

Planning Committee – 3rd September 2024

Item 1

Application Number:

2023/0253/OUT

Ward:

Gowerton - Area 2

Location:

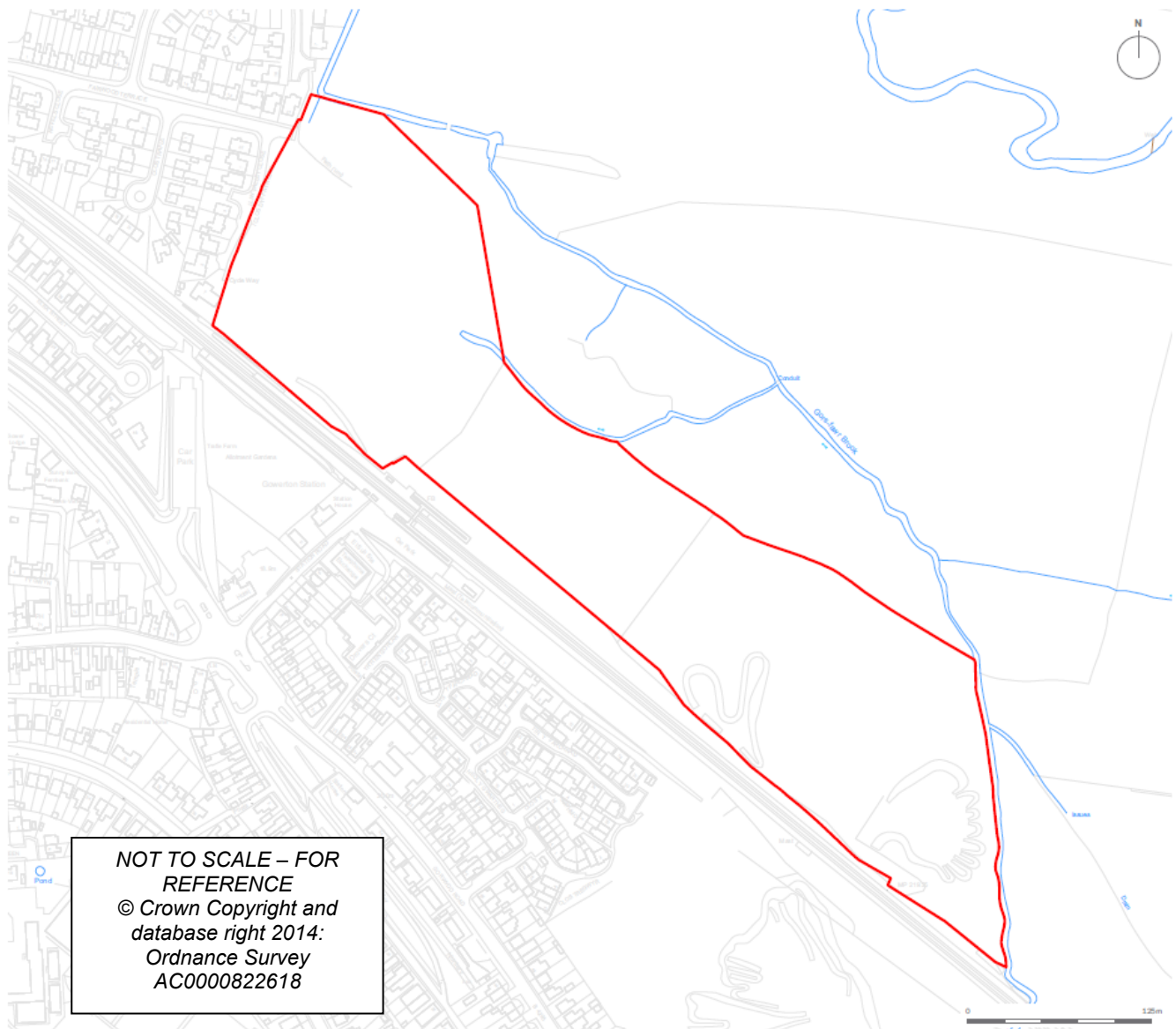
Land Adjacent To Fairwood Terrace, Gowerton, Swansea

Proposal:

Proposed residential development of up to 216 dwellings with commercial/mixed uses (A1-A3, B1 and D1) at ground floor, a mobility hub, incorporating active travel routes, green infrastructure, drainage, play and associated works (outline).

Applicant:

Mr Luke Grattarola Persimmon Homes West Wales / Urban Style Land Ltd



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Background

This application is being presented to Planning Committee for determination as the proposal is a 'major' development consisting of 216 dwellings on a site measuring 8.71 hectares.

The application initially proposed 230 dwellings. However the number of dwellings has been reduced to 216 dwellings to accommodate flood mitigation measures within the site.

Site Location

The site is located at the western end of the Swansea Local Development Plan (LDP) allocated Strategic Site H - "North of Waunarlydd / Fforestfach."

The application site is located and accessed from the eastern end of Fairwood Terrace and measures 8.71 hectares in size. It is bound to the south by Gowerton railway station and the main railway line, to the north by woodland, Gors-Fawr Brook and agricultural fields beyond, to the west by dwellings in Lliw Valley Close, Fairwood Terrace and Alder Way and to the east by woodland and existing industrial buildings accessed from Titanium Road beyond.

The site is currently heavily vegetated with a number of mature trees and hedgerows and was formerly an industrial site developed for coal mining and metal works. Although the site was used previously for industrial uses, it is not considered to be 'Previously Developed Land' (or 'Brownfield' land) when assessed against the definition of 'Previously Developed Land' within PPW 12, as the remains of structures and previously activity have blended into the landscape over time, so that they can now reasonably be considered part of the natural surroundings.

There are no protected trees on the site. There are no designated heritage assets within the site.

There is an overhead electricity line which crosses the site towards the western end with the associated 'wayleave' through the existing vegetation on the site.

Public rights of way (GN101 and C0600) run through, and adjacent to, the north-western part of the site, from the fields to the north of Gors Fawr Brook onto Fairwood Terrace.

A recently constructed Active Travel route runs close to the western and southern boundaries of the site, which will be connected to Gowerton Railway Station - this connection has not been completed yet due to delays which have occurred due to contractual and Network Rail issues.

The site is relatively flat, with areas of undulations from the former spoil heaps and is wholly located within a Site of Interest for Nature Conservation (SINC). (Alcoa Wet Meadows 49).

The site contains former mine features - there are five recorded mine entries (shaft and adits), within, or within close proximity of the boundary, located underneath the stockpiled materials on the south-eastern boundary of the site, and as such the site is designated as a coal mining 'High Risk' area.

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The site is largely situated in Zone A of the Flood Development Advice Maps (DAM) referenced in TAN 15, with a smaller area to the south-east of the site falling within Zone C2 and a small area to the north and south-east falling within Zone B of the DAM maps.

Description of Development

Outline planning permission is sought for residential development of up to 216 dwellings with commercial/mixed uses (A1-A3, B1 and D1) at ground floor, a mobility hub, incorporating active travel routes, green infrastructure, drainage, play and associated works (outline - all matters reserved).

All matters relating to Access, Layout, Scale, Appearance and Landscaping have been reserved for future consideration.

The indicative information submitted, shows that the development would consist of the following dwelling types :

One bed flats:	43
Two bed flats:	24
Two bed house:	25
Three bed houses:	91
Four bed houses:	33
Total	216

A minimum of 10.2% affordable residential units are proposed (22 units). Four (18%) of the units will be intermediate, whilst the remaining 18 units (82%) will be social rented units, in the form of 1 and 2 bed flats.

A suite of Parameter plans have been submitted with the application, including;

- Illustrative master plan
- Access and movement
- Land use
- Scale and height
- Density
- Green Infrastructure (including ecological mitigation)
- Townscape
- Street hierarchy
- Sustainable Urban Drainage (catchment plan and basin sizes)

The proposed 'Station Plaza & Mobility hub' will include:

- up to 50 car parking spaces for park & ride;
- bus turning facility
- seven car parking spaces for convenience store parking
- commercial mobile vendor pitches

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- cycle parking for approx. 100 cycles
- connections to active travel routes
- connectivity to the railway station
- flexible use open space - potential community events

The 'Play Strategy' includes 2 x LEAPs (Local Equipped Areas of Play) to be located towards the western entrance to the site and within the green corridor to the eastern end of the site. A number of LAPs (local areas of play) will be provided, which will include 'trim trail' equipment and natural play features.

A public art strategy is also included within the public realm areas.

The scaled parameters for the proposed buildings are as follows

Length and Width

Terraced houses;

Building width = 4.0min / 6.0m max
Building depth = 7.0min / 11.0m max

Semi-detached houses;

Building width = 4.0min / 9.0m max
Building depth = 7.0min / 11.0m max

Detached houses;

Building width = 6.0min / 15.0m max
Building depth = 7.0min / 14.0m max

Flats;

Building width = 6.0min / 30.0m max
Building depth = 6.0min / 16.5m max

Height

2-Storey Housing;

Floor to floor height = 2.5 min / 3.0m max
Height to eaves = 4.5 min / 5.5m max
Height to ridge = 7.0 min / 9.5m max
Roof pitch = 30 degree min / 50 degree max

2 ½ - Storey Housing;

Floor to floor height = 2.5 min / 3.0m max

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Height to eaves = 5.0 min / 7.0m max
Height to ridge = 8.0 min / 11.5m max
Roof pitch = 40 degree min / 50 degree max

3-Storey Housing;

Floor to floor height = 2.5 min / 3.0m max
Height to eaves = 7.0 min / 9.0m max
Height to ridge = 10.0 min / 13.5 max
Roof pitch = 30 degree min / 50 degree max

4-Storey Buildings - Flats/Ground Floor Commercial Units;

Floor to floor height = 2.5 min / 3.5 max
Height to eaves = 9.0 min / 13.0m max
Height to ridge = 11.0 min / 18.0m max
Roof pitch = 30 degree min / 50 degree max

Transport / Mobility Hub

Building width = 3.0min / 12.0m max
Building depth = 2.5min / 6.0m max
Height = 2.5m / 8.0m

Domestic/Garden Sheds

Building width = 2.0min / 4.0m max
Building depth = 3.0min / 6.0m max
Height = 2.0m / 3.0m

Relevant Planning History

97/1741 - Land to the east for Fairwood Terrace - Residential development - Outline Planning Permission Refused on the 3rd Feb 1998 for the following reasons:

1. The proposed development would represent an intrusion into the open countryside and would be prejudicial to the environmental quality of the rural area, contrary to Policy C5 of the West Glamorgan Structure Plan (review no.2) and Policies EQ6 and H6 of the Southern Lliw Valley Local Plan.
2. The proposal is situated within the designated Lower Llan Valley Green wedge where the rural environment will be protected from sporadic development and the encroachment of the urban area and would be contrary to Policy C4 of the West Glamorgan Structure Plan (review No 2) and Policy EQ9 of the Southern Lliw Valley Local Plan.
3. The proposed development would represent an unwanted intrusion into the open countryside and would establish an undesirable precedent for the consideration of other similar applications, the cumulative effect of which would be to seriously erode the open rural character of the Lower Llan Green Wedge.

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Adjacent sites

2005/2644 - land off Fairwood Terrace - Residential development comprising of 9 no. detached dwellings with garages. Approved 18th July 2016.

(N.B it is assumed that this permission has lapsed as it appears it was not commenced by the 18th July 2021)

2012/0133 - Gowerton Railway Station - Construction of new footbridge, refurbishment of disused platform and other associated station improvement works (application for the Prior Approval of the Local Planning Authority under Part 11 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (Development Under Local Private Acts or Orders).

