodology is required to be submitted to the LPA for approval.

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Page 42 of the Green/Blue Infrastructure Strategy. D. Parc Mawr Grasslands (north-west) emphasises the importance of this area as ecologically significant grassland habitat. It also states that a network of informal paths will be created. This will allow further access to the habitat. However, I would advise that as previously requested, a management plan for the marshy grassland and marsh fritillary shall be submitted as part of the LEMP. This shall also consider the impact of allowing this extended access to the site from the public, and propose how this will be managed to ensure that the marshy grassland is protected and does not suffer any degradation.

The Green/Blue Infrastructure Strategy further states that habitat management of new and retained features will be undertaken. It is advised that full details of this proposed management are also required to be submitted to the LPA for approval, as part of the LEMP.

The submission of the ECOP on page 43 is acknowledged. However, to protect the badger sett from any possible harm, the location should not be publicised to the wider public.

I am satisfied that my comments regarding the planting of the green verges have now been incorporated. I acknowledge that all amenity grass areas G1, are now the EL1 flowering lawn mix which will feature Lady's bedstraw *Galium veru*, Oxeye daisy *Leucanthemum vulgare*, Birdsfoot trefoil *Lotus corniculatus* and Red clover *Trifolium pratense*, together with a mix of native grass species.

**Bats**

**Condition:**

Pre-demolition/site clearance surveys for bats and nesting birds (including the future demolition of 31 Gorseinon Road) shall be undertaken. These surveys shall update the results of the 2017 survey findings. A licensed bat worker/Ecological Clerk of Works (ECoW) shall be employed to oversee the demolition work and check for any evidence of nesting birds or roosting bats. The ECoW shall be in attendance when parts of the roof and other external features are dismantled. They shall supervise a 'soft strip' methodology to minimise the chance of bats being killed/injured and take appropriate measures should bats be located."

**5.10 Arboricultural Officer:**

"No significant trees are to be removed.

The loss of trees in the hedgerows will be more than compensated for by the proposed landscape planting.

The impacts of the proposed access road to the south have been clarified and the road will not affect the restored ancient woodland.

The proposed tree protection plan is suitable to be adhered to in a condition if the scheme is approved.

**5.11 Landscape Officer:**

"I have no objection to the application with all matters reserved.

Generally the layouts and visual context are well resolved and appropriate for the development. What is particularly encouraging is the retention of existing landscape features, trees, hedges, grassland etc and the general integration of green infrastructure and connectivity throughout the proposal that should deliver a community that will benefit from sustainable linkages to adjacent centres.

There are no trees protected by TPO nor is there a Conservation Area within the site. The impact assessment identifies two category B trees that will be removed. The loss of these two trees can be mitigated within a suitable landscape scheme.

It is premature to comment in detail on tree or shrub species at this stage and while many are suitable, some may not be, depending on precise location and the character of those new places. For that reason with all matters reserved the general approach appears sound. Particular care should be taken to ensure there is no ongoing conflict between larger growing tree species and underlying or other services and this will need to be demonstrated in highway designs, precise locations of man holes etc. and that adequate space is retained to allow large tree species to grow to maturity. Large trees are a vital and important element in healthy communities but are often relatively slow growing; for that reason consideration needs to be given to planting strategies that sustainably morph from 1 epoch to the next. Consideration should also be given for the translocation of soils from those species rich hedgerows that are to be removed to those new hedgerows that are required in mitigation of those changes. Details of Tree planting in built up areas need to demonstrate sufficient root holding and water holding capacity to nurture the trees to maturity while protecting adjacent surfacing and structures and future conflicts between buildings and trees.

There is clearly an opportunity to build on the character of the differing 'places' by variations in planting to the benefit of the wider community.

At the current scale and level of detail the extent of planting seems appropriate; however and for some of the reasons outlined above there is likely to be a need for greater diversity and variation in tree, shrub and seeding mixtures to fully adapt to the detail design in due course. While the general principles and approaches are sound the final detail designs should not be constrained by the details supplied in the documents to date.

I make the following specific comments on the Soft Landscape Plan (Phase 1a) Figure 7.24 P04

Specifically the following comments are made on the general suitability of the species for their particular locations, within the context of their impact in the creation of Place and their suitability for retention and protection within the landscape by tree preservation orders. I am mindful that by condition they have to be retained for 5 years.

1. I have got some reservation over using single species as discreet avenues throughout the development (with different species at different locations at street level) in terms of resilience to future pests and diseases. I appreciate it creates different character along lengths of road, but this could be done as separate characters with species of similar sizes in any 1 area and increase resilience.

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2. Specification of *Carpinus* 'Streetwise' as street trees; the named variety is not available. Cultivars of *Carpinus* may have issues of spread / shallow rooting depending on cultivar. Where directly South and to the frontage of properties (Plots 09 , 10, 11 and 12 ) they are likely to be an ongoing conflict and alternatives should be considered. Consider *Acer Scanlon* as a suitable street tree.
3. *Populus tremula Erecta* is suggested for use to the rear of plots 44,46 and 48; 126/127,128/129,145. This is a very tall narrow form that would be incongruous in this established landscape; it is also brittle, likely to sucker and is unlikely to survive within a garden setting. Consider change to a rounder and possibly shorter species e.g. *Acer campestre* 'Louisa Red Shine', *Crataegus Paul's Scarlet*, *Malus trilobata*, *Malus floribunda* or similar.
4. Re the use of *Amelanchier* to the frontages of plots 35 and 36, 71, 72, 52, 156, 160 and 162 change to a small tree species such as *Sorbus aucuparia*, so that in due course they can be protected and therefore retained within the streetscene, in particular for through roads. My concern is that otherwise if these 'shrubs' were to be removed there would be no recourse to replanting leaving a large 'gap' between plot 30 and 43. Is there some scope for a small tree to the front of Plot 37 for the same reason.
5. I note the use of *Sorbus Joseph Rock* in informal / naturalistic areas, consider using the native *Sorbus aucuparia* as an alternative to the south west of Plot 149. I have no problem with its use to the rear of Plot 10.
6. Consider using *Crataegus monogyna* or other native south of G138 instead of *Pyrus Chanticleer*
7. There scope for a small tree to the South east – garden of plot 117 and South West of Plot 107?
8. Additional tree to NE corner of garden to plot 173 and SE of garden of 162. (Possibly Birch? I note the Birch shown to the rear of P165)
9. I note the use of both *Acer campestre* 'Streetwise' and *Acer campestre* and superficially how similar they both are, (the former benefits from a 'neater' habit in the street scene); the latter is larger and less regular than Streetwise and there is an opportunity for more seasonal interest by using *Acer campestre* 'Louisa Red Shine' for rear gardens as opposed to *Acer campestre* (as suggested above); it has the same valuable uses as the native parent with greater season long interest within the curtilage of buildings. Consider also to rear of Plots 92,93,100,101,114,178.
10. There also seems to be an opportunity for the inclusion of small trees to the South of plots 138-145 instead of *Cercis siliquastrum* consider a mixture of *Malus evereste* and *Malus Rudolph*; for similar reasons outlined for a different species in 4 above.
11. I have not tried to be overly prescriptive and welcome further discussions on alternatives
12. I note the use of some larger growing species that are welcome."

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### 5.12 Public Rights of Way Officer:

“Footpath LC28 runs through the southern end, and alongside the Western border of the development and will be affected by the new highway link in the south.

In the past it was agreed with the landowner that much of this footpath on the adjoining land can be used as a permissive bridleway so we would look to have the pedestrian access denoted on the west of the site (point 14) dedicated as a public bridleway (see attached map). The route may require gates at either end of the path and would make a fantastic link for families to get into the wider community, even on bikes.

Where the footpath kicks off to the South East across the fields, horse riders can continue on the adopted highway to link into the old Swansea Road and thence back northwards (see attached map) this should be taken into account with point 19. The Countryside Access Team have been looking at how to link up the new Felindre urban village, Penllergaer Woodland and this area for a number of years now, and would wish to retain these possible links for the future.

At point 21 there should be suitable access to link the footpath / permissive bridleway into the development – to run alongside the road northwards. This should be at a suitable angle, camber, width and surface to take into account potential users.

A link to the underpass at point 22 would be handy. This would enable people to link into the access land to the south of the road and may also help to link some of the strategic sites.

The document states foot / cycle links – can this be amended to foot/ cycle / bridleway links. As it is still such a rural area, with a system of bridle paths already in existence it would be handy. It will also make sure that any design does not inhibit horse riding. No staggered bollards, motorbike inhibitors. (points 10, 13 and 16 to mention bridleway).

It would be useful to have point 25 as a bridleway and to link this with the route at point 14.

Point 35 and a general point - ensure that excess water is not deposited on the common, (and as a result the public right of way). This is already a wet area, which the development should avoid exacerbating.”

### 5.13 Parks:

With regard to the above mentioned Planning Application, having looked at the site plans of the proposed development, obviously at this stage it is difficult to know the full extent of the proposals or what it does entail but I have made some comments which I wish to be taken into consideration and are outlined below.

- In principle, we have no issues with adopting any POS or Play facility providing an appropriate Section 106 contribution is received.
- A commuted sum will be required from the developer for future maintenance of any PLAY facility, tree maintenance/management or POS carried out by the Parks Service.
- Provision of a copy of an up to date Tree Survey of existing trees which are to be retained and which will be included on any areas of POS within the development prior to any adoption for future maintenance.
- The future responsibility of the existing trees on the development which have been identified as being retained.



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- Public Open Space - the Parks Service would require further detail of the actual landscape layout and if applicable an appropriate planting schedule which will list the proposed species of trees and shrubs to be planted prior to final planning approval to determine any maintenance and/or safety implications.
- Areas of POS to be in an acceptable and maintainable condition prior to adoption for future maintenance.
- Outdoor Play NEAP/LEAP/LAP – the addition of play provision in this area would be acceptable to the Parks Service due to the extent of the proposed development, whether there will be the demand for the amount of play facilities that is specified is debatable, we would recommend/prefer a mixture of less LEAP's/LAP's and a larger NEAP and are happy to discuss if required, consideration should also be given that there is an existing LEAP situated on Gorseinon common which is only about 250m from the LEAP that is proposed for the Village Green. We will however require further details of the design and layout of the proposed play areas and details of the supplying manufacturer prior to approval.

#### 5.14 Commons Registration:

“The area edged in red on the plan accompanying this search request is adjacent to CL 44 - Mynydd Garnoch Common.”

#### Invasive Species:

“Knotweed

Various locations

Planning condition CL12 must be placed upon this application.

A detailed scheme for the eradication of Japanese Knotweed shall be submitted to and approved in writing by the Local Planning Authority, and shall be implemented prior to the commencement of work on site.

Reason - In the interests of the ecology and amenity of the area

In order for the condition to be discharged, the developer must devise an appropriate and suitable method statement, acceptable to myself, for the control of the plant.”

#### 5.15 Beyond Bricks and Mortar:

“In response to the Planning application above, I would like the wording that follows to be included as a planning obligation. Swansea Council's Community Benefits Policy requires us to obtain community benefits from developments in the County as part of our impact on deprivation and alleviation of poverty:

The level of growth proposed over the plan period, together with the delivery of the infrastructure to support it, has the potential to support hundreds of new jobs, training and work experience thus facilitating a wider distribution of economic benefit and supporting sustainable communities.

Beyond Bricks and Mortar (BB&M) is the Council's Community Benefit policy which aims to ensure that the Council takes advantage of the opportunities arising from new developments and bring added benefits to the people, businesses and communities of Swansea.

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The initiative's main focus is to bring economically inactive people back into the labour market and develop employment progression routes to enable these people to move on to higher skilled, higher paid jobs so contributing to the alleviation of poverty. As part of the construction phase of new developments BB&M seeks to include community benefit clauses to implement a targeted recruitment and training approach, thereby increasing job and training opportunities for unemployed and disadvantaged residents.

In order to maximise these opportunities the following is requested:

Targeted Recruitment and Training (TR&T)

- Training places and work experience opportunities are made available on site through contractors and subcontractors. The number of person weeks of training calculated at approximately 52 person weeks of training per £1 million of development cost for New Entrant Trainees, Apprentices or other trainees.
- Every vacancy on site, including those with sub-contractors to be notified to BB&M at least 10 working days prior to the commencement of any recruitment process to enable applicants from unemployed and economically inactive to apply. They should be given equality of opportunity in the process.
- The completion of documentation and maintenance of a spreadsheet record, shared with BB&M, which will enable economic benefit data to be compiled.
- Supply chain and subcontracting opportunities should be publicised on [www.sell2wales.gov.uk](http://www.sell2wales.gov.uk) and notify BB&M when doing so.”

**5.16 Natural Resources Wales (NRW):**

“Our advice within this letter relates to both the overall outline planning permission sought for the entire site, and the full application for Phase 1A of the development. The conditions below are applicable to both applications.

We continue to have significant concerns with the proposed development as submitted. We recommend you should only grant planning permission if you attach the following conditions to the permission. Otherwise, we would object to this planning application.

Condition: A Landscape and Ecological Management Plan (LEMP) shall be submitted, agreed and implemented, to ensure future phases are in accordance with an overall strategy for the site.

Condition: Submission, agreement and implementation of a Construction Environment Management Plan (CEMP) for the protection of watercourses across the site.

Condition: Any unsuspected contamination not previously identified on site to be remediated appropriately in agreement with the Local Planning Authority.

1. Ecology

1.1. European Protected Species - Bats

We welcome the submission of the documents entitled;

- ‘Parc Mawr, Penllergaer: Day-Time Building Inspection and Activity Report’, dated 24 June 2019, by Soltys Brewster Ecology Limited,

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- Drawing No. 13119/1000/A-2 B 'Parc Mawr, Penllergaer – Demolition Plan (Amendment B)', dated 31/10/19, by pad Design Ltd, and;
- Environmental Statement: Land at Parc Mawr, Penllergaer, Swansea (Second Addendum to Environmental Statement)', dated February 2020, by Asbri Planning Ltd.

In our previous response (28 November 2019), we highlighted the need to provide additional clarification as to whether the assumed Myotis dropping had or could be subject to DNA analysis, to confirm the exact species present.

We welcome the confirmation provided in Section 6.3 of the Second Addendum to Environmental Statement (February 2020), that a DNA analysis of the droppings was carried out and has confirmed that they belong to: Soprano pipistrelles.

This result would appear to be consistent with Sections 3.10 and 3.11, of the above bat report, which state that activity and calls from: Common pipistrelles, Soprano pipistrelles and Noctule bats were recorded.

We note that Section 5 (Conclusions and Recommendations) of the bat report confirms that the Parc Mawr farmhouse is a bat roost. Although, based on the findings of the DNA analysis it now appears that Myotis spp. are not present and instead the Parc Mawr Farmhouse is a confirmed roost for Common pipistrelle and Soprano pipistrelle.

The report confirms that no signs of roosting were noted in any of the other buildings / structures at the site, although the use of the structures by individual bats as night roots could not be precluded.

Section 5.3 also confirms that the farm-site is to be renovated as part of the overall Parc Mawr development, although the exact timings and extent of the renovation work are yet to be determined. The drawing entitled; 'Parc Mawr, Penllergaer – Demolition Plan; (Amendment B)', dated 31/10/19, by Pad Design Ltd, also indicates that several of the structure at the farm-site are to be knocked down as part of the development.

Therefore, if the phasing of the proposed development means that the renovation and/or demolition work on the farm-site will not commence within 2-years of the current survey, it will be necessary to provide updated activity surveys, to ensure that the current findings remain accurate.

In addition, any future development of the farm-site must consider lighting and connectivity to the wider landscape, to ensure that the bat roost is not negatively impacted, as a result of the development.

#### Policy and Legislation

Bats and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017 (as amended). Where bats are present and a development proposal is likely to contravene the legal protection they are afforded, the development may only proceed under licence issued by Natural Resources Wales, having satisfied the three requirements set out in the legislation. A licence may only be authorised if:

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- i. the development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.
- ii. There is no satisfactory alternative and
- iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that your Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

On the basis of the above report, we do not consider that the development is likely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range, providing that a suitable roosting resource is retained for the species concerned.

However, given that the Parc Mawr Farmhouse is a confirmed bat roost, any future renovation work to the building will require a European Protected Species Licence, prior to the commencement of the work.

Therefore, we do not object to the proposal but in accordance with the 'Dear Chief Planning Officer (CPO)' letter issued by Welsh Government on 1st March 2018, we request that the following informative is attached to any planning permission granted by your Authority:

A European protected species (EPS) Licence is required for this development. This planning permission does not provide consent to undertake works that require an EPS licence.

It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine.

To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on: 0300 065 3000 or at:

<https://naturalresources.wales/conservation-biodiversity-and-wildlife/european-protected-species/?lang=en>

Development should not be commenced until the Applicant has been granted a licence by Natural Resources Wales pursuant to Regulation 55 of the Conservation of Habitats and Species Regulations (2017) authorizing the specified activity/development to go ahead.

Please note that any changes to plans between planning consent and the licence application may affect the outcome of a licence application.

We also wish to highlight that Section 6.2.33 of the original Environmental Statement mentions that a ground-based inspection of trees for their potential to support roosting bats was carried out in April 2015.

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A number of mature trees, with high roost potential were identified on site within a central trees corridor that extends west from the farmyard, and in a copse located within the eastern extent of the site and in the southern retained woodland corridor.

It is confirmed that these trees are to be retained and will remain unaffected by the development. However, should this change then additional surveys will be required, prior to any works on the trees taking place.

Section 6.2.33 of the ES, goes onto state that 3 trees were identified, as having high/moderate potential to support roosting bats, within the footprint of Phase 1A of the development and as a result, were surveyed in September 2015. Further details of the trees and the survey effort are given in Section 6.3.68. Although, no bats were identified as roosting within the trees during the above survey, it was unclear whether any of these trees will be affected by the Phase 1A development.

Therefore, we welcome the clarification provided in Section 6.4 of the Second Addendum to Environmental Statement (February 2020), that all the moderate-high potential trees surveyed are either being retained or are a part of a further phase of the development. Nevertheless, given that over 4-years have now passed since the last tree survey, it is possible that other trees, may have developed potential roosting features (PRF's), in the intervening years. Therefore, we advise that any trees which are to be felled or subject to other works as part of the development, should also be re-assessed, prior to works commencing.

Finally, as stated in our previous responses, and outlined in Section 6.2.34 of the original Environmental Statement (ES), we are aware that dwelling No. 31 Gorseinon Road, is to be demolished to create the access road into the site, and that it was assessed for bat roosting potential through activity surveys in September 2015, with an updated building inspection in January 2017. The surveys found no evidence of roosting bats in the dwelling.

Best practice guidance states that the findings of a survey are considered valid for a period of 2-years. Therefore, if the above dwelling has yet to be demolished, and given that the last survey was carried out in January 2017, we advise that the need for an updated bat survey / assessment should be discussed with your Authority's Planning Ecologist, in order to confirm that the findings of the previous surveys remain the same / valid, prior to demolition taking place.

#### 1.2. Marshy Grassland and Marsh Fritillary Butterfly

Section 6.3.21 of the (original) Environmental Statement (ES) provides additional details as to why the potential for Marsh Fritillary Butterfly presence on site was ruled out. The justification provided in this section states that as the habitats were intensively managed on site and there is no suitable connecting habitat between this site and Nant-y-Crimp Site of Species Scientific Interest (SSSI), there is considered to be no potential for Marsh Fritillary use of the site.

Nevertheless, we advise that with appropriate management, it may be possible to restore the conditions for Marsh Fritillary, given that Devil's Bit Scabious is noted as being present. Therefore, we recommend that a suitable management strategy should be agreed with your Authority's Planning Ecologist.

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Section 6.4.8 notes that the more valued areas of on-site Marshy Grassland will be retained and form part of the Green Infrastructure into the Concept Masterplan Layout. It also notes that inappropriate, or lack of management of the habitat could result in a reduction of species diversity over time. We welcome that the potential importance of this habitat for Marsh Fritillary is acknowledged, and advise that the future management of marshy grassland, along with other protected habitats identified are included within the proposed LEMP (see Section 1.3 below).

### 1.3. Landscape and Ecological Management Plan

From the information provided it is apparent that there are a number of valuable habitats within the site boundary of the proposed development. These habitats are valuable at both a local and county level. With appropriate management some of the habitats have the potential to be significantly improved for their biodiversity value.

New legislative framework put in place by the Well-being of Future Generations Act 2015 and Environment (Wales) Act 2016 present the Welsh Government's commitment to change the approach to the use and management of natural resources and reverse the decline in biodiversity. As part of our duty as a public body we encourage the applicant to minimise further biodiversity loss resulting from this development or mitigate fully for the predicted impacts on biodiversity

We are pleased to see the incorporation of some of the habitats into proposals including; Habitat Retention, Green Corridors and Buffer Zones around natural features, combined with ongoing future management of these habitats.

However, we note that some of the valuable on-site habitats will be lost or altered as a result of the proposal. As these habitats will support a range of other wildlife, it is important that this development is designed and laid out in a manner which protects and incorporates as much of the existing habitats and landscape features as is feasible.

We are supportive of the plans to replant the species rich hedgerows which will be lost. However, we continue to advise that the translocation of the existing hedgerows should be considered, wherever possible, as this will ensure that the hedgerows are mature enough to support species using the site, without a time delay, while the plants become established.

We also wish to repeat the comments made in our previous response (CAS-104055-D4S0), dated 28 November 2019, in relation to the document entitled; 'Environmental Statement: Land at Parc Mawr, Penllergaer, Swansea (Addendum to Environmental Statement)', dated November 2019, by Asbri Planning Ltd.

Section 6.1.13 of the above Addendum, highlights that a revised Phase 1 Layout Plan (15071/(05)/101/Z) and an amended Concept Masterplan (13119/3200/G) have recently been submitted. We note that updated calculations have indicated that the loss of hedgerows has been reduced from 4702-metres, in the original ES, to approximately 2621-meters, as part of the new Concept Masterplan.

Furthermore, Section 6.1.14 indicates that it previously stated that the proposed soft landscaping associated with the development would provide approximately 6552-metres of hedgerow planting, equating to a net gain of ~~4165~~ 1887 metres (Section 6.4.34).

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However, the updated figures propose approximately 6333-metres of hedgerow planting equating to an approximate increase of 3712-metres of hedgerow resource, which is an increase from the original Phase 1a Layout and Concept Masterplan figures.

Section 6.5 of the new document entitled; 'Environmental Statement: Land at Parc Mawr, Penllergaer, Swansea (Second Addendum to Environmental Statement)', dated February 2020, by Asbri Planning Ltd, states that although the revised Phase 1a layout and amended Concept Masterplan have been altered from those assessed in the previous ES Addendum (November 2019), the amended plans have been reviewed and the net gain associated with scheme is unchanged, since that last submission.

Therefore, we remain supportive of these hedgerow planting measure and recommend that the planting, species-mix and buffer zones around the hedgerows are discussed and agreed with your Authority's Planning Ecologist in order to maximise their value in relation to biodiversity and their functioning as wildlife corridors across the site and the wider landscape. We advise that the following condition is added to any planning permission that your Authority may be minded to grant:

Condition: We welcome the mitigation measures outlined in Section 6.5.1 within Volume 2 of the Environmental Statement (ES). We advise that these measures should be provided in detail within a Landscape and Ecological Management Plan (LEMP).

The LEMP should include the measures in section 6.5.1, along with:

- Updated further tree and building bat surveys to be carried out for each phase as stated in section 6.3.68 and 6.3.74 of the ES
- Management details of retained habitats for their enhancement and longevity.
- Consideration of translocating existing hedgerows which are proposed to be removed
- A landscape masterplan
- We recommend integrated SUDs and wetland features that provide landscape and wildlife benefits, and not purely water attenuation. This should be considered and should be tied into the Landscape Masterplan

#### 1.4. Construction Environmental Management Plan

The biggest risk from a pollution viewpoint, occurs during construction. Therefore, the developer should plan the works carefully, so that contaminated water cannot run uncontrolled into any watercourses (including ditches).

Condition: The developer should produce a site-specific Construction Environmental Management Plan (CEMP) detailing all necessary pollution prevention measures for the construction phase of the development.

The method statement should identify the following as a minimum.

- Storage facilities for all fuels, oils and chemicals.
- Details on any water features on the site and how they will be protected.
- Full details of how any watercourses will be crossed or confirmation that this is not applicable.

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- Any sources of pollution (including silt), potential pathways for that pollution to enter any watercourses within the vicinity of the site and appropriate pollution control measures to be implemented on site.
- Details of the nature, type and quantity of materials to be imported on to the site.
- Measures for dealing with any contaminated material (demolition waste or excavated waste).
- Details on waste types that will be produced and how they will be managed.
- Details on any invasive species on site and how they will be managed.
- Identification of any buried services, such as foul sewers, so that they are protected.
- Details of emergency contacts, for example Natural Resources Wales' Pollution hotline 0300 065 3000.

The Method Statement should then be efficiently communicated to all contractors and sub-contractors (for example, via toolbox talks) and any deficiencies rectified immediately.

### 1.5. Habitats Regulations Assessment

There are numerous streams on site which run into the Afon Llan, which provides a direct hydrological link between the application site and Carmarthen Bay and Estuaries Special Area of Conservation (SAC), Burry Inlet Special Protection Area (SPA) and Ramsar site, and Burry Inlet and Loughor Estuary Site of Special Scientific Interest (SSSI).

Regulation 63 of the Conservation of Habitats and Species Regulations 2017 requires you, as the competent authority, to undertake an appropriate assessment of any plan or project which is likely to have significant effects, either alone or in combination with other plans and projects, on the SAC, SPA and Ramsar site.

We advise that your Authority must satisfy itself that there are no likely significant effects, either alone or in combination with other plans and projects, and if necessary, undertake an appropriate assessment of the implications of the proposed scheme for the designated sites in view of their conservation objectives, before granting planning permission.

### 2. Contaminated Land

There is no evidence of land within the red-line boundary being affected by contamination. However, given the vast size of the site, waste may have been deposited on land at the farms. Therefore, it is possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated.

As a result, we advise that the following condition, relating to unsuspected contamination, is attached to any planning permission your Authority may be minded to grant.

Condition: If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.



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### 3. Landscape and Visual Impact

We note that Chapter 7 of the (original) Environmental Statement states that: 'The Gower AONB is located approx. 5.1 km to the south west at its nearest point. Based on the limited visibility and distances, the significance of the effects of the development on the AONB is considered negligible and therefore not considered further in this assessment.' We agree with the above assessment, and do not consider that there would be a significant visual effect on the Gower Area of Outstanding Natural Beauty (AONB).

Additional Landscape and Visual information is provided in Chapter 7 the document entitled; 'Environmental Statement: Land at Parc Mawr, Penllergaer, Swansea (Addendum to Environmental Statement)', dated November 2019, by Asbri Planning Ltd.

We note that this further detail is in relation to policy updates and the adoption of the Local Development Plan (LDP). As highlighted in our previous response, we continue to recommend the use of integrated SUDs and wetland features, which provide landscape and wildlife benefits, and not simply water attenuation.

This is referred to under Section 1.3 (LEMP) above. We note that there appear to be a lot of engineered slopes leading from the housing down into the water features and open spaces. We advise that the transition between these areas should be achieved sympathetically, particularly if these areas are to be readily accessible, attractive, and useable open space.

We also note that Section 7 of the newly submitted document entitled; 'Environmental Statement: Land at Parc Mawr, Penllergaer, Swansea (Second Addendum to Environmental Statement)', dated February 2020, by Asbri Planning Ltd, also refers to some minor amendments. We have no additional comments to make in relation to these matters.

### 4. Foul Water Disposal and Memorandum of Understanding

We note that it is intended to dispose of foul water to the main sewerage system, which is our preferred and most sustainable method of foul water disposal. Please note that we would oppose any alternative proposal for a non-mains drainage system at this location. We also note that further details in relation to policy updates and the adoption of the Local Development Plan (LDP) are given in Chapter 11.0 (Water Quality) of the document entitled; 'Environmental Statement: Land at Parc Mawr, Penllergaer, Swansea (Addendum to Environmental Statement)', dated November 2019, by Asbri Planning Ltd. We also note that Chapter 10 of the Second Addendum to Environmental Statement, mentions that an updated Drainage Strategy (February 2020), has also been submitted. As the design of the drainage system is ultimately a matter for Local Authority Drainage Engineers, we recommend that you discuss this with them.

### 5. Green Infrastructure

We welcome the submission on the new document entitled; 'Parc Mawr, Penllergaer, Swansea: Green/Blue Infrastructure Strategy', dated February 2020, by Soltys Brewster Ltd.

We support the incorporation of Green Corridors, the Green Edge, Woodland Structure Planting and Street-trees into development design and that these have been included under the strategy landscape of the Green/Blue infrastructure plan. We also welcome the key elements in the ecological strategy, which have been integrated within the plan.

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Other Matters

Our comments above only relate specifically to matters included on our checklist, Development Planning Advisory Service: Consultation Topics (September 2018), which is published on our website. We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development.”

#### **5.17 CADW:**

“Having carefully considered the information provided with this planning application, we have no objections to the impact of the proposed development on the [scheduled monument(s) and / or registered historic parks and garden(s)]. Our assessment of the application is given below.

#### Our role

Our statutory role in the planning process is to provide the local planning authority with an assessment concerned with the likely impact that the proposal will have on scheduled monuments, registered historic parks and gardens, registered historic landscapes where an Environmental Impact Assessment is required and development likely to have an impact on the outstanding universal value of a World Heritage Site. We do not provide an assessment of the likely impact of the development on listed buildings or conservation areas, as these are matters for the local authority.

It is for the local planning authority to weigh our assessment against all the other material considerations in determining whether to approve planning permission.

#### Assessment

##### Scheduled monuments

GM199 Garn Goch Round Barrow

GM269 Mynydd Carn-Goch Roman Earthworks

GM410 Remains of Astronomical Observatory at Penllergaer

GM501 Melin Mynach, Gorseinon

GM502 Roman Practice Camp on Stafford Common

GM582 Cockett standing stone

GM596 Penllergaer orchideous house

##### Registered historic parks and gardens

PGW (Gm) 54(SWA) Penllergaer (grade II)

This application for a hybrid planning application comprising:

A) Outline planning application with all matters reserved (except those included in full application below) for residential led mixed use development of up to 850 residential dwellings in total (use class C3) to be developed in phases; primary school; provision of local centre including community facilities; spine road with links to Gorseinon Road, A483 and A484; and associated public open space/ play provision, highways, drainage, ecological mitigation, landscaping and engineering works;

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B) Full application for the erection of 186 dwellings and associated works as part of phase 1a of the development; access off Brynrhos Crescent; the demolition of 31 Gorseinon Road and demolition of identified Parc Mawr Farm buildings on land south of the A4240 Parc Mawr Penllergaer Swansea.

The above scheduled monuments are located inside 3km of the proposed development: However, intervening topography, vegetation and buildings are likely to prevent the proposed development being inter-visible with the above scheduled monuments with the exception of scheduled monuments GM199 Garn Goch Round Barrow and GM502 Roman Practice Camp on Stafford Common.

PGW (Gm) 54(SWA) Penllergaer is also located inside 3km of the proposed development but will not be inter-visible with the proposal but given its close proximity may be impacted by changes resulting from sound or light pollution.

GM199 Garn Goch Round Barrow comprises the remains of a earthen built round barrow, which probably dates to the Bronze Age (c. 2300 - 800 BC). The barrow is grass covered and measures 29.9m in diameter by 0.9m-1.7m high. The centre has been dug away and the foundations of a stone and brick building 4m square are visible. The mound was excavated in 1855 and found to contain a number of burials.

GM502 Roman Practice Camp on Stafford Common comprises a well-preserved practice camp dating to the Roman period (AD74-410). The camp was constructed as part of a military training exercise by auxiliary soldiers, who paid particular attention to the corners and entrances, which were the most difficult elements of a fort to build. The camp is roughly square on plan with rounded corners aligned to the cardinal points of the compass. It measures 53m by 46m, with a 3m wide and 0.2m high bank. It was connected with the nearby Roman auxiliary fort at Loughor. The camp lies on boggy heathland in the junction between two roads.

PGW (Gm) 54(SWA) Penllergaer is a former important estate lying in the Afon Llan valley to the north of Swansea and comprises a large-scale picturesque and Romantic landscape of the mid-nineteenth century, the creation of John Dillwyn Llewelyn, a nationally important figure in horticulture. The layout is of formerly wooded park and grounds, including lakes and an artificial waterfall and includes a large walled kitchen garden including the ruins of a pioneering orchideous house associated with the former house, now demolished.

The Environmental Statement by Asbri Planning submitted with this application includes a chapter (9) on Archaeology and Cultural Heritage which assess the impact of the proposed development on the designated historic assets above. It notes that GM199 Garn Goch Round Barrow is located some 650m west and GM502 Roman Practice Camp is located some 680m south west of the proposed development. Whilst urban areas have already compromised the settings of both scheduled monuments the proposed development will cause further intrusion although this will be mitigated partly by the retention along the west and south sides of the development of the present natural landscape which provides a level of screening derived from hedgerows and scrub.

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The Environmental Statement also considered the effect of the development on PGW (Gm) 54(SWA) Penllergaer, which is located some 150m to the east. Although not inter-visible it is concluded that the parks' setting will be impacted by increased noise in the immediate surroundings. In order to reduce these impacts additional mitigation is planned in the form of vegetation planting within the designed landscape.

The overall conclusion of the Environmental Statement is that there will be permanent very slight adverse effect to the settings of all three designated historic assets. We concur with this assessment and conclude that impact of the proposed development on the two scheduled monuments and the registered historic park and garden will be very slight and not significant.”

**Welsh Government Transport:**

“Following receipt of the Aecom response, we are satisfied that the applicant’s response covers off issues raised in the Jacobs note including those relating to modelling and the spine road which will be designed with a mix of 50mph and lesser speed limits making it more attractive as a route option. There will be an option to review the design at reserved matters.

The Welsh Government as highway authority for the M4 has no objection to make with regard to your latest consultation of 8/11/19, which includes phasing details.”

**Welsh Government Land, Nature & Forestry Division:**

“Thank you for consulting the Department in respect of the above application. This response is made in accordance with TAN6, Annex B6 and relates to technical information only; not the merits or otherwise of the proposal.

1. Agricultural Land Classification (ALC) Information.

A detailed ALC Survey has been undertaken on the site (Ref: RAC6850 – August 2015) and has previously been validated by the Department. Therefore the survey can be accepted as an accurate reflection of land quality on the area. The survey confirmed that the area surveyed contains 18.1ha ALC Subgrade 3a (BMV), 62.7ha Subgrade 3b and 7.0ha Grade 4 land.”

**5.18 Dwr Cymru Welsh Water:**

“Further to our previous comments (Ref: PLA0039652 & PLA0046064) on this application, we can confirm that the developer has engaged in discussions regarding the requirement for Hydraulic Modelling Assessments (HMAs) to be undertaken in order to establish suitable points of connection into the public sewerage and water supply systems.

On the understanding that 186 no. units within Phase 1a of the development site now proposes a point of connection for foul flows in Phoenix Way, as shown on Drawing No. 3825-130 and the Engineering Layout, we would advise that this phase may be accommodated within the public sewerage system subject to details of a surface water removal strategy in accordance with the Memorandum of Understanding (MoU) requirements as previous. Accordingly, whereas the remainder of development will require a HMA to be undertaken of the public sewerage system, we would request that the following Conditions and Advisory Notes are included, if minded to grant consent, to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets:

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Conditions No buildings on the application site shall be brought into beneficial use until such time as reinforcement works to the local water supply network, at which the development shall connect, have been completed as identified in a Hydraulic Modelling Assessment and written confirmation of this must be received by the Local Planning Authority.

Reason: To ensure the site is served by a suitable potable water supply.

No more than 186 units permitted under this permission shall communicate with the public sewer at or downstream of manhole SS60982001 and no development shall commence until a surface water removal strategy delivering sufficient compensation for the foul flows from the proposed development site is submitted to and approved in writing by the Local Planning Authority. Thereafter no dwelling hereby approved shall be occupied until the approved surface water removal strategy has been implemented in accordance with the approved details and written confirmation of this must be received by the Local Planning Authority.

Reason: To prevent hydraulic overloading of the public sewerage system and pollution of the water environment.

No reserved matters application shall be approved by the Local Planning Authority and no development of that reserved matter site shall commence until such time as reinforcement works to the local public sewerage system, into which the development shall drain, have been completed as identified in a Hydraulic Modelling Assessment and written confirmation of this must be received by the Local Planning Authority.

Reason: To prevent hydraulic overloading of the public sewerage system, protect the health and safety of existing residents, ensure no pollution of or detriment to the environment and to ensure the site can be effectively drained.

No reserved matters application shall be approved by the Local Planning Authority and no development of that reserved matter site shall commence until a scheme for the disposal of foul, surface and land water, for that reserved matter site and/or other identified part has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details prior to the occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

No reserved matters application shall be approved by the Local Planning Authority and no development of that reserved matter site shall commence until a surface water removal strategy delivering sufficient compensation for foul flows, for that reserved matter site and/or other identified part, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter no dwelling hereby approved shall be occupied until the approved surface water removal strategy has been implemented in accordance with the approved details and written confirmation of this must be received by the Local Planning Authority.

Reason: To prevent hydraulic overloading of the public sewerage system and pollution of the water environment.”

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**5.19 Glamorgan Gwent Archaeological Trust:**

“The supporting documentation includes an Environmental Statement, within which Chapter 9: Archaeology and Cultural Heritage addresses the impact of the proposal on the archaeological and historic environment resource. This chapter is supported by two documents, an archaeological desk-based assessment, and an archaeological watching brief report on geotechnical works.

The ES Chapter, the assessment and watching brief were undertaken by GGAT Projects (ES Chapter updated December 2018; DBA dated July 2018, reference 2018/036; watching brief dated October 2016, reference: 2016/061): these meet current professional standards. The process had gathered information within an agreed study area, from appropriate sources, regarding the known historic environment resource and historic assets, and assessed both the physical and visual impacts of the proposal on these, in order to determine appropriate mitigation. The assessment, which formed the basis for the ES Chapter, has identified further features within the development area, including historic hedgerows, historic farm buildings and earthwork features. As a result of this information, mitigation has included scoping some of these out of development, others will require archaeological intervention, as fieldwork and as recording, the levels and nature of which are detailed in Section 9.6 of the ES Chapter. The archaeological watching brief report detailed the findings of fifty nine geotechnical test areas (pits and soakaways) that were undertaken under archaeological supervision over the whole development area. These proved archaeologically negative, and removed the necessity for archaeological evaluation trenching.

We concurred with the results of the assessment process, and given the results of the watching brief, we therefore recommend that a condition, requiring the applicant to submit and implement a written scheme of investigation for a programme of archaeological work, should be attached to any consent granted by your Members.

We envisage that this programme of work will include an archaeological watching brief during any ground disturbing work; a historic hedgerow survey; and a historic building recording. It will ensure that a targeted programme of work can be facilitated, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that archaeological features that are located are properly excavated and analysed, and it should include provision for any sampling that may prove necessary, post-excavation recording and assessment and reporting and possible publication of the results.

To ensure adherence to the recommendations we recommend that the condition should be worded in a manner similar to model condition 24 given in Welsh Government Circular 016/2014.

No development shall take place until the applicant, or their agents or successors in title, has secured agreement for a written scheme of historic environment mitigation which has been submitted by the applicant and approved by the local planning authority. Thereafter, the programme of work will be fully carried out in accordance with the requirements and standards of the written scheme.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

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We also recommend that a note should be attached to the planning consent explaining that:

A detailed report on the archaeological work, as required by the condition, shall be submitted to and approved in writing by the Local Planning Authority within six months of the completion of the archaeological fieldwork

The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA) ([www.archaeologists.net/codes/ifa](http://www.archaeologists.net/codes/ifa)) and it is our Policy to recommend that it is carried out either by a CIfA Registered Organisation ([www.archaeologists.net/ro](http://www.archaeologists.net/ro)) or an accredited MCIfA level Member.”

### **5.20 Coal Authority:**

“The Coal Authority is a non-departmental public body sponsored by the Department for Business, Energy & Industrial Strategy. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

#### The Coal Authority Response: Material Consideration

The application site falls partly within the defined Development High Risk Area (DHRA); therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. It should be noted that the part of the application site where full planning permission is being sought (Phase 1a) is located entirely outside the DHRA.

The Coal Authority’s information indicates that thick coal seams outcrop at or close to the surface of the southern half of the site, which may have been worked in the past. The zone of influence of an off-site recorded mine entry (adit, CA ref. 261198-006) encroaches across the western boundary of the site.

The planning application is accompanied by a Geotechnical & Geo-Environmental Report prepared by Terra (Firma) Wales Limited. Whilst the covering page gives the report date as July 2015, we note that subsequent pages are dated June 2016. This report appears to have been prepared to inform development proposals over a larger area, but does appear to cover the entirety of the current planning application site.

#### **Outcropping coal seams**

Section 7 of the Geotechnical & Geo-Environmental Report acknowledges that the site is in an area where the Coal Authority believes there is coal at or close to the surface and that this coal may have been worked sometime in the past.

The report indicates that a total of eight boreholes were drilled within the site to maximum depths of 30m to establish ground conditions and to investigate coal mining legacy. It indicates that no coal seams were encountered during these investigations and the report author concludes that ‘Consequently, it is considered that the proposed development is not at risk from past shallow mining.’

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However, the Coal Authority considers that it is somewhat unclear as to precisely what the report author referring to when they mention the 'proposed development, as they go on to state that 'It should be noted that there is an area in the south west of the site which has a shallow coal seam outcropping which is currently not within in the area of the proposed development and has not been investigated at this time.'

Whilst we note the absence of coal/workings in the boreholes carried out at the site, the Coal Authority is concerned by the report's ambiguity regarding the adequacy and extent of these investigations.

As such, we consider that further suitably designed site investigations (boreholes) should be carried out across the part of the application site located within the DHRA, i.e. that part of the site for which outline planning permission is being sought, to demonstrate the absence of unrecorded shallow coal mine workings. In the design of these additional works, the Coal Authority would expect due consideration to be given to the investigation of the Mynyddislwyn Top Leaf Coal seam which our information suggests outcrops in the southern part of the application site.

These further works should be designed by a competent person to properly assess ground conditions and to establish the exact situation regarding coal mining legacy which could pose a risk to the proposed development. The applicant should ensure that the exact form of any intrusive site investigation is agreed with the Coal Authority's Permitting Team as part of a permit application.

The findings of the intrusive site investigations should be interpreted by a competent person and should be used to inform any mitigation measures, such as grouting stabilisation works and foundation solutions, which may be required in order to remediate mining legacy affecting the site and to ensure the safety and stability of the proposed development.

#### Recorded mine entry

Section 7 of the Geotechnical & Geo-Environmental Report acknowledges the presence of the recorded off-site adit. It indicates that two rotary boreholes were drilled 'at the location of the adit' and that no evidence of coal or voids were encountered within 30m of ground level within the boreholes.