Decision : Prior Approval Granted 20.03.2012.

2017/0628/RG3 - Gowerton To Kingsbridge Cycle Link - Provision of a footpath/cycle link between Gowerton Railway Station and Kingsbridge including replacement footbridge off Alder Way, boardwalk, gates, fencing and associated works (Council Development Regulation 3).

Decision : Approved 02.03.2018.

2018/0976/NMA - Gowerton To Kingsbridge Cycle Link - Non-Material Amendment to Planning Permission 2017/0628/RG3 granted 2nd March 2018 to re-align a section of path to run behind an existing earth mound.

Decision : Approved 08.08.2018.

2018/0990/DOC - Gowerton To Kingsbridge Cycle Link - Discharge of conditions (s): 4 (materials), 5 (Construction Method Statement - Trees), 6 (Ecological Enhancement Method Statement), 7 (pollution Prevention Plan) and 8 (Japanese Knotweed) of Planning Permission 2017/0628/RG3 granted 2nd March 2018.

Decision : Approved 06.08.2018

Planning Policy

The National Development Framework: Future Wales - the National Plan 2040

Future Wales sets out the Welsh Government's land use priorities and provides a national land use framework for SDPs and LDPs. Future Wales concentrates on development and land use issues of national significance, indicating areas of major opportunities and change, highlighting areas that need protecting and enhancing and helping to co-ordinate the delivery of Welsh Government policies to maximise positive outcomes.

Policy 1 - Where Wales Will Grow

Policy 2 - Shaping urban growth and regeneration - Strategic placemaking

Policy 7 - Delivering Affordable Homes

Policy 8 - Flooding

Policy 9 - Resilient Ecological Networks and Green Infrastructure

Policy 11 - National Connectivity

Policy 12 - Regional Connectivity

Policy 28 - National Growth Area - Swansea Bay and Llanelli

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Planning Policy Wales (12th Edition) 2024

The following key sections and paragraphs from PPW are of particular relevance:

The concept of placemaking is central to PPW and highlighted as key to delivering on the aspirations of the Well-being of Future Generations Act and achieving well-being through development management decisions.

PPW (p 14) 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."

PPW states the 6 placemaking principles of the Wales Placemaking Charter (to which the Council is a signatory) that should be referenced in decision making as: people and community; location; movement; mix of uses; public realm; and identity (pg 16).

PPW states: In responding to the key principles for the planning system, the creation of sustainable places and in recognition of the need to contribute to the well-being of future generations in Wales through placemaking, development plans and development proposals must seek to deliver developments that address the national sustainable placemaking outcomes (para 2.17).

The relevant sections of PPW are;

Good Design Making Better Places (paras 3.3-3.4)

Sustainable travel (paras 4.1.19-35 and 4.1.40-41)

Public transport (para 4.1.38)

Car parking (para 4.1.50 and 4.1.51)

Transport assessments (para 4.1.56 and 4.1.57)

Affordable housing (para 4.2.26 and 4.2.34)

Recreational spaces (para 4.5.1 and 4.5.6)

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Energy (para 5.7.1 and 5.7.6)

Energy hierarchy for planning (para 5.7.13)

Sustainable buildings (para 5.8.1, 5.8.2 5.8.3 and 5.8.7)

Local and regional energy planning (para 5.9.)

Conserving and enhancing the historic environment and its assets (para 6.1.5)

Green infrastructure (para 6.2.1 - 6.2.13)

Protection and Management of Designated Sites: (paras 6.4.15- 22)

Protected Species (paras 6.4.35 - 6.4.36)

Trees, woodlands and hedgerows (para 6.4.37)

Sustainable Drainage Systems (SuDS) and Development (para 6.6.17 - 6.6.19)

Development and Flood Risk (Para 6.6.22 - 6.6.29)

Land Contamination (Para 6.9.16-6.9.20)

Technical Advice Notes (TANs)

Technical Advice Note 2: Planning and Affordable Housing (2006)

Technical Advice Note 5: Nature Conservation and Planning (2009)

Technical Advice Note 10: Tree Preservation Orders (1997)

Technical Advice Note 11: Noise (1997)

Technical Advice Note 12: Design (2016)

Technical Advice Note 15: Development and Flood Risk (2004)

Technical Advice Note 18: Transport (2007)

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

Technical Advice Note 24: The Historic Environment (2017)

Swansea Local Development Plan (2010-2025)

The Development Plan for the area is the Swansea Local Development Plan (2010-2025) (Adopted February 2019) within which the following policies are considered to be relevant to this application:

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PS 1 Sustainable Places - the delivery of new homes, jobs, infrastructure and community facilities must comply with the plan's sustainable settlement strategy which; directs development to the most sustainable locations within defined settlement boundaries of the urban area and Key villages; requires compliance with Sustainable Housing Strategy (PS 3) and Sustainable Employment Strategy (PS 4); safeguards Green Wedges; and resists development in the open Countryside.

PS 2 Placemaking and Place Management - development should enhance the quality of places and spaces and should accord with relevant placemaking principles.

PS 3 Sustainable Housing Strategy - the Plan provides for the development of up to 15,600 homes to promote the creation and enhancement of sustainable communities.

SD 1 Strategic Development Areas - the Plan allocates 12 locations to provide new homes and opportunities for job creation and commercial investment at a strategic scale. Residential led SDA's are capable of accommodating a minimum of 400 homes.

Mixed use SDA's will provide new homes as part of wider mixed-use proposals to also deliver significant investment and economic benefit from commercial, community and/or cultural regeneration projects. The SDA's are capable of delivering a greater number of homes beyond the Plan period.

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 must comply with relevant masterplanning principles. Strategic Development Areas must also accord with additional relevant masterplanning principles. Design and Access statements are required to support the strategic placemaking approach.

SD H Site specific policy for Strategic Development site North of Waunarlwydd/Fforestfach.

IO 1 Supporting Infrastructure - development must be supported by appropriate infrastructure, facilities and other requirements considered necessary as part of the proposal.

IO 2 Employment and Training Opportunities - developers are encouraged 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.

H 2 Affordable Housing Strategy - provision will be made to deliver a minimum 3,310 affordable homes over the Plan period.

H 3 On-site Affordable Housing - sets the percentage of affordable housing provision required in the Strategic Housing Policy Zones, subject to consideration of financial viability.

HC 3 Development in the Welsh Language Sensitive Area - Proposals within the Language Sensitive Area (defined on the Proposals Map) will safeguard and promote the Welsh language throughout the County by complying with the policy principles.

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SI 2 Providing and Safeguarding Community Facilities and Locally Important Uses - 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.

SI 3 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 new or improved school facilities. Proposals for the development of new primary and secondary education must comply with specific criteria.

SI 5 Protection of Open Space - development will not be permitted on areas of open space unless it complies with specific criteria.

SI 6 Provision of New Open Space -Open space provision will be sought for all residential development proposals in accordance with the policy principles, and in accordance with relevant criteria relating to design and landscaping principles. The quantity, quality and location of the open space contribution required will be determined against the most recent Open Space Assessment and Open Space Strategy.

SI 8 Community Safety - development must be designed to promote safe and secure communities and minimise the opportunity for crime in accordance with specified policy principles.

ER 1 Climate Change - To mitigate against the effects of climate change, adapt to its impacts, and to ensure resilience, development proposals should take into account the climate change principles specified in the policy.

ER 2 Strategic Green Infrastructure Network - Green infrastructure will 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, will not be permitted. Development will be required to take opportunities to maintain and enhance the extent, quality and connectivity of the County's multi-functional green infrastructure network in accordance with the green infrastructure principles set out in the policy.

ER 6 Designated Sites of Ecological Importance - Development will not be permitted that would result in a likely significant adverse effect on the integrity of international and national designated sites, except in the circumstances specified in relevant legislation. Development that would adversely affect locally designated sites should maintain and enhance the nature conservation interest of the site. Where this cannot be achieved development will only be permitted where it can be demonstrated that specified policy criteria are met.

ER 8 Habitats and Species - Development proposals that would have a significant adverse effect on the resilience of protected habitats and species will only be permitted where they meet specific criteria.

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ER 9 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. Development that could have an adverse effect on such networks and features will only be permitted where meet specific criteria are met.

ER 11 Trees, Hedgerows 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. Ancient Woodland, Ancient Woodland Sites, Ancient and Veteran trees merit specific protection and development that would result in specified outcomes will not normally be permitted. Where necessary a tree survey; arboricultural impact assessment; an arboricultural method statement; tree protection plan and/or scheme for tree replacement, including details of planting and aftercare will be required in support of a planning application.

T 1 Transport Measures and Infrastructure - Development must be supported by appropriate transport measures and infrastructure and dependant the nature, scale and siting of the proposal, meet specified requirements. Development that would have an unacceptable impact on the safe and efficient operation of the transport network will not be permitted.

T 2 Active Travel - Development must take opportunities to enhance walking and cycling access either by incorporation within the site, and/or making financial contributions towards the delivery off site of specific measures, as specified in the policy. Developments must not have a significant adverse impact on existing active travel routes as specified in the policy.

T 4 Transport Interchanges - delivery of new or enhanced transport interchanges will be supported where they would serve to reduce the length and amount of journeys by car and help to minimise travel demand, including measures as specified in the policy.

T 5 Design Principles for Transport Measures and Infrastructure - provides design criteria that the design of the new development, including supporting transport measures/infrastructure must adhere to.

T 6 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 adequate 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. The provision of secure cycle parking and associated facilities will be sought in all major development schemes.

T 7 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.

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EU 2 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. Larger schemes, as specified in the policy, 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. Development that requires new or improved utility infrastructure will be permitted where it can be satisfactorily demonstrated that the developer will make an appropriate contribution to secure the provision of the infrastructure.

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. 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.

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RP 8 Sustainable Waste Management - the development of in-building sustainable waste management facilities involving the transfer, treatment, re-use, recycling, in-vessel composting or energy recovery from waste, will be permitted within Preferred Areas or areas having the benefit of lawful B2 use, as identified in the Proposals Map, provided that there are no significant adverse effects as specified in the policy. Also subject to the policy criteria, facilities for composting and anaerobic digestion in appropriate rural areas and the colocation of waste facilities with the development of heat networks will be supported. Proposals must be supported by an appropriate Waste Management Assessment.

RP 10 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.

Supplementary Planning Guidance

The following supplementary planning guidance documents are also relevant to the determination of this application:

- Placemaking Guidance for Residential Development (Adopted October 2021)
- Trees Hedgerows and Woodlands (Adopted October 2021)
- Development and Biodiversity (February 2021)
- Parking Standards (Adopted March 2012)
- Planning Obligations (Adopted March 2010)
- Planning for Community Safety (Adopted December 2012)

Consultation

The following consultees were consulted as part of the planning application process. It should be noted that only the final responses received from the various consultees are listed below, unless otherwise stated (earlier responses from consultees are not provided in this report).

Natural Resources Wales (NRW)

Thank you for re-consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above.

We continue to have concerns with the application regarding flood risk and our technical comments are provided below.

We also advise that based on the information submitted to date, conditions regarding European protected species and land contamination should be attached to any planning permission granted and the documents identified below should be included in the approved plans and documents condition on the decision notice. Without the inclusion of these conditions and documents we would object to this planning application.

Land at Fairwood Terrace, Gowerton: Proposed residential development - Ecological Assessment' - by Celtic Ecology and Conservation Ltd, dated 10th November 2022, Issue 1

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Land at Fairwood Terrace - Design and Access Statement by Persimmon Homes dated November 2022, report reference: edp7327_r003b version 003b

EDP7327_d035b - GI Parameter plan by Environmental Dimension Partnership dated 8th Nov 2022, Rev B

EDP7327_d022k - Illustrative Masterplan by Environmental Dimension Partnership dated 7th Nov 2022, Rev K

Fairwood Terrace, Gowerton Construction and Environmental Management Plan Persimmon Homes West Wales September 2023

Flood Risk

The proposal is for a highly vulnerable development of up to 230 dwellings and associated infrastructure. Our Flood Risk Map confirms the site to be partially within Zone C2 of the Development Advice Map (DAM) contained in TAN 15 and the Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls partially into Flood Zone 2 and 3 (Rivers).

We have reviewed the submitted Technical Note, Ref. 2021s1476, dated 28 May 2024. This details the minor changes made to the flood mitigation scheme to eliminate the area of elevated flooding on the EP Properties land (formerly GBE). The Technical Note advises that EP Properties have purchased the area of land previously owned by GBE.

Our Flood Risk comments in our responses dated 2 May 2023 (Our Ref: CAS-211926-W7J9) and 29 November 2023 (CAS-240132-Z2X2) remain valid other than those below relating to third-party impacts.

NRW Comments dated 2 May 2023 - *We have concerns with the application regarding Flood Risk and our technical comments are provided below.*

Flood Risk

The proposal is for a highly vulnerable development of up to 230 dwellings and associated infrastructure. Our Flood Risk Map confirms the site to be partially within Zone C2 of the Development Advice Map (DAM) contained in TAN 15 and the Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls partially into Flood Zone 2 and 3 (Rivers).

We refer you to Section 6 of TAN 15 and the Chief Planning Officer letter from Welsh Government, dated 9 January 2014, which affirms that highly vulnerable development should not be permitted in Zone C2 (paragraph 6.2 of TAN15). The justification tests in paragraph 6.2 of TAN15 do not apply to highly vulnerable development in Zone C2.

Notwithstanding this policy position, we have also reviewed the FCA, referenced below, to provide technical advice on the acceptability of flooding consequences in accordance with Appendix 1 of TAN15.

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- *Land at Fairwood Terrace, Gowerton - Flood Consequences Assessment. GOWJBAU-XX-XX-Z-0001-A1-C03-FCA. November 2022. Prepared by JBA Consulting.*

As outlined in Section 5, the FCA has been informed by a detailed 1D-2D ESTRYTUFLOW model. The baseline model originally constructed in 2019, was reviewed by NRW as part of a Flood Map Challenge in early 2020. The Flood Consequence Assessment (FCA) has noted that the comments raised as part of the review have been fully addressed by JBA Consulting. We have reviewed the updated model and the hydrology for the proposal and can confirm that they are suitable to inform the FCA.

The FCA acknowledges that the site is shown to flood in the 1% annual event probability (AEP) plus an allowance for climate change and in the 0.1% AEP to an extent similar to the FMfP.

The FCA proposes a flood mitigation scheme which includes:

- *No built development within the area at greatest flood risk and no highly vulnerable development within DAM Zone C.*
- *A flood storage area where ground levels will be lowered to 11.7m Above Ordnance Datum (AOD). o The raising of the proposed residential development, where necessary, to a minimum ground level of 12.5mAOD.*
- *An area between the residential buildings and the flood storage area to be raised to a minimum of 12.1m AOD to house sustainable drainage features and landscaped public open space.*

A future transport corridor and flood exceedance pathway to manage the risk of flood water entering the site from across the railway line. This will intercept and convey flood water back to the Gors-Fawr Brook during exceptional flood events.

A1.14 - Following the implementation of the proposed mitigation, in the 1% AEP plus climate change event the site is not shown to be flood free. The maximum flood depth on site is 0.8m, with an average flood depth of 0.2m. The mitigation proposals will reduce the risk of flooding to parts of the site however, in the context of Table A1.14 the development, as denoted by the red line site boundary, does not comply with the requirements of TAN15. However, it is acknowledged that the flooding is contained within the intended flood storage areas with no flooding of the proposed residential buildings.

A1.15 - In the 0.1% AEP event, the site is not shown to be flood free. Flood depths within the flood storage area reach a maximum depth of 1.2m, depths of 0.1m are expected in the raised plateau which houses the sustainable drainage features and maximum flood depths of 1m are shown along the flood exceedance pathway although mostly 0.4m or less. Therefore, the development, as denoted by the red line boundary, does not comply with requirements A1.15 of TAN 15. However, as above, flooding is contained within the intended flood storage areas, with no flooding of the proposed residential buildings.

Blockage Scenario - The FCA also considers a blockage scenario with a 30% blockage to the culvert running beneath the railway. During the 1% AEP plus climate change allowance the residential buildings remain flood free. The flood storage area floods on average to a depth of 0.3m - 0.6m, with a small section expected to flood to a maximum depth of >1m.

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During the 0.1% AEP event the residential buildings will flood to depths of 0.02m and it is proposed to set finished floor levels at 0.015m above surrounding ground levels to alleviate this risk.

A1.12 - It is highlighted in the FCA that because of the proposed development there will be a significant reduction in flooding to the railway line and station. Whilst this is acknowledged and a consideration for the Local Planning Authority, we must also highlight that flood depths outside of the red line boundary are predicted to increase, as a direct result of the proposed development.

These increases in flood depth are located to the north-east of the development, which is already at risk of flooding with typical food depths of 0.8m and 0.93m in the 1% AEP plus climate change and 0.1% AEP event, respectively. The proposed development will result in an increase of 0.016m and 0.014m in the 1% AEP plus climate change event and 0.1% AEP event, respectively.

Access/Egress - During the 1% AEP plus climate change event access to the site along Fairwood Terrace is predicted to be flood free. In the 0.1% AEP event, Fairwood Terrace floods to less than 100mm. Whether this is acceptable, and the consequences of flooding can be managed in accordance with TAN15, will be for your Authority's consideration, in consultation with other professional advisors on matters such as emergency plans, procedures. Please note, we do not normally comment on or approve the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

NRW Comments dated 29 November 2023 - The proposal is for a highly vulnerable development of up to 230 dwellings and associated infrastructure. Our Flood Risk Map confirms the site to be partially within Zone C2 of the Development Advice Map (DAM) contained in TAN 15 and the Flood Map for Planning (FMfP) identifies the application site to be at risk of flooding and falls partially into Flood Zone 2 and 3 (Rivers).

We refer you to Section 6 of TAN 15 and the Chief Planning Officer letter from Welsh Government, dated 9 January 2014, which affirms that highly vulnerable development should not be permitted in Zone C2 (paragraph 6.2 of TAN15). The justification tests in paragraph 6.2 of TAN15 do not apply to highly vulnerable development in Zone C2.

We have also reviewed the updated (FCA), produced by JBA Consulting, Ref. GOW-JBAU-XX-XX-Z-0001-A1-C05-FCA, dated September 2023.

Our previous comments in our letter dated 2 May 2023 (Our Ref: CAS-211926-W7J9) remain valid and we have the following additional comments to make.

We acknowledge the amendments made to the scheme, which have been made to reduce flood risk to the development and third-party detriment.

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It is proposed to install a landscaped berm set at 12.1m AOD, located along the eastern edge of the flood storage area. The berm will have a height of 0.5m above existing ground levels. This berm is to manage flood levels locally, minimising changes in flood levels elsewhere, preventing water from spilling towards the east. A 20-metre gap in the berm allows flow from the Gors-Fawr Brook to enter the storage area. We can appreciate the benefit of this berm and support this proposal.

The proposed area/ground that is to be raised is to be amended. A small area will be removed from the ground raising, a section where deep flooding occurred in the baseline model. By not raising this small area it should help limit third party detriment (Figure 5 -4). We appreciate the benefit of reducing the proposed raised ground area and support this proposal.

Off-site third-party impacts is assessed in detail in Section 6 of the FCA. The FCA states that off-site third-party impacts primarily affect two landowners - GBE and Penllergaer Estates.

Penllergaer Estates (as a stakeholder) have provided a letter of acknowledgement accepting and understanding this third-party impact.

A small corner of the GBE land, the western-most corner, an area which already floods, is predicted to be at risk from third party impacts. There will be no change in flood extent or frequency. The FCA states that this increase is offset by the larger area of reduced flooding towards the south-west corner. Volumetric calculations show that the development is more likely to have a positive effect on GBE land (Section 6.1). We recommend that GBE is consulted about this detriment if they haven't already been consulted.

In summary, the proposed development does not comply with TAN15, A1.14 or A1.15, as flooding occurs to the site, but we acknowledge that the proposed residential buildings are not expected to flood. In addition, the development does not comply with A1.12, as flood depths outside of the red line boundary are predicted to increase.

Whether this is acceptable, and the consequences of flooding can be managed in accordance with TAN15, will be for your Authority's consideration, in consultation with other professional advisors on matters such as emergency plans, procedures. Please note, we do not normally comment on or approve the adequacy of flood emergency response plans and procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement during a flood emergency would be limited to delivering flood warnings to occupants/users.

The Technical Note advises that a series of additional model runs were undertaken to understand the options for eliminating the impact to the EP Properties land. The options testing concluded that the inclusion of a pond within the flood mitigation area would provide optimal solution (Figure 2 -1). This pond removes all negative impact to the EP Properties land (Figure 4 -1).

We have not reviewed the additional model re-runs, but we are satisfied to accept them as suitable to inform the Flood Consequence Assessment (FCA)/Technical Note. We accept the conclusions outlined in the section 5 summary.

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In conclusion, the development still does not comply with TAN15 A1.14 or A1.15 but we acknowledge that the proposed residential buildings are not expected to flood. The development does now comply with A1.12.

European Protected Species

We have reviewed the following information:

- 'Land at Fairwood Terrace, Gowerton: Proposed residential development - Ecological Assessment' - by Celtic Ecology and Conservation Ltd, dated 10 November 2022, Issue 1
- Land at Fairwood Terrace, Gowerton: Ecological Mitigation Strategy, by Celtic Ecology and Conservation Ltd, dated March 2023, Issue 1
- Land at Fairwood Terrace, Gowerton: Ecological Mitigation Strategy, by Celtic Ecology and Conservation Ltd, dated November 2023, Issue 2
- Technical Note: Land at Fairwood Terrace, Gowerton - response to NRW comments on outline application 2023/0253/OUT, dated 22 March 2023
- 'Land at Fairwood Terrace - Design and Access Statement', by Persimmon Homes, dated November 2022, report reference: edp7327_r003b, version number: 003b
- Drawing number edp7327_d035b titled 'GI Parameter' by The Environmental Dimension Partnership, dated 8th November 2022, Revision B
- Drawing number edp7327_d022k titled 'Illustrative Masterplan' by The Environmental Dimension Partnership, dated 7th November 2022, Revision K

Bats

We note that although no roosting use of any trees on site has been evidenced, a number of mature trees have been assessed as having some bat roosting potential. In addition to this, several bat species were recorded foraging and commuting across the site during transect and static surveys, including common and soprano pipistrelle, noctule, brown long-eared and unclassified myotis bats. Proposals to mitigate any potential impacts of the development on bats are made within the above ecological report. As such we would advise your Authority to include the document above within the approved documents and plans condition on the decision notice.

- 'Land at Fairwood Terrace, Gowerton: Proposed residential development - Ecological Assessment' - by Celtic Ecology and Conservation Ltd, dated 10th November 2022, Issue 1

We previously noted that there are four mine adits and one mine shaft located underneath a stockpile of material on the south-eastern boundary of the site, and that intrusive investigatory works will be necessary to define the locations of any mine structures and a bat survey of any previously un-surveyed mine structures is undertaken.