We take this opportunity to highlight that any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. The Coal Authority has adopted a policy where, as a general precautionary principle, the building over or within the influencing distance of a mine entry should wherever possible be avoided. Our adopted policy on the matter can be found at:

[www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-ofmine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-ofmine-entries)

The Coal Authority acknowledges that the adit mouth is unlikely to be present within the application site and we note that no evidence of the associated level was encountered in the two boreholes drilled some 60m away from the plotted position of the feature. However, we are disappointed that the submitted report does not consider the implications posed by an off-site collapse of the adit and associated level, i.e. adjacent to the site boundary, and the potential impact that this could have on the stability of the application site.



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We therefore consider that prior to the submission of any reserved matter application relating to the layout, further works should be carried out to establish the likely zone of influence of any future collapse of the adit and the definition of a corresponding 'no-build' zone around the feature. The layout of development should then be designed in cognisance of the 'no-build' zone.

#### Gas

The submitted report concludes that ground gas poses no risk to the proposed development. The LPA may consider it prudent to seek comments from the Council's Environmental Health / Public Protection Team on this matter.

#### The Coal Authority Recommendation to the LPA

The Coal Authority does not consider that the Geotechnical & Geo-Environmental Report adequately demonstrates that the application site is safe and stable in respect of past coal mining activity. As such, it is considered that further intrusive site investigation works should be undertaken in order to clarify the exact situation regarding coal mining legacy issues affecting that part of the site for which outline planning permission is being sought.

In the event that these investigations confirm the need for remedial works to treat any areas of shallow mine workings and to mitigate the risk posed by an off-site mine shaft collapse, in order to ensure the safety and stability of the proposed development, these should be conditioned to be undertaken prior to, or during development, as appropriate.

A condition should therefore require the following, prior to the submission of the reserved matters:

- The undertaking of a scheme of further intrusive site investigations which is adequate to fully assess the ground conditions and the potential risks posed to the development by past shallow coal mining activity and the off-site mine entry.

The condition should require the submission of the following as part of the reserved matters application:

- A report of findings arising from the intrusive site investigations;
- A scheme of remedial works for the shallow coal workings for approval;
- A layout plan which identifies the zone of influence for the off-site mine entry and the definition of a suitable 'no-build' zone around this feature; and
- A scheme of any necessary mitigatory measures to address the risk posed by an off-site mine entry collapse, for approval.

The condition should also require the implementation of the approved remedial works and mitigatory measures prior to, or during development, as appropriate.

The Coal Authority therefore wishes to raise no objection to the proposed development subject to the imposition of a condition to secure the above."

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### **5.21 Wales and West Utilities:**

“We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of General Conditions for your guidance. This plan shows only those pipes owned by Wales & West Utilities in its role as a Licensed Gas Transporter (GT). Gas pipes owned by other GT's and also privately owned pipes may be present in this area. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty and the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Wales & West Utilities, its agents or servants for any error or omission.

Wales & West Utilities has pipes in the area. Our apparatus may be at risk during construction works and should the planning application be approved then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversion works be required these will be fully chargeable.”

### **5.22 Sport Wales:**

“Thank you for the email and details of the amended plans. Sport Wales is pleased to see that its concerns have been addressed and that playing pitches will now be included in line with Fields in Trust standards along with a supporting sports pavilion and parking. Ideally, the authority would have a playing pitch strategy to best identify what facilities are needed but in the absence of such a strategy Fields in Trust standards are accepted.

While pleased with the inclusion of the pitches, we would like to check what measures are in place to ensure the pitches are of a suitable quality to support adequate playing hours per week? My colleagues at Sport Wales can provide guidance on recommended specifications if required.

In summary and as mentioned in previous comments, Sport Wales is pleased to see that the proposal includes a network of green spaces and various features that will encourage active lifestyles so along with the addition of the playing pitches in line with recommended standards Sport Wales is happy to support the application.”

### **5.23 Police Designing Out Crime Officer:**

“In respect of the Phase 1A development I am generally pleased with the site layout on condition that all the parking bays are overlooked by windows in the properties. Preferably the windows would be in rooms that are usually occupied e.g. living rooms.”

The Police D.O.C.O has provided general comments with regards to the residential development, school and commercial centre. General comments include the integration of routes for pedestrians, cyclists and vehicles to provide a network of supervised areas. They should not undermine the defensible space of neighbourhoods. Routes for pedestrians, cyclists and vehicles should not be segregated from one another or provide access to rear gardens as such paths have been proven to generate crime and anti-social behaviour. Paths ideally should be 3 metres wide with at least a 2 metre verge on either side. Parking provision should be provided within curtilage, rear courtyards should be avoided and parking standards must be complied with. Green spaces / play areas must be located where they are afforded good natural surveillance from residents to provide protection for the young children using the areas.

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Also this would reduce the risk for the areas being targeted for anti-social behaviour when not in use. Ideally the areas would be lit and protected by railings/fencing to prevent vehicular entry and they should be locked out of hours.

Additional comments were provided in respect of lighting, boundary identification, landscaping and planting, side and rear boundaries, vehicle parking, garden sheds, bicycle stores, bin stores, security lighting, drainpipes, public utilities, blank walls, garages, door security, window security, perimeter security, intruder alarm system, blank walls, CCTV, signage, access control, building shell security, computers, identification of properties and sprinkler systems.

**5.24 Mid and West Wales Fire Service:**

“The site plan of the above proposal has been examined and the Fire and Rescue Authority would wish the following comments to be brought to the attention of the committee/applicant. It is important that these matters are dealt with early on in any proposed development.

The developer should consider the need to provide adequate water supplies for fire fighting purposes on the site and general guidance on this matter is given in the attached Appendix.

Furthermore, the applicant should be advised to contact the Local Authority Building Control Department, which is the responsible authority, when determining issues concerning means of warning and escape, internal fire spread (linings and structure), external fire spread, access and facilities for the Fire and Rescue Service, in accordance with the 2007 version of Approved Document B.”

**5.25 Penllergaer Community Council:**

Penllergaer Community Council has written in several times to object to this development. Their concerns are summarised below:

- PCC has consistently and vehemently opposed the development at Parc Mawr throughout the LDP process and now object to this application
- Prematurity - decision predetermines LDP as UDP is extant plan [at the time of submission]
- Infrastructure Delivery Plan provided as part of LDP Examination – schedule of all necessary infrastructure was relied upon by Council and LDP. Application is materially different to that produced for Examination due to timings of provision of all infrastructure and does not accord with LDP or PPW
- Brynrhos Crescent was not presented as a primary access – ARUP study did not model this access
- Outdated development plan – proposals aren't sustainable
- Proposal fail to quantify impact of proposals on highway network – ARUP study is flawed – allocation is unsound as not sustainable and car dependent
- Issues over soundness of information for LDP Examination including ARUP Swansea Strategic Transport and Development Study / Model – underestimates traffic impacts
- Proposed highways mitigation will only benefit site itself – object to the inclusion of the “internal spine street layout”; adoption of a phasing plan that goes beyond LDP period; failure to update and modify the macroscopic model; and failure to comply with 4.1 of PPW
- Foul drainage issues – lack of capacity in Gowerton WWTW (as raised in 2007 Examination)

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- Education issues – existing primary school is already overstretched. School needs to be provided at earliest stage
- Development is located in a Green Wedge
- Council has adopted a volte-face (about turn) since approach adopted for UDP
- Council failed to comply with national policy in promoting the site at LDP in terms of Housing, Pollution, Agricultural Land, Biodiversity, Special Landscapes, Green Belts and Green Wedges
- Air Quality and Noise impacts due to large proportion of Strategic Sites in NW Swansea
- Viability is not a reason to change from IFVA phasing submitted as part of LDP Examination – proposals are inconsistent with that presented to Inspectors
- County have failed in complying with the provisions and obligations of The Road Traffic Reduction Act 1997
- Further transport measures are required over and above those indicated and major improvements to J47 are required – welcome Jacobs' Report (produced for WG)
- Allocation is only for housing as opposed to housing and employment as presented to Inspectors
- Housing is almost entirely site on Grade 3a agricultural land
- Development will have an adverse effect on character of the area
- Development of the site fails to consider importance of biodiversity and ecological networks
- Failure of LPA in considering the Well-being of Future Generations Act in preparing the LDP and application process and failure to properly implement its own Well-being Plan – introduction of sustainable development principle and fails to accord with 7 Well-being goals and four objectives of Local Well-being Plan (Early years; Live well, age well; Working with nature; and Strong communities)
- PCC considers their views have been ignored at all stages of the process
- PCC commissioned Vectos (Transport Planning) to undertake a review of the Transport Assessment submitted by the applicant
  - i) Further work is required to understand how the Spine Street would work and level of traffic transfer
  - ii) Existing proposal for 275 dwellings to be accessed off Brynrhos Crescent would increase traffic on small streets and increase congestion and pollution
  - iii) Quantum of development is 32% larger than that shown in Strategic Model and infrastructure provision would be provided later
  - iv) Modal shift will not be delivered until the through route is completed in 2028
  - v) No analysis of Spine Street vehicle numbers/ types has been undertaken
  - vi) TA does not consider traffic impact of all development in LDP
  - vii) TA does not predict impact on highway network in current form
  - viii) Outputs of Strategic Model have not been incorporated into the model
  - ix) Application fails to comply with important and stringent Para 2.12.3 of LDP
  - x) Further strategic modelling is required to be undertaken in light of the above.
- Failure to comply with Policy T5 – Design Principles for Transport Infrastructure – LDP considered access from Gorseinon Road, not Brynrhos Crescent – increased traffic especially HGVs
- Need for consistency in decisions – emphasised in Midcounties Co-Operative Limited) v Forest of Dean District Council [2017] and Baroness Cumberlege v Secretary of State for Communities & Local Government [2017]. Previous decisions (in omitting Parc Mawr from 2007 UDP) are material. The decision maker should provide clear reasons for any departure from their original position.

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- Inconsistency in settlement boundaries and green wedge designation from 2007 UDP to present allocation/ application.

**5.26 Pontlliw and Tircoed Community Council:**

The Community Council has raised the following points:

- The Community Council is concerned about the effect which this proposed development will have on the infrastructure in the area and in particular the road network – significant development in last 10 years added strain to road network. Particularly acute at peak times and would be exacerbated by the development
- If this development is to be approved it should be conditional upon suitable and adequate improvements being made to the infrastructure before any properties are occupied.

**6.0 Neighbour comments:**

The application was advertised on site with 11 site notices on 17<sup>th</sup> January 2019 and advertised in the press on 21<sup>st</sup> January 2019. Over 600 objections were received in response to the original consultation.

The application was subsequently revised and further re-consultation was undertaken on the 19<sup>th</sup> November 2019 and advertised in the press on 25<sup>th</sup> November 2019. Circa 75 further objections were received in response to the amendments, largely raising the same issues.

A final re-consultation was undertaken on 2<sup>nd</sup> March following further revisions with site notices and press notice on the 2<sup>nd</sup> March 2020. 7 further objections were received including some additional comments were received in response to the Phase 1A layout.

These comments are summarised below:

**Site Wide Concerns:**

Conflict with Structure Plan, Local Plan or Unitary Development Plan policies and national planning policy

- Inappropriate development within a green belt
- Harm to landscape and visually damaging in the landscape
- Para. 3.54 of the Planning Policy Wales (10) states that land of grade 1, 2 and 3a classification is the best and most versatile and should be conserved as a finite resource for the future. It also states that 'considerable weight should be given to protecting such land from development because of its special importance'. It should only be used if lower grade is not available – adverse effect on (rural) economy
- Loss of high-quality agricultural land both within phase 1a and the development – should be more independent with our food supplies, especially given Brexit. There is 18.1 hectares of Grade 3A, 62.7 hectares of Grade 3b on this proposed land for development – should be preserving farmland for future generations
- Fragmentation of Bryn Dafydd farm will make it uneconomical to farm
- Better alternative sites available - Should consider previously developed land first
- Proposal conflicts with what was said in the LDP Examinations
- Loss of green spaces/ woodland in the wider area

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- Inspectors agreed that the traffic model was unacceptable in LDP Examination
- Inspectors report places great emphasis on timely delivery of infrastructure – in line with PPW for major housing developments
- LDP is out of date and the original LDP [UDP] job prediction did not come to fruition so no need for more houses
- LDP SoCG states that access would be from Gorseinon Road
- Planning application has changed significantly since LDP Examination – deprived residents opportunity to comment to Welsh Government
- Council performing a U-turn over previous comments on site
- LDP Site assessments states that the site will add significantly to congestion and peak time flows, site does not have suitable access and site should not be considered until access has been provided and local improvements to traffic flow has been improved
- Some candidate sites, access would be needed directly from the A483 and this should be avoided due to the disruption to the flow on a major primary route – the Head of Highways did not support this in 2007
- Penllergaer is being discriminated against – most proposals in Gower are not awarded as to preserve the beauty of Gower and appease the community that lives there
- Development would affect agricultural viability of holding (Gelli Aur) as land has been rented from Penllergaer Estate and included within the application
- Many commuters would head to Bridgend, Neath and Cardiff – why should Penllergaer carry burden for people not living in the city?
- Need to prevent coalescence of settlements
- The Council successfully opposed a development of 250 houses on this site in 2007. The Council argued that (a) it could not be supported by the necessary infrastructure (b) its adverse physical and visual impact upon the settlement identity of Penllergaer and (c) its adverse impact upon the character and setting of the settlement and surrounding countryside.
- Council has performed a U-turn but nothing has changed except the scale of development which has increased significantly
- Scheme changed significantly every consultation
- LDP job creation must be substantiated in light of Brexit and City Deal delays before permission is granted
- The LDP is not sound
- Application has changed significantly since LDP proposals and residents have been denied the opportunity to submit objections to Welsh Government
- Paragraph 3.1.1 of Planning Policy Wales states that the planning system is intended to help protect the amenity and environment of towns, cities and countryside in the public interest while encouraging high quality sustainable development – amenity and environment of Penllergaer will not be protected and decision not in public interests of residents
- Bellway's vision was much smaller – Council suggested pushing numbers up to create strategic link

Highways/ Active Travel

- Inconvenience for pedestrians and will result in increased potential for accidents
- Road system is inadequate to accommodate additional dwellings
- Insufficient space for parking

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- Existing congestion / grid lock along A4042 to Old Inn Roundabout and J47 of the M4 (in front of school) – this development will add to the congestion from Gorseinon and Pontarddulais and add to the time to get through the village
- Significant traffic generation – Increase of 2,000 cars plus
- Increased traffic flow on Swansea Road and Brynrhos Crescent – Swansea Road is insufficient width and restricts access
- Brynrhos Crescent is too narrow for the development (let alone construction traffic) and development would increase risk of accidents, noise and air pollution
- Brynrhos Crescent access was not considered by the Inspector during LDP Examination and unacceptable to Highways Officers in site assessment
- Proposed access to the housing development via Swansea Road and Brynrhos Crescent – Swansea Road already serves 4 existing housing estates. Church weddings and funerals, parents collecting children from school together with parked cars often reduces the road to a single lane.
- The access from Brynderi Close to Brynrhos Crescent is a blind bend and very dangerous
- Brynrhos Crescent was only intended to be a pedestrian and cycle access link originally
- Relief Road is now a Spine Street (20MPH in parts) and won't have the same effect as the fast road between J47 and A484 – won't provide increased capacity to J47 or surrounding roads and not designed for main stream traffic volumes
- Traffic ramifications of this access were not considered in ARUP study
- Access through a quiet street or busy road – neither suitable for construction traffic
- Problems on M4 between J43 and J48 – accidents on this road cause traffic problems for surrounding network and vehicles have to use Penllergaer
- People will utilise residential road to escape A483 with no consideration of residents safety
- Original access/ egress from Brynrhos Crescent was for bus/ pedestrian/ cycle access only – now a main vehicle access
- TIA should take into account cumulative developments and should be independently carried out – inevitably biased and Jacobs (WG appointed) raise queries with it
- Interim housing land policy statement in 2008 land for 500 houses was rejected with the Highways department stating that there were concerns with regards to the traffic impact as the nearby junction 47
- Parking is a problem on Swansea Road so carriageway is effectively one lane
- Accidents occurring on a daily basis at J47
- Installation of traffic lights in non-sensical as it will introduce a further stop to the flow
- Council's own LDP topic paper (Transport and Accessibility) states that it will be necessary to provide infrastructure in advance of the occupation of the development
- School drop off is already dangerous
- Problem with J47 westbound off-slip – traffic queues build quickly
- The bus services will feel additional pressure
- Bus service runs every 30 minutes and is not as regular as the survey makes out
- Safety concerns of heavy vehicles using Swansea Road – for up to 300 dwellings
- WG Audit report has expressed concerns over the road infrastructure in the vicinity of the development
- Lack of parking for Penllergaer School – additional traffic / construction traffic would lead to increased risk for children
- Adequacy of parking/ loading / turning

- Lack of adequate exit point from the new estate
- Considerable increase in traffic on Swansea Road joining Old Inn Roundabout
- Old Inn Roundabout favours Gorseinon traffic over Pontlliw and this will be exacerbated
- Traffic modelling doesn't work
- M4 needs to be 3 lane
- Difficulty in getting to a hospital in an emergency
- Road improvements aren't possible without compulsory purchase orders
- Frontage (31 Gorseinon Road) not wide enough for 2 way traffic to the detriment of residents either side
- People speed through the village from surrounding areas
- Resident of Gorseinon Road requested a review of speed limit but was told road was not busy enough
- More new housing will not encourage less car use
- Problems accessing pavements due to illegal parking
- Survey undertaken on brink of school holidays
- Tircoed roads not adopted – will this happen here
- Spine Street would become a dangerous rabbit run
- The Arup model was unable to demonstrate that any improvement to existing traffic condition could be achieved, and that traffic flows in and around J47 would still increase by 30% even with the intended relief road
- Concerns over the macroscopic nature of the model
- Proposal doesn't comply with Arup study recommendations ignoring principals of assignment, testing the model post completion of TA and inconsistent phasing plan
- Proposed access / egress onto A483 dismissed in Council's topic paper and should not be allowed
- Concerns over phasing of the proposal
- Development is car dependent – little alternative means of sustainable transport
- Highways mitigation is absent from the application
- Council's own strategic model and traffic study has been ignored
- Development is entirely car based – not sustainable
- WG commissioned report backs up everything residents have been saying
- Jacobs say relief road would be ineffective
- The reports provided by the experts for the developers is only capturing limited data and not the true reflection of the current traffic problems around J47 and the roundabout on A4240 and A48 and only supports the developers position
- Strategic link road has been removed from the proposal – now a 20mph limit
- Spine Street will have a torturous alignment
- Does the relief road divert traffic from J47 to the Old Inn?
- Egress from Brynderi Close would be very dangerous as site access will create a blind corner
- Traffic lights at the Old Inn Roundabout will make things worse
- Previous developments have not linked up to the cycle route and public transport is non existent



Education

- Penllergaer Primary School is already over capacity and two nearby schools are also over capacity – there will be additional strain from this and other permitted developments
- School should be put in at the outset and not built at a later stage
- Pontarddulais Comprehensive is also at capacity – no secondary school proposed
- Where will children be educated until the school is built (circa 400-500 units)
- Oversubscribed year groups can have a negative impact on children's education
- 80 new dwellings being built at former Civic Centre site adds pressure to this
- Numerous demountable buildings already on site
- Provision of an infant only school insufficient
- People cannot be at two separate schools at the end of the day
- Has Education department been consulted on the application?
- 2.4 children per dwelling means 1,200 will require school places
- Tax payer will end up paying for new school. New school will cost £5-8million – does Bellway have the money?
- Another school is not feasible

Air Quality/ Noise

- High level of traffic will cause noise and disturbance on these roads
- Environmental damage caused by vehicles in form of pollution (additional vehicles and those waiting at lights) – impact on quality of life goes against Future Generations Act
- Insufficient effort has been made to mitigate the overall environmental and public health impact of the development with respect to increased ambient noise, light and pollution levels, especially particulates from the additional traffic – WHO Guidelines state we should be reducing air pollution levels
- So many early deaths and ill health are a direct result from air pollution

Wildlife and Trees

- Loss of TPO trees (most trees in Conservation Area are automatically protected) - tree with a TPO on is intended to be cut down – we need more trees
- Threat to wildlife or geological features of SSSI -
- Harm to rare plants and animals
- Bats, badgers, red kite, moles, hedgehogs, barn owls and other protected/ notable species use the fields
- Development of this size would have negative impact on Penllergaer Valley Woods – trees accidentally stripped to the north
- Please consider existing footprint of woods as part of any development
- Loss of hedgerows and farmland habitats
- No respect for historic trees - save the woods for future generations
- Resident wasn't allowed to fell a TPO tree – why should the developer be allowed (Home Farm Way)
- People love village charm with green spaces and woods
- Felling of a giant redwood tree that has been there for 200 years
- Beautiful area with spectacular natural environment

## Planning Committee – 17<sup>th</sup> July 2020

### Item 1 (Cont'd)

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- 75% of the world's crops are pollinated by insects – need to protect is imperative
- Council should take into account the length of time that the tree has been present and its historical significance
- Penllergaer woods are incredibly special and have been eaten away by urban development over the last 30 years
- Report says there are no bats in the area.

### Heritage

- Damage to historic or architectural value of listed building
- Harmful to the setting of Listed Building
- Local heritage will be lost

### General Site Considerations

- Destroying traditional field patterns
- Threat to health of occupants through previous contamination
- Unsociable hours of operation
- Dominating nearby buildings
- Conflict with the pattern of development
- Poor relationship with adjoining buildings
- Creating imbalance between jobs and homes
- Loss of open spaces
- Overdevelopment
- The development is uninspiring. Quality of the projected property is below par – no sustainable qualities (individually or collectively). Proposal must consider renewables
- Local farmer farms the land during summer – it is his livelihood
- Complete turnaround from Council saying there should be no development on Parc Mawr as wasn't part of urban landscape
- Unsustainable location requiring the use of a car to shop, work and access leisure facilities
- No demand for new houses – now new employers in the vicinity and no local population increase
- Land beneath the site is rife with mines – stability issues

### Infrastructure

- Infrastructure is required before the site is too far developed (school and roads)
- Area lacks infrastructure/ amenities to support 200+ new houses
- Public sewers inadequate and overcapacity – blocked regularly currently
- Insufficient capacity at doctors and dentists already – where will new residents go
- Risk of flooding or creation of flood risk – building on marshland and cutting down trees
- Swansea Road and Gors Common already flood – shouldn't be additional hard paving
- Site is only viable if they stop after the first phase of development
- Developer has not proven viability and will pull out before the school is provided
- Burrows-Hutchinson viability assessment showed important infrastructure such as roads and school would be provided in early phases

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- Schedule 3 to the Flood and Water management Act 2010 makes it mandatory to incorporate SUDS for surface drainage in developments such as this – the proposal does not meet the criteria of Schedule 3.
- Gowerton Treatment works need to be upgraded – no mention of this in the LDP
- Penllergaer is already overpopulated for the facilities it has
- Insurance policy is needed to ensure infrastructure is delivered – irrespective of the number of homes the developer chooses to complete
- Developers said there'd be a school as part of Tircoed and other developments and these never materialised. Still waiting for a pub at Tircoed
- Green spaces are being swallowed up for development
- Funding required for community and local groups
- Water pressure is already abysmal
- Even if a surgery is provided – it can't be staffed as there are not enough GPs
- Burglary in the area is increasing and there aren't enough police to cope (police force is shrinking). Increase in population will increase crime, law and order problems
- Youths congregate near the common causing upset to parents and children – no facilities for youths
- What will happen to development in depressions and low areas (in terms of flooding)
- Pontarddulais Road regularly floods
- SW already an issue let alone when the site is built on/ hard surfaced – climate change will exacerbate this – DCWW has raised concern in this respect
- Roads riddled with potholes and litter
- Funds gained by Council will be mismanaged
- Developers have previously refused to fulfil obligations in adding capacity to the school and the lights at Parc Penllergaer (Bellway)
- Land has significant number of natural springs underground that could be disturbed
- Infrastructure won't be completed until all of the houses are built out – until this time, all traffic will access and egress from Penllergaer
- Emergency services such as police, ambulance and fire service have not been taken into account
- No plans to deal with surface water run off, sewerage and electrical/ power grid demands
- More out of school facilities for children and teens needed
- Phasing – developer should start in NW corner of the site to the rear of Old Inn with access from Gorseinon Road. Phase 1a furthest from existing school and would be car dependent – decision based on cost
- Concerned that Bellway will stop development after 186 dwellings – no effective control that means Bellway have to complete the development as they are not landowners
- No consideration to include green spaces and planting

**Other Issues:**

- Liability
- Services
- Financially driven and based not conducive for the good of the area
- Ruin the local community feel of the area/ village identity
- Urbanized sprawl from Swansea through to Loughor Bridge. Swansea will soon be a soulless sprawling urban mess

## Planning Committee – 17<sup>th</sup> July 2020

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Application Number:

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- Penllergaer has taken a huge hit over the last 10 years as far as property development is concerned with Tircoed, Parc Penllergaer, Parc Penderri and the former Civic Centre site – should look elsewhere
- Further developments planned at Gors Road, Garden Village and Pontarddulais
- Proposal is unfair – Penllergaer has had its fair share with Bellway and Enzo homes, wind turbines above Pontlliw and gas fired power station at Felindre as well as a prison being considered
- Why has access from Brynrhos Crescent been withheld from public meetings
- Velindre site has Grade 4 agricultural land and should be developed – rejected because developers would have to work in tandem
- Build elsewhere on old industrial places in Llangyfelach and Morryston
- Planners must consider the wellbeing of the community and not the developer
- Semi-rural feel of Penllergaer would be lost
- Devaluation of properties
- Paragraph 3.1.1 of Planning Policy Wales states that the planning system is intended to help protect the amenity and environment of towns, cities and countryside in the public interest – this development not in public interest of the village community
- Proposal is purely for financial gain
- Objections already raised by the Coal Authority and DCWW
- Question the need for the development – Lagoon, Brexit and companies such as Honda pulling out of UK. Office for National Statistics state that the number of residential property transactions recorded in the year ending June 2018 in England and Wales fell by 3.2%, so my question is, where is the demand for the new developments
- No pros to outweigh the negatives of the proposal
- Potential delay to ambulances getting through traffic could have serious consequences
- EIA should include a detailed Health Impact Assessment chapter in accordance with the new EIA Regs
- Consideration of Wellbeing of Future Generations Act (2015) should also be considered. What's being left for future generations?
- Build on farm land around Gower
- Fracking has been proposed in the area which is volatile and more new homes should not be built in a fracking area
- Not enough Council tax presently to cover amenities – more housing will add to the problem
- Surely development at Llangyfelach will satisfy demand for new housing?
- Turning NW Swansea into an urban jungle
- Two warden controlled residential complexes on Gorseinon Road suffer traffic build up
- Housing estate will deter people from pay and display parking area that provides finance to Penllergaer Woods project
- Penllergaer is a village of significant historic interest – the Dillwyn Llewellyn family and Parc Mawr Farm (dates back to 17<sup>th</sup> century) form part of the heritage of the Penllergaer and the historic farm buildings are to be demolished
- Light pollution – won't be able to see the sky at night
- Adding more houses would be unsustainable
- Unlicensed safety during construction
- Impact on property rental income due to negative impact on locality
- UN Convention – children have the right to play but where will they play if the site is built on

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- Change of plan by Bellway
- Developers need to provide new infrastructure and roads to Newport
- Less objections if Council sorted out infrastructure beforehand
- Garden Village (750 homes) is within a mile of the site – both are excessive scale
- Vast building in city centre/ SA1 for students forcing people out into surrounding area
- Will eventually become investment vehicles for rental incomes
- Concerns over legality of process – contract given and then changed to suit the applicant (all application should be treated equally with no changes made)
- Previous comments stand – it is wrong to require people to resubmit opposition every time.
- Right to a peaceful enjoyment of home will be breached
- Undemocratic process – poor communication to residents
- Someone should be held accountable for residents being late to work / loss of earnings
- Green open spaces are wanted by Swansea Council – but only in the city centre
- Although a site like this will boost the economy – developer should be legally obliged to provide necessary infrastructure
- Concern Bellway will cut and run before providing infrastructure
- Construction will impede residents right to peaceful properties
- Site should be a solar farm to serve surrounding communities
- Resubmission is excessive – designed to create confusion and complexity

Phase 1A Layout:

- Over development
- Insufficient garden or amenity land
- Lack of private space
- Excessive bulk or scale
- Introducing unnatural features
- Spoiling natural or existing contours
- Incompatible with the design of existing buildings
- Loss of important trees, hedge or other vegetation
- Threatening a public right of way
- Insufficient parking spaces
- Failure to meet council's access and on-site turning standards
- Overlooking adjoining properties
- Blocking natural daylight
- Conflict with the character of the area
- Garages too small to house cars
- Overcrowding
- Proposed wooden fencing is not robust where adjacent to the public domain – wooden fences fail regularly and make the environment look poor
- Object to plot 83 – located directly behind residents property and would overshadow house – garage would be cut into the boundary bank
- Concerns about ground level and drainage given difference in levels
- Development would be in complete isolation at the top of Swansea Road – first houses should be in close proximity to the centre of Penllergaer (closer to public transport)

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- Houses in the area all have garages, ample off-road parking and attractive front gardens – too much frontage parking
- Road and kerbs in the area are substandard.
- Plot 85 does not align with Section 7.9 [of the DAS] as the boundary at the rear of property would be removed to accommodate a building tight up against the boundary fence – hedgerows and habitats would be destroyed
- Drainage from this plot would flow into hedge and property due to ground levels
- Plot 85 will overshadow property and reduce outlook/ light
- Layout plans haven't considered accurate situation on the ground – missed extensions etc.

**Support:**

One letter of support has been submitted which states that the resident would like to buy an affordable house in this area – very limited opportunity currently.

**Rebecca Evans AM:**

"I write in my capacity as Assembly Member for Gower, following correspondence received from constituents expressing concern about, and opposition to, the above planning application.

I have outlined below the concerns raised with me:

- Local residents are clear that the area is already very, very busy in terms of traffic, and there is concern that any additional pressure on the roads would make congestion and air pollution worse. There are concerns that commuting times could increase.
- Residents are particularly concerned about the impact and traffic congestion on Junction 47 of the M4.
- Residents query the need and demand for this number of houses locally.
- Residents tell me that they are concerned that the new development will alter the semi-rural character of the area. The Parc Penllergare and Parc Penderi housing estates have already doubled the size of the village, and the proposed development would double its size again, forever changing the nature of the area.
- Concerns have also been raised about the loss of important agricultural land.
- Residents tell me that they are concerned that the proposed direct road access onto the A483, A484, Gorseinon Road and Swansea Road could make the Home Farm area more vulnerable to crime.
- Queries have been raised as to where the children moving into the new homes would go to school before the new school was built, as there is not a great deal of capacity in the nearby schools."

**Cllr Fitzgerald:**

"I am opposed to the proposals for Parc Mawr, first and foremost, because this site was rejected for development by the Council in the UDP for a number of specified reasons including that it was not part of the urban form but open countryside. Given that the candidate site at the time was for 250 houses and this application is for 850 it is difficult to understand the reasoning and logic behind the Council's complete volte face.

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Furthermore, at the Public Inquiry in 2007 the Council also stated that: it is acknowledged that Penllergaer is intended to be a growth area: however, a significant release has already been made (Parc Penderi and Broadwood) and there is only considered to be capacity in terms of infrastructure and settlement identity for one additional site. The additional site supported by planners was not Parc Mawr but Land North of Llewelyn Road which still remains undelivered.

There must surely be a lack of confidence in a planning system where robust arguments are put forward to support the omission of Parc Marw as a development site in the UDP which are then ignored and overridden some 4-5 years later with a completely different set of arguments being promulgated.

Questions should also be asked about how the need for new homes was assessed. The figures arrived at were on the basis of the new additional jobs that were going to be achieved up to 2025 ie 14,700. However, it seems increasingly unlikely that this target is going to be met even if the City Deal ever gets delivered. In addition, the Auditor General in Planning for New Homes, February 2019, has advised that it is the growth of households that should inform the housing need, not new jobs. This is referred to as the 'standard method' and whilst its adoption has led to an increase in housing need in some parts of England (mostly London the South East) in other regions such as the North West, Yorkshire and the Humber, the North East and the West and East Midlands, the housing requirements have fallen by as much as 24%.

What would be the result of the 'standard method' being applied to Swansea? We know that since 2006, the number of households in Swansea has increased by 8,800 with actual population growth being largely driven by inward migration. Will this trend continue with Brexit looming? There could be a radical shift in both population and household growth in Swansea leading to a decline in housing demand, a situation already being experienced by one national housing developer in North Wales. The question then will be, if the market stagnates and demand declines, will developers build any new houses let alone deliver essential infrastructure?

Access via Brynrhos Crescent for Phase1a -186 houses- until at least 2023

The proposals in the Application are markedly different to those originally put forward by Bellway and included in the Deposit Plan, with building and vehicle access now shown from Brynrhos Crescent which is reached via Swansea Road. Currently, Swansea Road provides the road link to 211 homes so there will be an 88% increase in houses using Swansea Road as their access route based on the Phase 1a proposals. This will turn it into a much busier thoroughfare with increased traffic noise and nuisance.

What has led to these changes? There is no reference to this at all in the Deposit Plan and Brynrhos Crescent was shown as only a pedestrian and cycle route in the Bellway 'Vision' with the main gateway access to the site from Gorseinon Road. No mention of Brynrhos Crescent was made at the Public Inquiry before the Inspectors and the Statement of Common Ground refers only to the site access being off Gorseinon Road at a point secured by the developers.

However, it is quite obvious that access via Brynrhos Crescent will mean there will be no need to deliver any significant vehicle linkage from Gorseinon Road until at least 186 houses are built. This, then, is presumably a cost driven decision that will thrust heavy construction traffic onto Swansea Road during the build but will save Bellway money whilst diminishing the quality of life of existing residents.

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### Highway Led Scheme

The astonishing rise from 250 houses to 850 is clearly regarded by the planners as a way of funding the so called strategic relief road regarded as essential by both the Council and ARUP to address the congestion at J47 and the Penllergaer roundabout. Indeed, the Council's Preferred Strategy states that Parc Mawr is predicated on the delivery of a new road to serve the site that will also provide a link from the A4240 Gorseinon Road to the A484 to the south and that this new infrastructure has the potential to alleviate congestion in the area. However, it seems that the road connections to both the A483 and A484 are now being described as potential only and the latter will not be delivered until the site is largely built out (800 houses) possibly as far distant as 2029. How will this deal with congestion problems at J47?

The so called strategic road is being downgraded to a spine street which will inevitably limit its capacity to function as a relief road.

All of this conflicts with the Council's statement in its Topic Paper, Transport and Accessibility para 6.16 that Where transport infrastructure is essential to support developments, it will be necessary in most cases for it to be provided in advance of the occupation of the development. This is clearly going to be a site where many houses will be built and occupied before even modest aspects of so-called essential infrastructure are delivered and both the Penllergaer roundabout and J47 will become increasingly congested and constrained.

Therefore, before any further development takes place, the requirements in the Council's Candidate Site Assessment that this site should not be considered for development until access can be provided and local improvements to the traffic flow at Penllergaer roundabout and J47 have been improved should surely be implemented.

But what improvements are going to be made before any house building commences? The answer seems clear – none.

The potential link to the A483 is a comparatively recent addition and is surprising given that various senior Highway officers have previously opposed such a proposal for perfectly obvious reasons. However, from the Bellway perspective it will be a much more financially viable option than a link through to the A484 which will inevitably become less likely if the A483 access is allowed.

### Air and Noise Pollution

With regard to air and noise pollution, although the assessment that accompanies the application seems to argue that there will be negligible impact in Penllergaer itself, it does confirm that Carmarthen Road through Fforestfach will be adversely affected. However, with more than 1000 potential new homes in Penllergaer, and 750 a short distance away in Kingsbridge, it is hard to believe that hundreds of additional cars using an inadequate road infrastructure will not contribute negatively to both noise and pollution levels when travelling and queuing in Penllergaer. There appears to no mitigation proposals despite all the evidence that is now available about the harm that exposure to regular noise and air pollution can do to health.



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School

It is stated in the application that a new school will not be delivered until Phase 3 of the development after more than 500 houses have been built. Given that Penllergaer Primary is already over capacity – 10 over the Admissions Number in Year 6 this year, and 6 over in Year 1 - where do Bellway and Planners envisage children from the Parc Mawr development will go to school? Already 80 houses on the former Civic Centre site are under construction with no contribution to the school, putting even greater pressure on pupil numbers.

In terms of the physical capacity of the school buildings and the formula in respect of space per child, this is also significantly exceeded at present. Even more children in limited space will mean that health and safety will be put at risk.

The proposal to first build only a nursery could also lead to many parents having to cope with delivering a child to both nursery and school on separate sites. This could increase both footfall and traffic at a busy roundabout, adding to the traffic queues which are already considerable at school times.

Loss of Agricultural and Green Wedge Land

The Parc Mawr development will eradicate some high quality agricultural land contrary to Planning Policy Wales, Edition 10, published in December 2018 which gives greater protection to agricultural land. Para 3.54 states unequivocally that Agricultural land of Grades 1, 2 and 3a of the Agricultural Land Classification system is the best and most versatile and should be conserved as a finite resource for the future. It also states that considerable weight should be given to protecting such land from development because of its special importance and should only be developed if there is an overriding need for the development. Whilst 18.1 hectares (44.72 acres) of Parc Mawr have been currently assessed as of Grade 3a standard it is probable this figure would have been even higher had it been possible for the tenant farmer to negotiate an Agricultural Agreement for crop growing. However, this kind of agreement can only be granted for a minimum of 3 years and with the uncertainty around the future of Parc Mawr, all that has been possible in recent years is an annual Grazing Agreement to use the land for cattle and horses and not for growing crops. This then leads to the degradation in land quality.

Over 68 hectares (168.028acres) on Parc Mawr are of grade 3b quality.

As the Community Council has pointed out in a previous submission there is lower Grade 4-5 Agricultural Land west of the Felindre enterprise site where 1000 houses are to be built. Increasing this figure to 2000 would create a more sustainable community and ensure the preservation of higher grade land in Penllergaer for farming and for future generations in line with Planning Policy Wales and the Future Generations Act.

Current Green Wedge land will also be lost affecting connectivity and threatening biodiversity. Hedgerows will inevitably go, along with trees and other habitats for flora and fauna and very importantly, insects, the increasing loss of which has been highlighted as a major concern just recently.

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### Community Benefits

Bellway needs to be aware that those benefits and amenities that are being promoted and described as giving Penllergaer a new focus, are not required by the existing community. Penllergaer already has two community halls and a Sports and Social Club, two first class football pitches plus pavilion. Any additional buildings or facilities would be entirely for the benefit of the new community.

What is not clarified is how these new facilities are going to be run and maintained and who will fund them into the future.

### Financial Viability

The Auditor General in Planning for New Homes February 2019, has investigated the process of getting developers to contribute to the cost of infrastructure and affordable housing through planning obligations (mostly 106 agreements) and the CIL. However, there have been many occasions when developers have renegotiated lower contributions through 106 agreements on the grounds of financial viability ie that the development costs more than anticipated such that the house builder can no longer make the agreed contribution to infrastructure and still maintain profit margins. From the figures available for Parc Mawr this is such a site and, in order to make the profit incentive, it is likely that various essential components will have to be omitted over the course of the build period. The very fact that the first phase is to be constructed via Brynrhos Crescent backs up this case. If the site was going to be a money spinner then construction would begin from the so called gateway access on Gorseinon Road with the main link to the A484 delivered from the outset in order to try to relieve congestion at J47. Likewise the new school would be constructed and available for occupation by at least the end of Phase 1a.

### Proposed Layout of Houses Phase 1a

The street scene on the application site is in sharp contrast to that which exists in Brynrhos Crescent and other roads in the adjacent area. The traditional houses in this part of Penllergaer, detached or large semis, all have front gardens, garages and reasonably sized driveways so that cars can be parked off-road. The Phase 1a layout shows that only 10 houses have double garages, 12 have integral garages, 71 have single garages and 93 ie 50% have no garages at all. In addition, the majority of driveways are so narrow that one car will have to be parked in front of another. It is evident from Parc Penderi especially, and also from Parc Penllergaer, that a lack of garages and narrow driveways contribute greatly to the on-street/pavement parking problem which blights these newer developments and creates obstacles for pedestrians.

Where there are terraces of houses, parking spaces are at the front of the properties resulting in a run of tarmac and no visible green space at all, so completely out of keeping with the street scene in neighbouring roads.

Why also do the street elevations show so few cars? Clearly this is deliberately misleading as new estates are always packed with cars parked on both pavements and roads.

The most recent development in this area was Broadwood which successfully maintained the character of the area offering large houses with ample off road parking. It is disappointing that Parc Mawr is all about maximising housing numbers.

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### Conclusion

The development of Parc Mawr as a vast housing estate tagged on to what is a vibrant and viable community will destroy the Penllergaer that residents experience today and have done for many generations during which expansion has been modest. It will mean the farming heritage of John Dillwyn Llewelyn will be all but wiped out and Penllergaer's semi-rural aspect eradicated, turning it into just another sprawling suburb of Swansea where roads are choked with traffic and there is no longer any sense of 'belonging'.

I therefore strongly oppose this development.”

### **ClIr Fitzgerald Addendum:**

#### “Site Access via Brynrhos Crescent and Community Safety

The original route into Swansea from Penllergaer was via Swansea Road but this was turned into a cul de sac when the fast dual carriageway link – the A483 – was constructed in the late 1970's. Although the old part of Swansea Road remained open to pedestrians, it is no longer used by vehicles and does not have access onto the A483.

However, the above planning application proposes that access to Parc Mawr for Phase 1a - 186 houses - is via Brynrhos Crescent and this could open up Swansea Road eventually to the A483 and A484 and also to Gorseinon Road.

Is this acceptable in terms of community safety? Parc Mawr will be a site where there is not just one route into and out of it as is the case with Parc Penllergaer and Parc Penderi. Having direct road links onto the A483, the A484 and Gorseinon Road as well as onto Swansea Road, could make the whole of the Home Farm area, currently only accessible from Swansea Road, much more vulnerable to opportunist criminals who scout a community for potential targets and, importantly, the availability of quick *getaway* options.

If access to Parc Mawr is allowed through Brynrhos Crescent then the whole of the existing residential area that is fed by Swansea Road could be put at an increased risk of crime. This is unacceptable and another reason I oppose any vehicle access through Brynrhos Crescent.”

## **7.0 APPRAISAL**

This application is a hybrid planning application comprising the following elements:

- A) Outline planning application with all matters reserved (except those included in full application below) for residential led mixed use development of up to 850 residential dwellings in total to be developed in phases; a potential 75 bed care home, 3 form entry primary school and the provision of a local centre including community facilities (up to 2,500m<sup>2</sup> of local centre floorspace comprising A1, A2, A3, B1 and D1 uses);
- B) Full application for the erection of 184 dwellings and associated works as part of phase 1a of the development; access off Brynrhos Crescent; the demolition of 31 Gorseinon Road and demolition of identified Parc Mawr Farm buildings (9 farm buildings in total).