We have reviewed and agree with the above technical note that indicates it is highly unlikely that bats could access any underground structures or use the above-ground mine structures for roosting.

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We have reviewed the revised Ecological Assessment, Land at Fairwood Terrace, Gowerton, Proposed Residential Development, Prepared by Celtic Ecology and Conservation Ltd, dated November 2022.

We note from the ecological assessment that evidence of protected species activity was recorded at the site. The assessment advises that a feature will be lost to the development. Therefore a licence from Natural Resources Wales may be required with an appropriate method statement and mitigation.

Otter

We note that the otter surveys undertaken on this site have not found evidence of otters along the Gors-Fawr Brook in areas near the proposed development site. However, surveys for a separate development nearby resulted in otter observations in 2014 on the brook. In addition, otters have been recorded in the Afon Llan to the north of the site, into which the Gors-Fawr Brook flows. Suitable habitat for commuting, foraging and resting otters exists on and adjacent to the site and therefore we welcome the proposals to mitigate any potential impacts of the development on the species, as detailed within the above ecological report.

However, we also request that the following condition is included within any future decision notice.

Condition 1: Lighting plan

Prior to its installation, full details of lighting shall be submitted to and agreed in writing by the Local Planning Authority. The Lighting Plan should include:

- Details of the siting and type of all external lighting to be used
- Drawings setting out light spillage in key sensitive areas, in particular all retained the vegetation to the south along the railway line; to the north along the Gors-Fawr Brook; and to the east along the proposed wetland park with new swales
- Details of lighting to be used both during construction and operation
- Measures to monitor light spillage once development is operational

The lighting shall be installed and retained as approved during construction and operation.

Justification

A lighting plan should be submitted to ensure lighting details are agreed prior to installation and to reduce the impacts of lighting in the interest of protected species, and their habitats and commuting corridors.

European Protected Species - Legislation and policy

Bats and otters, as well as their breeding sites and resting places, are protected under the Conservation of Habitats and Species Regulations 2017.

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Where these species 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:

- 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 European Protected Species on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

Protected Sites

The proposal is located approximately 1.09 Km away from the Burry Inlet RAMSAR, /Special Protection Area (SPA)/Geological Conservation Review site (GCR), Burry Inlet and Loughor Estuary Site of Special Scientific Interest (SSSI) and Carmarthen Bay and Estuaries Special Area of Conservation (SAC). A minor watercourse (Gors Fawr brook) is located adjacent to the application site and is hydrologically connected to the protected sites.

The Local Planning Authority as the Competent Authority for the purposes of the Conservation of Habitats and Species 2017 Regulations must not agree to any plan or project unless they are certain that it will not adversely affect the integrity of a protected site. They must carry out a test of likely significant effects (TLSE) for the above sites, which is required under Regulation 63 of the Conservation of Habitats and Species Regulations 2017. This test applies to impacts on the sites from the proposed works, either alone or in combination with other plans and projects.

Thank you for consulting Natural Resources Wales (NRW) on your Habitats Regulations Assessment for the above development, which we received on 1 August 2023.

Our response should be taken as NRW's formal representation, as the appropriate nature conservation body, to your appropriate assessment (AA) (referenced/dated) under Regulation 63 of the Conservation of Habitats and Species Regulations 2017, as amended.

In consideration of the mitigation measures detailed we agree with your conclusion that the development is unlikely to have an adverse effect upon the integrity of the Carmarthen Bay and Estuaries Special Area of Conservation (SAC), Carmarthen Bay Special Protection Area (SPA); and the Burry Inlet SPA and Ramsar Site as long as the measures detailed in Section 5 are adopted.

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Birds

We have reviewed the Technical Note: Land at Fairwood Terrace, response to NRW comments on outline application 2023/0253/OUT, dated 22 March 2023 and agree that the area is unlikely to be used by marine overwintering birds, therefore the works are unlikely to have adverse effects on wintering bird species. An overwintering bird survey is therefore not required.

Water Quality

Construction and demolition activities can give rise to pollution and so it is important that appropriate provisions are in place to manage dust, silt, surface water and the storage of waste, particularly during the construction phase. Due to the proximity of the Gors-Fawr Brook and River Llan to the development, and that they are hydrologically linked to the protected sites, a construction environmental management plan (CEMP) should be submitted and include site-specific measures which will be put in place before construction to prevent pollution to the surrounding land and water environments.

Construction Environmental Management Plan (CEMP)

We have reviewed the following document Fairwood Terrace, Gowerton Construction and Environmental Management Plan Persimmon Homes West Wales, dated September 2023. We note that with regard to Pollution incidents to the Gors Fawr Brook that an area specific silt mitigation will be designed as part of the earthworks Method Statement process, and that consultation is to be undertaken with an environmental advisor during this process. We would welcome the opportunity to review this document. Please note this should be produced in line with measures outlined in GPP5.

With regard to herbicide treatment to invasive species, we advise that glyphosate works should be undertaken during dry weather conditions to avoid runoff, and that stem injection should be used in areas close to the river to avoid causing pollution to the marine waterways.

There is also advice available on our website here: [Natural Resources Wales / Japanese knotweed: what you need to know](#).

Thank you for the updated copy of the Construction Environmental Management Plan (CEMP) dated 5th July 2024.

We welcome the changes to the CEMP in relation to fuelling distances, bunding capacity and details of herbicides, and have no further concerns.

As previously advised we note that with regard to Pollution incidents to the Gors Fawr Brook that an area specific silt mitigation will be designed as part of the earthworks Method Statement process, and that consultation is to be undertaken with an environmental advisor during this process. We would welcome the opportunity to review this document. This can be secured via condition.

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Site of Special Scientific Interest (SSSI)

We consider the proposals have the potential to impact upon the Burry Inlet SSSI. Providing the impact pathways referenced above for the SAC are adequately addressed, we consider the features of the SSSI will also be adequately safeguarded.

Land Contamination

Previous uses of the site noted from historical maps, include, a tinplate works, tip, dismantled railway (western area) and spoil heaps from working the coal seams on the east of the site. We note that the site investigation that has been undertaken is a preliminary report ('Site Investigation Report - Gowerton North - Persimmon Homes West Wales' by Intégral Géotechnique (Wales) Limited, dated March 2022, document reference: 12943/JJ/22/SI), given the limited coverage of the eastern area of the site, owing to the density of broadleaf trees. We agree with the comments in Section 10.5, in that the assumptions in this report are based on one round of groundwater sampling, in a very limited area, excluding the former Fairwood Tinplate works, and that further investigation is needed.

We note that there will be further investigation and we remind the consultant that Land Contamination Risk Management and the Developers' Guide as per this page Natural Resources Wales / Land contamination should be used to understand and quantify the risk on site. To follow this framework, we recommend that BS 10175:2011 Investigation of potentially contaminated sites - code of practice (+A2:2017) is used for the requirements for sampling density, location, and characterisation of the site.

We would ask for the following conditions to be included on any planning permission granted:

Condition 2 - Land affected by contamination.

No development on land suspected of contamination, shall commence until the following components of a scheme to deal with the risks associated with contamination at the site, has been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:

- All previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways, and receptors
- potentially unacceptable risks arising from contamination at the site we note that this has been provided.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

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4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details.

Justification

To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination.

Condition 3 - Contamination Verification Report

Prior to the occupation, a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Justification

To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Condition 4 - Long Term Monitoring Plan

Prior to the occupation, a long-term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken
- Timescales for the long-term monitoring and curtailment mechanisms e.g., a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required (for x years)
- Timescales for submission of monitoring reports to the LPA e.g., annually
- Details of any necessary contingency and remedial actions and timescales for actions

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- Details confirming that the contingency and remedial actions have been carried out. The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Justification

A land contamination long term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on water quality.

Condition 5 - Unsuspected Contamination

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 Local Planning Authority) shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.

Justification

To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land.

Condition 6 - Surface Water Drainage

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Justification

To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution.

Condition 7 - Piling

No development or phase of development shall commence until details of piling or any other foundation designs using penetrative methods sufficient to demonstrate that there is no unacceptable risk to groundwater have been submitted to and approved in writing by the Local Planning Authority. The piling/foundation designs shall be implemented in accordance with the approved details.

Justification

Piling/foundation details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods/design are agreed prior to the commencement of development or phase of development.

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For land affected by contamination we recommend that you should:

1. Follow the risk management framework provided in Land contamination risk management (LCRM)
2. Refer to 'Land Contamination: a guide for developers (WLGA, 2017) for the type of information that we require to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
3. Refer to the Environment Agency's (2017) 'Approach to Groundwater Protection'

Grouting

We also note from the Design and Access Statement ('Land at Fairwood Terrace - Design and Access Statement', by Persimmon Homes, dated November 2022, report reference: edp7327_r003b, version number: 003b) that mine adits and shafts are to be located. If the mineshafts are to be grouted to provide stability, the following should also be considered:

1. Vulnerability Survey

Identify all surface and groundwater features and users in the vicinity of the site including old or existing mine adits and mine-workings, drains and culverted features. In addition, all relevant historic documents held by the appropriate local planning authority should be used to identify any natural or man-made structures beneath or in the vicinity of the site. It is important for a walk-over survey to be carried out to validate the vulnerability survey and identify any features not included in the formal records, i.e., disused adits or mine workings etc.

To notify abstractors in case of grout break-out licensed surface water abstractions and private water supplies downstream of a site need to be identified. For a main river this would typically be a few km's; NRW can supply this information. See also 1.4 "Management".

2. Procedure o Location of the area to be grouted.

- Check area against vulnerability survey and historic land-use records.
- Nature of any structures to be grouted, cavities in the sub-strata, mine-workings etc.
- Is grouting to take place above or below the water table? o Method of grout injection, i.e., as part of an inner/outer "curtain" or individual injection boreholes etc.
- Type of grout to be used, i.e., ratio of cement, water, other material (e.g., PFA) - this should take into consideration whether grouting is to take place above or below water table.
- Thixotropy of the grout, i.e., how far will the grout extend into the cavity when injected. Again, this should take into consideration whether the works are above or below water table.
- Duration of grouting works.
- How much grout is to be injected into both individual points and as a total quantity.

3. Monitoring

- Identification of sites grouting material could emerge, i.e., adits/drains into water courses etc.
- Proposals for monitoring such features during the work, i.e., which ones, frequency of monitoring.

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- Confirm details of monitoring with Natural Resources Wales local Environmental Protection Officer prior to the commencement of workings.
- Agree suitable mitigation measures with the local Environmental Protection Officer should any impact on any feature occur during to the workings.

4. Management

- Keep daily records of the following:
- Review previous days grouting operations (where grouted, how much grout used etc).
- Location of areas to be grouted.
- Boreholes used for grouting.
- Times of injection into each borehole.
- Quantities of grout to be injected into each borehole (both projected and actual).
- Records if quantity of grout "lost" in a borehole.
- Pressure used in grouting at a borehole.
- Type of grout used.
- Review of monitoring.
- Details of any breakouts of any grout.
- Details of any clean-up of grout at monitoring sites.
- Reporting of information needs to be agreed with NRW prior to the commencement of workings.
- In cases of an unpredicted loss of grout, emergency procedures should be agreed with NRW to include an increase in the frequency of monitoring of any identified surface water features.
- Notification of the local Environmental Protection Officer should either any outbreak or an unpredicted loss of grout occurs
- Notification of identified downstream surface water abstractors in the event of an emergency, i.e., if there was any outbreak of grout into a surface watercourse Depending on the type of grout used on site, an Environmental Permit may be required - please contact our Permitting team for more advice and permit application requirements.

Surface Water Drainage

We advise an informative is included on any decision notice informing the applicant to obtain the approval of the SuDS Approving Body (SAB) for their management of surface water.

We advise that infiltration of surface water drainage into the ground should only be permitted for parts of the site where it has been demonstrated there is no resultant unacceptable risk to controlled waters. This should be informed by the applicant's existing ground investigations and/or remediation strategy. If this is not properly controlled, the development may create pathways for pollution to controlled waters.

Waste

The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit.

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Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL: AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether excavated material arising from site during remediation and/or land development works are waste. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed-on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

Foul Drainage

We note from the draft application form and Drainage Strategy ('Technical Note - Drainage Strategy - Gowerton - Persimmon Homes West Wales' by Phoenix Design Partnership Limited, undated) that it is your intention to connect to the foul sewer, and for surface water to be disposed of to a sustainable drainage system.

As you may be aware, since 2007, issues have come to light regarding the foul and surface water drainage networks in this area. This has resulted in additional pollution and nutrient loading spilling to the Burry Inlet. As such, a Memorandum of Understanding (MOU) has been prepared to enable development in this area to go forward.

Protection of the water environment is a material planning consideration, and the Local Planning Authority must be satisfied that the proposed method of foul and surface water drainage from the proposal will not cause any detriment to water quality.

We note from the submitted application form that foul drainage from the proposed development will be connected to the main sewerage system which is the preferred and most sustainable method of foul water disposal. However, to accord with the terms and content of the MOU, foul connections should only be allowed when compensatory surface water removal or suitable improvement scheme has been implemented within the same catchment.

The relevant details must then be recorded on the LPA's register of compensatory surface water disposal.

Regarding surface water disposal, it is imperative that no surface water is allowed to enter the sewerage infrastructure. This is to avoid hydraulic overloading of the sewerage system. To fulfil the requirements of Section 8.5 of Technical Advice Note (TAN) 15 Development and Flood Risk, surface water run-off should be dealt with by way of a Sustainable Drainage System (SUDS), to attenuate flows and prevent an increased risk of flooding in the catchment.

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.

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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. Please refer to our website for further details.

Dwr Cymru / Welsh Water (DCWW)

Initial DCWW comments

In respect of the aforementioned planning application, we can confirm that Dwr Cymru Welsh Water (DCWW) have been previously informed of the proposed development and consulted, as a 'Specialist Consultee', in accordance with Schedule 1C Article 2D of the Town & Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2016. We note that our consultation response has been acknowledged within the accompanying Pre-Application Consultation (PAC) Report, prepared by Geraint John Planning, which highlights concerns with the proposed development.

With respect to our previous response (Ref: PLA0071173), and preceding PAC response, we would remind that the proposed development site is crossed by strategic assets in the form of a 300mm public rising main and 750-975mm public combined sewer with their approximate positions being marked on the attached Statutory Public Sewer Record. In accordance with the Water Industry Act 1991, Dwr Cymru Welsh Water requires access to its apparatus at all times in order to carry out maintenance and repairs.

As part of this latest consultation (Ref: 2023/0253/OUT), we acknowledge receipt of an amended 'Illustrative Masterplan' (Drawing No. edp7327_d022 Rev. q), dated 7th September 2023, and is noted that the proposed development will be maintained outside the protection zone of the 300mm public rising main, measured 3 metres either side of the centreline. Nonetheless, as previous (Ref: PLA0071173), it is still recommended that the developer carry out a survey to verify the location of this rising main and establish its relationship to the proposed development and we respectfully request they contact our Plan and Protect team at PlanandProtect@dwrwymru.com to instruct a survey of the asset.

In addition, our response highlighted there is insufficient capacity in the public sewerage system to accommodate anticipated foul flows from the development as well as the public watermain system to provide the site with an adequate potable water supply. Accordingly, we advised there would be a requirement to commission and instruct DCWW to undertake Hydraulic Modelling Assessments (HMAs) of the public sewerage and water supply systems.

In the absence of any HMAs instructed to date and in the interest of protecting the integrity of our assets and ensuring their access at all times, we would request that the following Condition and Advisory Notes are included, if minded to grant planning consent, to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets:

Condition

No reserved matters application shall be approved by the Local Planning Authority and no development of that reserved matters site shall take place until a point of connection on the public sewerage system has been identified by a hydraulic modelling assessment, which shall be first submitted to and approved by the local planning authority.

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Thereafter the connection shall be made in accordance with the recommended connection option following the implementation of any necessary reinforcement works to the sewerage system, as may be identified by the hydraulic modelling assessment.

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.

Additional DCWW Comments

I can confirm that a compensatory surface water removal condition is required owing to the Burry Inlet MoU, and we offer the following accordingly:

No development shall commence until a surface water removal strategy delivering sufficient compensation for the foul flows from the proposed development site, must be 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.

It is likely that any compensatory surface water removal scheme will negate the requirement for a HMA but in the absence of any assessment being undertaken to date, I refer back to our original wording in the condition highlighted and would request both conditions are included.

As far as your suggested wording, I do not foresee a need to preclude the submission of a reserved matters in the absence of a HMA being undertaken, given that any connection to the public sewer and therefore occupation cannot be made until such time as any necessary reinforcement works have been delivered.

CADW

No objection

Coal Authority

Thank you for your consultation letter of 17 February 2023 seeking the views of the Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. 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.

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The Coal Authority Response: Material Consideration

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area.

The Coal Authority records indicate that 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, specifically actual shallow coal mine workings. Our records also indicate that a thick coal seams outcropped across the site, which may have been worked from the surface. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

In addition to the above, our records indicate the presence of five recorded mine entries (shaft and adits), within, or within close proximity of the boundary. An untreated mine entry and its resultant zone of influence pose a significant risk not only to surface stability but also public safety.

The Coal Authority notes the submitted Site Investigation Report (March 2022, prepared by Integral Geotechnique Ltd). The Report confirms that further investigations are required to establish the exact situation with regard to potential shallow workings in the southern part of the site. On the basis that the Report goes on to confirm that the recorded mine entries also require investigating to inform appropriate stand-offs and to inform an appropriate development layout, the Coal Authority has no objections to this planning application, subject to the imposition of appropriate conditions.

Notwithstanding the above, this is on the assumption that any detailed layout would be a reserved matter and subject to a condition to ensure the undertaking of the site investigations, prior to the submission of the reserved matters and the submission of a layout drawing identifying the mine entries and appropriate no-build zones. Any necessary remedial measures could then be addressed as part of a subsequent discharge of condition application, representing those aspects of the condition, which would be required to be satisfied prior to the commencement of development.

Please note that Permission is required from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on.

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It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

The Coal Authority Recommendation to the LPA

Based on the above, the Coal Authority considers that an adequate assessment of the coal mining risks associated with this site has been carried out. In order to ensure that sufficient information is provided by the applicant to demonstrate to the LPA that the site is safe and stable for the development proposed you may wish to consider the imposition of planning conditions that cover the issues set out below.

Prior to, or concurrent with the submission of the first reserved matters application:

- The undertaking of the scheme of intrusive site investigations, designed by a competent person and adequate to properly assess the ground conditions on the site and establish the risks posed to the development by past coal mining activity (shallow mining / mine entries);
- As part of the reserved matters application a report of findings arising from the intrusive site investigations and any remedial and / or measures necessary, including the submission of the proposed layout plan which identifies the location of any on-site mine entries (if found present) including appropriate zones of influence for all mine entries, and the definition of suitable 'no-build' zones;

Prior to the commencement of development:

- Implementation of the remedial works.

The Coal Authority therefore has no objection to the LPA granting outline consent at this site, subject to the imposition of the conditions to secure the above. This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

Fire & Rescue Authority

The site plan/s 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 planning committee/applicant. It is important that these matters are dealt with early on in any proposed development:

- The Fire Authority has no comment to make on access for fire appliances or water supplies.

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- The Fire Authority has no objection to the proposed development and refers the Local Planning Authority to any current standing advice by the Fire Authority about the consultation.

The developer should consider the need to provide adequate water supplies and vehicle access for firefighting purposes on the site and general guidance on this matter is given in the attached Appendix and the following links:

<https://www.water.org.uk/guidance/national-guidance-document-on-the-provision-of-water-for-firefighting-3rd-edition-jan-2007/>

<https://www.ukfrs.com/index.php/promos/16847>

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 (Wales).

Glamorgan Gwent Archaeological Trust (GGAT)

Thank you for consulting us about this application; consequently we have reviewed the detailed information contained on your website and can confirm that the proposal requires archaeological mitigation.

Information in the Historic Environment Record indicates that the application area is located in an area of high archaeological potential and we note the submission of an Archaeological and Heritage Assessment (EDP report no. edp7327_r004d, dated January 2023). As the document indicates, the site contains several industrial features including Fairwood Tinsplate Works and New Gorwydd Colliery, as well as a mill leat and canal. However, the level of preservation and condition of such remains could not be determined due to heavy vegetation cover / accessibility issues. As a result a programme of archaeological work is recommended, including during vegetation clearance and building recording.

Such an approach is appropriate and it is our recommendation that a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource should be attached to any consent granted by your Members.

We envisage that this programme of work would take the form of a watching brief during the vegetation clearance and groundworks as appropriate, as well as building recording and trenching, with detailed contingency arrangements including the provision of sufficient time and resources to ensure that any archaeological features or finds that are located are properly investigated and recorded; 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

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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.

We also recommend that a note should be attached to the planning consent explaining 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) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.

Western Power Distribution

No response received.

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 have no objections to these proposals, however 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.

Wales & West Utilities apparatus may be directly affected by these proposals and the Information you have provided has been forwarded to Asset Management for their comments. If Wales & West are affected an Engineer will then contact you direct. Please note this is in regard only to 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 may be present in this area and information with regards to such pipes should be obtained from the owners. You must not build over any of our plant or enclose our apparatus.

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Network Rail

Network Rail (NR) has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission.

The boundary fencing will need to be replaced to NR standards and a Vehicle Incursion assessment may need to be carried out and any findings completed.

The site is also located in an area where historic mining for coal has taken place and mine workings at shallow depth have been recorded. There is no recorded dissolution and there are no records of landfill gas being present at the location.

Whilst the Swansea local plan makes reference to contributions to improvements at Pontarddulais Railway Station the plan does not reference station improvements At Gowerton Railway Station.

We are aware the NR footbridge is to be used for pedestrian and cycle access however for this scale of development the need for further improvement to facilities at Gowerton station is required and should be funded by the developer. This could include but is not limited to, improvements to cycle parking and car parking in addition to minor station improvements such as larger shelters, any safety modifications, access routes, fencing, and signage. Funding at the station for mitigation would be secured by a S106 agreement and would suggest a scheme of facility improvements be submitted as part of the reserved matters application.

We note the development requirements under Strategic Development policies H: North of Waunarlwydd/Fforestfach and T4 Transport Interchanges to provide a park and ride facility north of Gowerton Railway Station and therefore require more details relating to these proposals at the reserved matters stage.

From the submitted Design and Access Statement it is noted that details relating to the movement and street network will be determined at the reserved matters stage. Network Rail wish to see these details on movement and access to determine the full impact on Gowerton Station and the railway. At this stage we cannot comment on access due to insufficient information.

We also provide the following advisory's which should be attached to any outlined decision Notice.

Designing Out Crime Officer

No Objection Having reviewed the drawings, I would make the following general observations:-

(i). Site layout - All the vehicle parking bays must be within curtilage and/or overlooked. Pedestrian routes must be designed to ensure that they are visually open, direct, overlooked, lit, and well used.