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## 7.1 Main Issues

The main issues to consider in the determination of this application relate to the acceptability of the principle of the development, the acceptability of the masterplan and parameters plans to guide future development, the acceptability of the detailed Phase 1A proposals, impact on neighbouring amenity, highway safety, ecology, drainage and water quality issues, having regard to the prevailing provisions of policies of the LDP, Adopted SPG and National Policy guidance. There are considered to be no additional issues arising from the provisions of the Human Rights Act.

## 7.2 Well-being of Future Generations

Penllergaer Community Council has stated that the development fails to accord with the Well-being of Future Generations Act (2015) and the Local Well-being Plan for Swansea, the latter of which follows on from the former.

To make sure we are all working towards the same purpose, the WBFG Act puts in place seven well-being goals. The Future Generations Act defines Sustainable Development in Wales as: “The process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.” It sets out five ways of working (Collaboration, Integration, Involvement, Prevention and Long Term) needed for Public Bodies to achieve the seven well-being goals listed below:

- A Prosperous Wales
- A Resilient Wales
- A More Equal Wales
- A Healthier Wales
- A Wales of Cohesive Communities
- A Wales of Vibrant Culture & Thriving Welsh Language
- A Globally Responsible Wales

The site is allocated in the LDP as Strategic Development C and the principle and issues of this are considered further below in detail in the following sections. Notwithstanding this, it is considered prudent to briefly outline, at a high level, the steps taken to evidence that these ways of working have been incorporated into the assessment of this application.

PPW recognises the requirements of the Well-being of Future Generations Act and duty to carry out sustainable development and states that a plan-led approach is the most effective way to secure sustainable development through the planning system and it is essential that plans are adopted and kept under review. The LDP has been prepared with full consideration of the Council's duties to work towards Wales' seven shared well-being goals and to contribute to sustainable development and management of natural resources. It has been subject to Sustainability Appraisal incorporating Strategic Environmental Assessment (SEA), collectively referred to as an SA. The purpose of the SA is to examine and improve the extent to which the Plan achieves the well-being goals and contributes to sustainable development, in so far as is possible through the land use planning system, while taking into account any significant effects on the environment.

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The Council has adopted an integrated approach to appraisal and assessment in which economic, social and cultural well-being goals have been considered alongside environmental effects and the sustainable management of natural resources. The SA has been an iterative process throughout the Plan's preparation and this is reflected in the Plan's growth strategy, policies and proposals. Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated. The impact on the existing farms is regrettable but this must be balanced against the significant benefits of the scheme and the LDP allocation.

### **7.3 Involvement:**

As PPW notes, design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. This includes the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surroundings area. The overall development has progressed significantly as a result of involvement and input from consultees, 3<sup>rd</sup> party representations and constructive dialogue with the applicant. Design is an inclusive process and addresses issues of inclusivity and accessibility for all in terms of the layout with facilities for future residents of all ages in various locations as well as the inclusion of benches to provide stopping points and foster social interaction.

### **7.4 Integration:**

Good design can help to ensure high environmental quality and as noted above, a wide array of people/ bodies were consulted on the application. Landscape and green infrastructure considerations are an integral part of the design process and the applicant has submitted a detailed Green Blue Infrastructure report that outlines the key principles to be included which has followed through into the detailed design of Phase 1A. The Design and Access Statement clearly indicates how the design has progressed over time and outline the integrated approach taken to the development. Green infrastructure is capable of providing several functions at the same time and as a result offers multiple benefits, for social, economic and cultural as well as environmental resilience.

### **7.5 Prevention:**

Seeks to prevent problems occurring or getting worse and good design seeks to avoid the creation of car-based developments. It contributes to minimising the need to travel and reliance on the car, whilst maximising opportunities for people to make sustainable and healthy travel choices for their daily journeys. The development has been designed so that it offers a through route for public transport and provides excellent active travel links to the surrounding active travel routes. The layout includes a school, local centre and formal/ informal play provision and nature trails to not only help internalise trips and reduce the reliance on the private car whilst also providing places that support healthy, active lifestyles across all age and socio-economic groups, recognising that investment in walking and cycling infrastructure can be an effective preventative measure which reduces financial pressures on public services in the longer term. These issues are assessed in further detail below along with opportunities to reduce exposure to air and noise pollution, promoting active travel options and seeking environmental and physical improvements, particularly in the built environment. In addition, the S6 Biodiversity duty is also applicable which seeks to maintain and enhance biodiversity as part of developments.

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### 7.6 Long Term:

Along with the aforementioned preventative measures, the housing strategy of the LDP seeks to provide housing in the long term and this development helps meet that need as well as providing affordable housing which would be secured for the lifetime of the development. Appropriate infrastructure would be provided on site and careful consideration has been given to the impact of the development on the Welsh language which is part of the social and cultural fabric of this part of Swansea. The houses would be energy efficient and Ultra Low Emission Vehicle charging points would also be included.

### 7.7 Collaboration:

As part of the development, several community facilities would be provided including a new school, allotments and the retention of the existing Parc Mawr farm buildings which would be used for community use. Community facilities perform various functions which cover a broad range of activities and services that can be delivered by the public, private and third sectors. In addition, as noted above, a significant level of consultation with a wide range of consultees, including other public bodies and members of the public, has been undertaken to prevent crime, aid biodiversity and climate change resilience and help other bodies achieve their objectives.

The Swansea Well-being Plan has 4 objectives to build a better future which include:

- Early years
- Live well, age well
- Working with nature
- Strong communities

The key topics addressing the above are considered further below having regard to the aforementioned ways of working and the input / comments of various persons.

### 7.8 Principle of the Development

As noted in the neighbour comments section above, there have been a large range of comments received on this application raising concerns about the principle of development including comments from the local Councillor and Penllergaer Community Council. Comments have included inappropriate development within the green belt, harm to BMV agricultural land, better alternative sites available, proposal conflicts with what was said in LDP Examinations, traffic model was considered unacceptable in LDP Examination, SoCG states access would be from Gorseinon Road, great emphasis is placed on timely delivery of infrastructure, concerns about LDP process in general and the Council has performed a U turn (Council opposed the development in 2007) but nothing has changed except a significant increase in housing numbers and there needs to be consistency in decision making. Concerns have also been noted that the proposal would affect the agricultural viability of Gelli Aur and Bryn Dafydd Farms as the site contains land rented to the units and would result in their fragmentation.

The WG Land, Nature and Forestry Division note that a detailed ALC Survey has been undertaken on the site (Ref: RAC6850 – August 2015) and has previously been validated by the Department. Therefore the survey can be accepted as an accurate reflection of land quality on the area.

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The survey confirmed that the area surveyed contains 18.1ha ALC Subgrade 3a (BMV), 62.7ha Subgrade 3b and 7.0ha Grade 4 land. Planning Policy Wales (December 2018) states that agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC) is the best and most versatile, and should be conserved as a finite resource for the future (3.54).

The site was proposed as a candidate site following an extensive site selection process over several years within the Local Development Plan process which has undergone a rigorous examination process into its content prior to adoption. Residents and Members were given the opportunity to take part in this process at several stages and raise issues directly with the Examining Authority.

It should be noted that the LDP Inspectors' Report (published January 2019) recognised that the development of the site would significantly extend Penllergaer onto an area of greenfield land (including around 18 hectares of Grade 3a agricultural land), however it concluded that the evidence underpinning the LDP justifies the Plan strategy as a whole, including the provision of new housing in this location (para. 5.22). The Inspectors Report also concluded that the indicative layout shown on the concept plan indicates a design-led approach which would retain key features of the site. Proposed new uses would satisfactorily interface with the adjoining settlement and Green Wedge, and would avoid uncontrolled sprawl or harmful coalescence (para. 5.24). In relation to the loss of agricultural land specifically, the Inspectors report states the following at paragraphs 3.2-3.5: Opportunities to maximise the reuse of previously developed land have been sought and an assessment of the availability of brownfield land for residential development has been undertaken [by the Council].

This confirms that, although the majority of new dwellings could be accommodated on brownfield sites, to meet housing needs and deliver a meaningful range and choice of housing sites, the Plan would need to accommodate a release of greenfield land....In assessing suitable alternative sites for development a number of factors were considered, including potential impacts on resources such as agricultural land. Initially, the Council sought to determine the extent of probable Best and Most Versatile (BMV) agricultural land on proposed Strategic Development Area (SDA) allocations in consultation with the Welsh Government. It also sought agricultural land surveys from those promoting the development of smaller sites.

During the examination, a new Wales-wide Predictive Agricultural Land Classification Map was published. The Council used this to re-evaluate and quantify BMV land on allocated sites. This found that allocated sites would incorporate nearly 90 hectares of BMV land, primarily in the east, northwest and southwestern parts of the County. 3.4....Allocating these sites will inevitably sterilise the BMV agricultural land resource, even if the land itself were not physically built on. These losses, however, have to be weighed against the need to provide a range and choice of new homes and jobs to meet evidenced needs.

The Council has adequately demonstrated that there is insufficient brownfield or lower grade agricultural land within the County to accommodate the necessary scale of development within the Plan period. Overall, the Examining Authority considered that the benefits of retaining the land in agricultural use would not outweigh the advantages of providing the required housing and employment development on the affected sites, for which there is an overriding need. Further, there is currently a limited supply of housing emanating from existing built up areas within the County. The allocation of SDAs and extensions to existing settlements is inevitable if sufficient housing is to be delivered and a 5-year supply of housing land sustained.

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They were satisfied that the Council has satisfactorily considered reasonable alternatives in terms of the level and location of growth to be accommodated by the Plan on greenfield land.

The LDP was adopted in February 2019, after the latest edition of Planning Policy Wales was adopted (Edition 10 – December 2018). The judicial review period to challenge adoption of the plan has now passed. This would have been the appropriate route to challenge the majority of the issues raised above. Concerns about prematurity have now dissipated due to the adoption of the plan. Similarly, whilst Penllergaer Community Council and the local Councillor have queried the apparent volte-face since 2007 (when the Council rejected the inclusion of the site in the UDP) and stated that case law requires consistency in decision making, it is inevitable that development plans will be updated and considerations will change over time when looking at the needs of the City and County as a whole. The LDP process was subject to significant scrutiny and clearly set out the rationale for the allocations contained within it, including this site. Section 38(6) of the Planning and Compulsory Purchase Act (2004) states that if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

The comments of the Strategic Planning Lead provided further context and clarification on the key points raised above and the Strategic Planning Lead has not raised any significant issues with the proposals subject to detailed comments from various consultees.

The site is allocated in the LDP as Strategic Development C. Site C is allocated for a comprehensive, residential led, mixed use development of circa 644 homes during the Plan period, incorporating Primary School, leisure and recreation facilities, public realm, public open space and appropriate community and commercial uses. The policy provides various placemaking principles and developer requirements but the principle of the development is considered acceptable subject to meeting the policy requirements of the allocation and other relevant policies of the LDP which are considered further below in the relevant subject areas.

## **7.9 Landscape and Visual Impact**

Residents have objected to the proposal on the basis of visual harm to the landscape and visual amenity. Chapter 7 of the Environmental Statement deals with the landscape and visual impact of the proposals, supported by a Landscape and Visual Impact Assessment (LVIA) was undertaken by Soltys Brewster. Based on LANDMAP Aspect Areas, six Types of Character Area have been identified which were then further subdivided into 13 Local Character Areas, 5 of which were not considered further due to limited visibility and the effects were considered to be legible. In addition, 6 viewpoints were utilised from around the site to evaluate the sensitivity, the magnitude of change and the level of effect that the proposed development would have. These are considered both in terms of the construction phase of the development and the visual effect once operational.

There are no nationally designated landscapes within or in close proximity to the site. The Historic Park and Garden at Penllergaer is located approximately 400m east of the development at its nearest point (Grade II listed landscape) which contains the Observatory building which is a Scheduled Ancient Monument and Listed Building. One PROW (28) passes through the far southern section of the site and is the only footpath that would be directly affected although the proposals would be visible, to a degree, from the Gower Way and the National Cycle Route although views of these would be restricted by mature vegetation.



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The topography of the application site is a defining feature. The application site is located on a south-west facing slope, presenting the most open views to the south and west and to lesser degree the south-east. Field pattern in the north of the application site are more regular in pattern and consist of more rectangular shaped fields. The field pattern becomes more irregular to the south and consists of a combination of rectangular and triangular shaped fields and blocks of woodland. Given the size of the site and the hybrid nature of the application, the proposed development would be undertaken on a phased basis. Phase 1A comprises the full element of the planning application, with Phases 1b – 4 comprising the outline element.

The application site largely falls within LCA1a: Mosaic Rolling Lowland, Mynydd Carn goch, and to a lesser extent LCA3a: Urban, Gorseinon and Grovesend, affecting a small geographical extent of the latter character area only to allow access and egress to the application site. Direct effects on landscape character during construction works would be confined to LCA1a and LCA3a and would be short term in duration.

The magnitude of direct landscape effects of the anticipated construction activities of Phase 1A on LCA1a and LCA3a are high due to the change in land cover and use. Although, direct landscape effects would be limited to a very small proportion of the LCAs as a whole. Landscape sensitivity ranges from moderate to low, therefore effects are considered to be minor to negligible and not significant. Each programme phase of the construction work is expected to be completed before the next commences, with some potential overlap such as the provision of access links. Direct changes to the landscape character within Phases 1B – 4 during the construction activities, are the same as for Phase 1A. Activities would include removal of field boundaries, removal of associated ground cover and vegetation, potential land remediation and importation/ excavation of material to create development site levels and access and egress on the A483 and A484.

Overall, the above construction activities would have limited direct, indirect and temporary effects. The assessment of effects on landscape character concludes that during the construction phase of the works for both Phase 1A and Phases 1B – 4, there would be no significant change in landscape character from within the majority of the study areas. Effects on visual amenity during the construction phase of Phase 1A and Phases 1B – 4 of the proposed development would predominantly be most significant from locations within the application site boundary and immediately adjacent, where direct effects occur. Effects on landscape character during the operational phase of Phase 1A and Phases 1B - 4 of the development are predicted to be significant from locations within the application site boundary, where direct effects occur and from immediately adjacent areas. However the small part of the LCAs where direct physical effects would occur would be subject to a substantial change in landscape character as development becomes a dominant, long-term feature within the landscape.

Significant effects on visual amenity during the operational phase of Phase 1A and Phases 1B – 4 of the proposed development would predominantly occur from locations within the application site and within close proximity, typically from the backs of private residential properties along the north and north-east application site boundary edge, the A484, A483, Gorseinon Road and Brynrhos Crescent. From short and medium distance locations, including Viewpoints 1, 2 and 6, the proposed development in Phase 1A and Phases 1B – 4 would be a perceptible feature within views, although additional elements are not considered to be the dominant visual elements.

The function of retained and proposed landscape elements, including woodland blocks and trees, are of importance from these viewpoint locations as retained visual reference points and as a green structure to views, which would assist in the visual assimilation of the scheme within the surrounding landscape. Other retained visual elements, including the group of trees in the north of the application site and the Cae Llwyn group of trees in the south-west of the application site are key visual reference points to be retained within the scheme design.

From long distance locations (such as Viewpoints 3, 4 and 5), the proposed development of Phase 1A and Phases 1B – 4 may be absorbed within the view without having significant effects, partly as a result of the breadth of the expansive views available and the nature of the existing rolling, mosaic landscape which is dominated by extensive vegetation and built urban cover, which includes the existing settlements of Penllergaer, Gorseinon, Waunarlwydd and Gowerton, the under construction housing development near Mynydd Cadle Common

In terms of key mitigation measures, consideration of the condition of trees, woodland and hedgerow has influenced the design process, and where tree and hedgerow loss is considered unavoidable attempts have been made to limit loss to lower value and poorer condition elements. A framework of structural landscape is also proposed, and would function as key landscape mitigation, screening the proposed development and assisting in the absorption of the proposed development within the surrounding landscape. Retained reference points – such as familiar woodland blocks and established farmsteads would further assist with the assimilation of the development into the landscape. During construction works, site hoardings would be used to reduce visibility, construction work would be phased to minimise extent of works on site at any one time and key structural planting would be planted early to maximise screening effects.

The LVIA concludes that there are considered to be no significant impacts on the 8 Landscape Character Areas identified within the visual envelope. It is not considered that the proposal would impact significantly on the Historic Park and Gardens as effects would be limited, the national cycle route, long distance trails or the PROW. In terms of the 6 viewpoints identified, there would be a moderate impact on viewpoint 4 (Llwyn Mawr Road) for phases 1B – 4 but these are not considered significant.

The Landscape Officer has raised no objections to the methodology, approach and the findings of the LVIA study and has stated that generally the layouts and visual context are well resolved and appropriate for the development. The retention of existing landscape features, trees, hedges, grassland etc and the general integration of green infrastructure and connectivity throughout the proposal is encouraging and should deliver a community that would benefit from sustainable linkages to adjacent centres. In addition, the site would soften over the time of completion of the construction phases and has the potential to become more bio-diverse as key hedgerows and woodland are improved. Similarly, Natural Resources Wales has raised no issues with the findings of the LVIA.

There is clearly an opportunity to build on the character of the differing 'places' by variations in planting to the benefit of the wider community. At the current scale and level of detail the extent of planting seems appropriate; however there is likely to be a need for greater diversity and variation in tree, shrub and seeding mixtures to fully adapt to the detail design in due course. While the general principles and approaches are sound the final detail designs should not be constrained by the details supplied in the documents to date.

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The embedded mitigation during the operational phase includes the retention of existing key woodland blocks, hedgerows and individual trees, where appropriate; strengthening the retained structural landscape network of woodlands and hedgerows; site boundary buffering through structural planting; consideration of visually prominent areas of the site; the strategic location of access points and the street pattern, scale and use of materials to reflect the setting and the local building vernacular, as appropriate. Where relevant, the key mitigation measures have informed the various parameter plans and strategic masterplan and a landscaping and environment management plan would be secured by condition. A condition would be attached to any grant of consent requiring the development to be in substantial accordance with the illustrative masterplan and parameter plans to ensure the approach outlined in the LVIA is followed through into the subsequent reserved matters applications. The proposals are therefore considered acceptable in terms of their landscape and visual impact.

### **7.10 Public Open Space/ Community Facilities**

Cllr Fitzgerald has stated that the benefits proposed would not benefit the existing community. Penllergaer already has two community halls and a Sports and Social Club, two first class football pitches plus pavilion. Any additional buildings or facilities would be entirely for the benefit of the new community. Residents have stated there are no facilities for youths and more out of school facilities for children and teens are needed.

Policy SD C requires a new community facility in the form of the re-use of the existing Parc Mawr Farm building, to be developed alongside the allotments. In addition, an off-site contribution was required towards works to improve the pitch at Gors Common and refers to a NEAP and 2 x LEAPs. Whilst the concept plan indicates the potential of pitches in the site, the site requirements in Appendix 3 requires provision in accordance with Fields in Trust standards and suggests that the provision of 1 x NEAP (Neighbourhood Equipped Area of Play), a minimum of 4 LEAPs (Local Equipped Area of Play) and various LAPs (Local Area of Play) should be provided alongside improvements to Gors Common.

Paragraph 4.4.1 of PPW states that community facilities perform various functions which cover a broad range of activities and services that can be delivered by the public, private and third sectors. Community facilities contribute to a sense of place which is important to the health, well-being and amenity of local communities and their existence is often a key element in creating viable and sustainable places. Para 4.5.1 goes on to state that recreational spaces are vital for our health, well-being, amenity and can contribute to an area's green infrastructure. They provide a place for play, sport, healthy physical activity and a place to relax often in the presence of nature, and they contribute to our quality of life.

With regards to the community buildings, 4 buildings are being retained within the Parc Mawr Farm complex as they could be used for future community purposes going forward. In terms of the masterplan, the buildings are located along the east-west active travel route in close proximity to the allotment gardens which offers an excellent location for community based uses, taking advantage of existing infrastructure to add to the character of the new place. These buildings would be offered to the nominated Registered Social Landlord in the first instance (prior to occupation of the 300<sup>th</sup> dwelling) or transferred over to the Council with a commuted sum for future conversion to enable a flexible re-fit to provide for toilet facilities and a kitchen (prior to the 350<sup>th</sup> dwelling and £50,000 contribution).

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Whilst initially it was considered that the pitches (although there is only one marked out) could be improved at Gors Common, as part of the application process it became apparent that whilst a commuted sum could be provided to improve these pitches, there is insufficient supporting infrastructure to support their formal use (no changing rooms and limited parking provision). In addition, any works on site would result in the loss of common land to facilitate the requisite infrastructure. The applicant subsequently submitted a Public Open Space Assessment to identify what the site should provide in terms of Fields in Trust guidelines (2.4Ha per 1000 population) and amended the masterplan to provide for two formal pitches with associated infrastructure in a central location in the site adjacent to the proposed NEAP and Multi Use Games Area (MUGA). The assessment concludes that the existing level in Penllergaer is 2.18ha per 1000, whilst this would increase to 2.24Ha per 1000 population post development and as such the proposed development provides a betterment within the ward over and above the existing provision.

Sport Wales has welcomed the inclusion of the pitches within the site and raise no objections to the proposed development. They have suggested that further advice is sought in the future to ensure the pitches are of a suitable quality to support adequate playing hours per week. This would form part of a future RM application but a condition would be attached to any grant of consent to ensure full details of the pitches are provided as part of that phase. The inclusion of pitches on site is considered to be betterment from the policy situation in that there would be a greater range of sporting facilities as the existing common would be retained for use as it is currently and 2 new pitches with appropriate facilities would be provided on site.

In addition, it is noted that 4 LEAPs were considered to be required (rather than essential) in terms of the on-site play provision. One LEAP is suggested as part of a village green adjacent to the Spine Street. However, following further dialogue and discussion as part of the application, the masterplan provides for good coverage of formalised play equipment across the site. The NEAP (at the top of the play hierarchy) is located in a central location on the opposite side of the Spine Street to the village green. A LEAP in such close proximity is therefore not considered practical. 2 x LEAPs have therefore been proposed, with one in the northern portion of the site in the village green in front of the mixed use commercial area adjacent to the school and one is proposed in the centre of the southern area of the site. In addition, there is an existing play area which has an excellent array of equipment just to the north of the site in Gors Common. Within this context, it is considered that there is suitable provision on site provided it is supplemented with other additions such as naturalised play provision and trim trails to cater for residents of all ages. Local Areas of Play, allotments, active travel routes and a BMX/ bike track would also be provided on site to supplement the play provision along with other green infrastructure and recreational areas.

The Strategic Planning Lead has opined that the provision of formal, equipped and informal play areas proposed across the site is sufficient and does offer a balanced distribution of play and recreation facilities for a range of age groups that would reside within the new neighbourhood. The applicant has addressed, through iterations of the scheme, initial deficiencies in this regard, and has taken the opportunity to consider the provision of such facilities in a holistic manner, setting out how young children, older children, and adults would be served by the open space and recreation proposals, including having regard to the availability of existing provision.

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As noted above, Sport Wales has raised no objections to the proposal and neither has the Parks department who have stated that they would be willing to take on responsibility for future maintenance of the formal open space and public open space in general, subject to the provision of an appropriate commuted sum. Alternately, a management plan would be required to be secured through the S106 agreement with on-going maintenance funding included and step in rights for the Council if required. These facilities would be available for all residents of Penllergaer, new and existing.

Phase 1A would have 2 x LAPs, with one located at the entrance to the site of Brynrhos Crescent and the other located on the southern boundary of the site adjacent to an existing green corridor.

The trigger points for this provision are listed in full at the end of the report, but in general, facilities are sought to be provided as early as possible in each phase to ensure the development is adequately served from the outset.

In conclusion, there is considered to be very good coverage of the site in terms of formal pitch / play provision and recommended walking distances, which would be supplemented by other informal recreation opportunities across the site and whilst not in full compliance with the Development Requirements outlined in SD C, are considered acceptable in terms of provision for the site.

## **7.11 Place-making Approach**

7.11.1 In terms of background, the site is approximately 78.5ha of undeveloped land comprising undulating fields with hedges, prominent tree groups and the modest vernacular Parc Mawr farm in the north. The field pattern is shown in first edition Ordnance Survey map. Around the site is Penllergaer village to the east and north, further open land and Bryn Dafydd farm to the south, and common land plus industrial areas to the west. The site slopes south and west towards the Mynydd Garn Goch common land area. Penllergaer has community facilities including primary school, shop, pub, petrol station and bus links.

7.11.2 The proposal is for a strategic residential development of up to 850 homes including new school, community retail, open spaces, play provision, spine street, sustainable drainage and retained ecological features/areas. The site is allocated in the LDP for strategic development for 644 homes to be delivered during the plan period (up to 2025) using the placemaking framework set out by Policies PS2 Placemaking and Place Management, SD1 Strategic Development Areas, SD2 Masterplanning Principles and SD C site specific Policy for land south of A4240 Penllergaer.

7.11.3 There have been very few applications for strategic housing developments of this scale in Swansea in recent years. The previous approach was a number of smaller disparate housing sites linked to existing suburban areas. These have proven to be poorly connected with limited access to public transport and community infrastructure such as schools. The new LDP approach of strategic housing developments is based on sustainable placemaking to create new neighbourhoods with new community facilities and public transport at the centre. This places strong emphasis on the legacy, sustainability, quality of life and well-being not simply on the delivery of housing targets.

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- 7.11.4 The evolution of the masterplan for the development known as Parc Mawr and preparation of the supporting placemaking framework has been a partnership approach working closely with the applicant and their design team. The collaborative and iterative process of testing and refinement reflects the placemaking process that underpins Planning Policy Wales and the Swansea LDP.
- 7.11.5 The masterplan has been subject to Design Review with the expert impartial Design Commission for Wales (DCfW) in January 2016 during the pre-application stage. Briefly, the DCfW comments were:
- Justify the location of the community hub comprising local centre and school
  - Importance of public transport
  - Street hierarchy and street types in accordance with Manual for Streets and Active Travel Act
  - Importance of the spine street
  - Integration of green fingers
  - Application of environmental energy strategy
  - House types – importance of end gable windows
  - Context – work with the topography of the site
- 7.11.6 The Design and Access Statement explains how these strategic comments by the DCfW have been positively addressed in the final submission.
- 7.11.7 Planning Policy Wales edition 10 set placemaking as a national planning objective in order to deliver the goals of the Well-Being of Future Generations Act. Placemaking is defined in PPW as a holistic approach to the planning and design of development and spaces, focused on positive outcomes. This approach is applied to the local level via the policies of the Swansea Local Development Plan and supplementary planning guidance.
- 7.11.8 The Local Development Plan sets out general placemaking policies and a specific policy for this site with concept plan showing the expected disposition of land uses and main structuring elements. This requires the provision of a new school and community retail in the north of the new walkable neighbourhood to be accessible by new and existing communities, plus a place orientated spine street linking A4240 Gorseinon Road to the A484 and A483.
- 7.11.9 The hybrid application for this site envisages up to 850 homes in outline with a detailed element of 184 dwellings and this is reflected in the development description. This is supported by technical studies such as the Transport Assessment that have been based on this number of homes and resulting travel patterns.
- 7.11.10 The first section of the well-illustrated Design and Access Statement (DAS) in support of this hybrid planning application sets out the analysis, concepts and justification, plus an indicative masterplan and area testing. The second part of the DAS contains a series of parameter plans and supporting principles to form a robust placemaking framework that underpins the indicative masterplan and these would be conditioned to the application so that future Reserve Matter applications must be in 'substantial accordance' thereby setting an appropriate balance of certainty and flexibility. The final section of the DAS explains how the first phase 1a of detailed development accords with the outline placemaking framework.

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7.11.11 The planning application for Parc Mawr comprising indicative masterplan, Design and Access Statement, parameter plans and detailed phase 1a proposals for first 184 homes have been assessed in a structured manner using the criteria set out in the Residential Design Guide which aligns with the national and local placemaking framework. The proposals have also been assessed against the Placemaking Policies of the Local Development Plan (see appendix 1). This assessment starts with strategic aspects such as neighbourhoods and mixed used and works through the detail to conclude with character. The sections of the Residential Design Guide are as follows:

1. Neighbourhoods
2. Density and mixed uses
3. Natural heritage
4. Making connections
5. Public spaces
6. Streets as places
7. Inclusive places
8. Buildings
9. Community safety
10. Privacy and amenity
11. Accommodating parking
12. Quality and character

### **1. Neighbourhood creation**

The LDP allocation for this site requires a sustainable extension to Penllergaer. The outline proposal is for up to 850 homes comprising a mixture of 1 and 2 bed apartments and 2, 3 and 4 bed houses (and possible extra care home). The approximate population could be approximately 1,900 people (based on an average occupancy of 2.23 persons per home) and this would be a mixed community including many families which is welcomed. The exact mix of house sizes would be confirmed within each Reserved Matters application and the phase 1a proposals comprise predominantly 3 and 4 bed houses with some 1 bed walk up flats (maisonettes).

The masterplan layout has been conceived to support the walkable neighbourhood requirement with a network of pedestrian routes and green spaces that support walking and health/ well-being. The proposal is based upon multiple open spaces linked by green corridors with an extensive range of play provision, plus path links to positively integrate and benefit the existing Penllergaer community and the new community. The co-location of the new primary school and community retail in a central location at the north of the site with a focal open space would create a clear 'heart' to the new place for existing and new residents. The size of the development at the longer north/ south dimension is 1km which relates to a 10-20 minute typical end to end walking time, plus the northern centre of the development is 1km or approx a 10-20 minute walking time for the wider Penllergaer community to access. Additionally the general development is 2.5 - 3.5km from the town facilities of Gorseinon to the west which is a short 15 to 20 minute cycle ride, as encouraged by the Active Travel Act, along the A48 which is being upgraded as an east west main cycle route.

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The following sections of this assessment demonstrate how the masterplan and parameters plans support the walkable neighbourhood approach with a clear placemaking fix (such as the requirement for the streets and paths to connect in order to form a pedestrian network), whilst providing sufficient flexibility for the detail to be resolved at the reserved matters stage (such as the allowance for the exact location of paths and streets to be agreed in future).

## 2. Density and mixed uses

The emerging LDP sets a density target for all SDA sites of 35 dwellings per hectare (net). This allows for higher density in central locations, standard family housing with useable gardens across much of the site and lower densities on sensitive edges. This ensures that good use is made of the site to provide a critical mass of residents to support the community infrastructure, without overdeveloping the site or harming the amenity of new or existing residents. The net density measurement is calculated based on the residential areas only and excludes open spaces and non-residential uses. The entire site at Parc Mawr within the outline planning application red line is approximately 78.5ha, with 24.6ha (approx 31.5% of the site area) proposed for residential development and capacity for up to 850 homes, this gives a net density of 34.5 dwellings per hectare. This is welcomed in principle and the Reserved Matters would need to be monitored to ensure that each phase contributes to meeting the overall density target of 35 dwellings per hectare to make best use of the site without becoming cramped. The DAS confirms that the density of the current reserved matters element (phase 1a) is 35.05 dwellings per hectare.

The indicative masterplan has been an important design tool to assess the housing capacity for the entire site. This is supplemented by 1:500 'test layouts' focussing on key areas such as the northern local centre and school showing open space, spine street built form, parking integration etc. These confirm that the number of homes and proposed density make good use of this strategic site and reinforce the townscape aspects without resulting in a cramped or overly intensive development.

In accordance with the LDP and the residential design guide, the density of development varies within the site; higher density town houses in short terraces and apartments are proposed in the north of the site around and adjacent to the new local centre; the core of the site is family homes with gardens; whilst the edges are lower densities to ensure a positive integration with the wider countryside and existing community.

The S106 agreement being prepared expects that 20% of the 850 homes would be affordable (circa 170 homes) and these would be integrated into each phase of the development as clusters amongst the private homes. The type, tenure and mix of affordable housing would be confirmed at the Reserved Matters stage and this would be identical in design, character and quality to the private homes. The phase 1a detailed layout proposes 37 affordable units (20% out of 184) in the form of 1 bed maisonettes and 2, 3 and 4 bed houses which are well distributed as clusters within the private housing mix.

The site is a residential-led mixed use scheme and whilst it would accommodate a modest number of jobs within the new primary school and community retail units, there is no strategic employment floor space proposed which is in accordance with the employment policies of the LDP.



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The LDP confirms that there is sufficient land in existing employment areas within the city including the adjacent Phoenix Way Industrial Estate and where possible new office jobs should be concentrated in the city core as part of the regeneration programme. This means that many residents in employment on the Parc Mawr site would need to travel to work or may increasingly work from home.

The 3 form entry primary school and nursery has been sited in the north of the walkable neighbourhood in accordance with the LDP concept plan. Not only are quality schools essential to the future of young people, they are also the centre of communities both for parents/ carers and also for activities and events outside school hours. The new school has been co-located opposite community retail units and a main open space to be accessible to existing and new residents. Appropriate trigger points would have to be agreed with the Education department and secured via S106.

The community retail space comprises floor space of up to 2,500m<sup>2</sup> which can be configured into a number of active frontage units for use classes A1, A2, A3 and B1 (broadly financial services, retail, cafes/ hot food and office). The 1:500 testing suggests that this floorspace could be arranged as 7 separate commercial units that could be serviced from the front or rear. Further testing at the Reserved Matters stage would be needed to integrate plant such as air con units/ extractor fan and commercial refuse storage etc. The commercial units would be integrated into three storey buildings with two storeys of apartments above facing the school/ open space to ensure density, natural surveillance and vibrancy. The testing also confirms that the residential above the commercial units would have parking to the rear and dual front/ back entrances to ensure accessibility/ legibility.

Key to delivering an appealing and successful place is an appropriate mix and balance of uses for the new neighbourhood. The proposed commercial ground floor uses in the north of the site, and at the spine street intersection, is in compliance with the specific requirements sought by the LDP to deliver such provision for the benefit of the new community and help re-inforce a sense of place.

As well as A1-A3 uses, the LDP policy supporting text refers to the opportunity for a primary care facility having regard to discussions during Plan preparation with healthcare providers. GP facilities within the wider area have experienced pressure in terms of meeting demand and representatives have indicated they would wish to continue discussions about the potential provision of a new facility at the site.

The Strategic Planning Lead has set out the policy in relation to retail provision and does not consider it reasonable or necessary to request the applicant undertakes a sequential test. Neither is it necessary to carry out an impact assessment of the small scale commercial element as it would not give rise to any potential concerns regarding adverse impact upon the vitality, viability or attractiveness of existing centres. The commercial centre is well located, in an accessible location at the north of the neighbourhood, with potential to serve both the existing community and the new development, and is connected to proposed residential by active travel links. It is proposed at the most preferable location in relation to the wider development context. The proposals are limited in scale and the LDP refers to this threshold as being commensurate with 'small scale' commercial development. A planning condition would provide an appropriate mechanism to restrict the maximum size of any retail unit / use within the commercial centre, which may be necessary in the interests of limiting unit sizes.

Together these elements form the heart of the development and their legible and accessible location encourages walking and cycling. The parameters plans such as the land use plan and street hierarchy plan sets the framework for this focal area and the exact positioning and architectural design would follow at the Reserved Matters stage.

### 3. Natural heritage

The site is 'greenfield' and is not previously developed land. It comprises a network of fields, hedges and prominent tree groups. The proposal includes significant green corridors running east west with retained hedges and trees and retains a significant western area including wet/marshy habitats of ecological importance as undeveloped land, thereby retaining approximately half the site area as open green space. The masterplan layout has been prepared to avoid development in the areas of ecological sensitivity, and as a result some hedges and the majority of tree groups are retained.

The ecological considerations have informed the Green Blue Infrastructure Strategy for this site which balances the community, landscape and nature interests. For example, this defines the multifunctional use of the green corridors for movement, well-being, ecological connectivity etc. This benefits nature conservation to increase the habitat whilst providing buffering from the residential activities, breaks up the development and improves the environment for new residents. During the negotiations, to ensure Green Infrastructure was incorporated 'throughout' the site in accordance with the SD site policy, a strategy of intermittent street trees potentially with wild flower planted verges has been introduced into the secondary street network. This should mean that most houses wherever in the phase 1a development would have a direct or oblique view of a tree in the public realm, plus there would be ecological stepping stones throughout the development in addition to the strategic green corridors.

The masterplan layout has been drawn based on accurate survey of all trees and hedges to ensure that there is a high level of retention with the majority of trees integrated as features within the public realm. This would help give the new neighbourhood a distinct character and sense of place. The areas of vegetation retention are set out in a parameter plan and it is expected that retained trees and tree groups would be protected by Tree Preservation Orders.

A Landscape and Visual Impact Assessment (LVIA) has been undertaken. This highlights that views of the application site tend to be limited to the elevated more distant areas to the east, south and west of the study area. Low lying and close views of the application site are available from Mynydd Garn-Goch to the west. Close local views are also possible but these are generally not public vantage points rather from existing private gardens around the perimeter of the site. The main visible areas of the site include the ridgeline in the south and prominent tree groups. The effect on landscape character and receptor viewpoints has been assessed in the Environmental Statement. This highlights generally a minor/ negligible visual effect which has been achieved via iterative process to mitigate visual impact by keeping prominent areas free of development, retaining landscape features to soften and break up the development, and creating new planting to integrate with landscape edges. The LVIA recognises that development on the high ground area within the site would be prominent and this can be addressed through design such as roofscape articulation and planting to soften the built form. Additionally the green corridors with retained trees helps to break up the extent of development when viewed from afar. The edges would be lower density outward facing edges with scope for 2.5 storey larger detached houses. The LVIA also recognises that the site benefits from wide ranging views which would contribute to the character and sense of place.

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Cadw has been consulted on the visual effect on the off-site designated heritage, namely Scheduled Ancient Monuments such as the orchid house and observatory associated with Penllergaer House which lie some 500m to the east and the wider Penllergaer Historic Park and Garden which is 100m away at the closest point and they have confirmed that there are no impacts.

The existing vernacular Parc Mawr farm buildings including farm house and barn are to be retained. These are not designated heritage assets but have been well maintained and are a key feature of the site. They are proposed for community use in conjunction with the adjacent community allotment area/ orchard which forms part of phase 2 after phase 1b which comprises the spine street and local centre. This is welcomed to retain positive features of the site that communicate the history and function as well as creating a new community focal point.

#### 4. Connections

Although the site is large, there is limited public access to or through the area at present with only one PROW in the southern part of the site. The vehicle, walking and cycling routes generally circumvent the site well away from the boundaries. The placemaking concept within the masterplan layout responds to the requirements of the LDP and Residential Design Guide; the proposal sets the framework for a walkable neighbourhood with strong links to the surrounding area and strong links through/ within the site. In total there are 13 proposed pedestrian and cycle links to surrounding area. This includes multiple access points to the north and east connecting to the existing community. These links would also provide new routes to the areas surrounding the site (for example linking Mynydd Garn Goch common to Swansea Road by foot and cycle).

The LDP site specific requirement includes a spine street linking Gorseinon Road (A4240) to the A483 to the east and A484 in the south. This is not intended to be a bypass per se but rather a new linear place with active frontages whilst relieving traffic issues on the wider network. The Design and Access Statement draws out vehicle flow information along the spine street from the Environmental Statement; this forecasts circa 7,500 vehicles on a weekday which is well within the threshold of 10,000 vehicles as set out in Manual Streets for this type of route and allows for direct frontage access. This is considered to meet the place/ movement balance set out in Manual for Streets and recent update of Planning Policy Wales. The additional detail in the DAS also indicates that the highest traffic flows on the spine street would be the northern section linking to the A4240 past the local centre and school. The information predicts 522 vehicles in the 7.45-8.45 AM peak (235 north bound and 287 south bound) which includes school traffic. The PM peak is predicted to be 16.30-17.30 with 349 vehicles in the hour (224 north bound and 125 south bound). At the highest volumes, this equates to a vehicle every 7 seconds in the AM peak and every 10 seconds in PM peak. This allows gaps for pedestrian crossing and the detailed design of the spine street is expected to include provisions including 20mph zone.

The outline masterplan sets a framework for this spine street confirming the alignment, connection points and design criteria. This would be a tree lined street with verges and houses/ building frontages. The general speed limit would be 30mph with 20mph restrictions in key pedestrian areas such as past the school/ local centre. The 1:500 testing of the outline masterplan indicates that the spine street would be lined by housing frontages typically semi-detached with direct access to side drive parking. This ensures parking does not dominate whilst helping to calm traffic speeds on the spine street.

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The north south spine street also includes a 3m wide primary active travel route to support strategic cycling as well as local walking and cycle access to the local centre and school. The proposals include a new connection to the existing strategic cycle network along the A4240/A48 which links into Gorseinon and Swansea City Centre via the Tawe Sustrans Route 43 cycle path. In addition to the spine street north south active travel route, there would be secondary active travel links to destinations within the site such as the pitches, play and recreation areas and through the site linking Swansea Road to Phoenix Way/ Gorseinon Road via an upgrade to the existing farm track which links to Swansea Road.

The main northern vehicle access off Gorseinon Road could include a shared 3m wide path to one side only in order to allow sufficient space for planting/ green infrastructure and amenity considerations for the residential properties either side of the access. However active travel links could also be provided via the two additional non vehicle northern accesses and this detail would be tested at the reserved matters phase for the spine street. This detail would be finalised as part of phase 1b which relates to the spine street and local centre.

The layout within the site is based upon the LDP and Residential Design Guide requirement for a connected network of streets and spaces as the basis of a walkable neighbourhood. This aligns with the national emphasis on walking and cycling by means of the Active Travel Act. The positive provision for walking and cycling includes perimeter paths that allow for informal recreation along the green edges within the site that are overlooked by house frontages. The main movement routes within the site are provided by the north south spine street which is emphasised by the public realm treatment including trees along verges and active house frontages. The body of the site is made up of connected streets that are legible and easy to find your way around. The full pedestrian permeability is ensured in private drive areas by the provision of linking paths to avoid creating cul-de-sacs for pedestrians. All streets within site are well overlooked to ensure community safety and deter anti-social behaviour.

The phase 1a detail is for the north and eastern part of the site excluding the spine street and properties fronting onto this. The phase 1a proposals include access for 184 homes off Bryn Rhos Crescent which links to Swansea Road. This provides direct access to the first phase and becomes a secondary access as the wider site is developed. It is not intended to restrict this access in future phases because the tortuous nature of internal connections and more direct accesses from Gorseinon Road, A483 and A484 would deter rat-running. This initial phase includes a further 3 pedestrian links to Swansea Road including upgrading the existing farm lane to an active travel route providing the most direct link for the new community to access the existing facilities of Penllergaer pending the further phases with new on site facilities. The S106 sets a 185 unit trigger for the formation of the access off Gorseinon Road thereby limiting the amount of development accessed from Bryn Rhos Crescent. The subsequent phase 1b extent includes the spine street with associated development and local centre.

The masterplan proposal is to accommodate bus priority along the spine street areas with stops in key locations (to be agreed via condition) such as by the co-located school and community retail area. The location of bus stops would be within a 400m walk for most homes on site and this should help encourage sustainable travel habits with convenient access to this facility. The carriageway of streets along the bus route would be 6.1 - 6.75m wide to ensure ease of bus access through the site and placemaking.