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Routes must not ideally be segregated from one another or provide access to side/rear gardens. Paths ideally should be 3 metres wide. Whilst I like connectivity the site must not be too permeable or crime will occur. Entry onto the estate must be restricted to the designated main routes

Reason - To prevent auto-crime and ensure routes are well used, are not rat-runs and provide excessive access for criminals to use undermining the security of this development.

(ii). Lighting - Lighting on the estate must meet the British Standard 5489.

Reason - To increase public safety and remove the cover of darkness for criminals.

(iii). Boundary identification - Defensible space using symbolic barriers e.g., pillars, rumble strip, or a change of road surface, i.e., colour or texture, must be built into the design especially at the entrance to the development. There must be a change of surface, i.e., colour or texture, to identify public areas from private or semi-private areas e.g., the footpaths from the driveways/front gardens. Preferably front boundaries would be identified by low walls and gates.

Reason - To encourage a feeling of territoriality amongst users and to deter criminals.

(iv). Landscaping and planting - Overgrown shrubs and other thick barriers that are near public areas must be avoided and clear sightlines must be maintained over long distances. Windows and doors must not be obscured by landscaping features and trees in public areas must not have any foliage below 2 metres from the ground. Trees and other landscaping features must not be positioned where they could create hiding/entrapment spaces, obscure signage and lighting or provide a potential climbing aid into properties. There must be clear lines of sight across the development and clear unobstructed views of the parking bays from the properties.

Reason - To increase surveillance, reduce the opportunity for crime and to prevent hiding places being created for criminals to operate.

(v). Public open space - These areas must be located where they are afforded good natural surveillance from residents. Ideally the areas would be protected by railings/fencing to prevent vehicular entry and they should be locked out of hours. Any planting must be of the low-level type, i.e., plants or bushes must only grow to a maximum height of 1 metre and trees should have no branches below 2 metres from the ground to afford maximum surveillance of the spaces.

Reason - To provide spaces where children are safe and to prevent anti-social behaviour.

(vi). Vehicle parking - Vehicle parking should be within curtilage and must be overlooked preferably by rooms in the properties ideally, that are usually occupied e.g., living rooms, kitchens. During the hours of darkness, the bays must be well illuminated, and they must enjoy good natural surveillance from the properties with unobstructed views. The level of parking must comply with the City and County of Swansea's Parking Guide due to the location of this proposed development. Cars will be essential for people to travel to work etc.

Reason - To provide safe vehicle parking areas that are used and to prevent auto-crime.

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(vii). Side and rear boundaries - The walls/fencing and gates preventing access to the rear and sides of the properties must be robust, at least 1.8 metres high (2 metres high if the side or rear gardens are adjacent to open land or a footpath). To prevent it being climbed the perimeter security must be of a suitable design. Gates must be lockable both sides with a key, the same height as the adjacent wall/fencing and sited at, or as near to, the front building line of the properties as possible. Rear and side gardens must be secure areas.

Reason - To prevent access for criminals to areas where they cannot be seen and to prevent burglary.

(viii). Garden sheds - Garden sheds should be sited away from the rear fencing or walls.

Reason - To prevent assisting people in climbing over the perimeter security.

(ix). Bin stores - Bins must be kept in secure areas e.g., the rear gardens. Communal bin stores must be secure and access into them controlled by access control e.g., digilocks.

Reason - To prevent arson and assisting criminals to climb over the perimeter security.

(x). Bicycle stores - Bike stores must be secure, lit and overlooked by the properties (please visit www.securedbydesign.com for more information). Access into the apartment bike stores must be controlled by access control.

Reason - To prevent bike theft.

(xi). Security lighting - Security lighting must be installed controlled preferably by photo electric cells or time switches or alternatively PIR detectors. The lighting should protect the rears and sides of the homes, the parking bays, bike and bin stores and the driveways. Callers at the external doors of the properties must be lit during the hours of darkness.

Reason - To increase public safety, reduce crime and to allow callers at the doors to be identified.

(xii). Drainpipes - If the drainpipes of the properties are not within the fabric of the buildings, they must be designed so that they do not offer an assist to climbing.

Reason - To prevent access to windows above ground floor level or to roofs.

(xiii). Blank walls. - Windowless elevations or blank walls adjacent to space to which the public have access, should be avoided, and provide at least one window to a habitable room wherever possible. Where blank flanking walls are unavoidable, a 1 metre 'buffer zone' must be created.

Reason - To increase surveillance and to prevent anti-social behaviour.

(xiv). Public utilities - If smart meters are not installed, meter boxes must be fixed to, or as near to, the front building lines of the properties as possible.

Reason - Not to give an excuse for criminals to access the rear of properties.

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(xv). Access control - Access into apartment blocks must be controlled by access control with both audio and visual verification fitted if there are 4 or more properties using one communal entrance. The access control must meet Secured by Design standards and specifications.

Reason - To prevent opportunist crime.

(xvi). Door security - All external doors in the properties must meet the standard PAS 24 2022 or equivalent and must be third party tested and certificated. The individual apartment doors must meet the same standards. Doors that are described as fire doors, or where fire performance is declared or implied, are required to have third-party certification for both security and fire performance. Fire doors must have no external furniture fitted. Glass in door panels or adjacent to door panels must be laminated and doors in recesses of more than 600mm must be avoided.

Reason - To prevent burglary.

(xvii). Window security - All vulnerable windows fitted, e.g., ground floor windows, windows above flat roofs, must meet the standard PAS 24 2022 or equivalent and must be third party tested and certificated. They should also have key operated window locks fitted.

Reason - To prevent burglary.

(xviii). Intruder alarm system - A 13-amp fused spur should be installed in each individual property. Ideally all properties would have an intruder alarm fitted up to the relevant British Standard.

Reason To deter and detect criminals.

(xix). Identification of properties - Property numbers and street names must be clearly displayed.

Reason - To assist postal workers, emergency services etc. to find properties.

Council's Strategic Planning & Placemaking Officer

The Strategic Planning and Placemaking officers raise 'No Objection' to the principle of development for this outline application, as the site is part of the Local Development Plan - Strategic Site H - North of Waunarydd / Fforest Fach.

A full analysis of the principle of development and placemaking assessment is contained within the appraisal section of this report below.

Local Highway Authority

Background:

This application has been submitted for this LDP allocated site located in Gowerton. The application site forms the western part of LDP allocation SD H: North of Waunarlwydd/Fforestfach.

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The wider allocation of site SD H is for a mixed used development which is expected to comprise circa 716 homes during the plan period (out of a potential for 1,320 units), public realm provision, a new 3 form entry primary school, commercial units, community buildings and a regional employment site with some 26 hectares of appropriate B1, B2 and B8 land uses.

The development requirements of LDP site SD H are that it will provide the land uses listed above, including a primary school and employment uses that can be accessed by sustainable travel, and also a new link road to the A484, offsite highway infrastructure improvement as identified in the LDP and as necessary, a park and ride facility to the north side of Gowerton, active travel measures on and off site, PRow enhancements, sports pitches and public open space, a 7 metre buffer for river maintenance, water supply and sewerage works upgrades and 20% social housing provision.

The LDP understands and acknowledges the existing constraints on the surrounding highway network. In this regard it sets out that, in order for the site to come forward and achieve expected potential, the allocation of this site is based on delivering the mix of land uses and the development infrastructure identified.

This application has been submitted seeking outline planning consent for a small element of the wider site, one that comprises residential land use and that which has been allocated for the highest density across the full site SD H.

The application has not come forward to seek outline planning consent for the wider site. Therefore, the Highway Authority, whilst generally accepting of the principle of development of SD H, has to consider the isolated way, in highway terms, this has been brought forward.

Pre-Application Consultation (PAC):

This application has been subject to PAC and the Highway Authority did provide a consultation response. The response was contained with the PAC report prepared by the applicant, this advised:

"This Pre-Application Consultation relates to part of allocated site SDH, and seeks to provide 230 homes, and a transit hub on land to the North of Gowerton Station. The site is well placed to take advantage of sustainable transport modes, and provide genuine alternatives to travel by private car. It is within a 15 min walk of a variety of local services, and well connected to the local cycle network, including access to the National Cycle Network. There are regular bus services to the South of the Station, and it is immediately adjacent to Gowerton Rail station for services to Swansea, Llanelli and beyond. Gowerton Station forms part of the South Wales Regional Metro project which will further increase opportunities for sustainable and active travel.

Even with significant opportunity for sustainable travel there will remain the need to access the site by car, this is proposed as an extension to Fairwood Terrace, and upgrade of the junction with Victoria Road to access the strategic network. This is proposed to be upgraded to signal control, and also to introduce controlled pedestrian crossings across both Victoria Road and Fairwood Terrace.

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A trip generation exercise has been undertaken, this includes the potential for park and ride within the site, which results in a worse case peak hour flow of 189 vehicles 2 way in the AM peak and 169 2 way in the PM. Broadly 3 vehicles a minute.

Preliminary junction design has been provided, together with the stage 1 Road Safety Audit and Designer's response on the Victoria Rd / Fairwood Terrace junction, the Highway Authority shares the concerns of the Auditor concerning signal head visibility, particularly for Northbound traffic due to the rail overbridge and road geometry, further information and analysis will be required in this regard.

A Linsig analysis demonstrates the proposed junction operates well within capacity for pre-pandemic traffic levels + development traffic, at application the HA will have to take a view on the potential for traffic growth for future years (if any). Traffic levels have recovered since the pandemic on a 24 hour level, however peak hour remain suppressed. In addition, the unique nature of this site, may require bespoke agreed growth factors.

The Mill St / Gorwydd Road junction operates above capacity, with the development only committing a small percentage of additional traffic to this junction, there remains the possibility for MOVA control, which will offer significant improvement in capacity terms, and as such would result in betterment over the existing situation, due to proximity this will have to be linked to the proposed new junction, and possibly to Gowerton Cross, it would be prudent to combine the Linsig models of both junctions into a single network model. An amount of £20-£30k has been suggested for MOVA and linking, works costs are fairly fluid at the moment, and revised costs will be provided.

The internal layout is largely standard carriageway widths with footways and planted verges/swales. There are some tight bends and chicanes present, this will require a full suit of swept path analysis, to demonstrate that the site is accessible to a refuse lorry, (10.2m Phoenix 2 Duo), 2 way swept paths will be required throughout the site, which must show that a standard car and supermarket delivery type van are able to simultaneously use the internal layout. No overrun of any pedestrian area from wheel or body overhang will be accepted, and the layout must include a margin for safety at both the kerb edge and centreline.

Visibility splays are required to be shown at all internal junctions, the splays must be clear of obstruction, and capable of being dedicated as highway i.e. it must not pass over any 3rd party land.

Forward visibility envelopes for the speed of road must be shown on all internal bends.

No detailed drainage information has been provided, it should be noted that drainage features should be demonstrated to be outside of the zone of influence of the highway, and contain suitable access and easement for all labour, plant and machinery as may be required for construction, maintenance, and eventual replacement."

The applicant responded to the Highway Authority comments, these have been extracted and included below. The acknowledgement and reply that the Highway Authority would wish to make in this consultation response has been added below each applicant response:

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"Further discussions will take place between the appointed transport consultants Vectos SLR and Swansea Highways, from which the scope of further assessment will be agreed."

This was welcomed and further and more detailed discussions have subsequently taken place. This has led to further assessments being carried out to understand more around the traffic impact of the proposals.

"Full visibility splays and swept path analysis will be provided in support of a reserved matters application for the site."

This is provided in response to comments relating to the internal circulation layout. The Highway Authority would advise that it respects that this application is submitted in an outline form and that the detail will be developed at the reserved matters stage. However, it makes these comments on the layout, as presented, and will reference this advice in all future iterations. This will ensure consistency and will work to manage expectations in what could or could not be acceptable in highway terms both pre and post consent.