## 5. Public spaces

The play and open space element of the placemaking framework proposes that approximately 5ha is set out as publicly accessible open space, plus additional strategic landscape informal space amounting to 39ha. The open space is distributed through the site as focal spaces and green corridors, with the main area of pitches/ recreation facilities / park located approximately at the centre of the site at the confluence of two east-west green corridors which is accessible to the new and existing communities. A number of additional spaces through the site include the northern village green at the local centre with retained trees and public realm space on the school frontage. Public space is also proposed around the retained Parc Mawr farm building, around the skyline trees, as well as informal space along the western and southern rural edges. It is proposed that these open spaces would be laid out as part of the relevant housing phase and details of management/ maintenance would need to be agreed as part of the S106 agreement.

Within these main spaces, play provision generally in accordance with the Fields in Trust guidance is proposed to ensure healthy lifestyles, wellbeing and community cohesion. The central park would provide two standard size sports pitches plus sufficient changing room facilities/ car parking. Adjacent to the pitches in the centre of the site would be a Neighbourhood Equipped Area for Play (NEAP), typically providing at least nine play 'experiences', an activity zone of 1000m<sup>2</sup> and 30m buffer to nearest homes, plus a Multi-Use Games Area (MUGA) typically comprising all weather surface suitable for various ball games with rebound fence panels where they are accessible to existing Penllergaer residents and the new community.

Distributed through the site would be a further three Local Equipped Areas for Play (LEAP) typically comprising 400m<sup>2</sup> activity zone, at least six play experiences and 20m to nearest homes and a further 10 Local Areas for Play (LAP) which is 'door step' provision for younger years. Plus a BMX/ mountain bike trail in the western area as well a provision for teenagers. The play hierarchy is shown in the parameters plans and the detail of the play provision in each area would be resolved at the Reserved Matters. Alternative play provision are also proposed such as naturalistic landscape play areas and trim trails along the green corridors.

The area around the retained Parc Mawr farm buildings is also proposed to include allotments and community orchard to encourage community food growing, plus the network of paths within the site including the perimeter paths on the green edges would encourage walking and a leisure activity.

The DAS indicates that a public art strategy is proposed to be agreed and implemented, this would need to be delivered via condition. This is not expected to be traditional statues and could be landscape/ landform art feature with the possibility of participatory events to help develop community links in establishing the landscape features and explanatory boards to help interpret the site and its features.

As this is a greenfield site, the drainage attenuation strategy requires surface water from roads, roofs and hard paved areas to be stored following periods of rainfall and slowly released into the existing watercourse networks to ensure that this is not overloaded. This creates an opportunity for multi-functional green infrastructure; the masterplan and placemaking framework proposed Sustainable Urban Drainage Strategy (SUDS) ponds as naturalistic features within the open spaces.

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The pedestrian links also include links in the western part of the site to Mynydd Garn-Goch Common which is open access land. This supplements the extensive provision of open space on site. The site also has good access to existing open spaces including Gorseinon Common to the north with pitches and play provision and the Community Council pitches off Swansea Road.

The playing field to the new school would be fenced in accordance with safeguarding requirements. There may be potential for community use of the school facilities such as pitches within the school grounds out of hours as required by the LDP Policy SD C which could be secured by condition.

All the spaces are easily accessed with the connected pedestrian network, plus they would be well overlooked by front elevations of homes to ensure natural surveillance and to deter anti-social behaviour.

## **6. Street design**

The masterplan shows a connected network of streets to ensure legibility and permeability in support of walking, cycling and community cohesion. This would be ensured through the street hierarchy parameters plan. All residential streets are to be offered for adoption, they would have a 20mph design speed and the key design element of each street type as follows:

- Spine Street – 6.1 – 6.75m carriage way for bus route, plus grass verges and regularly spaced trees to both sides with 2m footway on one side and 3m shared path on the other. Typically 3 storey buildings with front boundaries. All residential parking behind the building line.
- Secondary Street – 5.5m carriageway with 2m footways to either side and verges/ street trees to one side to soften the streetscene and integrate green infrastructure throughout.
- Lanes and Mews - shared space carriageways of 7m with defined 2m 'safe' pedestrian zone and incidental planting/ trees for softening
- Private Drive – these would serve small groups of homes and supplemented by pedestrian paths to ensure walking connections.

Negotiations have resulted in positive integration of green infrastructure into the detailed phase 1a street design with verges/ street trees along one side of the secondary streets and planted buildouts in the lanes/ mews area. This is a step change in placemaking, bringing green infrastructure into the local level which softens the streetscene, reinforces lower speed design and ensures greening GI throughout the site (allowing most homes to have a view of a tree in the public realm) as opposed to the edges and green corridors only.

The importance of the streets varies in terms of width/ height (enclosure) frontage treatments and parking arrangements. The more important streets that provide the main connections are emphasised by taller buildings and regularly spaced street trees. The design of the streets balances the place/ movement functions so that they accommodate traffic whilst also supporting the social life of the new neighbourhood. Key areas would be emphasised through block paving; a range of surfacing options and associated commuted sums are being considered by the Council and this detail would be resolved at the Reserved Matters Stage.

## 7. Inclusive design

The development would be inherently inclusive. There are no steep gradients within the site, all streets would have pedestrian provision and low speed shared street areas would have defined pedestrian zones. The parks and play areas would be accessible to all, with appropriate street furniture and they could be designed in consultation with potential users. The legible layout would make the development easy to navigate and the main areas such as the school and open spaces are centrally located and would be easy to find. The public buildings such as the school and community retail units should meet the access requirements of the Equalities Act and Part M of the Building Regulations which deals with access to and the use of buildings.

The streets and open spaces are indicated to be adopted and the development would be open and permeable for all members of the public within the existing and new community. The site would provide new public walking and cycling routes from Penllergaer that do not currently exist and the extensive on site play/ open space provision would be accessible to all. The benches along green corridors and routes would need to be spaced to take stopping points into account and this can be controlled by condition to ensure sufficient resting points for all abilities.

## 8. Buildings/ townscape

The way that the buildings are arranged alongside the network of connected streets creates a townscape. The basis for the townscape throughout the scheme is set by the parameters plans and the townscape detail would be resolved at the Reserved Matters stage.

Bellway Homes are a national house builder with a standard range of house types and the indicative masterplan shows a mixture of apartments, terraced houses, semi-detached and detached. Junctions would be emphasised with corner turning buildings with two public elevations in accordance with the Residential Design Guide. The masterplan and 1:500 test layouts show consistent building lines and taller buildings to define key areas within the neighbourhood.

The maximum building height would be three storey mixed use buildings with commercial ground floor and two levels of residential above, plus possibly a three storey care home. The community retail units would be opposite the school which ensures intensity and best use of land.

The site indicated for the 3 form entry school may require a two storey school design to ensure sufficient external space is provided for pupils. The DAS sets out the height parameter to allow this as a focal building in the north of the site. The scale of this education building is compatible with the three storey apartments opposite. The design of the school is not fixed at this stage (it has been informed by comparable 'model' schools built elsewhere) and the detail would be resolved at the reserved matters stage.

The new homes would have legible entrances facing the street and habitable windows would face the streets and open spaces to ensure natural surveillance and community interaction. A key aspect of the masterplan is outward facing edges where homes face the countryside rural edge to maximise the outlook and provide natural surveillance of the perimeter paths and public realm areas. This is a step change from past developments that would back onto site boundaries and this is set as a requirement in the built form parameters plan.

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The phase 1a reserved matters layout plan confirms that the detail follows the outline parameters with consistent building lines, corner turning plots and limited use of 2.5 storey houses to emphasise key townscape areas.

## 9. Community Safety

As noted earlier the site would form new through routes for pedestrians and cyclists and the open spaces/ play areas would be open to the wider community not just the new residents. This is essential to integrate communities and the fact that all streets, open spaces and play areas would be well overlooked by frontages, including front doors and windows to habitable rooms, would ensure natural surveillance and deter anti-social behaviour.

As the layout is based on the perimeter block layout, the majority of gardens are secured by buildings and are not open to casual intrusion.

The parking for residents in the northern area local centre is behind the buildings in well overlooked parking courts. It is not appropriate to have parking in front of the building line along the spine street as this would disrupt the quality of the public realm. These courtyard parking areas would serve only the apartments and they would not be through routes. It is known that parking courts can be a concern of the Police Designing Out Crime Officer, however these are necessary in terms of placemaking and they would be informally policed by direct entrances to the units served and would be well overlooked by windows of habitable rooms. They could be gated if necessary as part of the Reserved Matters design.

The school field would be fenced to ensure safeguarding of pupils and to stop unauthorised access to the school building and external areas. It may be possible to have an open school frontage up to the main entrance to emphasise the open community function of the building but this would be resolved at the detailed architectural design as part of the Reserved Matters stage.

## 10. Privacy and amenity

The masterplan and 1:500 test layouts demonstrate that with a density of 35 dwellings per hectare (net) the gardens would generally be at least same size as house footprint. This ensures sufficient useable private amenity space and ensures that the site is not over developed.

As indicated above, the layout is based upon the perimeter block approach with rear gardens abutting rear gardens and secured by frontages. The masterplan and 1:500 test areas indicate that separation distances of 21m back to back between rear elevations can be achieved to ensure privacy between windows and gardens, plus useable family garden areas and a minimum 12m separation between rear elevations and blank gables can also be achieved to avoid an overbearing effect. These amenity separation distances would therefore be achieved in the detailed layouts at the Reserved Matters stage. The masterplan and 1:500 testing indicates that there are no unacceptable amenity impacts on existing residents to the north and east.

The Phase 1a detail has required some separation distances to be increased to take account of amenity with slab/ gardens at different levels.



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Plus there are a handful of plots with smaller gardens which is considered acceptable on balance to ensure placemaking aspects such as corner turning plots are addressed. The detail of this first phase includes retention of perimeter hedges that separate the site from existing properties, an additional maintenance buffer is provided on the development side of the hedge to ensure this is retained and to ensure no unacceptable amenity impacts on existing residents to the east.

## 11. Parking

The masterplan sets out a layout for a walkable neighbourhood including the school located to be accessible via active travel for the existing and new community. Plus the local centre facilities would support walking and cycling for short trips. Cars are an inevitable part of the development but can be accommodated in a way that is not dominant on the public realm or townscape.

Parking for the apartments would be accommodated in private parking courts that are secure and well overlooked. The parking for houses would be accommodated on plot in the form of side drives between buildings and frontage parking that is typically on one side of the street, half of the frontage and softened by planting. Visitors would be accommodated throughout the development on street.

Commercial parking for the community retail units would be accommodated within the multi-functional urban square. The school would have a separate drop off area and staff parking for the school would be accommodated within the school site area.

Therefore the masterplan confirms that parking can be accommodated without dominating this new place.

The phase 1a detail proposes on plot parking, predominantly as side drives which is welcomed to keep parked cars behind the building line. Corner plots generally have parking off the side streets to the rear. There is some frontage parking (approximately 25% of the total); for the smaller narrow fronted terraced houses which is in blocks of no more than 6 spaces with combined planting; for the larger detached houses with integral garages the frontage parking does not take up more than half the frontage which leaves good space for a planted front garden. It would be important to remove Permitted Development Rights for the entire development to bring householder alterations under planning control to protect for example the treatment of frontages as part of the wider streetscene. The layout also indicates where visitor parking spaces can be provided on street; this is important to ensure adequate proposal without visitors having to park on footways. Overall the phase 1a layout confirms that sufficient parking can be accommodated without dominating the new high quality place.

## 12. Character and quality

The outline includes a character analysis of the immediate areas of Penllergaer and wider recent housing developments, plus wider settlements that concludes that there is not a strong vernacular character to reflect and this development is an opportunity to create a new high quality identity. The vernacular Parc Mawr farmhouse and barn is to be retained which is welcomed.

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The outline parameters information breaks the site up into 3 separate character areas that would be differentiated by materials and details:

- Spine Street/ Local Centre – would have a higher density contemporary character, predominantly render with repeating gables.
- Bryn Rhos (east) – a medium density designed to reflect the local vernacular (including phase 1a)
- Parc Edge (west and south) – a low-medium density area reflecting the local vernacular with outward facing edges.

In addition to the character area information, the parameters plans also highlight 'uplift' areas to help define and emphasise the main routes and spaces. These areas include the main spine street, local centre, key active travel routes, around key spaces and outward facing edges where additional detail and articulation is incorporated into building frontages. This is welcomed to emphasise the key areas and these uplifts would include improved architectural details and feature materials.

The outline framework sets the requirements for boundaries to define frontages including hedges to soften the streetscene and contribute to GI, formal railings to the spine street and estate type railings around the open spaces.

The detailed design of the school and local centre would be resolved at the reserved matters stage. The outline DAS suggests that these would have a contemporary character with a strong gable language to the local centre that ties into the spine street residential gable frontage character. The school is also envisaged to be contemporary in a more sleek modern manner as suggested in the DAS similar to the recent Council schools constructed under the 21<sup>st</sup> Century Schools programme.

As this is a hybrid planning application, there are detailed elevations of the houses for the reserved phase 1a matters element. This is within the Bryn Rhos character area and confirms the houses traditional appearance with pitched roofs and the predominant material would be a single red brick which is supplemented by render and reconstituted stone in focal areas. It should be noted that there was a second buff brick proposed which has been omitted as not linked to local character. The uplift details are confirmed as grey fascias, black rain water goods, chimneys, reconstituted stone plinths to render properties, reconstituted stone heads and cills. Where reconstituted stone elevations are proposed to focal houses within the uplift areas, these are further enhanced by sage green window frames. Many of the houses within the uplift and standard area have front gables and it would be important to ensure crisp detailing of the verge edges and this can be controlled via condition.

Many of the houses incorporate bays and canopies; in previous Bellway developments elsewhere, the roofs to these features have been formed in fibreglass (GRP) which does not fit the aesthetic for this important development. Therefore the bays and canopies are welcomed to articulate the frontages and it is important that these are formed traditionally with small format tiles to match the material of the main house roof and this can be controlled via condition.

Whilst meter cupboards are relatively small, every house would have two (electric and gas), so collectively these would detract from the quality of place. Therefore where possible the meter cupboards are located on side elevations and where this is not possible such as mid terraces, the cupboards would be black rather than white to be recessive.

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Additionally the detail allows for a range of front door colours which provides variety and personalisation rather than all white. Garage doors would need to be either black or same colour as the front door and this can be controlled via condition.

The detailed landscape plans for the private plots confirm that many of the frontages have hedge boundaries which is welcomed to soften the streetscene and contribute to green infrastructure. Side and rear boundaries abutting the public realm are robust in brickwork rather than close board fencing. The open space at the Bryn Rhos Crescent is enclosed by estate railings as a formal space with play provision and planting.

### 13. Sustainability

The development proposes a sustainable neighbourhood that encourages walking and cycling with the new school at heart, strong connections to Penllergaer and improved linkages to the wider countryside. The site can accommodate a new through bus service. The open spaces including community orchard, allotments, pitches, playgrounds and connected streets which would encourage active and healthy lifestyles. Therefore the development has potential to establish a 'sustainable community' that supports active lifestyles and reduces dependence on private cars but additional cycle parking would be required to support this approach – secured by condition.

The new homes would exceed Part L of the Building Regulations (Conservation of Heat and Power) via the fabric first approach to increase insulation, reduce air leakage and reduce thermal bridging as indicated in the Energy Strategy for phase 1a. The aim is for the new school to meet the sustainable building standard known as BREEAM Excellent (as per recent new schools in the Swansea area), with BREEAM Very Good as the fall back.

### 14. Placemaking process

On the basis that the outline planning application covers the entire site this allows the comprehensive placemaking approach to be set through a series of parameter plans and supporting principles to fix key aspects of the scheme whilst allowing sufficient flexibility for creativity and to respond to market forces at the Reserved Matters stage. The illustrative masterplan is part of the iterative process of testing and refining the scheme and this represents one potential way of developing the site in accordance with the placemaking framework. This is a recognised approach for large scale phased developments that would be delivered over a number of years.

The parameter plans are as follows:

- Land uses – this defines the disposition of uses on the site, including the areas for housing development, sets the location for the new primary school building/ grounds, defines the area for mixed uses which could include community retail and highlights the general areas for open space
- Urban Design Focus – this sets out the requirement for the outward facing edges, the architectural uplift areas along main routes, facing green corridors, around key open spaces and outward facing edges and the primary/ secondary focal areas for public realm
- Density – this sets the requirement for higher densities in the north and along the spine street, lower densities on the edges and medium densities elsewhere

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- Building Heights – this indicates the heights in the number of stories and vertical measurements whilst distinguishing between the residential and school differences. The maximum height is confirmed as 3 stories or 14m
- Access and movement – this sets the network for active travel, public transport and vehicles as a connected network linked to the hierarchy of street types which ensures green infrastructure integrated at the local level
- Landscape Strategy – this shows the ecological areas with restricted public access, green corridors, retained trees and retained hedges
- Public Realm – this establishes the location of pitches, open space types and distribution of play hierarchy.

The Phase 1a Reserved Matters applications includes the detailed layout design, house type information for 184 homes in accordance with the parameters. The phased approach to this development allows the delivery of each area to be monitored and any issues can be addressed in design/ detailed layout of subsequent phases.

It is considered that this Outline Planning application supported by Design and Access Statement, masterplan and parameter plans would create a robust placemaking framework for a walkable and sustainable neighbourhood that connects strongly with Penllergaer as a place and community. The development makes good use of an allocated greenfield site with a housing density that allows retention of existing landscape features and avoids overdevelopment. The network of streets and open spaces would encourage walking and cycling. The co-location of the 3 form entry primary school and community retail at the centre of the development would create an identifiable heart to the new neighbourhood for existing and new residents. The network of open spaces, play and pitches would benefit both new and existing residents to support healthy lifestyles and well-being, plus contribute to the sense of place. The houses would be uplifted in key areas and varied by character areas to ensure a quality environment and distinct sense of place. The suite of parameters plans provide sufficient robustness to set the framework to fix the strategic aspects such as disposition of land uses, locations of green spaces, play hierarchy, building height, street hierarchy and pedestrian links, whilst allowing sufficient flexibility for the detailed design to be refined at the Reserved Matters stage.

Notwithstanding the above assessment, residents have raised concerns that at a site-wide level, the development would destroy traditional field patterns, dominate nearby buildings, conflict with the pattern of development and result in overdevelopment of the site. In this regard, the development of former agricultural land would inevitably impact on traditional field patterns but key hedgerows have been retained as features of the development to provide green fingers through the development. The density would average approximately 35 dwellings per hectare as required by the LDP to ensure an efficient use of land without impacting on the amenity of future residents. The parameters plan indicates lower density development around the sensitive edges and higher density in the mixed use centre which is appropriate for a development such as this and would ensure an appropriate relationship to existing buildings. The pattern of development around Penllergaer includes more modern estates and linear housing along key routes which would be similar to that proposed.

In terms of Phase 1A, concerns have again been raised that the proposals constitute overdevelopment but the density averages approximately 35 dwellings per hectare which is required in the LDP.

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Further concerns are raised that the dwellings lack private amenity space, are of excessive bulk/ scale and introduce unnatural features that are incompatible with the design of existing buildings. In addition, it is suggested the development would spoil natural contours, result in the loss of trees/ hedges, wooden fencing is not robust adjacent to the public domain, garages are too small and comments are received that both that there is too much frontage parking in the development (dwellings in the area all have garages, ample off-road parking and attractive front gardens) and the local Councillor has stated that the majority of driveways are so narrow that one car would have to be parked in front of another. In addition, parking spaces are at the front of the terrace properties resulting in a run of tarmac and no visible green space at all, so completely out of keeping with the street scene in neighbouring roads. One resident has commented that the dwellings themselves are uninspiring and the quality of the project is uninspiring whilst other comments state that Phase 1A is isolated from Penllergaer

As noted above, all properties have sufficient amenity space for drying clothes etc and two LAPs are provided within Phase 1A. The existing farm track would be upgraded to an Active Travel route to provide pedestrian and cycle access to Penllergaer via Swansea Road. Key trees / hedgerows have been retained where possible and mitigation would be provided for those lost. The street scenes show limited cut and fill across the site as existing levels / contours are retained where possible in Phase 1A. Driveways have been incorporated at the side of properties to ensure vehicle parking does not dominate the street frontage which is replicated elsewhere in Penllergaer. Integral garages have been limited across the site and frontage parking has been limited across the site to ensure it does not dominate the streetscene. Phase 1A has had a significant amount of greenery added to improve / soften the streetscene. Similarly, a significant amount of work has been undertaken in improving the design of the dwellings and ensure the dwellings in Phase 1A respect the character of the existing buildings in terms of their use of materials and features both in key uplift areas around important focal points (such as the LAP and green edges) and non-uplift areas (with introduction of cills, headers etc) to ensure a high quality development which is supplemented by increased green infrastructure within the streetscene. Allied to this, robust stone and brick walls have been incorporated into the public domain to further improve the overall design/ layout of the development.

In conclusion, the proposals have followed a robust placemaking process and are considered acceptable in both outline form and the detailed Phase 1A element subject to conditions.

### **7.12 Neighbouring/ Residential Amenity**

Residents have raised concerns with regards to the overall masterplan/ proposal and detailed concerns with regards to phase 1A. At a site-wide scale, issues include noise and air quality concerns, poor relationship with adjoining buildings have been raised whilst comments have also been raised in terms of the phase 1A layout and the lack of private space, blocking daylight/ overshadow neighbouring properties and increased overlooking of properties as a result of the layout. Queries have also been raised about the accuracy of the plans (which don't show conservatories etc) and the relationship between the new development and existing development. Finally, comments have been received concerning unsociable hours of operation, it is assumed during the construction phase.

The proposed development is a hybrid application with the majority of the application site for consideration in outline and a detailed plan for Phase 1A. The site is located on the inside of two roads which back on to the site with predominantly residential properties backing on to the development.

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At this stage, there isn't sufficient detail to advise of set-off distances as this would be subject to further design, which would be considered further at subsequent reserved matters stage for the majority of the site. What should be noted however is there is room within the site to ensure that the set off distances are sufficient to protect future residential amenity (both existing and new residents) and a large majority of the properties on Swansea Road and Gorseinon Road have long rear gardens providing a significant setback from the site boundary which would further buffer the development. The proposals indicate a lower density around the sensitive edges of the site (adjacent to existing properties to ensure adequate buffering) and existing boundary features would be retained where possible and enhanced where required. In general, the scheme is considered acceptable in terms of the outline element.

In terms of the access locations, the main access would be located in a gap vacated by the demolition of No. 31 Gorseinon Road which is located between a detached property and a semi-detached property. On the one side, the detached property has 4 windows on the side elevation facing the proposed entrance way whilst the semi-detached property on the opposite side has no windows as the garage element of the proposal abuts the proposed access. The access road is likely to comprise a 3 lane arrangement with 1 lane in and two lanes out, controlled by traffic lights. It is therefore likely that vehicles would be queueing up at this location both within the site and along Gorseinon Road. The Council's Pollution Control division has raised no issue in terms of the impact on neighbouring amenity and there is considered to be sufficient space (as indicated in the DAS) to ensure the access has a suitable gateway/ placemaking function, movement function and ensure buffering from neighbouring properties. Full details of any noise mitigation measures would be secured via condition. There are no concerns about vehicle lights upon exit at the site as the exit faces onto Gorseinon Park/ Common. The two proposed accesses onto the A483 and A484 raise no significant issues in terms of neighbouring amenity.

The full element of the scheme (Phase 1A) is located in close proximity to dwellings on Brynderi Close and Brynrhos Crescent which have smaller gardens than the predominantly older properties abutting Swansea Road and Gorseinon Road. This enables detailed consideration of separation distances from the closest properties at this time. Whilst the layout plan submitted may not pick up conservatories / extensions on neighbouring properties (as it is based on OS plans), a site visit has been undertaken to visually assess the impact of the proposals on existing properties to supplement an understanding of the site and the relationships to surrounding properties. One resident has specifically commented on the proximity of Plot 85 (previously Plot 83) to their property.

Officers originally raised concerns with regards to the relationship of proposed dwelling to existing properties notably in relation to properties on Pen-y-Bryn Close and Brynrhos Crescent. As noted in the Residential Design Guide, a distance of 21m back-to-back is required to ensure there is no direct overlooking from rear amenity space and 15m in terms of a back-to-side relationship to ensure the proposals are not overbearing. These concerns were suitably addressed in the revised plans. Typically, the properties on Swansea Road are over 30m away to the side elevations of properties within the site. Plots 54, 72 and 73 have been reconfigured so that the main outlook of Nos. 4, 5 and 6 Pen-y-Bryn Close (which all have balconies) are not detrimentally impacted upon. The main issue is private amenity space for residents of the new buildings as a result of overlooking but this has been reduced by virtue of screening provided by the location of the garages serving those plots and additional planting between the properties. Plot 72 has a 15m back to side distance with No. 6 and Plot 73 has a 20m distance to the 2 storey element of No. 4.

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Whilst this is marginally less than the requisite 21m, the relationship is not directly back to back (approx. 45 degree angle) ensuring main outlook isn't into the property ensuring there would be no significant reduction in privacy. No. 1 Brynrhos Crescent would be located 16.5m away from the side elevation of Plot 85 and there would be no windows in the side elevation of this property ensuring an appropriate relationship. A minimum distance of 24m would be provided from the properties on Brynderi Close and the dwellings fronting on to Clos Ty Mawr would be fronting on to areas already visible in the public domain.

Overall, it is considered that the Phase 1A layout would not cause unacceptable overlooking of existing residents or result in significant loss of light/ overshadowing/ outlook given the relationship of the proposed dwellings and their sensitive siting in relation to existing properties.

The access to Phase 1A would be located off a road spur from Brynrhos Crescent that appears to have been originally constructed to serve as a future access behind the properties on Brynderi Close. The access would utilise an existing public highway and curve around properties into the site. The rear of properties along Brynderi Close are enclosed by a screen wall that would ensure there are no impacts on amenity as a result of vehicle lights leaving the site.

No issues of noise/ disturbance have been raised by Pollution Control for existing residents as a result of this proposal in terms of the noise impact but given the proximity of the 2 dwellings at the northern entrance to the site, it is considered necessary to ensure the acoustic measures are considered further as part of the reserved matters application for the northern entrance once the details have been fixed. A condition to this effect would be attached to any grant of consent. Noise impacts on future residents are considered further in the next section.

In addition, the long-term build programme (given the scale of the site), it is considered necessary to attach a condition requiring a Construction Environment Management Plan to be submitted for each phase of the development to set out working practices to mitigate the impact of the development and consider the timings of work during this period. This has also been recommended by NRW and Ecology for pollution prevention purposes.

The proposals are considered acceptable in terms of their impact on residential amenity subject to conditions.

### **7.13 Air Quality Assessment / Noise Assessment**

Comments received as part of the application raise issues in terms of noise and disturbance on roads and the associated environmental damage caused by pollution as a result of additional vehicles and congestion with insufficient effort made to mitigate the impacts which can lead to ill health and deaths. The local Councillor also stated that although the assessment that accompanies the application seems to argue that there would be negligible impact in Penllergaer itself, it does confirm that Carmarthen Road through Fforestfach would be adversely affected with no mitigation proposed at all.

The application was submitted with an Air Quality Assessment that considers the potential impacts on local air quality of the proposed development both during its construction (including any proposed demolition) and operation. The methodology was agreed with Pollution Control Officers in April 2018.

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Detailed dispersion modelling has been carried out of the potential operational phase impacts as a result of emissions from additional road traffic that the proposed development is expected to generate.

The main impacts during the construction phase would be related to the airborne dust generated by demolition and construction activities. The main impacts during the operational phase would be associated with road traffic emissions from additional vehicle movements and the redistribution of traffic on the local road network due to the proposed development. The intended land uses of the proposed development, including residential and educational, means there is also the potential for the introduction of new exposure to air pollution at the application site.

Concentrations of NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> were predicted at 49 sensitive receptors within the study area, including 38 receptors representative of existing locations and 11 locations representative of exposure of future occupants within the application site. Dust and emissions are considered to be the biggest issue during construction but an Air Quality Dust Management Plan would need to be included within the CEMP to mitigate these impacts.

During operation, in terms of NO<sub>2</sub>, negligible impacts are predicted at 36 of the 38 existing modelled receptors, with the 2 exceptions occurring within the Swansea Fforestfach AQMA, at Receptors 18 and 35 (Minor Adverse) and non-significant impacts for the new receptors. With regards to PM<sub>10</sub>, the impacts of the proposed development at all modelled existing receptors are also classified as negligible with non-significant impacts for new receptors. The impacts of the proposed development at all modelled existing receptors are also classified as negligible in terms of PM<sub>2.5</sub> and non-significant for new receptors. The above are based on the completed development. Moderate or minor adverse impacts are predicted at a small number of existing receptors alongside Carmarthen Road in 2019 to 2021, with NO<sub>2</sub> concentrations exceeding the AQO and EU Limit Value both with and without the proposed development at three receptors (fewer than 10 residential properties). This is considered to be non-significant due to the small number of properties affected and the short timescale involved.

The Pollution Control Officer has raised no issue with the results of the Air Quality assessment but has requested a contribution to monitor the exposure at the northern part of the development over the first few years. A sum of £7,000 has been provided for this which would be paid prior to the occupation of the 350<sup>th</sup> dwelling. It should also be acknowledged that the applicant's Green Blue Infrastructure Strategy acknowledges the importance of trees in reducing air quality issues through the site and the spine street would have avenue trees planted along its length with additional planting in the secondary streets and would help mitigate air quality impacts further.

In terms of noise, the applicant has submitted a Noise Assessment for the development. An assessment has been undertaken to determine the noise levels affecting the proposed development and to recommend a mitigation strategy in line with relevant technical guidance. Due to the higher level of ambient noise at the southeast corner of the site in proximity to the A483 highway, any windows leading to habitable rooms along the main roads would be required to be closed to achieve internal noise criteria; as such alternative forms of ventilation would be required. Mechanical ventilation would also be required in the school. It is expected that, once the development is complete, the majority of the site would benefit from the physical screening of noise afforded by building massing. Consequently, it is expected that noise levels in external amenity areas (e.g. garden spaces) would achieve the BS 8233 guideline values of 50 to 55 dB LAeq,T.



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For areas in the southeast corner of site, in proximity to the A483 highway, achieving outdoor amenity area guideline noise levels may require use of additional screening to reduce noise ingress and to achieve the BS 8233 guideline values of 50 to 55 dB LAeq,T. It is recommended that close boarded fencing is provided to screen Primary School outdoor areas as well as gardens in the southeast corner of site from A483 road traffic noise.

Following on from comments raised by Pollution Control, a 3D model of road traffic noise was produced which identifies further locations along the Spine Street that would also require the same mitigation measures (mechanical ventilation) as those in close proximity to the A483. It is considered that a condition could be attached to any grant of consent requiring suitable noise mitigation to be provided in accordance with the submitted Mitigation Strategy.

It should be noted that the proposals include various commercial uses, a care home and a school which would all have mechanical plant associated with them. The applicant has stated that building services and fixed plant would be designed to achieve appropriate operational noise limits. Noise emissions from proposed building plant would be considered during detailed design in order to ensure that operational noise does not adversely affect nearby residents (both existing residents as well as future occupants of the proposed development). The site would have commercial uses with residential units above. On this basis, it is considered necessary to attach conditions limiting the hours of operation for these premises, and 10pm for the retail units and 11.30pm for the A3 premises is considered acceptable. It is also considered necessary to condition further details of fume extraction for any A3 units and the school and agree delivery arrangements for the various premises to avoid noise and disturbance.

The proposals are considered acceptable in terms of their impact on noise and air quality / residential amenity subject to conditions in accordance with policies RP 2 and RP 3 of the Local Development Plan.

#### **7.14 Highway Safety/ Parking/ Public Footpaths**

One of the major concerns of residents in regards to the proposal is the impact of the significant additional traffic associated with the development on the existing highway infrastructure which would be unable to cope in and around Penllergaer. The concerns of objectors are summarised in the consultation section, but other key points to note are issues with access to Phase 1A being via Brynrhos Crescent and Swansea Road, which was not identified in the LDP, concerns over the design of the spine street (rather than a distributor road) and residents reiterate concerns of Jacobs report produced on behalf of WG Highways (SWTRA). The Community Council also commissioned a report by Vectos to look at the proposed Transport Assessment and raised various concerns with the approach as set out in the consultation responses section above. In addition, the works do not accord with the Infrastructure Delivery Plan produced for the LDP (incorporated into Appendix 3 of the LDP) or Policy T5 according to the Community Council. The local Councillor has raised similar concerns to those noted above, querying why the route is called a spine street and the trigger points for the new access connections. The trigger points conflict with the Council's statement in its Topic Paper, Transport and Accessibility para 6.16 that where transport infrastructure is essential to support developments, it would be necessary in most cases for it to be provided in advance of the occupation of the development. The Ward Member has also stated that the proposal to first build only a nursery could also lead to many parents having to cope with delivering a child to both nursery and school on separate sites, resulting in increased footfall and traffic on a busy roundabout.

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However this would only be a short term issue until the remainder of the school is built (250 units) and the two schools would be within 400m of each other which is within safe walking distance.

LDP Policy SD C requires the proposals to provide the identified Transport Measures Priority Schedule including links to footpaths to the west of the site - Phoenix Way (AT13), links to the south via an existing underpass under the A484 (AT14), active travel route along A48 (AT18), retention and upgrade of the green lane running east/ west through the site and the provision of bridle access and bridle gates to the adjacent footpaths. AT18 is no longer required as it has already been secured/ included in this year's Active Travel settlement works. In terms of highway improvements, the LDP requires a north-south link road from the A48 to the A484/ A483 (RM4), the signalisation of the Old Inn Roundabout (RM5), M4 Junction Improvements (RM6) and modifications to the A483/ A484 roundabout (RM10). This is called a Spine Street as it has to balance the traffic movement function with a placemaking function. The Highways Authority are aware of this and that speeds may be reduced in places to 20MPH.

The applicant has covered Highways and Transportation within their Environmental Statement (Chapter 8) and has submitted a Transport Assessment to support the application. These have considered the existing operational highway conditions, road safety, walking, cycling, local facilities and public transport and assessed the effects of the development on these and on several key junctions in the road network in terms of severance and pedestrian delay, driver delay and road safety at the baseline of 2018 and interim periods up until 2028 (both with and without development).

Initially, SWTRA (the Welsh Government Highways department) commissioned Jacobs to assess the submitted Transport Assessment and they provided a report querying some of the assumptions of the model and requesting further testing or clarification. As a result, SWTRA issued a holding objection to the application. The applicant subsequently provided a briefing note responding to the Jacobs report, which was sent to SWTRA for comment. As a result, SWTRA removed their holding direction and advised that they do not object to the proposal based on the submitted information as clarified in the consultation section of the report. The Local Highways Authority has also responded to the points raised in their consultation above.

Similarly, despite local concern, it should be pointed out from the outset that the Local Highways Authority does not object to the proposal subject to conditions/ obligations to be contained within any S106 attached to any approval of the application. The Transport Assessment is considered fit for purpose despite suggestions to the contrary by the Community Council. Briefly, the Arup Strategic model is a high-level Highway Assignment model, which is used to underpin the adopted plan. This is validated in accordance with all current WelTAG guidance and provides outputs based on the assignment of all traffic associated with allocated sites within the LDP and background growth, together with testing strategic infrastructure improvements.

Whilst the access from Bryn Rhos Crescent, was not considered at the early stage, it has subsequently been presented by the applicant for consideration. Comparison to the Swansea Strategic Transport Model (SSTM) outputs has been taking place as part of the assessment, although at the macroscopic level of an assignment model, it is unlikely this access would cause any significant differences in model output. As with any application, detailed modelling of the proposals has been provided by the applicant and considered by the Local Highway Authority.

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The claim that the application site is 32% larger than considered in the SSTM is incorrect as it considered up to 1,000 units on site and makes no allocation for internalised trips (therefore representing a worst case scenario). The delivery of the through route / Spine Street is essential. HGVs are not considered to have a material impact on the highway network given that they would form up to 2% of movements. Effectively, the nearby strategic sites have been counted for twice in the model as source data assumes population, housing and employment growth which provides further support that the approach is robust. The Transport Assessment has carried out a first principles approach to trip generation and assignment, this effectively allows the SSTM to be used to verify the submitted figures. The outputs from both assessments are broadly consistent, and the model provides a useful sense check and validation of the supplied data.

The assessments undertaken are consistent with the conclusions of the LDP transport assessments and the requirements for Swansea to reduce reliance on car use as a mode of travel choice. The site contains various day-to-day facilities such as a school, local shops, other community uses and recreational uses which would help internalise trips and improve the overall sustainability of the site.

In terms of site-wide infrastructure, the applicant is proposing a signalised controlled junction from Gorseinon Road that would be provided prior to the first beneficial occupation of the 185<sup>th</sup> dwelling (i.e. phase 1 would be served from Brynrhos Crescent) but after this, the northern access would be required. This access would enter the site through No. 31 Gorseinon Road which would be demolished to make way for the development. Indicative plans indicate that there would be designated lanes for turning into the site from Gorseinon Road and a two lane carriageway within the site.

In addition to this, a new access to the A483 is proposed by unit 350 and a link to the A484 is proposed by unit 644. Proposed plans for all of these junctions have been included within the Transport Assessment to indicate how they could be designed but detailed design would be a reserved matter. Designated turning lanes would be provided off the A483 whilst still providing for two lane flow in each direction and there would be designated turning lanes out of the site on to the A483. A similar approach is also proposed on to the A484. Both of these junctions would be signalised.

The accesses would be linked by a Spine Street leading into the site with a 2m wide footpath on one side and a 3m wide shared cycle/ footpath on the other side with a 20-30mph limit/ design for the majority of its length through the developed area. The Spine Street (as on other strategic sites) has to balance a placemaking function with a highways function as discussed in the placemaking section above but it would still provide an attractive alternate route through the site to link to the A483 in the short term and the A484 in the medium term. The Local Highways Authority has stated that it is critical that the spine street is able to provide some relief to the main routes without becoming a main arterial route in itself.

In terms of public transport, there are regular buses running along Gorseinon Road to the north of the site and the applicant has indicated that once the Spine Street has been delivered, First Cymru has indicated that it would enter the site once the link has been provided to the A483. The locations of bus stops and infrastructure within the site would be secured by condition.

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In terms of Active Travel within the site, the Spine Street would have provision for pedestrians and cyclists and other routes are proposed through the site such as the existing farm track (which would also serve Phase 1a) to provide shorter links back to existing infrastructure in Penllergaer until such a time as the facilities on site come on board. This link is also considered essential in the short term to provide realistic alternative modes of transport that can be embedded from the outset. Walking routes from the initial phase to existing local facilities in Penllergaer, schools, etc are of good quality, segregated footways and existing controlled crossing points. They are on the limit of what are deemed acceptable walking distances (CIHT Designing for Walking 2015), but are acceptable.

The LDP requires on and off-site improvements to provide good quality, attractive legible, safe and accessible linkages to and within the new development area and on-site measures are considered acceptable. One resident has stated that the development would threaten the existing PROW. Links are proposed across the site to link in with the PROW network to enable access to Phoenix Way (AT 13). Improvements would be required at the southern end of the site to provide a link through the underpass to the strategic site (AT14) but the latter works would not be required until the link to the A484 is provided and a contribution of £5,000 would be provided to enable the Council to improve the surface of the underpass. The lane serving Parc Mawr Farm would be required to be surfaced so that it is an active travel route running east-west across the site and bridle access and bridle gates would be required by at 3 points along the western boundary which would be secured as part of the S106 agreement (£2,100 total). The PROW Officer has not objected to the proposals and comments regarding the formalisation of active travel routes as bridleways would be attached as an advice note for the applicant to consider.

In terms of traffic analysis, this has focused on the build out phasing of the development, with scenarios modelled for each phase of development both with and without development traffic, to assess the effect of the development in isolation to background traffic growth. The key impacts are included below:

Gorseinon Road / Phoenix Way

The Highways Authority considers that the key output is the comparison between the with and without development scenarios which demonstrates that the development proposals have a limited effect on the junction when compared to background traffic provided that measures to allow cycle time variation in response to vehicle demand are implemented. This would require a contribution of £20,000 to install MOVA (microprocessor optimised vehicle actuation) and would also enable the installation of a crossing point across Phoenix Way.

Old Inn Roundabout

The existing situation shows over capacity on A48 from Pontlliw, and Gorseinon Road in the AM and A48 from junction 47 and Gorseinon Rd in PM. Trip rates have been assessed for phase 1A resulting in 70 additional trips to the Swansea Road approach in the AM peak and 24 additional out in the PM peak. The analysis demonstrates that phase 1A accessed from Swansea Road can be accommodated by the existing infrastructure with no material change in operating conditions, due in the main to balancing of flows on the gyratory.

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Once the full phase 1 traffic is added, the existing roundabout shows a significant increase in queuing and delay on the A48 Pontarddulais Road and A4240 Gorseinon Road without mitigation. The applicant has stated conversion to signalised operation would allow the development traffic to be absorbed, and offer significant benefit when compared to the no development scenario. Queues would be redistributed, reducing queues on the current busier legs and increasing on the currently quieter legs, as is normal with conversion to signal operation. Delays would be reduced on all approaches in comparison to the without development scenarios. These works would be required prior to the occupation of the 185<sup>th</sup> dwelling (1<sup>st</sup> dwelling of Phase 1B) and would be included in any S106 agreement. The Local Highways Authority concur with this view.

M4 Junction 47

The junction modelling demonstrates that it operates just under capacity during the AM peak and under capacity during the PM peak. Operation steadily deteriorates due to unfettered background growth during both peak hours resulting in the junction operating over capacity in the AM peak and just under capacity in the PM peak.

The Highways Authority has advised that the effect of the development on junction 47 is largely offset by the trip diversion due to the provision of the spine street. Increased traffic due to development is negated by reductions in background traffic due to the presence of alternative routes. Further model runs were requested and submitted to test the effect of the development in isolation to the operation of the gyratory. This again demonstrates that the total traffic using J47 is similar in both the with and without development scenarios.

In addition, there are proposals to upgrade junction 47 as part of SDA B (Garden Village) including the removal of signals from the services exit and Westbound A48, signalise the currently un-signalised A483, together with the introduction of spiral road markings on the Eastern side of the gyratory to make full use of the available road space on the gyratory. Also included in the proposals is the introduction of MOVA which would allow the 3 separate junctions to be dynamically linked and respond to changing traffic conditions rather than operate on fixed timing plans and typically results in a 15-20% betterment in capacity terms. Modelling of these proposals results in the gyratory operating as at present including growth and all development traffic.

Policy SD C requires off-site highway infrastructure improvements as necessary, having regard to requirements arising from the necessary Transport Assessment and as set out in the Transport Measures Priority Schedule. Whilst the LDP Priority Schedule of Transport Measures indicates that improvement works were required at Junction 47 (RM 6 – M4 Junction 47 Improvement), the Transport Assessment has concluded that they are not required and the Local Highways Authority concurs with this approach. These works are therefore not considered necessary and comply with Policy SD C in this regard.

A483/ Home Farm Way

Currently the 'T' junction serving Parc Penllergaer operates around capacity during the AM and PM peak hours. This accords with on street observations. Junction performance drops off in all the without development scenarios (i.e. background growth only), as would be expected.

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In the 'with development' scenarios, performance decreases up to 2022, when due to the completion of the A483 access, performance in terms of overall capacity and queues improves in both AM and PM models. Junction performance would again decrease year on year, until the completion of the spine road and A484 link, which results in a significant improvement on the A483. The completed development including mitigation, offers around 10% more capacity, and 30% less queuing than the 2028 no development scenario.

A483/A484 Roundabout

This 3 arm roundabout currently experiences congestion during peak hours. This has been modelled using Arcady, and demonstrates the development would have a material change to the operating conditions, and overcapacity on all arms without mitigation.

Mitigation has been proposed to increase the length of the 2 lane approach on the A484, this offers some benefit, and overall the roundabout would operate better in terms of queues and delay than in the 2028 no development scenario. Further improvements are possible if the A483 approach from Penllergaer is remarked, from the current lane 1 flare into 2 lanes, to instead flare lane 2 into 2 lanes. This would allow a full 2 lanes of traffic to turn left towards the City which is the predominant movement from this leg. These improvements should be secured via a section 106 agreement, the delivery can be phased with the revised road markings being provided prior to the completion of the A483 access, and the A484 widening prior to the completion of the A484 access.

New Accesses

The Gorseinon Road access would be delivered prior to the occupation of the 185th dwelling. Analysis shows this to operate generally within capacity during all assessment scenarios. Combining the access with the proposed improvements at the Old Inn, result in a significant improvement on the operation of the area when compared to the 2028 'without development' scenario. The A483 and A484 junctions would operate well within capacity at during all scenarios.

Phase 1A Access

Phase 1A would be accessed from Brynrhos Crescent via Swansea Road and as stated above, there are no deficiencies in capacity at the Old Inn roundabout or beyond purely in terms of phase 1A.

Detail of the proposed new access has been provided, comprising an extension of Brynrhos Crescent, which narrows from its junction with Brynderi Close to 5.5m, 2m footways are provided either side with dropped crossings across Brynderi Close to provide a continuous pedestrian route. The new access would be subject to a section 278 agreement with the Highway Authority and the access works would need to be completed to base course level prior to construction. The Highways Authority has advised that the streets within the development provide a good degree of permeability and parking is proposed in accordance with the current CCS guidance comprising a mixture of frontage parking and side drives.

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Concerns were raised by residents that the access was not considered as part of the LDP process but it should be noted that this is not the primary access for the development and the Transport Assessment has assessed its inclusion and has indicated that it can accommodate the development traffic safely. The Highways Authority has advised that some vertical traffic calming features on the route from the Bryn Rhos Crescent access to the spine road would be required, to assist in keeping speeds low, and reducing attractiveness as a route once the main site accesses have been delivered. This approach is considered necessary and reasonable and would be secured by condition.

Finally, with regards to the comments raised by residents, the proposed development is considered to operate safely despite increased trip generation subject to mitigation which would improve the situation in most cases. Swansea Road is and has been of sufficient width to accommodate construction traffic previously and any disruption as a result of this would be secured / controlled via a Construction Environment Management Plan and no concerns are raised about the width of Brynrhos Crescent as an access to the development or the proximity of Brynderi Close. Problems on the M4 are not directly related to this development and the Transport Assessment does take account the cumulative impact of development. Whilst residents do not welcome the introduction of traffic lights, they are shown to have a beneficial impact on the highway network despite their negative perception and traffic would be controlled as it passes the existing school and would help slow down traffic which has been raised as an issue. Whilst the bus services may feel additional pressure, this is to be welcomed as a mode of transport and in any event, First Cymru has not raised an issue with the proposal. Concerns that traffic modelling doesn't work and the macroscopic nature of the model have been given limited weight as it is accepted practise and the modelling has been checked by the Local Highways Authority. CPO's are not required and difficulties in getting to / from work or accessing the hospital have been given limited weight as there is no evidence to support these assertions. Illegal parking would be a separate police issue. Whilst the council cannot definitively say that the roads would be adopted, Bellway has indicated that this is their preference and a management/ maintenance plan would be required in any event to ensure the roads within the development are fit for purpose.

In conclusion, the applicant has provided a significant element of transport analysis, this has been verified and is consistent with the inputs and outcomes of the Swansea Strategic Transport model. The analysis shows that without the proposed development traffic growth has the potential to cause significant disruption to the surrounding highway network, delivery of the proposed spine street and other highway mitigation measures allows the effects of the development to be absorbed resulting in highway conditions which are as a minimum improved on the steady state.

As such the Highway Authority recommends no objections to the proposals subject to the following mitigation measures to be delivered under a section 106 agreement and/ or conditions:

1. All new access junctions including the improvements to the Old Inn Roundabout being constructed via a Section 278 agreement with the Local Highway Authority (prior to occupation of the 185<sup>th</sup> dwelling/ unit).
2. Amendment of the trigger point for the completion of the Spine Road link to the A484 by the 644<sup>th</sup> dwelling (end of plan period)
3. A section 106 agreement to secure the improvements to the A483/A484 roundabout, and alterations to the Gorseinon Road / Pen-y-Way signal junction.

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4. Prior to any works commencing on site confirmation will be required that the initial phase 1A will be served by a public transport service, alternatively a s106 contribution to prime the service provision.
5. No development shall commence until a stage 1 road safety audit of the access junctions and internal layout for phase 1A has been submitted to and approved in writing by the LPA, including amelioration measures for any issues identified.
6. Front boundary treatments being kept below 1m in height, and visibility splays shall be kept clear of any obstruction greater than 1m in height.
7. Prior to any works commencing on site a Construction Traffic Management Plan shall be submitted to and approved in writing by the LPA. The approved traffic management plan shall be adhered to at all times unless otherwise agreed by the LPA.
8. No development shall commence until full engineering, drainage, street lighting and construction details of the streets proposed for adoption have been submitted to and approved in writing by the LPA.
9. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. [The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established].

In addition, it is considered appropriate to require Travel Plans for the future development to discourage car use and promote more sustainable transport measures. Various conditions would therefore be attached for the different uses (care home, school, commercial uses etc).

Officers had raised concern about embedding modal shift into the proposals before the through route is provided and had therefore requested a contribution to pump prime the first phases of development. However, following further discussions with the applicant and First Cymru directly, there is limited interest in accessing and turning within the site. The Local Highways Authority considers that walking distances to bus stops from Phase 1A is acceptable and any issues that arise could be addressed via remediation measures in the Travel Plan and do not raise any objections to the lack of pump-priming.

The conditions / requirements listed above are considered to be necessary in the interests of highway safety (the CMT would be incorporated into a CEMP) and would meet the relevant statutory tests in principle. The proposals are therefore considered acceptable in terms of access, highway safety and parking and are considered to comply with Policy T5 of the LDP.

### **7.15 Ecology/ Trees/ Landscaping**

Residents have raised concerns with regards to the threat to wildlife or geological features of the SSSI, harm to rare plants and animals (such as bats, badgers and other notable species) and loss of hedgerows and farmland habitats. Concerns have also been raised about the loss of TPO trees/ woodland but it appears that several residents have misunderstood the proposals and the site location and appear to be referring to Penllergaer Valley Woods as there are no trees that are protected by a TPO at the present time. Cllr Fitzgerald has stated that current green wedge land would also be lost affecting connectivity and threatening biodiversity. The site is no longer identified as green wedge but issues with biodiversity are considered below.



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The Community Council state that development of the site fails to consider importance of biodiversity and ecological networks. Policy SD C requires the enhancement of retained wet semi improved fields to the north east for biodiversity; improvement of links to Mynydd Garn Goch Common SINC; and requires that green corridors should be robustly planted with native local provenance tree stock and suitably managed in the long term to provide opportunity for wildlife to migrate across the site.

Chapter 6 of the submitted Environmental Statement covers ecology and has been supported by a range of different surveys covering the site including an Extended Phase 1 Habitat Survey, Updated Walkover, Botanical Survey, Hedgerow Survey, Reptile Surveys, Bat Survey and Dormouse surveys. The chapter includes a summary of the current conditions found within the surveyed area, a valuation of the ecological features and an indication of impacts and mitigation associated with the construction and operation of the proposed residential development.

The report concludes that habitats and species present within and around the site are not considered to pose an 'in-principle' constraint to development subject to mitigation. The Mynydd Garn Goch SINC is located immediately adjacent to the western site boundary, whilst a restored ancient woodland is located adjacent to the southern access road (immediately east). Neither site would experience any habitat loss due to the first phase of development or overall scheme.

The combination of desk and field surveys undertaken have identified that valued ecological features exist within and adjacent to the proposed first phase of development and the future phases. The proposed development site comprises of a limited number of habitat types – principally Improved Grassland, Arable Fields, Marshy Grassland, Semi-improved Neutral Grassland, Poor Semi-improved Grassland, Semi-natural Broadleaved Woodland, Scattered Trees, Scrub, Bracken, Semi-improved neutral grassland, Species Rich and Poor Hedgerows, Dry Ditches and Running Water. These habitats in turn support several notable species of fauna including bats (foraging), badgers, birds, and reptile (Common Lizard).

As part of the site preparation works in advance of construction, a number of habitats including Improved Grassland, Arable Fields, Marshy Grassland, Semi-improved Grassland, Scrub, Bracken, Species Rich and Poor Hedgerows would need to be cleared to allow the commencement of ground works. These works would be certain to result in a significant adverse impact on the species poor marshy grassland and hedgerows in the short term. A significant impact on other ecologically valuable features (remaining grassland, hedgerows, woodland, scattered trees, dry ditches and running water) was considered unlikely with the adoption of appropriate mitigation measures.

A significant adverse impact was considered unlikely, on breeding birds, badgers and reptiles, due to the retained and newly created habitats offsetting any initial habitat loss. However in the case of foraging bats, a significant adverse impact is considered likely in localised areas on site in the short term with a significant impact unlikely to persist in the medium-long term as new planting and alternative foraging habitats establish and mature.

A range of mitigation measures to avoid or minimise the impacts of the development during construction and operation have been incorporated into the scheme. Mitigation measures incorporated into the construction phase include the retention/ protection of as much woodland, grassland, scrub, ditches, running water and hedgerow habitat as practicable, avoidance of key periods (e.g. bird nesting season) during clearance works and production of a Construction Environmental Management Plan detailing measures to minimise the risk of run-off to existing watercourses.

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As part of the development new habitat features would be created as part of a public open space and would include new wildflower grassland and tree planting, along with the management and enhancement of retained habitats onsite. The mitigation measures proposed would allow for retention of habitats similar to some of the ecological valuable habitats to be lost (i.e. hedgerow, woodland and grassland habitats) and this, combined with appropriate management, would provide resource for continued use of the site by reptiles, bats, birds and badger.

Natural Resources Wales (NRW) has no objections to the proposal subject to conditions regarding the submission of a Landscape Ecological Management Plan (LEMP) and a Construction Environment Management Plan (CEMP). Both of these would be conditioned as part of any consent.

In terms of bats, NRW note that Section 5 (Conclusions and Recommendations) of the bat report confirms that the Parc Mawr farmhouse is a bat roost. In the findings of the DNA analysis, the Parc Mawr Farmhouse is a confirmed roost for Common pipistrelle and Soprano pipistrelle. The report confirms that no signs of roosting were noted in any of the other buildings / structures at the site, although the use of the structures by individual bats as night roosts could not be precluded. They go on to state that if the phasing of the proposed development means that the renovation and/or demolition work on the farm-site would not commence within 2-years of the current survey, it would be necessary to provide updated activity surveys, to ensure that the current findings remain accurate. However, given that the Parc Mawr Farmhouse is a confirmed bat roost, any future renovation work to the building would require a European Protected Species Licence, prior to the commencement of the work.

The Council's Ecologist has stated that bat surveys for 31 Gorseinon Road were last undertaken in January 2017 and this building is scheduled to be demolished. Although the 2017 surveys found no bat evidence, they are now out of date. Best practice guidance states that the findings of a survey are considered valid for a period of 2-years. Following further discussions with the consultant ecologist for the project, the Ecologist is satisfied that provided additional surveys are carried out, an Ecological Clerk of Works oversees the demolition and a precautionary methodology is incorporated, the proposals are acceptable. The LEMP and CEMP include further investigations for bats and precautionary measures during the construction phase prior to the commencement of works within each phase. The impact on protected species is also covered by separate legislation. In addition, an advice note would be attached regarding bird nesting season as it is not considered necessary to restrict works to certain times of the year provided they are checked prior to works.

A number of mature trees, with high roost potential were identified on site within a central trees corridor that extends west from the farmyard, and in a copse located within the eastern extent of the site and in the southern retained woodland corridor. These are shown to be retained. NRW has welcomed the clarification provided in Section 6.4 of the Second Addendum to Environmental Statement (February 2020), that all the moderate-high potential trees surveyed are either being retained or are a part of a further phase of the development. They have advised though that any trees which are to be felled or subject to other works as part of the development, should also be re-assessed, prior to works commencing and this could be included in the LEMP. Similarly, an advice note would be attached stating that further works to a bat roost would require a European Protected Species license.

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Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that LPAs should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any bats on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied. Given the above comments from NRW, and subject to mitigation in the form of connectivity from the bat roost and green corridors around the site and subject to a sensitive lighting strategy, it is not considered that the proposal would impact adversely on bats in general, however for the avoidance of doubt, the derogations are considered further below.

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## DEROGATIONS

i. Regulation 52(3) the development works to be authorised are for the purpose of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

This site has been allocated as a Strategic Development area in the Adopted Swansea Local Development for a residential led, mixed use development of circa 644 dwellings during the plan period. The site was fully considered as part of the LDP Examination process and would help achieve the target for the 17,100 homes required during the plan period. The selected growth strategy of the LDP therefore proposes the creation of a limited number of sustainable new neighbourhoods at Strategic Development Areas (SDAs), within, or close to the existing urban area. SDAs have the greatest potential to contribute to the Plan's Vision and Strategic Objectives and deliver well-being and sustainable development. The size of SDAs presents sufficient scale to enable careful strategic masterplanning to ensure they create sustainable, cohesive, well-designed and quality new places which are delivered through a strong Placemaking approach. The economies of scale would enable the level of new infrastructure required to be provided and through careful siting of SDAs, they would address infrastructure deficiencies that exist within adjoining communities resulting in part from previous less sustainable developments. The development would increase the County's housing stock with good quality housing, provide for a new school, local centre and community and recreation opportunities as well as retaining and enhancing biodiversity across the site.

ii. There is no satisfactory alternative;

This site is capable of creating a substantial sustainable development which provides essential new homes without having an unacceptable adverse impact provided the key features of the site are retained and mitigation is provided. As noted above, the site forms one of a number of SDAs required to meet the necessary housing target set out in the LDP. Alternate sites were considered as part of the LDP assessment and the scale of development is considered appropriate to facilitate infrastructure deficiencies whilst ensuring it does not detrimentally impact on the surrounding environment. Other SDA's would be required alongside this site and it is not considered that these are satisfactory alternatives, nor would an alternate site of this scale not promoted through and considered part of a holistic LDP approach.

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iii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range.

This planning application includes an ES which identifies the ecological value of the site and assesses the developments impact. The ES outlines the mitigation measures to minimise any disturbance to European Protected Species and conditions would be attached to any grant of consent for a CEMP and LEMP. NRW has confirmed in its opinion that the development is unlikely to be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range, providing that a suitable roosting resource is retained for the species concerned. The farmhouse (the roosting resource) is set to remain. The Council's Ecologist has raised no objections in this regard. It is considered that this proposal together with the specified mitigation measures would not be detrimental to the favourable conservation status of the European Protected Species on this site.

Finally, it should be noted that the farm building which is a known bat roost is not subject to any external alterations as part of this application and internal alterations would need to be considered further at a later stage. It is likely that internal reconfiguration would take place to enable the change of use but any external works would require further checks as part of the LEMP and a precautionary approach in any event as part of the CEMP.

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Restoring the connectivity of marsh fritillary habitat between the development site and Nant-y-Crimp SSSI would enhance the habitat for this protected species. It is also noted that Field G meets SINC criteria for marshy grassland. As a priority habitat, this shall be retained. The Council's Ecologist has requested a specific marsh fritillary/marshy grassland management strategy. The objectives of the marsh fritillary mitigation strategy as part of the proposed scheme shall be: i. prevention of effects by avoidance of habitat loss; ii. reduction of the magnitude of adverse effects that cannot be avoided; and, iii. provision of measures to compensate any residual effects that cannot be remedied. NRW also advise that with appropriate management, it may be possible to restore the conditions for Marsh Fritillary butterfly, given that Devil's Bit Scabious is noted as being present and this should be included in the LEMP. From the information provided it is apparent that there are a number of valuable habitats within the site boundary of the proposed development. These habitats are valuable at both a local and county level. With appropriate management, some of the habitats have the potential to be significantly improved for their biodiversity value. This shall also consider the impact of allowing this extended access to the site from the public, and propose how this will be managed to ensure that the marshy grassland is protected and does not suffer any degradation.

NRW is supportive of the plans to replant the species rich hedgerows which would be lost. However, NRW continue to advise that the translocation of the existing hedgerows should be considered, wherever possible, as this would ensure that the hedgerows are mature enough to support species using the site, without a time delay, while the plants become established. The Council's Ecologist supports this stance and has requested a Hedgerow Translocation Method Statement and a Hedgerow Management Plan as conditions of any consent. The revised Phase 1 Layout Plan and Concept Masterplan indicate that the loss of hedgerows has been reduced from 4,702 metres to approximately 2,621 metres, as part of the new Concept Masterplan. The proposed soft landscaping associated with the development would provide approximately 6,333 metres of hedgerow planting equating to an approximate increase of 3,712 metres of hedgerow resource.

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The Ecologist acknowledges that Phase 1A has attempted to incorporate the sensitive environmental effects identified in the ES within the design of the development, particularly in terms of ecological aspects.

The information and clarifications provided by the applicant set out the proposed mitigation and compensation measures to be delivered. There is considered to be enhancement through the net gain of hedgerow and the provision of bat/bird boxes and the wildflower planting and there is a reasonable argument articulated by the applicant that ecosystem resilience is enhanced with ongoing management practices secured by condition promoting future resilience. However, whilst 62 bat/bird boxes are proposed to be incorporated into Phase 1A, the location of these is unclear and further details are requested, in terms of the proposed type of bat and bird box, the species they are providing for and the location shown on an architectural drawing. This could be controlled via the LEMP. The Ecologist is also satisfied that comments regarding the planting of the green verges have now been incorporated.

The Council's Ecologist has also requested conditions regarding pre-commencement checks and mitigation for dormice and hedgehogs but these are not considered necessary based on the information submitted to date. In addition, the Environmental Statement suggests that checks are made of badger setts prior to commencement of works to determine required exclusion zones and appropriate working practises which would be incorporated into the relevant LEMP.

Finally, the Ecologist has advised that a sensitive lighting plan shall be adopted to protect bats, badgers and other nocturnal species, and to protect nearby habitats. This would be included in the CEMP for the construction phase and the LEMP for the operational phase. The wet semi-improved fields in the west of the site are shown to be retained on the concept masterplan and the LEMP would need to set out measures for their enhancement going forward. The Landscape parameter plan indicates new and retained planting, including green corridors to ensure links to Mynydd Garn Goch Common SINC are improved.

The biggest risk from a pollution viewpoint, occurs during construction. Therefore, the developer should plan the works carefully, so that contaminated water cannot run uncontrolled into any watercourses (including ditches). A CEMP would be required to ensure pollution prevention measures are considered prior to, and implemented during, the construction phase.

NRW has advised that a Habitat Regulations Assessment is required as there are numerous streams on site which run into the Afon Llan, which provides a direct hydrological link between the application site and Carmarthen Bay and Estuaries Special Area of Conservation (SAC), Burry Inlet Special Protection Area (SPA) and Ramsar site, and Burry Inlet and Loughor Estuary Site of Special Scientific Interest (SSSI). A Habitat Regulations Assessment for this site has been undertaken and concludes that the development is acceptable subject to a condition regarding a CEMP and surface water removal.

In terms of trees in phase 1A, 3 trees were intended to be lost (2 x B category and 1 x C category but the plans have been amended to retain the Scots Pine (B) which is located alongside the main access track serving Parc Mawr Farm which would be utilised as an Active Travel route going forward.

At a site-wide level, a number of trees and hedgerows are identified to be removed to facilitate the construction of the development. The outline development design has taken into consideration the higher value trees on this site to minimise the tree loss to a low level.

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The removal of identified trees and hedgerows can be mitigated by suitable compensatory tree and hedgerow planting as shown on the Landscape parameter plan.

In terms of the outline area, part of a woodland area of category A trees would need to be felled to provide access to the A484. 7 tree groups of B category trees and 4 individual B category trees are also proposed to be felled. The Arboricultural Officer has advised that the category A woodland comprises a small piece of ancient woodland which would require justification. PPW notes (Para 6.4.26) that ancient woodland is irreplaceable unless there are significant and clearly defined public benefits. In this regard, the site has been promoted due to the benefits of providing an alternate route from Penllergaer to the south avoiding junction 47 and the concept plan clearly indicates this and the ancient woodland cannot be avoided. The precise location of this would be determined at a subsequent stage as would any mitigation for the loss of this area.

The Council's Arboricultural Officer has advised that no significant trees are to be removed. The loss of trees / hedgerows would be more than compensated for by the proposed landscape planting. The impacts of the proposed access road to the south have been clarified and the road would not affect the restored ancient woodland. The proposed tree protection plan is suitable to be adhered to in a condition if the scheme is approved.

The Landscape Officer has stated that generally the layouts and visual context are well resolved and appropriate for the development. What is particularly encouraging is the retention of existing landscape features, trees, hedges, grassland etc and the general integration of green infrastructure and connectivity throughout the proposal that should deliver a community that would benefit from sustainable linkages to adjacent centres.

Large trees are a vital and important element in healthy communities but are often relatively slow growing; for that reason consideration needs to be given to planting strategies that sustainably morph from 1 epoch to the next. Consideration should also be given for the translocation of soils from those species rich hedgerows that are to be removed to those new hedgerows that are required in mitigation of those changes. There is clearly an opportunity to build on the character of the differing 'places' by variations in planting to the benefit of the wider community.

At the current scale and level of detail the extent of planting seems appropriate; however and for some of the reasons outlined above there is likely to be a need for greater diversity and variation in tree, shrub and seeding mixtures to fully adapt to the detail design in due course. While the general principles and approaches are sound, the final detail designs should not be constrained by the details supplied in the documents to date. The Landscaping Officer made various comments about the soft landscaping plan (Phase 1A) which has subsequently been amended and no further comments have been received to date.

The proposals are therefore considered acceptable in terms of their biodiversity/ tree / landscaping impact subject to conditions.

## 7.16 Green Infrastructure

Policy ER 2 states that Green Infrastructure should be provided through the protection and enhancement of existing green spaces that afford valuable ecosystem services. Development that compromises the integrity of such green spaces, and therefore that of the overall Green Infrastructure network, would not be permitted.

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Development would be required to take opportunities to maintain and enhance the extent, quality and connectivity of the County's multi-functional Green Infrastructure network.

Following comments as part of the re-consultation from Strategic Planning, the applicant has submitted a Green and Blue Infrastructure Strategy for the whole site with additional detail included for Phase 1a. This document has pulled together information from the landscape strategy, ecology strategy, access and movement and drainage to consider the multi-functionality of green corridors, public realm areas, parking areas, street trees and the road hierarchy. The Strategy sets out the rationale for the proposals and demonstrate how the applicant has sought to maximise the GI functionality of each site wide GI element, and focus on what specific measures are proposed for the detailed first phase.

Prior to this, the LPA welcomed the benefits of the scheme in terms of site wide GI, i.e. the green edges, green corridors and public open space provided, however the Authority continued to highlight the need for smaller scale green infrastructure to be integrated into the built environment and within the net development area, particularly at dwelling and street level.

Consultation responses from Strategic Planning identified further refinements as being necessary to ensure the document identified sufficiently clear measures and requirements at both outline and detailed phase 1a elements, and also to ensure the GI strategy is linked to the Drainage strategy.

A significant amount of work has been undertaken to revise the Phase 1A layout in order to incorporate a substantial amount of additional green verges, hedge boundaries, tree planting and build outs within the street scene. These proposals would significantly improve the sense of place created within these built up areas, and would increase opportunities to achieve biodiversity gain and GI benefits and the submitted GBIS seeks to demonstrate the potential ecosystem services/GI functions that these areas would provide.

The GBIS responds well to the brief discussed and provides good information at the site wide level to support the proposals and assists appraisal against policy. The document clearly explains the evidence based process which identified site constraints and opportunities which informed the integration and retention of key assets into the site wide layout. This is supported by clear signposting to relevant surveys and assessment. The Strategy also shows a good appreciation of the GI Principles promoted through the Council's planning policy and the emerging council GI Strategies.

The Strategic Planning Lead considers that the overarching plan is sufficient to ensure that multi-functional green infrastructure would be provided and protected as part of the development and would need to be supplemented by phase specific GI Strategies further explaining how the approach would be adopted in each phase after Phase 1A. These proposals have served to significantly improve the sense of place created within these built up areas, and would increase opportunities to achieve biodiversity gain and GI benefits and the submitted GBIS seeks to demonstrate the potential ecosystem services/GI functions that these areas would provide. The document clearly explains the evidence based process which identified site constraints and opportunities which informed the integration and retention of key assets into the site wide layout. This is supported by clear signposting to relevant surveys and assessment. The Strategy also shows a good appreciation of the GI Principles promoted through the Council's planning policy and the emerging council GI Strategies.

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The detailed element of Phase 1A has allowed the detailed element of the proposals to be checked against the overarching site-wide strategy to ensure the principles espoused in the latter are included in the detailed elements of the former. The key principles have been incorporated into the submitted site layout and the proposals are considered acceptable in terms of their incorporation of green infrastructure.

### **7.17 Contaminated Land/ Land Stability**

Residents have stated that there is a threat to the future health of occupants through previous contamination and land beneath the site is rife with mines resulting in stability issues.

A Geotechnical and Geo-Environmental Report has been prepared by TerraFirma to support the application which include field investigation in the form of 59 trial pits and 8 rotary probeholes in April and May 2016. Historically, there has essentially only been agricultural use on-site and few changes have occurred to the size and layout of the two main farms on the site. Based upon the site investigation it is considered that the proposed development is not at risk from past shallow mining. It should be noted that there is an area in the south west of the site which has a shallow coal seam outcropping which is currently not within in the area of the proposed development and has not been investigated at this time. All substances tested for were found to be present at concentrations below their respective human health threshold levels when compared to residential guidelines excluding one slightly elevated level of Arsenic.

NRW has advised that there is no evidence of land within the red-line boundary being affected by contamination. However, given the vast size of the site, waste may have been deposited on land at the farms. Therefore, it is possible that there may be unidentified areas of contamination at the site that could pose a risk to controlled waters if they are not remediated. A condition regarding unexpected contamination would therefore be attached to any grant of consent to deal with this issue. The Pollution Control team are satisfied with the conditions recommended by NRW.

With regards to pollution, for a development of this scale NRW has advised that the biggest risk from a pollution viewpoint, occurs during construction. The developer should therefore plan the works carefully, so that contaminated water cannot run uncontrolled into any watercourses (including ditches). The construction phases should be supported by an appropriate Construction Environment Management Plan (CEMP), which details the necessary pollution prevention measures to ensure the integrity of controlled waters within the vicinity of the development. To be most effective the CEMP must be specific to the site in question and, where appropriate, to the specific phase of development. A condition to this effect would be attached to any grant of consent.

The Coal Authority have reviewed the proposals and confirm that the application site falls partly within the defined Development High Risk Area (DHRA); therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application. It should be noted that the part of the application site where full planning permission is being sought (Phase 1A) is located entirely outside the DHRA.



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The Coal Authority's information indicates that thick coal seams outcrop at or close to the surface of the southern half of the site, which may have been worked in the past. The zone of influence of an off-site recorded mine entry encroaches across the western boundary of the site. The Coal Authority does not consider that the Geotechnical & Geo-Environmental Report adequately demonstrates that the application site is safe and stable in respect of past coal mining activity. As such, it is considered that further intrusive site investigation works should be undertaken in order to clarify the exact situation regarding coal mining legacy issues affecting that part of the site for which outline planning permission is being sought.

In the event that these investigations confirm the need for remedial works to treat any areas of shallow mine workings and to mitigate the risk posed by an off-site mine shaft collapse, in order to ensure the safety and stability of the proposed development, these should be conditioned to be undertaken prior to, or during development, as appropriate. The Coal Authority raises no objection and recommends that the LPA impose a planning condition should planning permission be granted for the proposed development requiring these site investigation works (and any remediation) prior to commencement of development.

The proposals are therefore considered acceptable in terms of land stability and contaminated land subject to conditions.

### **7.18 Affordable Housing**

The LDP (Policy SD C) requires a target rate of 20% Affordable Housing provision on site subject to viability. The applicant has indicated that 20% provision would be provided on site which aligns with the affordable homes target specified in the LDP. The applicant has indicated that this provision would be split 70:30 between social rented and intermediate. The application proposes 20% affordable housing provision for Phase 1a.

The Council's Housing Officer has stated that all affordable units should be built to DQR standard and the design and specification of the affordable units should be of equivalent quality to those used in the Open Market Units. The units should be transferred to the Council/RSL and the proposed tenure mix is acceptable. Similarly, the proposed unit sizes/types and clustering of units are acceptable and all flats should be of "walk up" design.

### **7.19 Education**

Residents and the local Councillor have raised concerns that Penllergaer Primary is already over capacity as are two schools nearby, therefore the school should be put in at the outset rather than the trigger points suggested. Residents have also stated that Pontarddulais Comprehensive is also over capacity and there is no secondary school proposed. Residents have queried where school children would go in the short term and stated that oversubscribed year groups can have a negative impact on children's education and health and safety implications.

Policy SI 3 states that:

"Where residential development generates a requirement for school places that cannot reasonably be met by schools in the relevant catchment area(s) because:

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- i. School capacity would be exceeded by demand; and/or
- ii. There is a surplus capacity to accommodate some or all of the projected number of pupils generated, but investment is required to make the existing facilities fit for the purpose of accommodating the additional pupils, developers will be required to either:
  - a. Provide land and/or premises for new build Primary or Secondary Schools, having regard to the scale and location of the development; and/or,
  - b. Make appropriate financial contributions towards the costs of providing new or improved Primary and/or Secondary School facilities.

LDP Policy IO1 emphasises that planning obligations will be sought to ensure that the effects of developments are fully addressed in order to make the development acceptable, which will include addressing any identified deficiencies in provision or capacity directly related to the proposal. The reasoned justification to the policy states at para 2.4.3 “Specific infrastructure requirements will vary in different locations and be dependent upon the scale and nature of proposed development. Infrastructure may be required to facilitate development or can be required to make a development acceptable and sustainable.”

Furthermore Policy ‘SD C South of A4240 Parc Mawr Penllergaer’ provides a site specific policy and states that the proposals should deliver a 3 form entry primary school. The site specific policy deliberately makes no reference to secondary education as the evidence showed it was not viable or reasonable for the development to provide both, and therefore that requirement for education obligations is pooled. This is in contrast to site specific policy SD D, which is a far larger strategic development, and where it has been considered it is viable and reasonable for secondary education provision to be provided in addition to primary contributions.

Therefore, rather than seek separate contributions for primary and secondary education, the Local Development Plan seeks the delivery of a 3 form entry school and this is in line with the Education department’s request on this site. This was considered at the Examination into the LDP which states at Para 2.7.20 that “In some circumstances the Secondary and Primary element would be pooled into a joint requirement for one of these such that, for example, the developer may be required to build a larger Primary School than pupil numbers require in order to be able to accommodate anticipated additional future numbers in the area and make the development sustainable. In these circumstances it would be for the Council to determine the most appropriate mechanism to address outstanding investment requirements”. The site specific policy deliberately makes no reference to secondary education as the evidence showed it was not viable or reasonable for the development to provide both.

All of the above policies were discussed during the examination of the LDP and were ultimately found to be sound policies, consistent with the relevant planning legislation. Therefore, having regard to the adopted LDP policies, it is considered that there is a clear policy framework to justify requesting the pooling of contributions to ensure a new build primary school of a sufficient size is delivered, thereby making the development sustainable for the new neighbourhood to be created. Legal advice provided to the Planning Authority has indicated this approach is lawful.

As the Strategic Planning Lead has noted, it is clear that whilst the development must be related to the demand generated by the proposal in terms of any contribution / school provided, it is imperative that the site for the school is large enough to accommodate a 3FE entry school. This is in line with the Education Authority’s request in terms of their future needs for a primary school to serve the whole of Penllergaer going forward.

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The Council is satisfied that this would meet the CIL tests. The above approach to education measures will ensure the Council can continue to strategically plan in a co-ordinated, sustainable manner for Swansea's growth, and safeguards the recreational and educational needs of its communities now and into the future.

In terms of the proposal, permission is sought in outline for a 3 FE school adjacent to the local centre in the northern part of the site to include a nursery with associated playing fields. The school would be located on the western side of the spine street and easily accessible from Gorseinon Road. Having regard to the plans submitted, the applicant has indeed considered the school requirements in some detail, including its appropriate location, and has suitably determined that the facility should be an integral part of the scheme. This has been evident during the applicant's comprehensive masterplanning of the site.

On the basis of the above, the obligation on the developer is as follows:

- Provide a site large enough to accommodate a 3FE primary school as specified in LDP Policy SD C;  
AND
- To deliver a 2.5FE school building (in the phases agreed) that is capable of being extended over time by the Authority to become a 3 form entry school; OR
- To pay financial contributions equivalent to the pupil demand generated by the development in appropriate instalments at appropriate trigger points which will equal the pooled sum of obligations generated for Primary, Secondary and Tertiary.

It is the expectation, that the developer would deliver a 2.5FE primary school building in accordance with Swansea School Standards Specification and relevant documentation and requirements stated within that document, however, the option would also be available for the applicant to provide the financial contribution in lieu if they wish. The Council's Planning Obligations SPG is adopted guidance that preceded the LDP but is still considered to have weight for decision making. This is the same approach followed by the Council in agreeing the financial contribution payable for the provision of a new primary school on another LDP Strategic Site (Garden Village) that received planning permission following the signing of a S106 in 2019.

The applicant has indicated that the nursery would be provided by unit 250 and the school completed by unit 500. If contributions are provided, a sum of 2.67% would be provided upon the commencement of development to enable design and feasibility work to be undertaken and a contribution of £1,000,000 would be provided at unit 200 to enable the provision of the nursery unit. Additional payments would be made at various intervals with the full contribution (£9,094,991.50) provided by unit 400.

In summary, as set out above, the Council's clearly stated strategy and policy approach as set out in the adopted LDP is to 'pool' required education contributions on a number of allocated 'Strategic Development Areas', in order for the Council to be able to strategically plan in a sustainable manner for Swansea's growth and the needs of communities now and into the future. This sustainable approach may involve the relocation of schools to those within new development areas.

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The new school building would need to be on a site for a 3FE to align with this approach, as is the requirement of the LDP. The LDP provides an adopted planning framework based on a sustainable strategy of providing schools that are 'fit' to serve the wider communities within which they would be based and that would not require multiple new schools to be operating within the same community.

It should be noted that the Local Education department has not objected to the proposals on the basis of the proposed trigger points and the provision of a 2.5FE school. They are also satisfied with the proposed trigger points for a contribution in lieu of Bellway providing the school.

It is appreciated that the existing school is at capacity but it would not be viable to provide the school from the outset due to the cost of the school alone and the need to develop the remainder of the site which would incur a cost to the applicant until sales revenues are recouped. In the short term, there is some spare capacity predicted in Penllergaer Primary but pupils would need to be accommodated in other schools. It is anticipated that once the nursery unit is completed, additional space would be provided on the existing school site as a result of the relocation of nursery classes, providing more capacity (60 spaces as a conservative estimate) in the existing school until the new school is completed. It should be noted that an assessment of scheme viability undertaken to underpin the LDP, which found the scheme to be financially viable in principle, assessed the delivery of such provision at 350 and 600 homes respectively and therefore, the agreed trigger points are in advance of this position and have been accepted by the Education Authority.

In terms of the other comments, it is appreciated that overcrowded classrooms could impact on school children but there is no evidence that this would be the case and future pupils would be split between English and Welsh medium schools reducing some pressure on Penllergaer Primary. The nearby development at the former Civic Centre did provide an education contribution (despite claims to the contrary from residents) and the Council has utilised its SPG to calculate the number of pupils created by this development. For reference, the Council has determined that the needs of secondary education and Welsh Medium schools over the lifetime of the Plan would be provided for through the 21<sup>st</sup> Century Schools programme but this is not considered to be material to the application.

These and the remainder of the concerns have been given limited weight in the determination of the application.

On the basis of the above, it is considered that the proposals are acceptable from an education standpoint and accord with Policies SD C and SI 3 as they would provide for a 2.5FE entry school or a contribution on a site large enough for a 3 form entry school with nursery and associated facilities in a timely manner which is supported by the Education department.

## 7.20 Archaeology and Heritage

Residents have stated that the proposals would cause damage to the historic or architectural value of listed buildings, would be harmful to their setting and local heritage would be lost as a result of the development. It should be noted however that there are no listed buildings on site and the comments have not specified which listed building would be affected. Residents have stated that Penllergaer is a village of significant historic interest, the Dillwyn Llewellyn family and Parc Mawr Farm (dates back to 17<sup>th</sup> century), form part of the heritage of the Penllergaer and the historic farm buildings are to be demolished.

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This is not the case and it is only the newer, agricultural buildings which are to be removed and their loss raises no significant concerns. The existing farm house and outbuilding opposite would be retained.

Chapter 9 of the Environmental Statement considers the archaeological and cultural heritage impact of the development which comprised a desk-based assessment comprises a review of existing information about the archaeological resource within a 238.5ha study area around the development site. In advance of the preparation of the assessment, a watching brief was carried out on geotechnical trial holes as a result of recommendations made in the 2016 desk-based assessment. No features or finds of archaeological interest were noted/recovered by the watching brief; a few small fragments of 19th/20th century pottery and glass in topsoil contexts typical of manuring were noted.

There are 51 sites of archaeological interest identified within the study area, of which 11 are found within the application site area. It is considered that the proposed development will have a 'Major' effect on the site of Bryn Dafydd Fawr Linear, a 'Moderate/Minor' effect on Parc Mawr Earthwork, a 'Minor' effect on the site of Battle of Gower Carn Goch Common, Bryn Dafydd Farm Earthwork, Parc Mawr and Cae Llwyn Field, and no effect on the sites of Cae Llwyn Earthwork, Semi-circular Field, Wells and Bryn Dafydd Fach Earthwork.

The effect of the development on sites Bryn Dafydd Farm Roman Signal Station, Bryn Dafydd Fawr Linear, Semi-circular Field, Bryn Dafydd Fawr Linear, Cae Llwyn and Cae Llwyn Field should be mitigated by means of an archaeological written scheme of investigation. This should be produced prior to any ground penetrating works in the area surrounding the features. The Parc Mawr Earthwork is proposed to be used as allotments. Again, a written scheme of investigation would be required which could necessitate the relocation of the allotments as part of a future reserved matters phase. No mitigation is deemed necessary for the site of Battle of Gower Carn Goch Common as there is no evidence that this is the specific site of the battle. The other heritage features can be mitigated by screen planting within and around the site.

Glamorgan Gwent Archaeological Trust (GGAT) has reviewed the submitted information and advised that that the proposed development would require archaeological mitigation. GGAT concurred with the results of the assessment process, and given the results of the watching brief, recommended that a condition, requiring the applicant to submit and implement a written scheme of investigation for a programme of archaeological work, should be attached to any consent granted. GGAT envisage that this programme of work would include an archaeological watching brief during any ground disturbing work; a historic hedgerow survey; and a historic building recording. It would ensure that a targeted programme of work can be facilitated, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that archaeological features that are located are properly excavated and analysed, and it should include provision for any sampling that may prove necessary, post-excavation recording and assessment and reporting and possible publication of the results.

In terms of heritage, the works were assessed as having a 'Very Slight' indirect impact on two nearby Scheduled Monuments, four Listed Buildings and the Registered Park and Garden: Garn Goch Round Barrow located to the west of development area, Mynydd Carn-Goch Roman Earthworks located to the southwest of the development area, Bryn Rhos and Penllergaer Historic Park and Garden which are both immediately east. The effect on these sites can be mitigated by means of screening as part of the design.

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CADW has advised that having carefully considered the information provided, they have no objections to the proposed development. They concur with the ES assessment and conclude that impact of the proposed development on the two scheduled monuments and the registered historic park and garden would be very slight and not significant.

The development would also have an impact on a number of hedgerows which have been assessed in accordance to The Hedgerow Regulations (1997) as being historically important. Effort should be made to retain all historic field boundaries especially those relating to historic assets. The hedgerows within and bounding the development area which may be damaged or destroyed during the proposed development should be subject to a historic hedgerow survey.

Subject to the mitigation measures outlined above which would be secured by condition, the proposed works are considered acceptable in terms of their impact on archaeology and heritage.

### **7.21 Drainage/ Flooding**

Chapter 10 of the Environmental Statement considers the drainage and flood risk impact of the development. A Flood Consequences Assessment and Drainage Strategy support and inform this chapter. Chapter 11 focusses on Water Quality.

Residents have raised various concerns in regard to drainage and flooding and have stated that there is a risk of flooding as a result of this development given the difference in levels across the site, public sewers are inadequate and at overcapacity, water pressure is poor, areas nearby regularly flood (this development would exacerbate that) and Gowerton Treatment works need to be upgraded amongst other things. One resident has stated that water would flow into his property due to ground levels and another has stated that the land has significant number of natural springs underground that could be disturbed.

According to the Development Advice Maps, the site is considered to be at little or no risk of fluvial or tidal flooding. NRW's Long Term Flood Risk map indicates that the majority of the site is at very low risk of surface water flooding. Small areas in the vicinity of the existing ditches within the site are at low (annual chance of surface water flooding between 0.1% and 1%) and medium (annual chance of surface water flooding between 1% and 3.3%) risk of surface water flooding.

During the construction phase, some issues could arise (such as mud and debris blocking drainage channels) that would impact on flood risk. However, these could be suitably mitigated in the CEMP that would be required for the development in accordance with best practice and legislative requirements. During operation, the drainage system and sewer network should be designed to good practice standards and the implementation of a robust maintenance plan would aid in ensuring that the risk of blockages is reduced. No adverse impacts are anticipated subject to measures outlined above in terms of flood risk. Whilst localised flooding is evident in some places off-site at present, the surface water strategy would reduce the rate of run-off (from existing greenfield rates) and provide betterment to the existing situation in this regard. Flooding is not considered to pose a significant constraint to the development.