"Detailed drainage information will be provided following discussions between the developer and Dwr Cymru to agree scope and HMA requirements."

This is in response to the Highway Authority comments which provided advice on the drainage of water and where it is proposed to be designed alongside or in the highway, appropriate design and evidence will be required to satisfy the issues raised. In a similar way to internal circulation, the comments made are intended to be a reference point so that advice may be consistent and manage expectations on what may or may not be acceptable, in highways terms, both pre and post consent.

Proposed Development:

The application has been submitted for outline consent for a residential use with a transit hub located alongside Gowerton Rail Station. The transit hub will include provision for bus access and a rail park and ride parking area.

The development composition has been set out as up to 230 dwellings (reduced to 216) comprising 10.2% affordable housing provision and approx. 50 flats, with a 50 car parking space park and ride.

The location of the site is such that it sits adjacent to and north of the rail station but is also severed from connecting to the established Gowerton area by the rail line. The connections to and from the south, and the wider highway network, both north and south, rely on the use of Fairwood Terrace. There is a connection for pedestrians and cyclists to the train station via use of the access ramps to cross over rail line. Whilst this does overcome travel over the train line it does deliver users into a car park and require the use of Station Road which has intermittent and substandard width footway provision.

The application submission includes a Transport Assessment (TA) which has been considered in detail. This subsequently created discussion areas and further investigation, including on the subjects of traffic assessment and the design of the signalised replacement junction at Fairwood Terrace and B4296 Victoria Road.

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Proposed Access:

As discussed in the above, the connection to the wider highway network would require the use of Fairwood Terrace. The approach to site access has been to extend the existing highway into the site to create an additional cul de sac extension for 216 dwellings and the park and ride site.

This is considered an acceptable approach in principle and subject to the satisfaction of the Highway Authority that it can be delivered in a safe and appropriate manner. This will include consideration of the proposed junction improvements at Fairwood Terrace with the B4296 Victoria Road, the treatment of the route into the site and the impact on the proposed Gowerton to Kingsbridge shared cycle footway link.

These identified areas will be discussed within this consultation response. The access into the site, whilst considered as part of the internal layout comments, includes a sharp southward bend. This is unlikely to be considered as an acceptable approach and will need to be considered in line with comments made in that section of the consultation response.

Walking and Cycling:

The TA does consider walking and cycling distances to local facilities. These are supported with walking and cycling isochrone maps. The links to the local facilities have been considered using in terms of travelled distance using the rail bridge connection to Station Road, which has been discussed above in terms of its challenges. The TA also includes a consideration of the Fairwood Terrace route and compares these two approaches. This is what would have been requested and therefore an acceptable approach.

The Fairwood Terrace footway provision is considered appropriate to the point of the existing junction with Victoria Road. The presence of a rail bridge does cause issues with the junction and with pedestrian connections. The proposals do provide for pedestrian crossings as part of a signalised upgrade of the junction. It has been conveyed to the applicant that it would be useful to consider measures to inform and discourage the use of footways other than that which is safe and direct for travel on Victoria Road and through the underpass of the bridge. Therefore, in any detailed design layout measures should be included that prevent pedestrian travel south from the rugby club side of the B4296 Victoria Road.

The TA sets out the local network of Prows' and does show how the site will enhance the western section of CO600 and GN101.

The Council has been progressing with its intentions to extend the walking and cycling network. The Gowerton to Kingsbridge shared use link follows the broad alignment of the SWA ST0016 route shown in the Integrated Network Map. This is integral to link the areas to the north with the rail station and with Gowerton and National Cycle Network Route 4, (in combination with SWA ST0001 in the Integrated Network Maps)

The proposed route is a Council priority and dialogue has been ongoing with the appropriate land owners, with route clearance undertaken where it has been possible to do so. The route, in the location of the site will travel from the site access off road, following the alignment of Lliw Valley Close.

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At the point where it nears the rail line it will continue eastwards, parallel to the railway line, and on to Gowerton Rail Station. The route must be implemented in the immediate short term and this development site must demonstrate how it will accommodate the link and maintain it for use, safely, throughout the construction period.

In addition to the introduction and continued use of the site, there must not be any proposals which would prejudice any potential for an active travel bridge provision. The identified area for an active travel bridge would be to the near the rail line, beyond the extent of Lliw Valley Close and before the shared use path heads eastwards. The future proofing of land for an active travel bridge is required to allow a bridge from the shared use path to the north to land in the Gowerton Park and Ride site, in the south.

Public Transport:

The location of the site adjacent to a rail station and how it integrates with bus services and the wider mixed use site is key to the site promotion as an LDP allocated site.

The wider site principles are to reduce the need to travel by promoting opportunities for local facilities, employment and education on site. It also works to reduce the need for car use for longer journey by integrating with the rail station. This is also intended to reduce the existing number of vehicle trips on the highway network by a providing a park and ride facility for rail use and also integrating this will a bus and cycling transit hub.

This early, and smaller phase of the wider allocated site does, not contain or commit to the employment uses, a primary school or links to the north and west. This site must therefore be considered on its merits with what it is promoting.

The existing location of local bus stops is not within recommended walking distances although the site will be providing bus infrastructure within the development to serve the rail station and also to pass through the wider site to points further afield on the wider highway network. The potential for buses to serve the local area through Fairwood Terrace could offer more sustainable future travel options for local residents.

The proposed bus route within the site will pass along the main spine route and into a transit hub or local square. Beyond the hub, the development will provide a safeguarded bus only route into the wider allocated site. This route will be controlled through bus gate technology. Whilst the details are to be provided at a later stage, it should be ensured that this is capable of accommodating buses in both directions throughout the extent of the application site.

Park and Ride:

The site is required to provide a park and ride facility for Gowerton Rail Station. The TA reports that 50 standard car parking spaces will be created by the development and access to 150 spaces on Network Rail Land will be safeguarded.

The LDP sets out that "Fairwood Terrace may provide secondary access to the park and side to serve a limited number of spaces and an element of residential development, the scale of which will be determined through a detailed Transport Assessment."

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The TA does not set out the considerations that led to a park and ride site of 50 spaces and does not offer any evidence on demand or appropriateness of the proposals.

Traffic Impact:

The traffic impact of the proposals has been set out for residential trips and also for trips that could be associated with the park and ride facility.

The Highway Authority has commented in the past that some growth considerations would need to be considered and agreed. The inclusion of a sensitivity analysis with the TA was noted, where the applicant has considered some potential way forward.

The assessment of traffic and the use of traffic modelling has been discussed post submission of the TA. This has resulted in revised analysis work being carried in the interests of ensuring a robust assessment.

The park and ride forecast usage was increased in to consider popular take up and during the peak hour of assessment. The peak use of such a facility could potentially occur earlier than the network peak when considering that the multi modal would include a train journey.

A Technical Overview Note March 2020 (TA Appendix C) suggests that the following junctions have been assessed initially:

*"Fairwood Terrace / Victoria Road - existing priority junction
Mill Street / B4295 - existing signals
Mill Street / B4296 / Bryn Y Mor Road - existing signals
B4295 / Sterry Road - existing signals"*

It is assumed that following applicant consideration the study area focused on the immediate areas of impact and these are:

*"Fairwood Terrace / Victoria Road (signalised improvement)
A484 / Victoria Road Roundabout
Gorwydd Road / Mill Street Signals"*

There was no update or discussion provided on these previous results and how this informed the more recent study area.

The junction known as (B4295) Gorwydd Road / Mill Street exists in close proximity to the Victoria Road rail bridge and the proposed signalised junction improvement to Fairwood Terrace. This existing junction is known to have capacity issues and the potential to impact back to the Fairwood Terrace location.

Therefore, in more detailed discussions it was confirmed to the applicant that these should be considered together, as a network, where there associated queues can be considered in terms of affecting each junction and its capacity.

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As a summary of the additional assessments, the applicant was requested to revise the junction models to assess the existing and proposed signalised junctions as a network. The park and ride impact was increased within the assessed peak hours to allow for a more robust assessment. The model inputs were reviewed, and guidance was provided for the parameters which needed to be changed to more accurately represent the actual signal operations. The way in which pedestrian demand was managed was also instructed to be revised. The model now considers a demand for pedestrian provision at every signal cycle and every other.

The requested changes to the junction model were carried out and at this stage there is no further reasonable changes required.

The outcome of the junction assessment is that there is predicted to be an impact in delay and in queuing. What this impact could be is not something that can be predicted accurately and consideration must be given to a number of factors:

- Junction models are used to provide an informed forecast of what may happen in the future. The model outputs are directly related to the quality of the inputs. In this case the Council has ensured that the inputs are robust.
- The model relies upon forecasts in areas such as traffic growth, which can vary as we have been shown over the most recent few years. Some of this growth forecast allows for inclusion of strategic residential sites.
- Traffic modelling cannot account fully for driver behaviour, in the way that they adapt to their journey, when undertaking daily.
- The model outputs should show a benchmark position which reflects the current situation, Assessment scenarios which forecast future traffic growth, committed developments, development proposals or mitigation, should all be considered against the baseline assessment.
- In the case of the assessments carried out for this scheme, the existing operation is predicted to be beyond the capacity of the junction. The addition of the future development scenarios does further impact the capacity of the junction. However, when a junction capacity has been reduced to negative levels to begin with, additional impact cannot always be forecast accurately. The model software has limitations and experience suggests that the outcome can be erratic in such cases.
- The junction model software cannot model the benefits of traffic management enhancing software such as MOVA. It is industry practise to accept that intelligent control systems result in efficiency benefits of between 10% to 20% where they are applied.
- The assessment of the junctions has been carried out assuming that the pedestrian crossings will be well used, in a basic way sacrificing cycle time from vehicles to give to pedestrians. This is an appropriate approach to support the requirement to grow active travel in place of private car use. This does however show an impact to junction capacity but may not occur in this way if vehicle drivers have alternated to more sustainable forms of travel.

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- An observation could be made that the future development impact on the wider network at the (B4295) Gorwydd Road / Mill Street junction is not considerably different to the baseline position. However, the impact at the proposed Fairwood Terrace / Victoria Road junction would be noticeable. The levels of queuing suggested on the Victoria Road (south) arm of that junction would exceed the available extent of queuing lanes, which may indicate that the model has exceeded its ability to forecast accurately. There could also be queueing along Fairwood Terrace.
- The provision of traffic signals and the ability to control a junction is of benefit, the allows for safer pedestrian crossings, managed priority for turns and working to release vehicles which can be accommodated within the wider highway network.

Proposed Junction Improvements:

The proposals for a signalised junction upgrade of the existing Fairwood Terrace and Victoria Road junction are logical in their approach, although they must be designed to be safe and satisfactory to the Highway Authority. As outlined at PAC stage, there are concerns with the proposed layout and this has been considered in more detail as part of the outline application submission.

A series of discussions and site visits have taken place with the overarching outcome to be to determine whether the proposed junction layout can be constructed and can be deemed to be safe.

As a general summary of the existing situation, the existing rail bridge does limit road width, vehicle height, forward visibility and pedestrian provision. The existing bridge abutment to the south of Fairwood Terrace and residential property to the north, were considered to impede junction visibility.

These initial concerns were presented to the applicant and further investigations were carried out, design changes action and a new Road Safety Audit carried out by a third party specialist on a revised layout. This noted some areas to be considered further which include visibility to signal heads, overgrowth and carriageway drainage maintenance.