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In terms of foul drainage, a Hydraulic Modelling Assessment (HMA) has been commissioned to assess the impact of the development on the existing sewer network and treatment works. It is proposed to construct a gravity foul water drainage network within each of the development plots which would generally follow the topography of the land within the development site. The northern section of the site (Phase 1b), together with the primary school, is intended to drain via gravity to the existing public sewer network within Gorseinon Road. The remainder of the development would be discharged via a pumping station located along the western boundary of the site. This would pump flows from the site to the outfall location identified in the DCWW Hydraulic Modelling Assessment near the Fforestmill Garden Centre on Pontardulais Road.

Dwr Cymru Welsh Water (DCWW) has advised that Hydraulic Modelling Assessments (HMAs) were undertaken of the local public sewerage and water supply network that identified suitable solutions to ensure the development can be accommodated within the sewerage network and served with an adequate water supply. DCWW therefore recommend that the necessary offsite reinforcement works required for the public sewerage and water supply networks, as identified in the respective HMAs undertaken, are required by planning conditions.

DCWW also advised that no problems are envisaged with the Wastewater Treatment Works for the treatment of domestic discharges from this site. Notwithstanding this, as well as necessary off-site reinforcement works identified by the HMA undertaken of the public sewerage network, they also advised that the proposed development is located in an area which has the potential to discharge into national and international designated waters. The Loughor Estuary forms part of the Carmarthen Bay & Estuaries European Marine Site which is the collective name for three European 'Natura 2000' designated areas, namely Carmarthen Bay & Estuaries Special Area of Conservation, Carmarthen Bay Special Protection Area and Burry Inlet Special Protection Area. A key fundamental issue associated with any proposed developments located on both the Carmarthenshire and Swansea side of the Estuary is the potential impact any revised or additional water discharges, either foul or surface water, will have on the local drainage systems and ultimately the designated waters. Dwr Cymru Welsh Water is contributing towards improving the water quality in the Estuary by undertaking key infrastructure improvements at its Northumberland Avenue and Llanant Waste Water Treatment Works which are designed to improve arrangements for dealing with surface water, provide ultra violet treatment and phosphate removal. In accordance with the requirements of the Memorandum of Understanding (MoU), a surface water removal scheme is required to compensate for foul flows from the proposed development site and therefore requested by recommended planning condition below.

In this respect, as the site is bound by the MoU concerning the Carmarthen Bay and Estuaries European Marine Site (CBEEMs), donor sites would be required to enable the proposed development. Foul flows from the residential element of the proposed development have been calculated at 11.05 l/s in accordance with the revised MoU (i.e. 0.013l/s/dwelling). Phase 1a is to be discharged to the public combined sewer in Swansea Road, Phase 1b to the public combined sewer in Gorseinon Road and Phase 2 pumped some distance off-site to the south. The developer is required to provide surface water removal from the combined system in order to provide the required betterment. The betterment requirement in accordance with the MoU is to be bespoke for schemes of this size. For this scheme it is proposed to provide betterment at 1.1 times, which in this case will be 12.16l/s. The applicant has indicated that sufficient donor sites have already been found for up to 299 dwellings and a condition would be attached to any grant of consent requiring details of these (and the works being undertaken) prior to connection of the dwellings each scheme would serve (including later phases). No issues of water quality are envisaged subject to the mitigation measures referenced above.

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DCWW therefore offer no objections to the proposals subject to conditions which are all considered necessary and reasonable in principle.

Surface water run-off from the site currently discharges to a network of existing ditches following the topography of the site. Several of the existing ditches within the north-western section of the site discharge to an existing pond to the west of the site which is currently operated by a local angling club under a lease arrangement with the local authority. The outfall from the pond is controlled by a series of stop logs which control the water level, prior to discharge to a 600mm diameter sewer routed behind the adjacent industrial estate. The surface water run-off from the site ultimately discharges through existing watercourse routes into the Afon Llan from the northern sections of the site, and to the Afon Lliw from the southern and south-western sections.

The underlying ground conditions as discussed above are anticipated as being relatively impermeable. The use of infiltration to groundwater is therefore considered to be limited. The development would adhere to the SuDS hierarchy on the application site. Discussions with the Authority has indicated that it is preferable to limit flows to the equivalent of QBar for all storm durations up to the 1 in 100 year return period, plus 30% allowance for climate change in accordance with guidance provided by Natural Resources Wales. The majority of the run-off flow from the residential areas is anticipated to be drained from the attenuation ponds via a positive outfall to the ditch network, with storms in excess of this being permitted to discharge at greenfield flow rates through a network of ditches and ponds prior to a final controlled discharge from the site to the existing ditch network. The design of all drainage features would be integrated within the overall landscaping proposals for the development and urban creep (extensions etc) has been allowed for. As a result, it is not considered necessary to attach a condition removing permitted development rights for extensions. It should be noted that Phase1A would not be required to comply with statutory SUDS standards but later phases are likely to have to comply based on current legislation. It is therefore imperative that the design of the first phase does not impact on later phases and their adoption as well as ensuring there is sufficient space in the masterplan to integrate SUDS features. The applicant has stated these issues have been considered.

Following comments from the Drainage Officer about downstream surface water flooding as part of the initial consultation, the applicant has undertaken further site survey work to confirm the situation downstream. The Council's Drainage Officer has raised no objections to the proposed drainage strategy following this further work subject to conditions which would be attached to any grant of consent, with the exception of the removal of permitted development rights noted above. The proposed discharge rate of 7.2l/s/ha is considered acceptable, as for all storm events that generate flows greater than that would be controlled and managed and contained on site therefore alleviating some of the flood risk issues downstream i.e. a degree of betterment in line with TAN15. The applicant has confirmed that DCWW would adopt the crates and basin for phase 1A. No concerns over underground springs have been raised by the Drainage Authority.

In terms of other comments from residents not addressed above, DCWW has no objections subject to conditions and have not raised water pressure as an issue on site. Later phases would be expected to comply with Schedule 3 of the FWMA 2010 but phase 1A does not as the application was submitted before the legislation was implemented. The applicant has submitted a drainage strategy and has undertaken various ground investigations across the site and there is no evidence that natural springs underground could be disturbed as a result of the proposals. The drainage strategy is considered sufficient for the purpose of this outline application.



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In summary, there are no known hydraulic capacity or new water quality issues to address and there is no justification to refuse this proposal for planning permission on these grounds. Subject to further control by conditions, it is considered that the drainage arrangements for this scheme are acceptable and can meet the overarching aims of sustainable development in this area, and satisfy the provisions of policies RP 4 and RP 5.

## 7.22 Climate Change and Renewable/ Low Carbon Technology

Policy ER 1 seeks to mitigate the effects of climate change. RP 5 also seeks to avoid flood risk. In this instance, the site is not located within a flood area and the drainage strategy would adequately mitigate for flooding subject to detailed design as noted above. Drainage issues are addressed in the section above. Policy EU 2 requires consideration of renewable and low carbon technologies. One resident has stated that the development must consider renewables.

Para 5.7.14 of PPW states that Welsh Government planning policy recognises an energy hierarchy. The Welsh Government expects all new development to mitigate the causes of climate change in accordance with the energy hierarchy for planning, as set out in the following energy policies. Reducing energy demand and increasing energy efficiency, through the location and design of new development, will assist in meeting energy demand with renewable and low carbon sources. This is particularly important in supporting the electrification of energy use, such as the growing use of electric vehicles. All aspects of the energy hierarchy have their part to play, simultaneously, in helping meet decarbonisation and renewable energy targets.

The applicant has submitted a Sustainable Energy Statement which emphasises the energy hierarchy which seeks to reduce energy demand in the first instance before considering using energy efficiently and then renewable energy generation. New dwellings at Parc Mawr would be built to achieve and improve on the latest Building Regulation standards for design and construction. These ensure health and safety, and responsible use of energy, with Part L of direct relevance to creating sustainable buildings. Energy conservation measures would focus on individual buildings, adopting a fabric first approach (including high-performance insulation and glazing, and efficient lighting and appliances) to reduce energy demand in the first instance – reflecting the principles of the energy hierarchy. The occupants of the dwelling should be provided with all necessary literature and guidance relating to the energy efficient operation of the fixed building services. The assessment has considered the mix and number of units proposed across the site and has identified a reduction in site-wide CO<sub>2</sub> emissions of 4.97% over and above Part L of Building Regulations and a similar reduction in energy usage. This approach is considered to be significantly more advantageous than installing renewable energy in the form of solar PV panels. Added to this, renewable technologies such as PV, solar thermal and heat pumps have typical lifespans of circa 20 years, whereas the use of embedded energy reductions within the fabric of the building would safeguard the longevity of the energy savings for the lifetime of the house.

From an initial capital expenditure point of view the scheme could not support both enhanced fabric performance and renewable technologies at the outset. Therefore, the passive, fabric measures have been chosen for the scheme as they would bring the most benefit in the long-term, and also keep the opportunity for the home owners to further improve the energy performance by adding bolt-on renewable technologies in the future.

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PPW also states that the planning system should encourage and support the provision of ULEV charging points as part of new development. Where car parking is provided for new non-residential development, planning authorities should seek a minimum of 10% of car parking spaces to have ULEV charging points. Therefore a condition would be attached to any consent to ensure the education, commercial and pavilion parking includes ULEV charging points.

This Statement outlines the various design responses to these issues and, along with the introduction of ULEV measures, is considered acceptable in terms of climate change resilience for the proposals.

### 7.23 Welsh Language

Policy HC3 does not require Welsh Language Impact Assessments (WLIAs) for allocated sites as the LDP has given the issue due consideration. However, the Policy requires a Welsh Language Action Plan to accompany certain planning applications on allocated sites such as this one, in order to ensure that developers positively consider, promote and mitigate where necessary the Welsh Language in their proposal. This reflects paragraph 2.7.2 of TAN 20 which states that the Local Planning Authority may outline a need for measures to mitigate the impacts of development on the Welsh Language. 15.3% of Penllergaer residents are able to speak Welsh according to the 2011 census (compared to 11.4% for Swansea and 19% for Wales as a whole).

In this instance, the applicant undertook a Welsh Language Impact Assessment as the application was submitted before the adoption of the Local Development Plan. The impact assessment concludes that the proposals would have 7 positive effects on the Welsh language, 11 neutral effects and 0 negative effects. Notwithstanding this, it also acknowledges that other measures could be incorporated including the following:

- Promotion of Welsh education among children and adults in the areas, such as highlighting proximity of Welsh schools in sales promotions and, if necessary, having literature available providing details of locally held Welsh lessons
- Strong advertising/ marketing in the local area
- Bilingual sales/ marketing to be made available on request.

In addition to the above measures, it is considered that street signage should also utilise Welsh. Paragraph 5.1.1 of TAN 20 states that: 'Signs can have a very visible impact on the character of an area, including its linguistic character. They are also one method of promoting the distinctive culture of Wales, which is of significance both to the identity of individual communities as well as the tourism industry.'

It is accordingly considered that the above measures would encourage the use of the Welsh language and a condition would be attached to any consent requiring the development to proceed in accordance with these principles.

### 7.24 Employment and Training Opportunities

Policy IO 2 seeks to provide training opportunities to maximise added benefits in line with the Council's Beyond Bricks and Mortar (BBM) policy.

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The Council's Beyond Bricks and Mortar team have requested that as part of the construction phase of new developments BB&M seeks to include community benefit clauses to implement a targeted recruitment and training approach, thereby increasing job and training opportunities for unemployed and disadvantaged residents. The applicant has indicated that they are willing to include this community benefit clause in the S106 agreement which is welcomed.

### 7.25 Common Land

The application site includes a small section of common land to facilitate the northern access (the green island fronting 31 Gorseinon Road). In addition, offsite improvement works such as active travel routes are also located on common land in places.

Detailed policies on inter alia Common Land are not set out in the Plan as they are adequately covered by existing legislation and National Planning Policy and Guidance. PPW (Para 6.3.17) states that Common land is a finite resource and should not be developed unnecessarily. It is important in agricultural terms and valued for its leisure and environmental interests, particularly its significant role in habitat conservation. Access to it should not be prevented or impeded unnecessarily to ensure its proper management. The role and wider value of common land should be explored through Green Infrastructure Assessments. In this case, it is considered necessary to provide an access to the development and the resource to be lost is not considered to be of significant value given its small and isolated nature.

Paragraph 6.3.18 advises that in addition to planning permission, certain works which prevent or impede access to or over common land or involve new resurfacing require consent from Welsh Ministers. Where planning permission is being granted to develop on common land, an advisory note should be attached stating that the consent of the Welsh Ministers may also be required under common land legislation.

As such, the small loss of common land is considered acceptable from a planning perspective and an advice note would be attached to any grant of permission to remind the applicant of their duty.

### 7.26 Other issues

Residents and the Local Councillor have raised various concerns regarding the various trigger points for the provision of infrastructure. LDP Policy IO1 Supporting Infrastructure and Planning Obligations states that "where necessary, planning obligations will be sought to ensure that the effects of developments are fully addressed in order to make the development acceptable, which will include addressing any identified deficiencies in provision or capacity directly related to the proposal. A range of infrastructure may be required, having regard to the nature, scale, location and financial viability of the proposed development. The delivery of new or improved infrastructure, or other appropriate measures, must be undertaken in a timely and coordinated manner to meet the needs of existing and planned communities prior to, or from the commencement of, the relevant phases of development."

In addition, infrastructure secured via Section 106 needs to meet the CIL tests which are set out in full in the following section. They have to be reasonable and necessary, as do their timings. Consideration needs to be given to the reasonableness of the trigger points and the triggers mentioned above in individual sections (and summarised below) are considered acceptable by the relevant consultee departments at the timing specified.

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Where they were not, Officers have negotiated bringing forward the various trigger points. Planning Policy Wales (Paragraph 3.58) states that Planning authorities should, in conjunction with key providers, take a strategic and long term approach towards the provision of infrastructure as part of plan making. This may involve collaboration between planning authorities and key infrastructure providers to ensure infrastructure provision is sustainable, fit for purpose and can be co-ordinated and timed to support placemaking aspirations and the provision of other infrastructure. The trigger points referenced above are considered reasonable in terms of the cost of provision and necessity at the various trigger points. It should also be noted that key infrastructure would be provided at similar milestones to those set out in the Independent Financial Viability Appraisal submitted at LDP Examination.

Concerns have been raised about various infrastructure such as insufficient capacity at doctors and dentists and even if a surgery is provided, it could not be staffed as there are not enough doctors. In addition, emergency services have not been taken into account and there would be demands on other utilities. With regards to health, the Local Health Board were consulted as part of the LDP process and didn't raise any issues with the application. Details of the application have been sent to them and again, they have not raised an issue with the proposals or objected. The Strategic Planning Lead has noted there is a lack of detail about any discussions with the health sector that may have been undertaken in this regard or analysis on how the scheme is capable of providing and/or facilitating this opportunity. Notwithstanding this, there is provision within the masterplan for D1 uses (which would include clinics and health centres) and this could be explored further prior to any future reserved matters submission for Phase 1B. It is recommended that an advice note is attached to any grant of consent to clarify that dialogue should be undertaken in advance of any application for Phase 1B.

Nevertheless, the proposals provide significant infrastructure to aid health and well-being, facilitating a mixed use development with active travel routes and various recreation measures. Similarly, the police and fire service have been consulted and have raised no objections. Various utilities companies were consulted but have raised no objections to the proposals.

The LDP has considered and set out the plan for strategic growth throughout Swansea, setting the number of new dwellings required and has been independently examined by the Planning Inspectorate prior to adoption. The site is allocated as a strategic development area and therefore concerns about the impact on the village feel of Penllergaer given previous developments in the area have been given limited weight in the determination of this application. It is appreciated that there could be a short term impact on the sense of place felt by some existing residents but this should reduce over time and the proposals have been designed to integrate with the existing community.

Other nearby developments are not considered to be material to the decision except where considered above in terms of their cumulative impact as all applications are determined on their own merits. Consideration has been given to other sites and brownfield sites as part of the LDP process. There is no evidence that the development would result in a devaluation of properties and this is also given very limited weight, whilst the LDP sets out expected growth over the plan period in terms of the need for additional housing. Commuted sums would be provided for maintenance of any land adopted by the Council.

A large number of comments appear to relate to a different site in Penllergaer that was constructed by a different developer and are not material to this development. There are currently no trees protected by TPO.

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Residents have stated that the application process has followed an undemocratic process with poor communication to residents. The application has been advertised in accordance with statute, with press and site notices erected on 3 occasions. One resident has stated that the resubmission is excessive and has been submitted to confuse. However, the applicant provided a cover sheet to address the changes as part of the two previous rounds of consultation with changes introduced to address concerns raised by consultees. This is not uncommon on a large application such as this and previous comments provided still stand where relevant. It is not considered that the proposal would result in significant light pollution over and above the existing situation given the existing built up areas of Penllergaer and its surroundings. The Assembly Member and local Member have stated that new accesses could make the area more vulnerable to crime and a comment received has stated that an increase in population will increase crime. The Police Designing Out Crime Officer has not raised any objections to the proposal in this regard and has provided standard advice which has been incorporated into Phase 1A by ensuring natural surveillance is provided of all public areas and on key corners. Concerns about ambulances getting through to the hospital have been given limited weight as there is no evidence this situation would be exacerbated when the Local Highway Authority consider the proposals acceptable subject to mitigation. One resident has stated that the County has failed in complying with the provisions and obligations of The Road Traffic Reduction Act 1997. However, the Road Traffic Reduction Act is separate legislation that is not directly relevant to consideration of this planning application which has been considered on its merits by the Local Highway Authority.

One resident has stated that the proposals fail to take into account a detailed Health Impact Assessment in accordance with the EIA Regulations. However, the EIA Regulations do not require a Health Impact Assessment. Regulation 4(2) of the EIA Regulations applicable to this application requires that the environmental impact assessment must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of proposed development, inter alia, human health. The Environmental Statement has been amended to explicitly address this.

Residents have stated that the UN Convention provides children with a right to play and queries where children would play if this development proceeds. Whilst the site is largely undeveloped at present, it is currently farm land. The site would provide for a range of formal and informal sporting facilities for a whole array of groups and enable greater formal access over the site to enable children to play. It is not considered that the development would breach this fundamental right.

Some residents have quoted that they have rights that would be impinged under the Human Rights Act. Article 8 of the Human Rights Act 1998 confers the right to respect for private and family life and for the home. Article 1 of the First Protocol states 'Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law'. In *Huang v Secretary of State*, the Supreme Court held that there is a 'need to balance the interest of society with those of individuals and groups'. The right is not absolute and it may be restricted, provided the restrictions are lawful, have a legitimate aim and are balanced. In making a determination as to whether there has been a breach of these Articles, a balance has to be struck between the rights of the individual property owner(s) and society as a whole. In this instance, it is not considered that the harm caused to the neighbours would be significant as assessed above, and nor would it outweigh the wider public interest in developing the land for this strategic, residential led development.

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Concerns have been raised that the applicant would “cut and run” after the first phase and as with any development, this could be the case. Similarly, the local Member has raised concerns about viability and there are several cases where the applicant cannot provide for the full remit of obligations. In the first instance, the planning permission would run with the land and another developer could take over the site. It is important to set the parameters for future development at the outset and provide various trigger points to come forward in a timely manner, as has been done in this case. Officers queried whether it was possible to include a bond that built up over time but have been advised that this is not feasible and would not meet the CIL tests in any event. It is clearly not a standard clause in S106 agreements. With regards to viability, the applicant has not indicated that the proposals would render the scheme unviable. Any applicant could seek to amend the S106 obligations but this would be subject to a new application to consider the evidence at that time and is not a reason for withholding permission.

### 7.27 Planning Obligations:

[Please note that the Phase or Unit numbers in brackets below will not be included in the S106 agreement itself but are provided for indicative purposes based on the phasing plan submitted with this application]

The Planning Obligations associated with this development include:

- Provision of 20% affordable housing on site to DQR (of which 70% social rented at 42% ACG or OMV (whichever is lower at the point of transfer) and 30% intermediate units at 70% of ACG or OMV (whichever is lower at the point of transfer) – all to be disposed of via a RSL
- Education contribution comprising the provision of 2.5 form entry primary school comprising:
  - (a) Provision of a site large enough to accommodate a 3 FE School and transfer of school to Local Authority (2.67Ha); and either:
    - (i) Provision of a nursery by occupation of unit 250 (Phase 1B), and completion of a full 2.5FE school, parking area and school grounds by occupation of unit 500 on the development (Phase 3); or
    - (ii) Payment of contribution of £9,094,991.50 to be paid at the following trigger points:
      - ◆ Payment of the 2.67% upon commencement of development
      - ◆ Payment of £100,000 prior to occupation of the 100<sup>th</sup> unit
      - ◆ Payment of £900,000 prior to occupation of the 200<sup>th</sup> unit
      - ◆ Payment of £1,500,000 prior to occupation of the 300<sup>th</sup> unit
      - ◆ Payment of £2,500,000 prior to occupation of the 350<sup>th</sup> unit
      - ◆ Payment of remainder prior to occupation of the 400<sup>th</sup> unit
- (a) Contribution of £25,000 towards off-site highway infrastructure comprising:
  - (i) MOVA install at Gorseinon Road/ Phoenix Way junction prior to occupation of 500<sup>th</sup> unit (Phase 3) – £20,000

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- (ii) Works to resurface A484 underpass prior to occupation of 644th unit (Phase 3) – £5,000
- (b) Completion of Brynrhos Crescent access prior to occupation of the first dwelling on site
- (c) Completion of Gorseinon Road access prior to occupation of 185th dwelling
- (d) Completion of A48/Pontarddulais Road improvement works prior to occupation of 185th dwelling
- (e) Completion of Spine Street to provide access to A483 and works to A483/ A484 roundabout prior to 350th dwelling
- (f) Completion of Spine Street to provide access to A484 and works to A483/ A484 roundabout prior to first beneficial occupation of 644th dwelling
- (g) Completion of Active Travel link AT 13 across site prior to occupation of 350 dwellings (Phase 2)
- (h) Completion of Active Travel link AT 14 by occupation of 644th unit (Phase 3)
- Provision of 2 full size grass pitches, an appropriate sports pavilion/ changing rooms, 1 MUGA, 1 BMX/ bike track, 1 NEAP, 3 LEAPs and 10 LAPs in the following phases:

**Phase 1A** (184 dwellings)

- (a) LAP adjacent to Brynrhos Crescent to be provided by occupation of 25% of dwellings on phase 1A(46th unit)
- (b) LAP adjacent to southern boundary to be provided by 75% occupation of 75% of dwellings on phase 1A (138th unit).

**Phase 1B** (116 dwellings indicatively)

- (a) LEAP to be provided by 50% occupation of the phase
- (b) LAP adjacent to the LEAP to be provided by 50% occupation of the phase
- (c) LAP to south to be provided by 75% occupation of the phase

**Phase 2** (100 dwellings indicatively)

- (a) LAP to the north to be provided by 50% occupation of the phase
- (b) LAP to the west to be provided by 75% occupation of the phase
- (c) Playing fields (x2) to be provided by 75% occupation of the phase
- (d) Bike track to be provided by 75% occupation of the phase
- (e) Allotments to be provided prior to occupation of the 350th dwelling

**Phase 3** (250 dwellings indicatively)

- (a) NEAP adjacent to Spine Street to be provided by 50% occupation of the phase
- (b) LEAP adjacent to Spine Street to be provided by 50% occupation of the phase
- (c) LAP adjacent to Spine Street to be provided by 50% occupation of the phase
- (d) Pavilion for the playing fields to be provided by 75% occupation of the phase

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- (e) LAP and to the centre of this phase and Natural Play Area to be provided by 75% occupation of the phase
- (f) MUGA to be provided by 75% occupation of the phase

**Phase 4** (200 dwellings indicatively)

- (a) LAP in central location to be provided by 50% occupation of the phase
  - (b) LEAP in central location to be provided by 50% occupation of the phase
  - (c) LAP to the north to be provided by 75% occupation of the phase
  - (d) LAP to the south and Natural Play Area to be provided by 90% occupation of the phase
- Potential contribution for ongoing maintenance of areas of public open space within the site OR creation of a management and maintenance company and maintenance agreement for all areas of public open space and sports facilities (along with future funding stream and Council step in rights).
  - Community provision
    - (a) Offer for sale the community buildings at a nominal sum of £1 prior to occupation of the 300th dwelling on site to a Register Social Landlord (RSL) on the basis that a contribution of £50,000 will be paid to the council for the council to make available to the RSL to facilitate adaptation for their intended purpose
    - (b) Community facilities to be transferred to the Council for a nominal sum of £1 prior to the occupation of 350 dwellings if the RSL does not take on the community buildings along with a commuted sum of £50,000 to facilitate adaptation for their intended purpose
      - £7,000 contribution towards Air Quality Monitoring Station by Unit 350
      - £2,100 contribution to provide 3 bridleway gates and installation (£700 prior to occupation of 350th dwelling and £1,400 prior to occupation of the 644th dwelling).
      - Commitment to Council's Beyond Bricks and Mortar scheme during construction
      - Local Centre Scheme to provide details of the marketing scheme for the local retail/commercial units on site for a minimum of 5 years.
      - £17,800 towards ongoing management and monitoring fees

In 2010 the Community Infrastructure Levy Regulations (2010) came into effect. Reg 122 of these regulations sets out limitations on the use of planning obligations. It sets out three tests that planning obligations need to meet. It states that planning obligations may only constitute a reason for granting planning permission if the obligation is:

- a) Necessary to make the development acceptable in planning terms; (the obligations of the Section 106 Agreement are necessary to ensure adequate education provision, secure affordable housing on site, provide sufficient open space and ensure its continued maintenance, monitor air quality, promote local employment benefits, secure appropriate long-term marketing of the retail/ commercial units and to improve accessibility for vehicles and pedestrians to/ from the development to ensure policy compliance.)



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b) Directly related to the development; (the obligations of the Section 106 Agreement are directly related to the development.)

and

c) Fairly and reasonably related in scale and kind to the development (the obligations as set out in the Section 106 Agreement, both in terms of scale and kind of obligations being required, are fair and reasonable to ensure the aforementioned contributions for the development of this strategic site).

## 7.28 Conclusion

Consideration has been given to the duty to improve the economic, social, environmental and cultural well-being of Wales, in accordance with the sustainable development principle, under section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this recommendation due regard has been given to the ways of working set out at section 5 of the WBFG Act and it is considered that this recommendation is consistent with the sustainable development principle as required by section 8 of the WBFG Act.

The development is considered acceptable when considering all material considerations and the allocation within the LDP. It is therefore concluded that the application should be approved subject to the following conditions and the completion of a S106 agreement.

**That the application be APPROVED, subject to the conditions indicated below and the applicant entering into a Section 106 Planning Obligation in respect of the contributions listed above.**

**If the Section 106 Planning Obligation is not completed within 6 months of the foregoing resolution then delegated powers be given to the Head of Planning and City Regeneration to exercise discretion to refuse the application on the grounds of non-compliance with policies PS1, PS2, SD1, SD2, SDC, IO1, H3, HC1, HC2, HC3, SI1, SI2, SI3, SI6, RC2, RC8, ER1, ER2, ER5, ER6, ER8, ER9, ER11, T1, T2, T3, T5, T6, T7, EU4, RP1, RP2, RP3, RP4, RP5 and RP7 of the Adopted Swansea Local Development Plan (2010-2025).**

## Conditions

### SITE-WIDE CONDITIONS

- 1 For the avoidance of doubt, where reference is made to a phase of development in any condition, this refers to 1 of the 5 phases (Phase 1A, 1B, 2, 3 and 4) indicated on the "Phasing Plan (Drawing Number 13119/3030N)" received on 30<sup>th</sup> April 2020. The development shall be undertaken sequentially in accordance with this phasing plan.

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For the avoidance of doubt, the trigger points for the delivery of infrastructure in the S106 legal agreement attached to this decision takes precedent over the trigger points indicated on the Phasing Plan.

Reason: To ensure there is a clear framework for both the progression of the development and for the submission of the reserved matters applications so that the development is carried out in a comprehensive, sustainable and coherent manner.

- 2 Applications for the approval of the details of appearance, landscaping, layout, access and scale, (hereinafter called "the reserved matters") for each phase of the development shall be submitted to and approved in writing by the Local Planning Authority before any development begins on each respective phase of development and the development shall thereafter be carried out as approved. The aforementioned details have been approved for Phase 1A as part of this permission.

Reason: The application, in outline form, does not give sufficient detail for consideration of these matters at this time.

- 3 Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than 7 years from the date of this permission.

Reason: Required to be imposed pursuant to Section 92 (2) of the Town and Country Planning Act 1990.

- 4 The first phase of the development shall begin before the expiration of 3 years from the date of this permission.

The other phases of development shall begin either before the expiry of 9 years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters relating to the other phases of the development to be approved, whichever is the later.

Reason: Required to be imposed pursuant to Section 92 (2) of the Town and Country Planning Act 1990.

- 5 The development shall be carried out in accordance with the following approved plans and documents:

Site Location Plan with Phase 1A Area (Drawing No. 13119/1000H Rev H),  
Proposed Street Sections (Drawing No. 15071 (05) 107 Rev A),  
2.1.1 - 1B2P Flat x 2 - Brick (Drawing No. 15071 (05) 110 Rev C),  
House Type 4.2.1. Floor Plans & Brick Elevations (Drawing No. 15071 (05) 111 Rev D),  
House Type 4.2.1. Floor Plans & Render Elevations (Drawing No. 15071 (05) 112 Rev D),  
House Type 4.2.1. Floor Plans & Render Uplift Elevations (Drawing No. 15071 (05) 113 Rev D),  
House Type 5.3.1. - Floor Plans & Brick Elevations (Drawing No. 15071 (05) 114 Rev D),  
House Type 5.3.1. Floor Plans & Render Elevations (Drawing No. 15071 (05) 115),  
House Type 5.3.1. Floor Plans & Render Uplift Elevations (Drawing No. 15071 (05) 116),  
House Type 6.4.1 - Plans & Brick Elevations (Drawing No. 15071 (05) 117 Rev C),  
HT 6.4.1 - Plans and Stone Elevations (Uplift Area) (Drawing No. 15071 (05) 118),  
Charfield House Type - Brick (Non Uplift) (Drawing No. 15071 (05) 119 Rev C),

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Sandford - Render (Site Specific Windows) (Drawing No. 15071 (05) 120 Rev C),  
HT Sandford Plans & Render Elevations (Drawing No. 15071 (05) 121 Rev D),  
Sandford HT - Stone (Uplift) (Drawing No. 15071 (05) 122),  
Shaldon House Type - Plans & Elevations (Brick) (Drawing No. 15071 (05) 123 Rev D),  
Shaldon House Type - Plans & Render Elevations (Drawing No. 15071 (05) 124 Rev D),  
Shaldon House Type - Plans & Brick Elevations (Uplift) (Drawing No. 15071 (05) 125 Rev D),  
Sherbourne HT - Plans & Stone Elevations (Uplift) (Drawing No. 15071 (05) 127 Rev B),  
Sherbourne HT - Plans & Render Elevations (Uplift) (Drawing No. 15071 (05) 128 Rev B),  
Shipton HT - Plans & Render Elevations (Drawing No. 15071 (05) 130 Rev D),  
Shipton HT - Plans & Render Elevations (Uplift Area) (Drawing No. 15071 (05) 132),  
Shipton HT - Plans & Stone Elevations (Uplift Area) (Drawing No. 15071 (05) 133),  
Shipton HT - Plans & Render Elevations (Uplift) (Drawing No. 15071 (05) 134),  
Walton House Type – Floor Plans (Drawing No. 15071 (05) 135 Rev D),  
Walton HT - Brick Elevations (Drawing No. 15071 (05) 136 Rev D),  
Uplift Area - Walton - Stone & Render (Drawing No. 15071 (05) 137 Rev D),  
Wenvoe HT - Plans (Drawing No. 15071 (05) 138 Rev B),  
Wenvoe HT - Brick Elevations (Drawing No. 15071 (05) 139 Rev D),  
Wenvoe HT - Render Elevations (Drawing No. 15071 (05) 140 Rev E),  
Wenvoe HT - Render Elevations (Site Specific Windows) (Drawing No. 15071 (05) 141),  
Wenvoe HT - Stone Elevations (Site specific Windows) (Drawing No. 15071 (05) 142 Rev C),  
Wenvoe HT - Render Elevations (Uplift) (Drawing No. 15071 (05) 143),  
Westlake House Type – Floor Plans (Drawing No. 15071 (05) 144 Rev A),  
Westlake HT - Brick Elevations (Drawing No. 15071 (05) 145 Rev A),  
Whitcroft HT - Plans & Stone Elevations (Uplift) (Drawing No. 15071 (05) 147 Rev C),  
Uplift Area - Whitcroft - Render (Drawing No. 15071 (05) 148 Rev C),  
Wilbury House Type - Plans & Brick Elevations (Drawing No. 15071 (05) 151 Rev C),  
Wilbury House Type - Render Elevations (Drawing No. 15071 (05) 152 Rev C),  
Wilcott HT - Render Elevations (Site Specific Windows) (Drawing No. 15071 (05) 153 Rev C),  
Wilcott HT - Render Elevations (Uplift) (Drawing No. 15071 (05) 154 Rev F),  
Wilcott HT - Render/Stone Elevations (Uplift) (Drawing No. 15071 (05) 155),  
Witney HT - Floor Plans (Drawing No. 15071 (05) 156 Rev C),  
Witney HT - Stone Elevations (Uplift Area) (Drawing No. 15071 (05) 158 Rev C),  
Witney HT - Stone Elevations (Uplift) (Drawing No. 15071 (05) 159 Rev B),  
Witney HT - Render Elevation (Uplift) (Drawing No. 15071 (05) 160),  
Wye House Type – Floor Plans (Drawing No. 15071 (05) 161 Rev C),  
Wye House Type - Brick Elevations (Drawing No. 15071 (05) 162 Rev D),  
Wye House Type - Render Elevations (Uplift) (Drawing No. 15071 (05) 163 Rev D),  
Double and Single Attached Garage – Plans and Elevations (Drawing No. 15071 (05) 167),  
Boundary Type A – 1800mm Close Boarded (Drawing No. 15071 (05) 168 Rev A),  
Boundary Type B – 1800mm Recon Stone Wall (Drawing No. 15071 (05) 169),  
Boundary Type C – 1200mm Metal Estate Railings (Drawing No. 15071 (05) 170),  
Boundary Type D – 1200mm Post and Rail Fence (Drawing No. 15071 (05) 171),  
Boundary Type E – 1800mm Facing Brick Wall (Drawing No. 15071 (05) 172),  
Engineering Layout Sheet 4 of 4 (Drawing No. 3825-110-04 Rev K),  
Longitudinal Sections Sheet 1 of 3 (Drawing No. 3825-111-1 Rev G),

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Longitudinal Sections Sheet 2 of 3 (Drawing No. 3825-111-2 Rev F),  
Longitudinal Sections Sheet 3 of 3 (Drawing No. 3825-111-3 Rev G), and  
Highway Construction Details (Drawing No. 3825-112) received on 27<sup>th</sup> February 2020;

Westlake HT - Stone & Render Elevations (Drawing Number 15071 (05) 146 Rev A)  
received on 5<sup>th</sup> March 2020; and

Site Layout - Materials (Drawing No. 15071(05) 102 Rev G),  
Demolition Plan (Drawing No. 13119/1000A-2D),  
Site Layout – Development and Boundary Treatments (Drawing No. 15071 (05) 101 Rev  
AG),

Proposed Street Elevations (Drawing No. 15071 (05) 105 Rev D),  
Proposed Street Elevations Coloured (Drawing No. 15071 (05) 106 rev D),  
Soft Landscape Plan (Phase 1a – Trees Only) (Drawing No 1565704-SBC-00-XX-DR-L-  
001

Rev PL05),

Detailed Soft Landscape Plan (Phase 1a) Sheet 1 of 3 (Drawing No 1565704-SBC-00-  
XX-DR-L-

002 Rev PL05),

Detailed Soft Landscape Plan (Phase 1a) Sheet 2 of 3 (Drawing No 1565704-SBC-00-  
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003 Rev PL05),

Detailed Soft Landscape Plan (Phase 1a) Sheet 3 of 3 (Drawing No 1565704-SBC-00-  
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004 Rev PL05),

Sherbourne House Type – Brick (Drawing No. 15071 (05) 126 Rev D),

Shipton HT - Plans & Elevations (Brick) (Drawing No. 15071 (05) 129 Rev F),

Shipton HT - Plans & Render Elevations (Drawing No. 15071 (05) 131 Rev A),

Westlea House Type - Plans & Brick Elevations (Drawing No. 15071 (05) 149 Rev D),

Westlea House Type - Plans & Render Elevations (Drawing No. 15071 (05) 150 Rev D),

Witney HT - Brick Elevations (Site Specific Windows) (Drawing No. 15071 (05) 157 Rev  
D),

Single Garage Plans and Elevations (Drawing No. 15071 (05) 164 Rev C),

Double Garage Plans and Elevations (Drawing No. 15071 (05) 165 Rev C),

Pair of Single Garages Plans and Elevations (Drawing No. 15071 (05) 166 Rev C),

Garden Sheds details (Drawing No. 15071 (05) 173),

Engineering Layout Sheet 1 of 4 (Drawing No. 3825-110-01 Rev L),

Engineering Layout Sheet 2 of 4 (Drawing No. 3825-110-02 Rev K),

Engineering Layout Sheet 3 of 4 (Drawing No. 3825-110-03 Rev L),

Proposed Highway Layout (Drawing No. 3825-S278-110 Rev B),

Section 38 Layout Sheet 1 of 3 (Drawing No. 3825-S38-01 Rev F),

Section 38 Layout Sheet 2 of 3 (Drawing No. 3825-S38-02 Rev F),

Section 38 Layout Sheet 3 of 3 (Drawing No. 3825-S38-03 Rev F), and

Visibility Splays Plan (Drawing No. 3825-106 Rev E) received on 20<sup>th</sup> April 2020.

Reason: For the avoidance of doubt and to ensure compliance with the approved plans.

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6. Prior to the commencement of development (except demolition) on any phase and notwithstanding the details submitted to date, full details including large scale drawings (between 1:2 and 1:20) of the following details for that phase, including Phase 1A shall, be submitted to and approved in writing by the Local Planning Authority:

- Gable verge
- Eaves and rainwater goods
- Chimneys
- Range of windows and openings/ surrounds
- Bay windows
- Range of front doors and canopies
- Full details of all external finishes including the technical specification of any render used in that phase.

The development shall thereafter be undertaken in accordance with the approved details which shall be applied prior to the first beneficial occupation of the building on which they are located.

For the avoidance of doubt, no GPR/ fibreglass/ moulded porches are considered acceptable with the exception of flat roof porches and garage doors shall either be black or match the colour of the front door of the dwelling.

Reason: In the interests of visual amenity and placemaking to ensure the development is of sufficient quality.

7. Prior to any external above ground works on the buildings on any phase, a composite sample panel indicating the pattern and distribution of materials on site shall be submitted to and approved in writing by the Local Planning Authority. The approved composite sample panel shall thereafter be erected on site prior to any external above ground works on the buildings in that phase and shall be retained on site for the duration of the works in that phase.

Reason: In the interests of visual amenity.

8. No meter cupboards shall be installed on the principal elevation of any detached, semi-detached or end-of-terrace properties unless otherwise approved in writing by the Local Planning Authority. All meter cupboards installed within the principal elevations of building shall be black unless otherwise approved in writing by the Local Planning Authority.

Reason: In the interests of placemaking and visual amenity.

9. The development hereby approved (excluding the primary school and community buildings at Parc Mawr Farm) shall not exceed 2,500 square metres in total commercial floorspace and shall not exceed:

- 1,500 square metres of A1 floor space with no single unit larger than 600 square metres;
- 750 square metres of A2 floor space;
- 750 square metres of A3 floor space;
- 750 square metres of D1 floorspace.

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Reason: To ensure that the parameters of the development are clearly outlined, appropriate to the scale of the development and ensure no adverse impact on the surrounding retail / commercial centres or the city centre.

10. The Class A1, A2 and D1 units hereby permitted (including the community buildings at Parc Mawr Farm) shall not be open to customers/visitors outside the hours of 07.00 to 22.00hrs on any day of the week.  
Reason: To protect the amenities of the occupiers of nearby residential premises.
11. The Class A3 premises hereby permitted shall not be open to customers/visitors outside the hours of 09.00 to 23.30hrs on any day of the week.  
Reason: To protect the amenities of the occupiers of nearby residential premises.
12. Notwithstanding the details submitted to date, no development (except the detailed elements including Phase 1A and the demolition works) approved by this permission shall commence until a site-wide scheme of further intrusive investigations for shallow coal workings and mine entries has been submitted to and approved in writing by the Local Planning Authority. The site-wide scheme shall indicate which reserved matters applications will require a subsequent Phase-Specific Report referred to in condition 42. The approved scheme for site investigations shall be undertaken in accordance with the approved details prior to the submission of any reserved matters application.  
Reason: Coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.
13. Prior to commencement of development on each phase (including Phase 1A), an updated Invasive Non-Native Species (INNS) Survey for that phase shall be submitted to and approved in writing by the Local Planning Authority. Where the INNS Survey shows INNS on site, a detailed strategy for the eradication of Invasive Non-Native Species (INNS) for that phase shall be also be submitted to and approved in writing by the Local Planning Authority and shall be implemented prior to the commencement of work on that phase.  
Reason: In the interests of the ecology and amenity of the area.
14. If, during the course of development, contamination not previously identified is found to be present at the site, no further development shall be carried out within that phase until a detailed strategy, including remediation measures, for dealing with said contamination has been submitted to, and approved in writing by the Local Planning Authority.  
Reason: To ensure that the safety of future occupiers is not prejudiced by unexpected contamination.
15. Prior to the commencement of development on any phase, a Landscape and Ecological Management Plan (LEMP) relating to that phase of development shall be submitted to and approved in writing by the Local Planning Authority. Each LEMP shall cover a ten year period and shall include;
  - (1) Measures for the establishment, enhancement and management of habitats within the site, including planting schedules and details of ongoing management.

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- (2) A programme and timetable for the implementation of the works and for subsequent management activities as well as a monitoring schedule for habitats and species, post completion. All measures and works shall be completed in accordance with the approved details and programme.

The content of the LEMP shall include the relevant mitigation measures outlined in Section 6.5.1 within Volume 2 of the Environmental Statement along with the following (where relevant to that phase):

- Further updated tree and building bat surveys to be carried out for the specific phase
- Detailed operational external lighting plan and implementation timetable for that phase, ensuring dark corridors of habitat are retained across the site to protect bats, badgers, other nocturnal species and to protect nearby habitats;
- Management plans for the retained habitats;
- The management and maintenance of any signage and interpretation boards and footpaths created through sensitive habitats to be retained;
- Consideration / assessment for the translocation of existing hedges required to be removed to facilitate the development and method statement for the translocation of any hedges that can be retained;
- Hedgerow management plan detailing measures/ methodology for the retention, enhancement and creation of the hedgerow resource;
- Full details of the ecological enhancements within each phase
- Details of SuDS and other wetland habitats to be incorporated into the phase which can provide additional benefits to wildlife;
- A landscape masterplan detailing planting of wildlife-friendly native species;
- Monitoring of any translocated reptile population as necessary;
- The monitoring of nest/roost boxes and other bat roosting features incorporated on site where necessary and/or in accordance with planning conditions and derogation licence(s) where applicable; and
- Any additional monitoring requirements of species and habitats where required/identified.

The LEMP shall thereafter be implemented in strict accordance with the approved details and timescales.

Reason: In the interests of managing and maintaining the landscape and ecological features of the site in an appropriate manner.

16. Prior to the commencement of development on any phase, a Construction Environmental Management Plan (CEMP) relating to that phase of development, detailing all necessary pollution prevention measures for the construction phase of the development, shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include all relevant mitigation measures as outlined in Section 6.5.1 within Volume 2 and 10.42 to 10.48 of the Environmental Statement. The development of that phase shall thereafter be implemented in strict accordance with the approved CEMP. The CEMP for each phase shall identify (where relevant to that phase):

- the parking of vehicles of site operatives and visitors;
- details of the storage, loading and unloading of plant, machinery and materials (including any oils, fuels and chemicals), the location of any construction compound(s) and any temporary facilities for construction/ sales staff);
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities;
- measures to control the emission of dust and dirt during demolition and construction;
- detailed external lighting plan (to include security lighting) during the construction of that phase to ensure dark corridors of habitat are maintained across the site;
- Pollution prevention measures to include surface water management and maintenance, the location of any water features on sites and details for their protection and crossing (if applicable)
- Any sources of pollution (including silt), potential pathways for that pollution to enter any watercourses within the vicinity of the site and appropriate pollution control measures to be implemented on site to prevent adverse changes to water quality and flow of aquatic features;
- Precautionary working measures for bats and nesting birds to include checks by an Ecological Clerk of Works and a 'soft strip' methodology, particularly with respect to tree and demolition works and effects upon potential bat roosts (which may or may not require implementation under licence) and details of measures to be taken in the event that bats are present;
- A reptile translocation / mitigation strategy for the relocation and protection of reptiles potentially present within the construction footprint, together with the creation of new refugia and hibernacula within retained habitats where necessary;
- A badger mitigation strategy to include but not be limited to the following: retention of main badger sett with provision of a 30m buffer zone surrounding the outermost entrances; protection measures during construction to include the erection of Heras fencing (with suitable entrances for badgers to pass underneath/ through) to ensure equipment and materials do not pass into this buffer zone; confirmation that no artificial lighting (either during or after construction) to be positioned where it would fall on the main badger sett, or well used paths leading directly from it and the site to include safe areas of passage away from the sett to existing foraging habitat within their territory by provision of unlit 'green corridors'.
- Details of the nature, type and quantity of materials to be imported on to the site;
- Measures for dealing with any contaminated material (demolition waste or excavated waste);
- Details on waste types that will be produced and how they will be managed;
- Identification of any buried services, such as foul sewers, so that they are protected;
- A complaints procedure and community liaison point of contact; and
- Details of emergency contacts, for example Natural Resources Wales' Pollution hotline: 0300 065 3000.

For the avoidance of doubt, the CEMP shall also include and mitigate for all works of demolition hereby approved.



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Reason: To ensure the site is developed in a sensitive manner that respects the surrounding environment with regards to pollution, contamination, water resources and ecology.

17. Prior to the first beneficial use of any buildings within a phase of development, confirmation that any reinforcement works to the local water supply network at which the development shall connect have been undertaken or evidence that reinforcement works are not required for that phase shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the site is served by a suitable potable water supply.

18. No more than 184 units permitted under this permission shall communicate with the public sewer at or downstream of manhole SS60982001 unless an alternative strategy is submitted to and approved in writing by the local planning authority prior to any connection to any alternative public sewer or manhole being made.

Reason: To prevent hydraulic overloading of the public sewerage system and pollution of the water environment.

19. No development shall commence until a surface water removal strategy delivering sufficient compensation for the foul flows from the proposed development of Phase 1A has been submitted to and approved in writing by the Local Planning Authority. The surface water removal strategy shall be implemented in accordance with the approved details prior to the occupation of any dwelling on Phase 1A and written confirmation of this must be received by the Local Planning Authority.

Reason: To prevent hydraulic overloading of the public sewerage system and pollution of the water environment.

20. Prior to the first beneficial use of any buildings within a phase of development, confirmation that any reinforcement works to the local public sewerage system into which that phase of the development shall drain have been undertaken or evidence that reinforcement works are not required for that phase shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent hydraulic overloading of the public sewerage system, protect the health and safety of existing residents, ensure no pollution of or detriment to the environment and to ensure the site can be effectively drained.

21. No development (except demolition) shall take place on any reserved matters phase, until a detailed scheme for the disposal of foul, surface and land water, for that reserved matter site and/or other identified part, to include ownership, long-term adoption, management and maintenance details, has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the surface water element of the aforementioned drainage scheme will not be required if SAB approval has already been granted for that phase. Thereafter the scheme shall be implemented in accordance with the approved details prior to the first beneficial occupation of the development and no further foul water, surface water and land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment.

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22. No development (except demolition) shall take place on any reserved matters phase until a surface water removal strategy delivering sufficient compensation for foul flows, for that reserved matter site and/or other identified part, has been submitted to and approved in writing by the Local Planning Authority. Thereafter no dwelling hereby approved in that phase shall be occupied until the approved surface water removal strategy has been implemented in accordance with the approved details and written confirmation of this must be received by the Local Planning Authority.  
Reason: To prevent hydraulic overloading of the public sewerage system and pollution of the water environment.

23. Notwithstanding the details submitted to date, no development shall commence until a scheme for the comprehensive and integrated drainage of Phase 1A showing how foul, surface water, and land drainage will be dealt with and has been submitted to and approved in writing by the Local Planning Authority including:

- Details of a sustainable drainage system (SUDS) for surface water drainage and/or details of any connections to a surface water drainage network
- Details on ownership, long-term adoption, access, management/maintenance scheme(s) and monitoring arrangements/responsibilities; and
- Supporting calculations for performance of the system up to and including the 1 in 100 year critical storm including a 30% allowance for climate change.

The development shall not be brought into beneficial use until the works have been completed in accordance with the approved drainage scheme serving that part of the site, and this scheme shall be retained and maintained as approved for the lifetime of the development.

Reason: To ensure that a satisfactory comprehensive means of drainage is achieved and that no adverse impact occurs to the environment and to minimise surface water run-off.

24. The development shall not discharge to the watercourse network at any rate greater than 7.2 litres per second per developed hectare.

Reason: To ensure that a satisfactory comprehensive means of drainage is achieved and that no adverse impact occurs to the environment and to minimise surface water run-off.

25. No development shall take place on any phase until a written scheme of historic environment mitigation for that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall incorporate the mitigation measures outlined in Table 9.6 of the Environmental Statement submitted with the application. Thereafter, the programme(s) of work(s) shall be undertaken in accordance with the requirements and standards of the written scheme. A detailed report on the archaeological work shall be submitted to the Local Planning Authority within six months of the completion of the archaeological fieldwork on each phase of the development.

Reason: To identify and record any features of archaeological interest discovered during the works, in order to mitigate the impact of the works on the archaeological resource.

26. Before each building hereby approved is occupied/brought into use, the means of enclosing the boundaries of the individual curtilage of that dwelling/building shall be completed in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual and residential amenity.



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33. Prior to the first beneficial occupation of any of the approved dwellings, a site-wide Residential Travel Plan for the residential properties within the development shall be submitted to and approved in writing by the Local Planning Authority. The Residential Travel Plan shall include provision for encouraging and incentivising use of public transport and cycling and include full details of an ongoing review mechanism until all of the phases have been developed. The approved Travel Plan shall be implemented upon the first occupation/use of any of the buildings hereby approved.  
Reason: In the interests of promoting sustainable modes of movement to the residential properties.
34. Notwithstanding the provisions of Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), (or any order revoking or amending that order), no gate, fence, wall or other means of enclosure shall be constructed/ erected forward of the principal elevation of the building line without the express permission of the Local Planning Authority.  
Reason: In the interests of visual amenity to ensure landscaping is retained the development has a soft open interface with the public domain.
35. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), (or any order revoking or amending that order), all garages shall be kept available for the parking of motor vehicles at all times and shall not be used as or converted to domestic living accommodation.  
Reason: To ensure adequate on site car parking provision in the interests of highway safety, and residential and visual amenity.
36. Notwithstanding the provisions of Class F (a) of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), (or any order revoking or amending that order), no hardstanding's shall be constructed/ provided forward of the principal elevation of the building line without the express permission of the Local Planning Authority.  
Reason: In the interests of visual amenity to ensure landscaping is retained and ensure front gardens are not dominated by vehicle parking.

### RESERVE MATTERS SPECIFIC

37. Any subsequent reserved matters applications shall be in substantial accordance with the following parameter plans and shall include a detailed design statement outlining how it complies with the Design and Access Statement dated 30<sup>th</sup> April 2020 for Bellway and parameters plans listed below and clearly justifies any deviations.
- Illustrative Masterplan (Drawing No. 13119/3200/N)
  - Phasing Plan (Drawing No. 13119/3030N)
  - Land Use Parameter Plan (Drawing No. 13119/3070J)
  - Landscape Parameter Plan (Drawing No. 13119/3130K)
  - Public Realm Parameter Plan (Drawing No. 13119/3120M)
  - Design Focus Parameter Plan (Drawing No. 13119/3100I)
  - Access and Movement Parameter Plan (Drawing No. 13119/3060N)
  - Building Scale Parameter Plan (Drawing No. 13119/3090L)
  - Density Parameter Plan (Drawing No. 13119/3080I Rev I) received on 30<sup>th</sup> April 2020.

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Reason: To ensure that the site is comprehensively developed to a high standard of sustainable urban design in accordance with National and Local Planning Policy advice and guidance and the parameters approved at outline stage.

38. Notwithstanding the parameters submitted to date, garages shall not exceed 5m in height and bin stores, cycle sheds and sheds shall not exceed 3m in height as part of any future reserved matters submission.

Reason: In the interests of visual and residential amenity to ensure outbuildings and structures are of an appropriate scale.

39. Any reserved matters application relating to a phase of development, shall include details of proposed finished floor levels of any new building within the development, finished levels of open space and existing and proposed ground levels in relation to a fixed datum point for that phase and cross sections where relevant. Where a phase adjoins existing residential development located outside of the site, the reserved matters application shall include cross section drawings showing the existing and proposed ground levels in relation to a fixed datum for that phase and the existing ground levels of the adjoining residential properties. Development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that adequate details of levels are provided to enable assessment of the relative heights of ground and buildings in relation to the landscape, the proposed development and existing structures.

40. Details in relation to the reserved matters 'layout' and 'external appearance' shall include details of parking of all motorised and non-motorised vehicles including secure cycle parking and cycle shelters (where relevant). All public car parking shall be clearly demarcated on the ground. The development shall be implemented in accordance with the approved details and no dwelling or building shall be occupied until the approved parking facilities serving it have been provided. The approved parking shall be retained thereafter in the approved form for the parking of vehicles.

Reason: To ensure that adequate parking provision for various modes of transport are provided within the site and retained thereafter to ensure parking does not interfere with the safe and free flow of traffic within the site.

41. Details in relation to the reserved matters 'landscaping', 'layout' and 'external appearance' shall include details of bus stops, bus shelters and street furniture along the Spine Street. The development shall be implemented in accordance with the approved details and the infrastructure / equipment referred to above shall be installed prior to the spine street in front of it being used beneficially (other than for construction activities). Street furniture shall also be provided, in each phase, throughout the remainder of the development as part of reserved matters applications.

Reason: To ensure adequate provision is provided for facilities for public transport to promote active travel, provide resting places for pedestrians and promote inclusivity and social interaction.

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42. Any Reserved Matters applications relating to each phase of the development shall be accompanied by a Phase-Specific Report (if required in the approved site-wide scheme under Condition 12 for that phase) covering shallow coal workings and mine entries undertaken in accordance with the approved scheme of further intrusive site investigations required by condition 12. The Report shall be accompanied by (where appropriate):

- A report of findings arising from the intrusive site investigations;
- A scheme of remedial works for the shallow coal workings for approval;
- A layout plan (at appropriate scale) which identifies appropriate zones of influence for the off-site mine entry;
- The definition of suitable 'no-build' zones around this off-site mine entry;
- A scheme for remedial works for the treatment of mine entries; and
- A scheme for remedial works for shallow coal workings.

The remedial works for coal-mining shall be undertaken in accordance with the approved details prior to the commencement of development on that phase (excluding demolition).

Reason: To ensure that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.

43. Any Reserved Matters applications relating to a phase of the development shall be accompanied by a Phase-Specific Green/ Blue Infrastructure Plan for that phase of development which is in substantial accordance with the approved Green/ Blue Infrastructure Strategy dated April 2020 (Revision 3) prepared by SoltysBrewster. The development of that phase shall thereafter be carried out in accordance with the approved Phase-Specific Green/ Blue Infrastructure Plan.

Reason: To ensure that the green infrastructure is considered at a site-wide level in accordance with the Design and Access Statement and the Environmental Statement.

44. No development within Phase 3, as indicated on Phasing Plan (Drawing Number 13119/3030N), approved by this permission shall be commenced until a management strategy for Marsh Fritillary butterfly and Marshy grassland has been submitted to and approved in writing by the Local Planning Authority. The mitigation strategy shall include timescales for its implementation and shall thereafter be undertaken in accordance with the approved details.

Reason: To protect the marshy grassland habitat for Marsh Fritillary Butterfly.

45. Prior to the first beneficial use of the school hereby permitted, full details of a Community Use Agreement for the sports and community facilities within the school indicating full details of how and when they shall be made available for general community use shall be submitted to and approved in writing by the Local Planning Authority. The sports and community facilities shall thereafter be made available in accordance with the approved details.

Reason: To ensure that the facilities within the school are available for wider community use outside of school hours.

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46. Any reserved matters application relating to a phase of development, shall be accompanied by a detailed Arboricultural Impact Assessment and Tree Protection Plan (including associated Arboricultural Method Statement) in accordance with BS5837:2012 (or any updated version) clearly indicating the trees to be retained/ removed and what impacts the proposed development has on the trees within that phase of development. The submitted information shall also include the impacts of services upon retained trees and hedgerows. The development works relating to that phase of development shall be carried out in strict accordance with the approved Arboricultural Method Statement and Tree Protection Plan.  
Reason: To prevent detrimental impacts to trees, hedges and other landscape features which contribute to the amenity, landscape and biodiversity of the site and surrounding area.
47. No development on Phases 1b or 3 shall commence until full details of an Ultra-Low Charging Vehicle Strategy, to include timeframe for implementation, has been submitted to, and approved in writing by the Local Planning Authority for that particular phase. The development of the relevant phase shall thereafter be undertaken in accordance with the approved details.  
Reason: To encourage the use of low emission vehicles and improve local air quality.
48. Prior to the first beneficial use of the Class A3 unit or the school building(s) containing the school kitchens, the equipment to control the emission of fumes and odour from each individual building, shall be installed in accordance with details which shall first be submitted to and approved in writing by the Local Planning Authority for that building. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the approved details/ manufacturers specification for as long as the use(s) continues.  
Reason: In the interests of conserving public health and local amenity.
49. No development on Phase 1B or 3 shall be undertaken until a scheme for the secure covered storage of bicycles has been submitted to and approved in writing by the Local Planning Authority for that phase. The approved scheme shall be implemented in accordance with the approved details prior to the first beneficial use of the school/ commercial/ community facilities in that phase and shall be retained as such thereafter for the lifetime of the development.  
Reason: In the interests of providing facilities for sustainable transport to the public buildings located on site.
50. Prior to commencement of development on each phase (excluding Phase 1A), all of the trees and hedgerow shown on the Masterplan and Land Use Parameters plans listed in condition 6 as "to be retained" and/or any trees whose canopies overhang the site shall be protected by protective tree fencing. The location and type of fencing shall be submitted to and approved in writing by the Local Planning Authority before development commences on the phase of development to which those trees and hedgerows relate. The fencing shall be erected in accordance with the approved details before any equipment, machinery or materials (for the purposes of the development) are brought onto the phase of development, and shall be maintained until all equipment, machinery and surplus materials have been removed from that phase of the development.

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Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

Reason: To prevent detrimental impact to trees, hedges and other landscape features which contribute to the amenity, landscape & biodiversity of the site and surrounding area.

51. The reserved matters applications relating to Phases 1B, 2 and 3 shall be accompanied by details of facilities for the loading and unloading of vehicles serving the A1-A3 units; the D1 units, Extra Care Home and school buildings and a servicing management plan, which shall include hours of operation for deliveries. The development shall be implemented in accordance with the details thereby approved, and none of the A1-A3 units, D1 units, Extra Care Home or school buildings shall be occupied until the approved servicing / loading / unloading facilities for that unit have been provided. These facilities shall be made available for such uses at all times thereafter.

Reason: To ensure that the servicing of the proposed commercial and school buildings does not interfere with the safety and free flow of traffic within the development.

52. Any reserved matters application relating to a phase of development, shall be accompanied by a Public Art Strategy to include a scheme, maintenance and a timetable for the provision of public art on that reserved matters site. The development shall thereafter be implemented in accordance with the approved details and timetable and maintained in accordance with the approved details for the lifetime of the development.

Reason: In the interests of creating a quality and legible built environment.

53. Any reserved matters application relating to a phase of development, shall be accompanied by a Landscaping Implementation Timetable and Management Plan for that phase of development. All planting and grass seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with the approved Implementation Timetable and any trees or plants which within a period of 5 years from the completion of the phase die, are removed or become seriously damaged or diseased, shall be replaced in the current planting season or the first two months of the next planting season, whichever is the sooner, with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All landscaping in the public domain shall thereafter be managed in accordance with the approved Management Plan.

Reason: To safeguard landscape and amenity interests and ensure the landscaping is completed in a timely manner.

54. Prior to the first beneficial occupation of the school hereby permitted, a School Travel Plan for the school within the development shall be submitted to and approved in writing by the Local Planning Authority. The School Travel Plan shall include provision for encouraging and incentivising use of public transport and cycling and include full details of an ongoing review mechanism. The approved Travel Plan shall be implemented upon the first occupation of the school hereby approved.

Reason: In the interests of promoting sustainable modes of movement for the school.



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55. Prior to the first beneficial use of any of the dwellings identified within Mitigation Area 2 on the Noise Contour Plot Memo received on 2<sup>nd</sup> March 2020, full details of alternate forms of ventilation for these dwellings shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved measures.  
Reason: To protect the proposed residential use against noise arising from the traffic use of the area of properties closer to busy roads.
56. Any Reserved Matters application for Phase 1B shall be accompanied by a Noise Assessment, which shall identify any mitigation measures required for the properties immediately adjoining the proposed A4240/ Gorseinon Road access. The mitigation measures shall be fully detailed in the reserved matters submission and shall be implemented in accordance with the approved details prior to the first beneficial use of this access.  
Reason: In the interests of the residential amenity of the occupiers of the properties adjacent to the northern access.
57. Prior to the first beneficial use of Plots 86 – 89, a 2m wide pavement shall be completed to adoptable standard along the frontages of Plots 86 – 90 to tie in with the active travel link from Clos Ty Mawr.  
Reason: In the interests of highway safety, to ensure the pavement is carried on along this frontage into the development.
58. Prior to the first beneficial occupation of Plots 90 – 92, the active travel link between Clos Ty Mawr and the shared surface turning head shall be completed to an adoptable standard and retained as such for the lifetime of the development.  
Reason: To ensure active travel links are provided between the development and wider area in a timely manner and provide opportunities for increased active travel.
59. Any Reserved Matters application for Phase 3 shall be accompanied by a full specification for the construction/ laying of the playing fields including all drainage works associated with the playing fields. The development shall thereafter be undertaken in accordance with the approved details.  
Reason: To ensure the playing pitches are of a suitable quality to support the intended usage.

### PHASE 1A SPECIFIC CONDITIONS:

60. Notwithstanding the details submitted to date, no development shall commence until full details of the amelioration measures outlined in the submitted Road Safety Audit (Stage 1) prepared by JB Bartlett Consulting Ltd, received on 27<sup>th</sup> February 2020, have been submitted to and approved in writing by the Local Planning Authority. The details shall also include amendments made to the open space and landscaping as a result of these measures. The amelioration measures shall be implemented prior to the first beneficial occupation of any dwelling deriving access from that part of the road/ street.  
Reason: To ensure the road layout within Phase 1A is safe for future users and ensure the layout and landscaping of the park is amended accordingly.

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61. Prior to the first beneficial occupation of any dwelling in Phase 1A, a Public Art Strategy to include a scheme, maintenance and a timetable for the provision of public art in Phase 1A shall be submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details and timetable and maintained in accordance with the approved details for the lifetime of the development.  
Reason: In the interests of creating a quality and legible built environment.
62. Prior to the first beneficial occupation of any units in Phase 1A, full details of the improvements to the existing Parc Mawr Farm access from the link path in the northern turning head of Phase 1A to Swansea Road, to include measures to restrict motorised vehicles from Phase 1A using the route, shall be submitted to and approved in writing by the Local Planning. The improvement works shall thereafter be undertaken in accordance with the approved details prior to the first beneficial occupation of any dwelling in Phase 1A.  
Reason: To ensure an Active Travel route is provided to enable all future residents of Phase 1A to access existing facilities in Penllergaer via sustainable means of transport.
63. Prior to the first beneficial occupation of any dwellings in Phase 1A, full details of the location and equipment to be installed along the trim trail within Phase 1A shall be submitted to and approved in writing. This trim trail equipment shall be installed in accordance with the approved details prior to the first beneficial occupation of Plots 149 - 151.  
Reason: To ensure appropriate equipment is installed in a timely manner to provide a recreational facility for Phase 1A.
64. Prior to the first beneficial occupation of any dwelling in Phase 1A, full details of the front doors and garage doors in Phase 1A shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in accordance with the approved details.  
Reason: In the interests of visual amenity, to ensure there is sufficient variety and interest in the streetscene.
65. Prior to the first beneficial occupation of any dwelling within Phase 1A of the development, a Landscaping Implementation Timetable and Management Plan for Phase 1A shall be submitted to and approved in writing by the Local Planning Authority. The details shall also include the implementation of the ecological enhancements for Phase 1A as indicated on Soft Landscape Plan (Phase 1a – Trees Only) (Drawing No 1565704-SBC-00-XX-DR-L-001 Rev PL05). All approved landscaping including planting and grass seeding or turfing shall be carried out in accordance with the approved Implementation Timetable and any trees or plants which within a period of 5 years from the completion of the phase die, are removed or become seriously damaged or diseased, shall be replaced in the current planting season or the first two months of the next planting season, whichever is the sooner, with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. All landscaping in the public domain shall thereafter be managed in accordance with the approved Management Plan.  
Reason: In the interests of visual amenity and biodiversity to ensure landscaping and the ecological enhancements are provided in an appropriate timeframe and maintained thereafter.

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66. The tree protection measures as indicated on the Tree Protection Plan contained in Appendix 1 of the Arboricultural Report for Phase 1, dated 4<sup>th</sup> December 2019, prepared by ArbTS – Arboricultural Technician Services, shall be erected before any equipment, machinery or materials (for the purposes of the development) are brought onto the site, and shall be maintained until all equipment, machinery and surplus materials have been removed from Phase 1A of the development. Nothing shall be stored or placed within any fenced area, and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.  
Reason: To prevent detrimental impact to trees, hedges and other landscape features which contribute to the amenity, landscape & biodiversity of the site and surrounding area.
67. Notwithstanding the provisions of Schedule 2, Part 1, Classes A, D or E or Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order revoking and re-enacting that order with or without modification), the on plot car parking spaces as indicated on the Site Layout - Development & Boundary Treatments plan (Drawing No. 15071 (05) 101 Rev AG) received on 30<sup>th</sup> April 2020 shall be provided prior to the first beneficial occupation of the dwelling that they serve and shall thereafter be permanently retained as such and used solely for the benefit of the occupants of the dwelling of which it forms part and their visitors for the primary purpose of parking of vehicles and for no other primary purpose.  
Reason: To ensure adequate parking provision is provided and retained for each dwelling and to ensure that the parking spaces are not inhibited by permitted development.

**Informatives**

1. The development plan covering the City and County of Swansea is the Swansea Local Development Plan. The following policies were relevant to the consideration of the application: PS1, PS2, SD1, SD2, SDC, IO1, H3, HC1, HC2, HC3, SI1, SI2, SI3, SI6, RC2, RC8, ER1, ER2, ER5, ER6, ER8, ER9, ER11, T1, T2, T3, T5, T6, T7, EU4, RP1, RP2, RP3, RP4, RP5 and RP7.
2. This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
3. The Local Highways Authority has advised the following:
  - 1) All works on the existing highway are subject to an agreement under section 278 of the Highways Act 1980. All design and implementation will be at the expense of the developer.
  2. The applicant is advised that in order to discharge condition 7 the LPA requires a copy of the completed agreement between the applicant and Local Highway Authority under section 38 of the Highways Act 1980 or the constitution and details of a Private Maintenance and Management Company confirming funding, management and maintenance regimes.

The applicant must contact the Highway Management Group, Swansea Council, Guildhall offices C/O Civic Centre, Swansea SA13SN before carrying out any work. Please email [networkmanagement@swansea.gov.uk](mailto:networkmanagement@swansea.gov.uk)

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4. Please be aware that under the Flood and Water Management Act 2010 the City and County of Swansea is classified as the Lead Local Flood Authority (LLFA) and as part of this role is responsible for the regulation of works affecting ordinary watercourses. Our prior written consent for any works affecting any watercourse may be required irrespective of any other permissions given and we encourage early engagement with us to avoid any issues.

For all phases beyond Phase 1a as each reserved matter is brought forward they will need to comply with the strategic surface water strategy illustrated, they will also be required to seek SAB approval before any works can commence on site.

We will also highlight that Section 73 applications where there are material changes in layout also trigger the requirement to seek SAB approval.

Schedule 3, Flood and Water Management Act 2010.

Your development proposal has been identified as requiring SuDS Approval Body consent irrespective of any other permissions given.

From 7 January 2019, all new developments more than 100m<sup>2</sup> will require sustainable drainage to manage on-site surface water. Surface water drainage systems must be designed and built in accordance with mandatory standards for sustainable drainage published by Welsh ministers.

These systems must be approved by the local authority acting in its SuDS Approving Body (SAB) role before construction work begins. The SAB will have a duty to adopt compliant systems so long as it is built and functions in accordance with the approved proposals, including any SAB conditions of approval.

Further details on how to apply and guidance can be obtained from the website <https://www.swansea.gov.uk/sustainabledrainage> and by contacting the SuDS Approval Body via email [Sab@swansea.gov.uk](mailto:Sab@swansea.gov.uk).

5. Bats may be present. All British bat species are protected under Schedule 5 of the Wildlife & Countryside Act 1981 (as amended) and are listed in Schedule 2 of the Conservation of Habitats and Species Regulations 2017. This legislation implements the EC Habitats & Species Directive in the UK making it an offence to capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal whether a bat is present at the time or not. It is also an offence to recklessly / intentionally to disturb such an animal.

If evidence of bats is encountered during site clearance e.g. live or dead animals or droppings, work should cease immediately and the advice of the Natural Resources Wales sought before continuing with any work (0300 065 3000).

Item 1 (Cont'd)

Application Number:

2018/2697/OUT

6. Birds may be present in this building and grounds please note it is an offence under the Wildlife & Countryside Act 1981 (as amended) to intentionally (intentionally or recklessly for Schedule 1 birds) to:

- Kill, injure or take any wild bird
- Take, damage or destroy the nest of any wild bird while that nest in use or being built
- Take or destroy an egg of any wild bird

No works should be undertaken between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests either in vegetation or buildings immediately before the vegetation is cleared and/or work commences on the building to ensure that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site.

7. **Warning: An European protected species (EPS) Licence may be required for this development.**

This planning permission does not provide consent to undertake works that require an EPS licence. It is an offence to deliberately capture, kill or disturb EPS or to recklessly damage or destroy their breeding sites or resting places. If found guilty of any offences, you could be sent to prison for up to 6 months and/or receive an unlimited fine. To undertake the works within the law, you can obtain further information on the need for a licence from Natural Resources Wales on 0300 065 3000 or at <https://naturalresources.wales/conservation-biodiversity-and-wildlife/europeanprotected-species/?lang=en>

8. **Informative Note**

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Regulations approval (if relevant).

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant safety and engineering risks and exposes all parties to potential financial liabilities. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should wherever possible be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design is developed and agreed with regulatory bodies which takes into account of all the relevant safety and environmental risk factors, including gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

[www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

Item 1 (Cont'd)

Application Number:

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Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property-specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com) or a similar service provider.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: [www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

9. The applicant is advised to review the comments of the Ecology Officer, the Police Designing Out Crime Officer, the Mid and West Wales Fire Service, Dwr Cymru Welsh Water and Wales and West Utilities in regard to this application for further advice. These comments are included in full on the application page of the Council's website and are summarised in the Officer's Report.
10. The applicant is advised that part of the application site lies on common land. The consent of the Welsh Ministers may also be required under common land legislation.
11. Glamorgan Gwent Archaeological Trust has advised that the archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA) ([www.archaeologists.net/codes/ifa](http://www.archaeologists.net/codes/ifa)) and it is our Policy to recommend that it is carried out either by a CIfA Registered Organisation ([www.archaeologists.net/ro](http://www.archaeologists.net/ro)) or an accredited MCIfA level Member.
12. Sport Wales has advised that they can provide guidance on recommended specifications for the playing fields if required.
13. To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment, no surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
14. No development shall take place until the developer has notified the Local Planning Authority of the initiation of the development. Such notification shall be in accordance with the form set out in Schedule 5A of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or any order revoking or re-enacting that Order.

No development shall take place until the developer has displayed a site notice in accordance with the form set out in Schedule 5B of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 or any order revoking or re-enacting that order. The site notice shall be displayed at all times when development is carried out.

**Item 1 (Cont'd)**

**Application Number:**

2018/2697/OUT

15. The application was considered under the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 and any subsequent application (within the meaning of the Regulations) would also be assessed against these Regulations.
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# Agenda Item 3a

## Planning Committee – 17<sup>th</sup> July 2020

### Update Sheet

#### Agenda Item No. 4 Determination of Planning Applications

Item	App. No.	Site Location	Action
1	2018/2697/OUT	Land South Of The A4240 Parc Mawr Penllergaer Swansea	Approve

- 1) Cllr Fitzgerald has written to the Chief Executive to request that this application is deferred to allow Members to visit the site and enable members of the public to address Committee in person.

The Coronavirus pandemic has had a significant impact on the ability of Local Planning Authorities in Wales to carry out normal business. In response to this pandemic, Welsh Government has introduced legislation to allow Local Authorities to continue business which would otherwise not be possible. This includes Planning Committees. This is the 3<sup>rd</sup> Planning Committee to take place remotely in light of these changes. The Ward Member will address committee herself and members of the public have had been consulted on the application 3 times to date (in January 2019, November 2019 and March 2020). This has resulted in approximately 700 objections to the scheme, as noted and addressed in the Committee Report. Residents have also been given a further opportunity to provide any new comments they wish following production of the report (see update No.2 below). Members of the public can view Committee online live or at a later date if they wish.

Officers will provide a comprehensive presentation to Members on the site and its context. Committee will be able to decide whether they consider a site visit is necessary before determination.

If the application is deferred, it would be at the applicant's discretion whether they wished to appeal against non-determination. The Planning Inspectorate (PINS) could decide to award costs against the Council to cover any unnecessary cost incurred by the applicant in appealing the decision, if they considered that the Council had acted unreasonably in not reaching a decision.

- 2) Committee were advised of 3 No. additional letters of objection received from one address, details of which were circulated prior to Committee. The case officer has responded directly to the residents. In addition, a presentation pack has been sent in by Penllergaer Community Council which has also been circulated to Members with this Update Sheet.
- 3) Members were also provided with a Members Briefing Pack which has been prepared by the applicant to give a brief overview of the proposals and the key considerations of the application.
- 4) The Welsh Ministers have received a 'call in' request on this application which is currently under consideration and they have issued a Direction that the



## **Planning Committee – 17<sup>th</sup> July 2020 Update Sheet**

Authority cannot grant permission for this development without the prior authorisation of the Welsh Ministers. The Direction prevents the Council only from granting planning permission; it does not prevent the Council from continuing to process or consult on the application or resolving to approve the application. Neither does it prevent the Council from refusing planning permission. The Ministers aim to determine call-in requests within 21 days of the receipt of the report which was sent as soon as the agenda was finalised.

- 5) The final paragraph of Section 7.8 on page 119 states that the site is an allocated site. It should be clarified that the application site also includes land within the Green Wedge (Policy ER 3) and a Landscape Protection area (ER 5). The proposed development parcels as indicated on the illustrative masterplan generally avoid the Green Wedge / Landscape Protection designations and would be subject to reserved matter applications to consider the finer detail/ layout at a subsequent stage. However, the A484 link and Active Travel Route 14 would run through both of these designations. Policies ER 3 and ER 5 seek to protect the openness of the green wedge and ensure proposals do not have a significant adverse effect on the character and quality of the landscape of the County. In the first instance, these links are essential and integral requirements of the site allocation and it is accepted that this infrastructure would run through these areas as shown in the concept plan. In addition, it is not considered that the proposals would impact on the openness of the green wedge nor significantly adversely affect the character and quality of the landscape. The road would be subject of a future reserved matters application and landscaping would be required to provide additional screening but in principle, the inclusion of the local transport infrastructure is considered acceptable. Policy CV2 Development in Countryside permits the development of necessary infrastructure provision, such as required transport infrastructure, subject to the integrity of the countryside being conserved and enhanced.

A summary of policies ER 3 and CV 2 are attached as Appendix A along with an excerpt of the LDP.

- 6) There is an error on Page 100 of the report as one additional objection has been forwarded on from the agent for the application. No new issues are raised but Section 6, Para 3 should read “8” objections.
- 7) There is an error on Page 119 of the report. Section 7.9, Para 1 should read “negligible” rather than ‘legible’.
- 8) There is an error on Page 123 of the report in Paragraph 3 which should state that 3 LEAPs would be provided on site instead of 2. An additional LEAP would be located in close proximity to the NEAP to provide an enhanced play area.
- 9) The Council’s Ecologist has queried, on Page 156, Paragraph 2, the location of the 62 bat and bird boxes proposed in Phase 1A (as stated in the Green Blue Infrastructure Strategy). 40 are indicated on the Phase 1A Landscape Plan but these are not considered sufficient by the Ecologist and conditions 15 and 65 will be updated to reflect this.

## Planning Committee – 17<sup>th</sup> July 2020 Update Sheet

10) One amendment is required in the Planning Obligations section (7.27), in the first bullet point – the affordable housing would be disposed of either via a Registered Social Landlord (RSL) *or the Council*. The drafting omitted the latter.

### Conditions and Advice Notes:

11) Condition 15 (Landscape and Ecological Management Plan) would be amended to include the following (addition in italics for clarification):

- Full details of the ecological enhancements within each phase (*to include the location of 62 bird and bat boxes in Phase 1A for the avoidance of doubt*)

12) Condition 47 (ULEV Charging Strategy) would be amended from the following:

“Ultra Low Charging Vehicle Strategy”

to:

“Ultra Low Emission Vehicle Charging Strategy”

13) Condition 65 (Phase 1A Landscaping Implementation) would be amended from the following:

...The details shall also include the implementation of the ecological enhancements for Phase 1A as indicated on Soft Landscape Plan (Phase 1a – Trees Only) (Drawing No 1565704-SBC-00-XX-DR-L-001 Rev PL05)...

to:

...The details shall also include the implementation of the ecological enhancements for Phase 1A as approved in the LEMP for this phase required by Condition 15.

14) An advice note would be added regarding future health discussion as stated on Page 171.

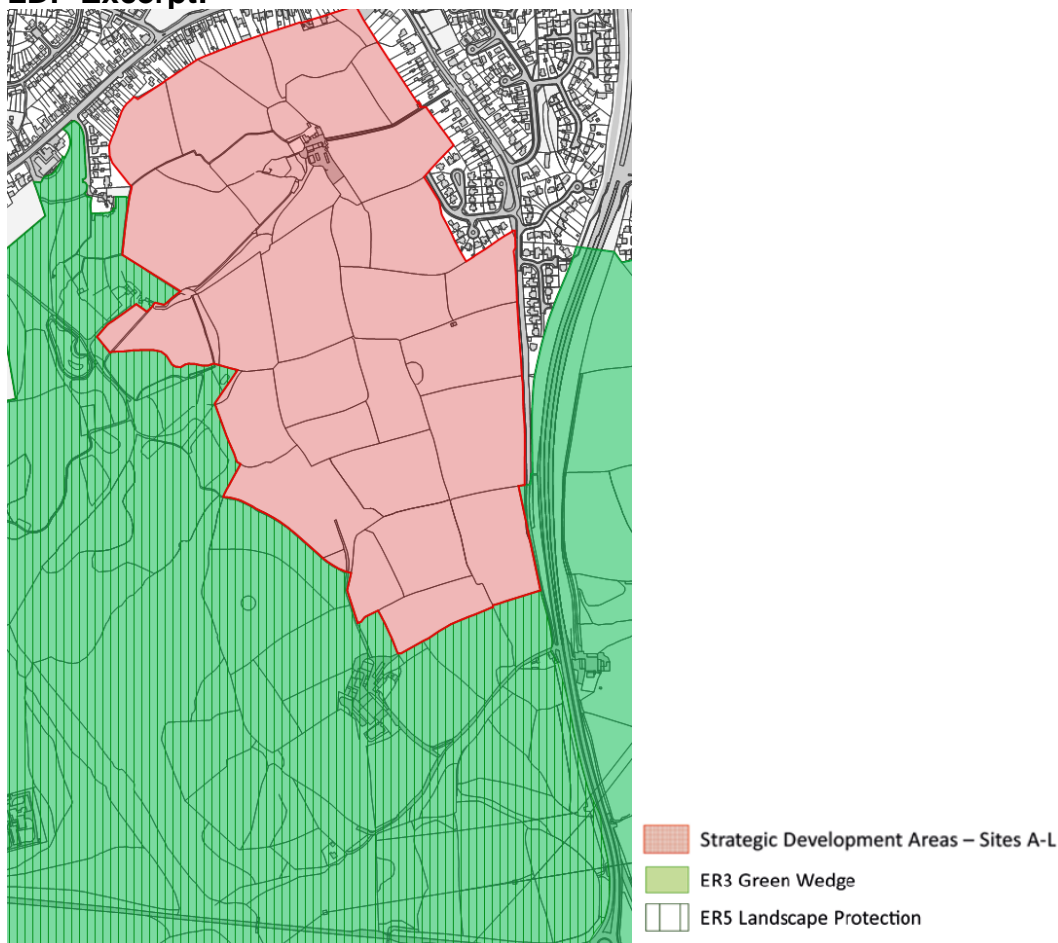
15) The advice note regarding LDP policies would be updated to refer to Policies CV2 and ER3.

## Planning Committee – 17<sup>th</sup> July 2020 Update Sheet

### Appendix A: Additional Policy Summary and LDP Excerpt Plan

- ER 3 Green Wedges – Green wedges are allocated at 8 locations. Within the designated Green Wedge areas development will only be permitted if it maintains the openness and character of the land, unless the development is for acceptable purposes, as outlined in national policy relating to Green Wedge designations. (NB: PPW10 no longer considers affordable housing an appropriate use in a green wedge)
- CV 2 Development in the Countryside – Development outside defined settlement boundaries will be required to ensure the integrity of the countryside is conserved and enhanced. There is a presumption against development in the countryside except where it meets a specific set of criteria. Countryside development must be of a sustainable form with prudent management of natural resources and respect for the cultural heritage of the area. Where possible, existing buildings should be reused and where this is not feasible new buildings should be positioned close to existing buildings.  
Proposals to increase residential chalets on 4 existing chalet sites will not be permitted.

#### LDP Excerpt:



## **Andrew Ferguson**

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**Subject:** FW: Parc Mawr planning application

From residents at 4 Pen y Bryn Close, Penllergaer

Sent from my iPad Mini. My husband and I are very concerned and worried that a planning decision will be made at a meeting on the 17th. July on false and inaccurate presentation of plan. You sent me an email on 6th March re-assuring me that before any decision was made a site visit, geographical information and up to date photos would take place to resolve the issue raised regarding the missing and inaccurate footprint of our home- 4 pen y Bryn. Close. The Bellway plan does not show our breakfast room, built 45 years ago, the rear of which is only 6feet from our boundary hedge. The buildings proposed by Bellway would be significantly near to our home and would greatly affect privacy etc. Due to the adjacent placing and distance. Our rear balcony would also affect their privacy. We have always adhered to planning and building requirements, but feel that Bellway is not taking the existing residents into account. Corona virus and its ongoing effects have made difficulties for many, but this should not adversely affect the decisions, which should be made with consideration for those closely affected by any decisions made without full and proper information. j D and W E Jones.

## Andrew Ferguson

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**Subject:** FW: Parc Mawr

Mr and Mrs Jones

Sent from my iPad Mini. I am still very concerned that no effort has been made to add the correct building plan for our home, 4 pen y Bryn close . You stated various measurements on your previous email, but the correct plans were not shown , so how do the measurements apply for distances from the proposed building to our home when the correct foot plan is not shown accurately. The absence of our 45 year old room seems to either be an oversight, or a manipulation by a large builder to make their plan look viable and considerate ! We do not consider that our complaint is being acted upon or considered and await your reply .

j D Jones

## Andrew Ferguson

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**Subject:** FW: Parc Mawr proposal.

Mr and Mrs Jones

Sent from my iPad Mini. My apologies for inundating you with e mails, but we are very worried and concerned about the proposed development.

We have informed you several times since the start of the planning process that you do not have the correct plan of our home shown on the Bellway plan..Over the last 50 years ,when any planning or building was needed from you, plans were supplied so YOU should have all these details on your records.. Therefore, there is no reason why they are still not shown. Our 15feet by 13 feet breakfast room extends to within 6feet of our hedge boundary. Measurements used for planning should have taken this into account when drawing up the planned buildings ,wether garage or house.

The hedge shown on your plan was planted by us 50years ago and is maintained by us. , the OUTER edge of the hedge is OUR boundary where it borders onto the field..It seems from the planning diagram supplied that your measurement of 13m extends INSIDE our hedge boundary.

If I am correct this measurement is not a true reading for the planning process and needs to be redressed accordingly.

We note that you are giving a committee report to the councillors. We require a CORRECT plan to be drawn up to be shown alongside any written report.. We require a copy of these plans and written reports to be sent to us for our records , and for confirmation that the correct procedure has been completed . W E and J D Jones ,

# Land at Parc Mawr

Penllergaer

2018/2697/OUT  
July 2020  
Members Briefing Pack



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## Introduction

“Parc Mawr offers the opportunity to create a vibrant and walkable neighbourhood with a distinct sense of place as an integrated addition to Penllergaer. A sustainable, mixed use and inclusive community is envisaged which will put people first and provide a high quality development in the City and County of Swansea.”

**Bellway Homes has produced this brochure in relation to the hybrid planning application that is being presented to Planning Committee on the 17th July. The application is for the strategic site allocated in the adopted LDP (Strategic Site C) and comprises:**

- A) Outline planning application with all matters reserved (except those included in full application below) for residential led mixed use development of up to 850 residential dwellings in total (use class C3) to be developed in phases; primary school; provision of local centre including community facilities; spine road with links to Gorseinon Road, the A483 and A484; and associated public open space/ play provision, highways, drainage, ecological mitigation, landscaping and engineering works,
- B) Full application for the erection of 184 dwellings and associated works as part of phase 1a of the development; access off Brynrhos Crescent; the demolition of 31 Gorseinon Road and demolition of identified Parc Mawr Farm buildings.

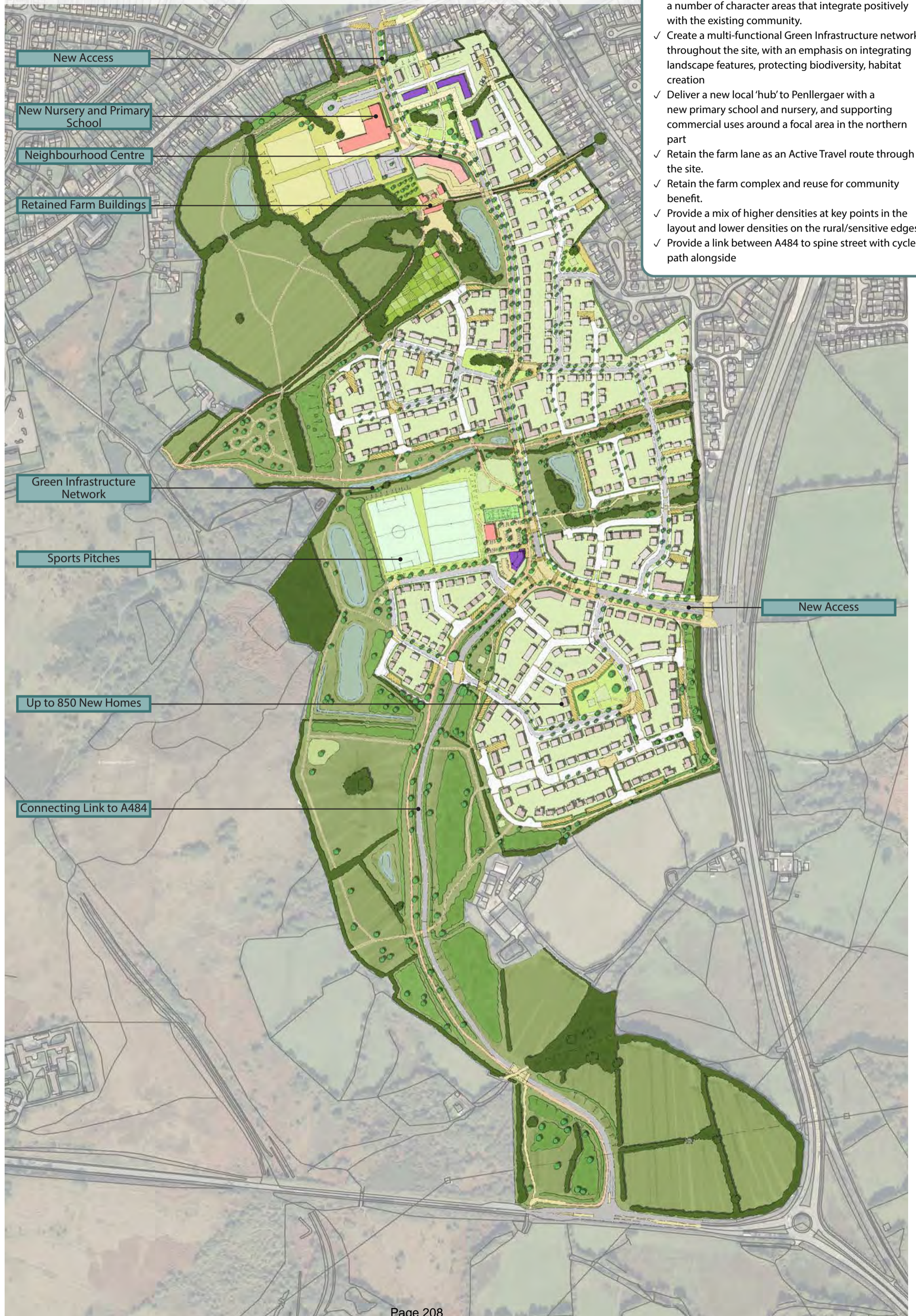
The proposals have been subject to extensive engagement with the local community during the LDP preparation stages as well as Council officers during the application preparation. A significant number of design, public open space, community facility and green infrastructure elements have been included at the request of Officers. The proposals are therefore an exciting opportunity to develop a vibrant community where future residents can enjoy green spaces and sustainable living with excellent links to Swansea via an enhanced pedestrian and cycle network.

The scheme will provide much needed open market and affordable homes on one of the Council’s strategic sites in the LDP.





# Site Wide Masterplan



New Access

New Nursery and Primary School

Neighbourhood Centre

Retained Farm Buildings

Green Infrastructure Network

Sports Pitches

Up to 850 New Homes

Connecting Link to A484

New Access

- In delivering the vision the masterplan proposes to:
- ✓ Create a sustainable residential neighbourhood of up to 850 new homes within Penllergaer, comprising a number of character areas that integrate positively with the existing community.
  - ✓ Create a multi-functional Green Infrastructure network throughout the site, with an emphasis on integrating landscape features, protecting biodiversity, habitat creation
  - ✓ Deliver a new local 'hub' to Penllergaer with a new primary school and nursery, and supporting commercial uses around a focal area in the northern part
  - ✓ Retain the farm lane as an Active Travel route through the site.
  - ✓ Retain the farm complex and reuse for community benefit.
  - ✓ Provide a mix of higher densities at key points in the layout and lower densities on the rural/sensitive edges.
  - ✓ Provide a link between A484 to spine street with cycle path alongside

# Site Wide Green Infrastructure Strategy

- The site-wide GI Strategy is multifunctional and provides:
- ✓ Increased green space in more sensitive areas.
  - ✓ A multifunctional network of green corridors.
  - ✓ Integrated drainage and attenuation.
  - ✓ A pedestrian and cycle access route network.
  - ✓ Informal and formal play and recreational spaces.
  - ✓ Public open spaces, integrated and linked to the community.
  - ✓ A 'green edge' to development zones.
  - ✓ A 'treeing strategy', including:
    - Formal tree avenues along principal streets.
    - Gateways.
    - Nodal grouping of mixed species within residential areas.
    - Informal native green corridors of woodland, hedgerows and tree groups.
  - ✓ A diverse palette of native and ornamental planting.
  - ✓ Landscape integration of development edges.
  - ✓ Integration and enhancement of existing habitats, including:
    - Species-rich grassland and wetland.
    - Woodland and hedges.
  - ✓ Provision of new wildlife habitats.

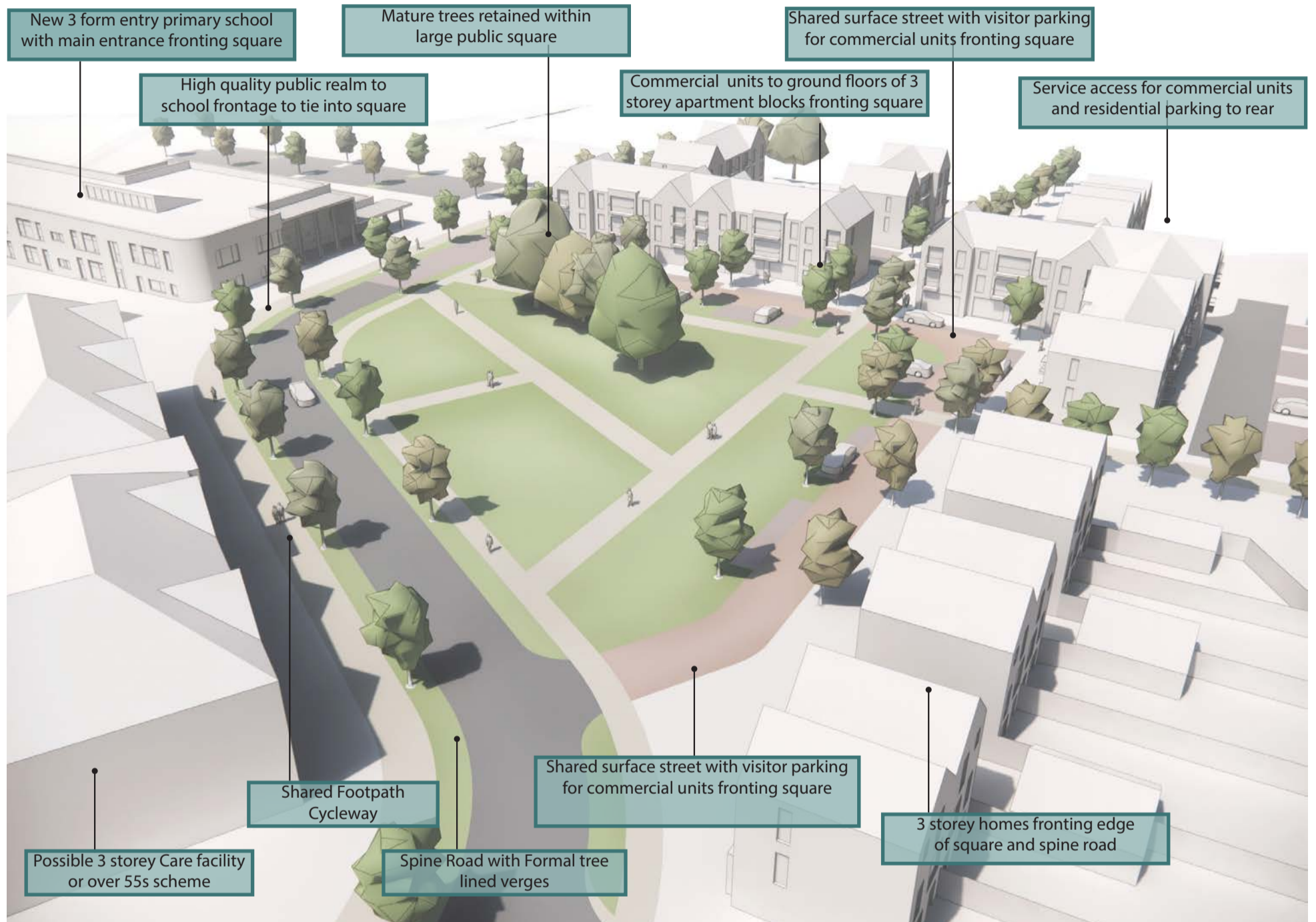
**KEY:**

Outline Site Boundary (Phase 1b- 4)	
Phase 1a Boundary	
Additional Land within the control of the applicant	
<b>Removed</b>	
Removed Trees/Hedgerows	
<b>Retained</b>	
Retained Existing Category B Trees/Hedgerows	
Retained Existing Category C Trees/Hedgerows	
Retained Existing Category U Trees/Hedgerows	
Retained Existing Woodland	
Retained Existing Hedgerows	
Retained Existing Agricultural Fields	
Retained Existing Marshy Grassland and Semi Improved Neutral Grassland	
<b>Proposed</b>	
Proposed LEAP/LAP	
Proposed Amenity Grass	
Proposed Woodland	
Proposed Hedgerows	
Proposed Structural/Avenue Tree	
Proposed Attenuation Ponds	
Proposed Allotments	



# Proposed Neighbourhood Centre and Primary School

The masterplan proposes a new local 'hub' to Penllergaer with a new primary school and nursery, and supporting commercial uses around a focal area in the north of the site. This part of the site will have 'contemporary' character, anchored by the new primary school and commercial use and based around a new tree lined link through the development. It will contain the highest density parts of the development and including buildings of increased scale, a number of which should act as local landmarks.



View North East towards mixed use units from School



View East from above across square towards mixed use units



# Phase 1A Green Infrastructure Strategy

- The Phase 1a detailed GI Strategy delivers;
- ✓ A hierarchy of greened streets.
  - ✓ Garden resource, including bird and bat boxes and hedgehog access.
  - ✓ Placemaking measures, such as gateways, nodes, green edges and approaches.
  - ✓ Play facilities, including formal and free play areas.
  - ✓ Wildlife movement corridors.
  - ✓ Integrated drainage attenuation.
  - ✓ Benches and trim trail equipment.
  - ✓ DDA recreational access.

**Key**

- Retained and Enhanced Hedgerow GI Corridors (Whole Site GI Structure) (Additional Native Plant Species and Management to Retain and Enhance Corridors for Foraging Native Animals and Visual Buffering)
- Secondary Retained and Enhanced Hedgerow Corridors
- Diverse Grassland and Supplementary Planting to Enhance the Principle GI Corridors (Linear Natural Play, Trim Trail, Access to Nature, Foraging Opportunities)
- Secondary New GI Spaces, including LAPs & Habitats
- Primary Greened Streets linked to Principle GI Corridors (Trees, Grassland, Hedges, Shrubs Planting)
- Secondary Greened Streets linked to Principle GI Corridors (Trees, Grassland, Hedges, Shrubs Planting)
- Additional Garden Resource Enhancing GI Assets Throughout the Phase (Garden Tree Planting, Hedgehog Fencing, Bats and Bird Boxes)
- Surfaced Footway Draining onto the Adjacent Green Surfaces
- Proposed Bench
- Trim Trail Equipment
- Attenuation Basins
- Placemaking - Landscape Gateway
- Placemaking - Main Access Avenue
- Placemaking - Tree Nodes
- Placemaking - Green Space
- Placemaking - Green Edge
- Placemaking - Green Lane Interface
- LAP
- Informal Free Play Area
- Hedgehog Movement



# The Full Planning Application Element

- An initial first phase of 184 dwellings is proposed within the northeast corner of the site.
- ✓ New access is formed from Brynrhos Crescent opening up onto a new proposed play area.
- ✓ In line with masterplan proposals Phase 1 sits in the Bryn Rhos character area of the site.
- ✓ This is defined as a reinterpretation of the local vernacular, responding to the existing adjoining residential edge and future spine street in architectural style and density.
- ✓ Homes are designed around a hierarchy of streets with a focus on high quality landscaping
- ✓ Architectural uplift to materials, detailing and boundary treatments mark key GI corridors.



Play Area

New Access

Secondary Street

Spine Road

Green Infrastructure Network

Attenuation

Shared Surface Streets

- KEY : General**
- Intermediate
  - \* Social Rental
  - Bin Muster Point
  - On-street visitor parking (locations indicative)
  - SHIP(A)
- House Type Prefix and Handing examples:  
 SHP - House Type  
 (A) - As Shown  
 (AL) - As Shown Left-hand Side (semi-detached)  
 (OP) - Opposite  
 (OL) - Opposite Left-hand Side (semi-detached)
- KEY : Boundary treatments**
- Boundary Type A - 1800mm high close boarded fence
  - Boundary Type B - 1800mm high reconst stone wall
  - Boundary Type C - 1200mm high estate railing
  - Boundary Type D - 1200m high post and rail fence
  - Boundary Type E - 1800mm high brick wall

# The Full Planning Application Element Design and Materials

## Local Character Study

The character of a range of local areas has been studied, using headings from the Design Commission for Wales document No Place Like Home. These include Penllergaer, Gorseinon and the wider Swansea area.

## Character Areas

A materials strategy has been created for Phase 1A in discussion with Swansea Council officers. This provides an uplift in materials around the most prominent frontages within the development, for this phase being the green landscape corridors and around the green space at the site access from Bryn Rhos Crescent. A mix of brick and render facing materials is proposed throughout the body of the phase, as set out in the site-wide design guidance, with stone and render used within the uplift areas. This distinction is consolidated through the architectural details, such as window colour and chimney provision as well as boundary wall details. A consistent general grey colour is used for the roofs, with subtle variation provided by the use of two complementary tiles.



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## Transport

The site benefits from existing provision for pedestrians and cyclists in the locality, including footways on both sides of the majority of roads surrounding the site. Employment areas and a range of local facilities are located within walking and cycling distance of the site.

Regular bus services are accessible from bus stops located on the A4240, Swansea Road and A483. Gowerton railway station is accessible by bus and provides regular services to Swansea and Cardiff Central.

A Spine Street will be provided at the core of the site which will connect with the A4240 to the north, the A483 to the east and the A484 in the south as development progresses. The Spine Street will offer much needed capacity relief to the M4 J47 and the strategic transport network.

The proposed walking, cycling and public transport measures are comprehensive and extensive across the site and adjoining residential areas, and will link with the wider Active Travel network. This will ensure that existing and future residents will be able to access day-to-day facilities travelling sustainably through a walkable neighbourhood. Improvements to off-site highway infrastructure are proposed.

## Landscape and Visual

There are no nationally designated landscapes within or in close proximity to the site, and the topography of the application site is a defining feature. A significant proportion of the retained and proposed landscape elements, including woodland blocks and trees, are of importance visual reference points and act as a green structure to views, which would assist in the visual assimilation of the scheme within the surrounding landscape.

Consideration of the condition of trees, woodland and hedgerow has influenced the design process, and where tree and hedgerow loss is unavoidable, losses are limited to lower value and poorer condition elements. A framework of structural landscape is also proposed, and would function as key landscape mitigation, screening the proposed development and assisting in the absorption of the proposed development within the surrounding landscape.

## Ecology/ Trees/ Landscaping

The principle elements of the Ecological Strategy, integrated within the site wide GI Strategy, Illustrative Masterplan and detailed Phase 1A proposal, are to:

- ✓ Retain and manage the ecologically interesting semi-improved neutral grassland and marshy grassland to the north west.
- ✓ Hedgerows associated with the retained grasslands and other species-rich hedgerows are to be retained where possible with loss or breaching of other site hedgerows minimised to seek to retain habitat connectivity for species such as foraging bats and nesting birds.
- ✓ Retain and manage important hedgerows, woodland habitats and mature trees;
- ✓ Provide meaningful west to east green infrastructure/wildlife corridors to assist with ecological connectivity and visual integration of development and provide areas of Public Open Space.
- ✓ Create new water bodies as attenuation features where feasible; and
- ✓ Enhance the ecological value of the existing site with the use of beneficial mix of plant species within the strategic landscape, including diverse grassland and meadow strips and a mix of native and ornamental tree species appropriate to the site context and a residential land use.
- ✓ The considered diversity and mix of landscape elements has been considered throughout the site to add value. Combining habitats such as low diverse grass, next to flowering meadow, drainage swale, hedgerow and large trees, provides diversity and shelter for native species in a three dimensionally complex habitat.

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## Public Open Space

A wide range of public open space will be provided including:

- ✓ 2 full-size sports pitches with pavilion/changing rooms
- ✓ 1 Neighbourhood Equipped Area of Play, 3 Locally Equipped Areas of Play and 10 Local Areas of Play
- ✓ Multi Use Games Area (MUGA)
- ✓ BMX/bike track
- ✓ Allotments
- ✓ Informal and formal open space areas and a network of pedestrian and cycle paths linking with the wider community

## Drainage and Flood Risk

The drainage strategy includes a SuDS management train approach including swales, channels, basins and online ponds. A surface water drainage scheme has been developed in accordance with these principles and is indicated in the application documentation, and this has been agreed with Swansea Council subject to conditions.

A foul water scheme to discharge the northern section of the site via gravity to Gorseinon Road and Phase 1a discharging via a requisitioned sewer to Phoenix Way has been agreed with the Council, with the remainder of the development being drained via a pumped outfall to the existing trunk sewer adjacent to Pontarddulais Road.

## Archaeology and Cultural Heritage

Glamorgan Gwent Archaeological Trust (GGAT) has reviewed the submitted information and has recommended a condition requiring a written scheme of investigation for a programme of archaeological work. GGAT envisage that this programme of work would include an archaeological watching brief during any ground disturbing work; a historic hedgerow survey; and a historic building recording.

## Water Quality

The application has considered the potential effects in relation to water quality in the Loughor Estuary, Burry Inlet and Carmarthen Bay SAC and the potential impact of foul flows from the proposed development on the ecology of the Estuary and SAC.

The LPA seeks betterment by requiring developers to remove surface water from the existing combined system. This is achieved through a variety of mitigation measures through on-site retention, SuDS, discharge of foul sewage from the development and donor site surface water abstraction. This will have a beneficial effect on the capacity of the sewerage system, will reduce the potential for sewer flooding and will reduce the potential for untreated sewage flooding out of surcharged sewers and flowing overland to the SAC.

## Energy

New dwellings at Parc Mawr would be built to achieve and improve on the latest Building Regulation standards for design and construction. Energy conservation measures would focus on individual buildings, adopting a fabric first approach to reduce energy demand in the first instance. The Energy Assessment has concluded that the proposed development will result in a reduction in site-wide CO2 emissions of nearly 5% over and above Building Regulations and a similar reduction in energy usage.



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## Welsh Language

A Welsh Language Action Plan has been produced which incorporates measures to encourage and enhance the Welsh language, including:

- ✓ A new primary school and nursery, the medium of which will be confirmed by the Council. Regardless of the medium, Welsh Language will form a compulsory subject of the education curriculum.
- ✓ A mix of tenures and dwelling sizes and tenures (including 20% affordable housing) ensuring the housing stock will serve the whole of Penllergaer.
- ✓ A significant provision of open space, parkland, sports provision and community uses, which will nurture cohesive communities and strengthen community ties and networks.
- ✓ Sensitive phasing to ensure that the proposals integrate with the existing area and will ensure cohesive communities.
- ✓ The developer will liaise with the community group Menter Iaith Abertawe which operates Welsh Medium playgroups and mother and baby groups in the Penllergaer ward.
- ✓ All street names and signage will be in Welsh and Bellway will suggest to the Council's Street Naming Officer that the street names should have relevance locally.
- ✓ The use of bilingual literature and signage in the marketing of the site.

# Community Benefits and Social Value

The developer will enter into a Section 106 Agreement which will secure the following, to be delivered at various stages through the development, the triggers of which have been agreed with Officers.



- ✓ 20% affordable housing (70% social rented and 30% intermediate units)
- ✓ The delivery of a nursery and primary school or payment of circa £9m financial contribution to Education
- ✓ Highways contribution of £25,000 and off-site highway infrastructure improvements comprising:
  - MOVA installation at Gorseinon Road/ Phoenix Way junction
  - Works to resurface A484 underpass
  - A48/Pontarddulais Road improvement works
  - Spine Street to provide access to A483, A484 and works to A483/ A484 roundabout
  - Active Travel link AT 13 and AT14



- ✓ 2 full-size sports pitches with pavilion/changing rooms
- ✓ 1 Neighbourhood Equipped Area of Play, 3 Locally Equipped Areas of Play and 10 Local Areas of Play
- ✓ Multi Use Games Area (MUGA)
- ✓ BMX/bike track
- ✓ Allotments
- ✓ Transfer of community buildings
- ✓ £7,000 towards Air Quality Monitoring Station
- ✓ £2,100 for bridleway gates
- ✓ Commitment to Council's Beyond Bricks and Mortar scheme during construction



- ✓ Local Centre Scheme to provide details of the marketing scheme for the local retail/ commercial units on site
- ✓ Potential contribution for ongoing maintenance of areas of public open space within the site OR creation of a management and maintenance company and maintenance agreement for all areas of public open space and sports facilities (along with future funding stream and Council step in rights)

In addition to the above, a number of indirect benefits will arise as a result of the development. Construction cost for the whole project is in excess of £130m, supporting local supply chain through spend with local subcontractors and suppliers:

- ✓ 907 direct Bellway jobs (employees and sub-consultants)
- ✓ 453-707 indirect jobs (supply chain etc.)
- ✓ 871-1,033 induced jobs (wider economy)
- ✓ Total potential jobs created = 2,300 to 2,600 jobs
- ✓ Potential Wales Land Transaction Tax receipt = £2.3M
- ✓ £1m in council tax payments over life of the site or £35k per year

Finally, Bellway Wales support a number of charities across Wales including causes local to our development sites:

- ✓ £14,900 raised for Welsh homeless and young persons charity Llamau since 2018.
- ✓ Financial support for local sports clubs including Junior girls and boys football clubs and local Bowling clubs.
- ✓ Support for Cardiff based cycling charity Pedal Power.
- ✓ Ongoing Support for Kids Cancer Charity, which is based in Swansea to fund a short break for one of the families they support.
- ✓ £500 charitable donations to local schools for play equipment.
- ✓ £5000 raised in the last year by the Wales Region for Cancer Research UK, Bellway's nationally chosen charity for the past three years. In that time, the company has nationally raised more than £1 million for the charity.
- ✓ An active apprenticeship programme covering all on-site trades and office functions including accountancy, quantity surveying and design disciplines.

**Written presentation made on behalf of Penllergaer Community Council**

**To**

**Members of the Planning Committee of the City and Council of Swansea**

**In relation to**

**A Planning Applications under the Town & Country Planning Act 1990**

**For**

**Application reference 2018/2697/OUT**

**At**

**Land South Of The A4240, Parc Mawr, Penllergaer, Swansea**

**At**

**A Remote planning meeting held on the 17<sup>th</sup> July 2020**

15<sup>th</sup> July 2020

## Introduction

This written presentation is made to assist Members in, hopefully, the making of a properly judged decision in respect of their determination of planning application reference **2018/2697/OUT** .

Penllergaer Community Council readily recognises the plethora of information contained within the Officer's report which Members are being asked to consider in order to arrive at their decision .

Against this background, we realise that little is to be achieved in reproducing for Member's further consideration the copious and reasoned submissions that have already been made in opposing this development throughout the entire LDP and planning application process .

We therefore propose, due to the time constraints involved with all of this, to concentrate our efforts on four of the more significant and compelling matters that challenge and undermine the adequacy of this application .

The sheer volume of objections and matters raised by the public to this scheme, as largely summarised within the Officer's report, creates an almost unprecedented level of opposition, highlighting not only the failings of the scheme to comply with national planning guidelines in relation to strategic planning, but also the **dismissive approach** that has continually been adopted to such objections. This has unfortunately continued all the way through to this stage .

Nothing better identifies this dismissive approach than an email from a senior planning officer to Cllr Wendy Fitzgerald as far back as 2015 which said :

*The reality is that the strategic sites proposed to be built through the LDP will not happen overnight, they will take 20 years or more to build out – **ironically when many of the current opponents will no longer be around** . (emphasis added) ..... Such objections don't wash with me and more importantly they don't wash with the Planning Inspectorate either.*

We hope that due cognizance will be given by Members to this written submission, rather than the dismissive approach previously adopted, and we would therefore simply focus on the following :

- **Highway congestion**
- **Agricultural loss**
- **Brynrhos Crescent access**
- **Safeguarding public interest.**

We trust this submission will be received and dealt with by Members in the same manner and sentiment it has been written and prepared .

## Highway Congestion

### Principal points of objection

Members need to be reminded that this development is **predicated on the delivery of a relief road and school** .

Members also need to be reminded that Welsh Government had, as far back as October 2013, expressed **significant concerns regarding the soundness** of Swansea's proposed LDP , citing **infrastructure and deliverability** as being one of its concerns .

As a result, a Transport Study was undertaken by Arup in December 2015 which concluded that:

- LDP developments will increase traffic movements across the County by 2025, on average, by nearly 30%, with the greatest congestion pressure on the road system being in the NW of the County .
- Network performance could only be acceptably managed if a range of road and public transport measures are put in place , but at the same time recognising that congestion will be worse and journey times longer than the 2014 base date .
- Without the road and public transport enhancements in place, LDP developments will have significant adverse impacts on **traffic delay, traffic congestion, air quality, noise, and economic disbenefits** .

In so far as this application is concerned, the Study further identified the importance of providing a *full north south link road* , ie between Gorseinon Road and the Llanelli Link, as opposed to the shorter link between Gorseinon Road and the A483 .

This alternative shorter link appears to have been considered at the request of the developer despite there being a total restriction imposed by the Council to junctions on the A483 *due to disruption to through flow on a major primary route* .

Important also to this application is the further condition, in accordance with national planning policy guidelines, that was imposed by the Council from the outset that :

*Where transport infrastructure is essential to support developments, **it will be necessary in most cases** for it to be provided in advance of the occupation of the development, **particularly in support of non-car modes of transport** in order to ensure sustainable travel habits are established and embedded from the outset .“*

Arup produced a supplementary report in 2018 that reaffirmed that :

*In Northern areas ( where significant development is located ) mitigation measures should focus on provision of relief roads , as part of site development plans, improvements of junctions on principal corridors, and new junctions associated with*

*new developments . There should also be an objective to implement extensions to public transport / rapid travel routers to reach or travel through sites .*

The proposed late delivery of relief road will, in turn, frustrate any suggested modal shift to non – car modes of transport . The highway situation is further worsened by the likely non - delivery of site SD B and the associated provision for signal enhancements to J47 . **Neither of these matters has been properly factored into this application .**

With all that said, **this application**, which appears to be endorsed by the Council, nevertheless **paints an improving situation to that identified by Arup .**

Remarkably, this is against the background where the Department of Transport in June 2019 released traffic growth figures for the M4 in Wales, and reported in the press that *Motorway congestion is by no means solely a Newport issue. West of Swansea has seen the biggest increase in M4 traffic - up 78% since 2000.*

This reported increase, amounting in total to 72378 vehicle trips per day, related specifically to J47 of the M4 motorway. In addition to this, the Arup Study has already concluded that this figure (vehicle trips per day) will rise further by more than 30% in the next 10 years .

The Local Development Plan identifies that *High value and volume development can provide a means of delivering necessary new infrastructure to **alleviate existing capacity problems** whilst providing facilities and infrastructure to support new proposals.*

Parc Mawr Farm is intended to be such a development.

However, as already identified by Arup this ambition could never be realised.

More importantly, and of far more significance to this submission, the planning application totally disregards the importance played in respect of the deliverability of this infrastructure, and its resulting adverse impact upon the highway network. The application proposes that the completion of the relief road will be concurrent with the completion of the housing development. Based on housing trajectories included within the Plan, and taking on board delays that have already occurred, the earliest likely completion date for the relief road will be 2029-2030.

This is totally contrary to the undertakings given by both Bellway and the Council to the LDP Inspectors that key infrastructure such as the road and new school will be delivered as part of the initial phases .

As already stated, the Study identifies that:

*Without the road and public transport enhancements in place, LDP developments will have significant adverse impacts on **traffic delay, traffic congestion, air quality, noise, and economic disbenefits.***

These are the exact conditions that will result from this planning application.

Concerns have also been raised over the proposed design of the intended relief road, and its ability to encourage the required assignment of traffic from the J47. Jacobs, acting for Transport for Wales, have responded to this planning application by stating:

*However, the Spine Road is shown on submitted masterplans following a rather torturous alignment, in the context of a residential distributor than a direct and viable alternative to existing routes. As such its attraction as an alternative to travelling via J47 is questionable.*

Jacobs concluded their report by saying:

*Concerns remain about the impact of the re-assignment of traffic away from J47 because of the Spine Road through the development being open to traffic. The impact of the development at J47 is directly impacted by the operation of this new road, and thus the assumptions made by the applicant in the TA for this reassignment of background traffic. There are no technical justifications used by the applicant for this reassignment of traffic beyond the use of their 'professional judgement' which in the absence of any additional information is not an accepted methodology.*

The failure of this application to embrace the idea of traffic assignment away from J47 of the M4 motorway, together with greater problem posed by the additional 850 houses proposed by this application, will have far greater consequences on the highway network than even the traffic study would suggest.

## **Agriculture Loss**

### **Principal points of objection .**

The proposed built housing is entirely sited on agricultural land of grade 3a of the Agricultural Land Classification, which **PPW 10** says :

*“ .... is the best and most versatile , and should be conserved as a finite resource for the future . .... considerable weight should be given to protecting such land from development because of its special importance . “ and “ should only be developed if there is an overriding need for development , and either previously developed land or land in lower agricultural grades is unavailable .....*”

This confirms earlier **PPW** directions that :

*Previously developed ( also referred to as brownfield ) land should , wherever possible , be used in preference to greenfield sites where it is suitable for development .”*

The Council is relying on a County wide statement made by the appointed LDP Inspectors that :

*“ the benefits of retaining the land in agricultural use would not outweigh the advantages of providing the required housing and employment development on the affected sites ... “*

The Inspectors also confirmed that :

*“ ...our report does not refer specifically to individual representations ... “*



**THE WORLD , BUT IMPORTANTLY ALSO SWANSEA , HAS CHANGED IN THE 7 YEARS SINCE THE HOUSING REQUIREMENT WAS SET, AND THE TWO YEARS SINCE THE CONCLUSION OF THE LDP EXAMINATION .**

The Council has failed to consider this as well as the specific characteristics that relate to this site. When this is done, the benefit of retaining the land in agricultural use far outweighs any advantage gained from its development for the following reasons :

Firstly, there is no question that the land in question is entirely of the best and most versatile agricultural quality .

Importantly, the loss of good quality agricultural land is not simply limited to the area contained within the development site, but includes all the land previously contained within the Bryn Dafydd farm holding, comprising of some **278 acres** . This equates to more than double the size of the development site , involving the loss of the last two working farms in Penllergaer .

This fact was never presented to the Inspector for consideration .

The development, however, relates only to housing . There is no employment use .

The housing requirement was dictated by (a) increased employment flowing from economic growth, and (b) immigration . With neither of these factors *coming into play*, there must real question marks over the LDP housing requirement .

Furthermore, the additional benefit of this site includes the role it plays in supporting national policy guidelines in managing urban forms by the means of green belts and green wedges , vehemently opposing its inclusion in 2007 in the UDP on the grounds the role it played in (a) preventing coalescence, (b) managing urban form, (c) safeguarding the countryside and (d) protecting the setting of the urban form .

It also argued the further role it played in **assisting urban regeneration**, a role which has even greater significance today if the **Council's ambition for stimulating city centre living flowing from the Indoor Arena development** is to be realised .

Councillor Francis Davis was reported to have said :

***"It's getting more people to live back in the city," going on then to say "Swansea needs to reinvent itself, like all cities throughout the United Kingdom. Retailing has changed so therefore you've got to have the leisure attraction, people living and working in the city to make it a vibrant city."***

There is also the added advantage gained by retaining the agricultural status of the site for the role it has to play in conserving the special landscape and biodiversity of the site in accordance with national planning policy guidelines .

PPW says :

*" The planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both **protect against loss and secure enhancement***

The Council's own Well Being Plan endorses this by saying :

*" A resilient Wales – A nation that keeps and enhances a biodiverse natural environment. We have healthy functioning ecosystems that support social, economic and ecological resilience. We have the ability to adapt to change (for example climate change)."*

**When all these factors are properly taken into consider, the balance changes .**

## Brynrhos Crescent Access

**Principal points of objection** . ( Other than those concerns already raised by the public over safety concerns and the like )

Grounds for objection are now further reinforced by the failure of this proposal to comply with **Policy T5 vi** of the Council's adopted Local Development Plan, which states :

*All proposals must ensure that the design of development, together with any supporting transport measures and infrastructure :*

*vi **Does not encourage extraneous traffic** , unless there is a specific strategic need for access route through the area .*

The extraneous traffic is inevitable, not because of any identified strategic need to relieve congestion on J47 of the M4 motorway , but simply the need to access the site .

The planning report argues that the access was identified on the Masterplan drawing appended to the SoCG . ( Statement of Common Ground )

This argument is pathetic .

The reduced A4 drawing from its AO original form is illegible, and was never discussed for the purposes of access to the site . ( Drawing attached )

As for what the SoCG did say :

Para 2.14 ..... *pre-application discussions included matters relating to the preferred means of access to the scheme from Gorseinon Road, which has now been resolved by Bellway acquiring an interest in the land concerned*

Para 2.19 ..... *31 Gorseinon Road, which is under the ownership of Bellway Homes and will be demolished in order to provide the main vehicular access to the site from the north.* ( **Land Registry identifies property owned by Rees Richards** )

Para 4.8 ... *It is proposed that there will be three main vehicle access points to the site with one to the north, one to the east and one to the south ...*

Para 5.31... *The current roundabout A48 / Swansea Road will be converted to a signalised junction, and be linked to the new junction to be formed at the 'gateway access' to the site from Gorseinon Road.*

Why has all of this changed ?

**VIABILITY** – the change avoids Bellway buying 31 Gorseinon Road, avoids creating roundabout access on Gorseinon Road, avoids construction of greater part of northern section of the relief road and the ability for Bellway to walk away after completion of the first 184 houses with little financial contribution being made in respect of the immediately needed physical and social infrastructure requirements .

# Appendix B: Masterplan for SD C



- Development**
1. New 3 Form Entry primary school
  2. Polwhele road centre with comprehensive school with development connections to Gorseham Road and Summer Road, at width higher density development
  3. Gateway building at the residential entrance
  4. New 11th form school at the entry of site
  5. New 11th form school at the entry of site
  6. Refurbish school and new school with different community use
  7. New school building with primary school at present site for polwhele comprehensive school site on site and
  8. Refurbish school building
- Access**
9. New access to primary school from A429 Gorseham Road
  10. New access to site from Gorseham Road
  11. New 2.7m wide street with green screen character to the north (generally 20m) width
  12. Network of new paths to encourage pedestrian location
  13. Footpath connection from Swinnow Road
  14. Retained green lane stepped to provide footpath connection to public right of way to the west
  15. Vehicle connection to Bayview Crescent (via the main access)
  16. Pedestrian/cycle access from Swinnow Road
  17. West to east foot/cycle routes within green corridor
  18. New access to site from primary school with new street (generally 30m) width
  19. Polwhele road access from A429 to site
  20. Polwhele road access from A429 to site
  21. New access to site from A429 to site
  22. Polwhele road junction with the A429
- Landscape**
23. Refurbish some of structural perimeter
  24. Retained wetland habitat
  25. Refurbish green water with retention and drainage as part of green corridor
  26. Affordable water supply (2000) to site
  27. Water green with new primary and secondary equipment area at Play (EAP) with new water tank to west of site and new water supply to site
  28. New water tank to west of site and new water supply to site
  29. Green corridor connection to Swinnow Road
  30. Water tank area: space with LHM and potential water on site
  31. Retention ponds surrounded by new and existing planting
  32. New water tank area with new water tank and new water supply to site
  33. New water tank area with new water tank and new water supply to site
  34. Green corridor with new and retained planting on visible part of the site
  35. New water tank area with new water tank and new water supply to site
  36. New water tank area with new water tank and new water supply to site
  37. New water tank area with new water tank and new water supply to site
  38. New water tank area with new water tank and new water supply to site
  39. New water tank area with new water tank and new water supply to site
  40. New water tank area with new water tank and new water supply to site

Parc Mawr, Penllergaer: Concept Masterplan

1	1:1000	1:1000	1:1000
2	1:1000	1:1000	1:1000
3	1:1000	1:1000	1:1000
4	1:1000	1:1000	1:1000
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35	1:1000	1:1000	1:1000
36	1:1000	1:1000	1:1000
37	1:1000	1:1000	1:1000
38	1:1000	1:1000	1:1000
39	1:1000	1:1000	1:1000
40	1:1000	1:1000	1:1000

## Safeguarding public interest

### Principal points of objection .

This submission intends to deal with specific matters where safeguarding the public interest is compromised either by way of the Officer's recommendation of approval for the application and / or the proposed conditions of the approval .

There is real public concern that the ambitions of Bellway, for viability reasons, go no further than the 184 houses included in the first phase . In so doing, Bellway would largely realise their original **LDP** ambition for house building numbers on the site, the same ambition they had previously for their failed attempt under the **UDP** .

The proposed phasing which Members are now being asked to support would enable Bellway to maximise their profit return on the first phase and walk away from the financial contributions required from them for existing deficiencies in physical and social infrastructure, enhancement of which was a prerequisite to development .

For Officers to respond to this concern by saying another developer will come in, is not only another example of the dismissive approach adopted throughout, but a total lack of appreciation of the problem . Viability challenges will be the same for any developer, but worse for anybody stepping in where the profit has already been *creamed off* .

The proposed phasing now in front of Members is a material deviation to that presented by both Bellway and the City and County of Swansea to the LDP Inspectors, and upon which the Plan was approved .

Members should be reminded that the Inspectors were unequivocally told by Bellway and the Council that :

*'The site is expected to carry some significant development costs – for example the delivery of highway works/improvements and a new 3 form entry primary school. The LDP policy for SD C also sets out a relatively comprehensive list of other necessary developer requirements and placemaking principles.*

*Notwithstanding this, the IFVA shows that the delivery of these requirements (including key infrastructure such as the road and new school as part of **initial phases** )*

This undertaking supposedly addressed the concerns raised by the Inspectors over the specific problems experienced elsewhere in Wales over infrastructure and its delivery .

We, as we would hope Members will , have translated **initial** to mean the first phases, unlike Bellway and Officers who believe completion of 75% of the housing in the case of the relief road and 60% housing completion in respect of the new school , are deemed to fall within the definition of **initial** .

Not only does this inexplicable approach contradict everything that has gone before, but it also festers a situation where the principals of *timely incorporation* of needed infrastructure *goes out of the window* . To put this all in to context , the school will optimistically be provided in 6 to 7 years time , with the delivery of the relief road in 8 to 9 years time . ( This is contrary to the intended timescale suggested in the report by the Head of Highways )

Furthermore, Bellway would have embarked on this project with the clear understanding of both Council's requirements and national planning guidelines that needed to be met, in that :

*Where transport infrastructure is essential to support developments, **it will be necessary in most cases** for it to be provided in advance of the occupation of the development, **particularly in support of non-car modes of transport** in order to ensure sustainable travel habits are established and embedded from the outset .“*

Accepting the recommendation in its current form provides no safeguard in relation to the public's concerns and interest, where the destiny of the public, in particular those from Penllergaer, are dictated by, and totally in the hands of, Bellway .

Whilst the Officer's report sets out the conditions that need to be satisfied to comply with CIL Regulation 122, there is no attempt to demonstrate in its reasoning how those conditions have been met . This is a common theme and failing throughout the Officer's report, where reference has been made to the requirements of national planning policy and guidelines, as well as further reference to Well Being of Future Generations Act , but no attempt has been made to say how this application complies with both .

At this point, and for the sake of brevity, we believe we have also already highlighted examples in our written submission in both the cases of the **Brynrhos Crescent access** and **Highway congestion**, where safeguarding the public interest will be compromised by approval of this application .

We are also concerned that Officers have failed to place a positive obligation on the developer , and obviously landowner, and dictate a requirement to enter into the necessary Section 38 and 278 Highway Agreements . It is clearly in the public interest that dedication of these works is undertaken, which in turn will demonstrate the developer's intentions .

Finally, there is a further continuing and worrying theme where the developer, in the case of a raft of pre-commencement conditions, is excluded from providing this information in relation to the first phase of the works, with notable exceptions relating to the undertaking of a mining survey and bat survey .