The forward visibility for vehicle drivers to see proposed signal heads while travelling northbound was a primary concern. This issue was also mentioned in the PAC response. A series of site visits were undertaken by the applicant, one of which was attended by relevant officers experienced in signal design and management. It was determined, through physical demonstration, and design changes, that a solution could be found which was compliant with design requirements.

In a past RSA of the previous layout, there was previously discussion on junction intervisibility between the stop line at Fairwood Terrace looking right and north to Victoria Road, should the signals fail. The applicant has set out junction visibility splays of 2.4 metres by 25 metres, as appropriate and this includes a clear sight line to the full width of the proposed pedestrian crossing. This is therefore no longer considered to be an issue.

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In the past communications it was shared that the applicant may liaise with the rugby club for a more comprehensive access inclusion. Some consideration has been made of the traffic which is associated with this access at the peak weekday periods. The plans indicate an irregular alignment due to the existing access arrangement. Servicing of this land use appears to take place from the highway at the access and may need to be reconsidered. There will be a requirement to ensure that any refuse storage does not occur on the adopted highway and collection is managed appropriately.

Parking:

The internal layout has been reserved for future detail. In previous responses attention has been drawn by references in the TA to reduce parking provision.

The Highway Authority approach on parking, to be clear, is to follow an SPG approved evidence-based approach to determining if a site is eligible for a discount in parking provision. This will be required to be completed and submitted. The SPG resultant minimum permitted parking levels following that assessment should also be observed.

In addition to the above we would also draw attention to the potential impact of any under provision of car parking, which could see displacement instead off curtilage to spine road parking, or potentially the park and ride site. The spine road will be required to adequately accommodate bus movements and this will need to be demonstrated, with parking demand and provision likely to be a material consideration.

The applicant is required to consider the potential that any reduction in residential parking provision or under provision of park and ride parking spaces may have on Fairwood Terrace. There are significant local concerns which have been expressed on the highway safety of Fairwood Terrace and local existing parking demands on it. The TA should consider this and how the proposals may benefit or exacerbate any observed issues.

Proposed Internal Layout:

As set out previously, the application is acknowledged to be contained to an outline level of detail. However, in order to manage expectations and to inform the development of the masterplan, the Highway Authority will present observations at this stage.

Tight bends will not be favourably considered due to concerns on safe manoeuvres and appropriate visibility. There are a few inclusions of these within the layout notably at the entrance.

Internal junctions should demonstrate appropriate visibility with the areas in the splay envelopes dedicated as highway.

The spine route will be required to be designed to an appropriate route standard to accommodate buses. Demonstration that the route is appropriate, including bends and junctions, will be required. There are concerns that as shown, the route would not be considered acceptable.

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Turning heads and areas will need to be demonstrated to be appropriate for large vehicles.

Private drive arrangements will not be permitted to serve more than five dwellings. Overly long drives may be required to have turning facilities for larger vehicles.

Swept path analysis will need to include consideration for a standard bus where required, a Phoenix 2 Duo recycle vehicle as part of a considered refuse strategy and a box Luton home delivery type van passing a standard design vehicle or large car travelling in opposite directions.

As stated in the PAC it should be noted that drainage features should be demonstrated to be outside of the zone of influence of the highway, and contain suitable access and easement for all labour, plant and machinery as may be required for construction, maintenance, and eventual replacement.

Construction Traffic Management Plan:

This can be dealt with by way of planning condition and at the appropriate reserved matters stage of consent. This early advice is presented to ensure that the applicant includes a CTMP that reflects the findings of any Fairwood Terrace parking issues or strategy and also allows for the construction of, and continued safe enjoyment of, the Gowerton to Kingsbridge shared use link through any construction phase.

Mitigation Measures and Section 106 Contributions:

The proposals include a number of proposed mitigation measures these have been considered and summarised below.

There will be a provision for a park and ride site, subject to further information as requested in this response. This will also include ensuring that there is no prevention of access Network Rail land which is safeguarded for future park and ride expansion.

The development will be required to safeguard area required for the accommodation and the introduction of the Gowerton to Kingsbridge shared use facility and ensure its safe and uninterrupted use throughout the site construction. This will also include not proposing any development plans which would prejudice an active travel bridge across the rail lines to the existing park and ride location.

The development will include for a bus route through to the transit hub area and also a bus gate controlled public transport only link to the wider site allocation.

Provision for general use electric vehicle charging facilities within the transit hub.

The funding of a car club scheme to provide several electric cars and associated parking places. Free membership provision to the car club. The provision of one car for 3 years. Cost assigned as £25,000 for car club membership and £10,000 for a car, this is likely to be an applicant direct expenditure rather than S106 contribution.

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Brompton Bike Hire Hub including traditional and electric variations of the foldable bike. This could be provided in secure lock up locations and in virtual docks. This will comprise 12 M6L model Brompton Bikes with a dock capable of supporting 8 bays. The operation costs will be borne by Brompton, the estimated cost of this measure is £60,000 as an applicant direct expenditure.

High quality and secure personal cycle parking provision within the transit hub.

The provision of a transit hub, which would be expected to include all weather waiting facilities and secure lockers, together with technologically modern train and bus timetables displays.

Travel Plan measures to encourage and sustain non car travel choices from the onset include travel vouchers, such as rail or bus tickets, to the value of £50 per household with a resultant cost of around £10,000.

The offsite mitigation has been suggested to be agreed as limited to a contribution to MOVA for two signalised junctions, estimated at £40,000. The two signalised junctions will be the existing signal junction if the B4295 Gorwydd Road with the B4296 Mill Street / Victoria Road and the proposed signalised junction of the B4296 Victoria Road and Fairwood Terrace.

Local Concern and Representations:

This application has generated local concern, and this has resulted in a considerable amount of local representations being made. In transport terms, these range from stand alone comments to report based responses on applicant submissions.

The Highway Authority has considered the representations and in responding within each subject area, as set out above, has included the key areas of concern.

There are local concerns grouped on traffic movements and parking, junction design and LDP compliance. The conclusions of this consultation response set out the Highway Authority views.

Highway Officer Conclusion:

The application has been considered in detail, both in terms of the wider LDP site aspirations and in what has been presented in this early phase.

The site is allocated as part of a wider site, which when considered in its full potential, has the ability to reduce the need of new residents to travel by car. In addition to this the benefits would transfer to the local area allowing existing residents access to sustainable travel or local facilities.

Considered in the context of its own merits, this application includes a number of attractive and worthwhile mitigation measures, the site also enjoys a location which could be considered sustainable with the correct approach to internal design and access to areas to the south.

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The proposals, if approved, will construct a signalised junction upgrade of the existing Fairwood Terrace / Victoria Road junction. The Highway Authority has investigated the design of the signal junction in detail and concludes that a suitable design solution is likely to be achieved and implemented.

The assessment of the proposed development traffic has shown that there will be a traffic impact. This will occur at the junctions of (B4295) Gorwydd Road / Mill Street and Fairwood Terrace / Victoria Road, with a more noticeable impact at the latter junction. The exact extent of delay and queuing cannot be easily quantified and the model outputs potentially not reliable given that the junction has exceeded saturation to such an extent.

The Highway Authority has worked within reasonable limits to ensure that the principle of the signalised junction proposal is compliant with design standards and can be implemented, subject to detailed design.

There has also been all reasonable care taken to ensure that the traffic impact assessment and the junction modelling has been undertaken in an appropriate and robust manner.

The site is sustainably located in terms of rail travel and other connections can be made over the rail line. The proposals contain park and ride provision which works to reduce vehicle kilometres travelled by other vehicles. There is a potential that the site can be part of a wider site provision for bus measures, education and employment provision.

The purpose and direction of national and local policy of transport matters it to increase the modal share of sustainable travel and not to enable or create a situation which promotes the continual use of single occupancy vehicles, particularly at peak times.

The site does not bring forward all the LDP measures, neither it is the full LDP site. The consideration must be made on what has been presented, with the Highway Authority experience of the network, involvement in similar sites and the future direction of car travel. The measures promoted to mitigate the effects of the development include intelligent junction management software, cycle travel improvements linked also with rail travel, car club membership to reduce the need for ownership.

On balance and over time, it is considered that the traffic impact of the development will be lower than that forecast in the robust assessment.

On this basis, the Highway Authority would not raise an objection to the proposals, subject to the measures set out being secured, as part of conditions or agreement.

Council's Pollution Control Officer

Initial Pollution Control Comments

With regard to the noise impact assessment, it is noted from the Hunter Acoustics document 6702/ENS1 that "it is advised a detailed overheating assessment is carried out to confirm this once the housing layout has been finalised". We would therefore expect the noise and vibration assessment to be reviewed and updated accordingly once the final housing layout is confirmed.

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For a development of this scale on land identified as historically being potentially contaminated, we would request the following:

Condition:

No development shall commence until all the following components to deal with the risks associated with contamination within the site have been submitted to and approved, in writing, by the Local Planning Authority:

- a. A preliminary risk assessment must be carried out by a suitably qualified person, which has identified:
 - i) all previous uses
 - ii) potential contaminants associated with those uses
 - iii) a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.

The risk assessment shall include a mine gas risk assessment that considers the potential for mine gases to exist on the site. The mine gas risk assessment shall be undertaken by a competent person as defined in the National Planning Policy Framework and conducted in accordance with 'CL:AIRE - Good Practice for Risk Assessment for Coal Mine Gas Emissions; October 2021'

- b. If the preliminary risk assessment identifies potentially unacceptable risks, a site investigation, based on (a) to provide information for a quantitative risk assessment for all receptors that may be affected, including those off site.
- c. Based on the quantitative risk assessment results (b) , an options appraisal and remediation strategy giving full details of the remediation measures required, how they are to be undertaken and a timetable for its implementation. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 and The Contaminated Land (Wales) Regulations 2006, as amended by The Contaminated Land (Wales) (Amendment) Regulations 2012, in relation to the intended use of the land after remediation.
- d. A verification report providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The site shall be developed in accordance with the approved details and timetable.

Reason: In the interests of human health, public safety and residential amenity.

We would also like to attach the following condition and informatives:

Condition: - 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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Informatives:

1. Construction Noise

The following restrictions should be applied to all works of demolition/ construction carried out on the development site:

All works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of 08.00 and 18.00 hours on Mondays to Fridays and between the hours of 08.00 and 13.00 hours on Saturdays and at no time on Sundays and Public Holidays and Bank Holidays unless otherwise agreed through the Local Planning Authority.

The Local Authority has the power to impose the specified hours by service of an enforcement notice under Control of Pollution Act 1974, Section 60. Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

If applying for Prior consent under Control of Pollution Act 1974, section 61, please contact pollution@swansea.gov.uk and ensure any application is submitted a minimum of 28 days prior to commencement of any works.

2. Smoke/ Burning of materials

No burning of any materials to be undertaken on site.

The Local Authority has the power to enforce this requirement by service of an abatement notice. Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

3. Dust Control

During construction work the developer shall operate all best practice to minimise dust arisings or dust nuisance from the site. This includes dust and debris from vehicles leaving the site. The Local Authority has the power to enforce this requirement by service of an abatement notice. Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

4. Lighting

During construction work the developer shall operate all best practice to minimise nuisance to local residences from on site lighting.

Final Pollution Control Comments

It is noted within the air quality assessment, that has been submitted, that reference has been made that the proposed development will incorporate an all-electric approach consisting of air source heat pumps, in compliance with Part L of the Building Regulations. The Pollution Control and Private Sector Housing Team were not aware of this information previously and so request that the following condition is applied:

Condition: Unless otherwise agreed in writing, prior to the beneficial use of the development, a scheme shall be submitted to and approved in writing by the Local Planning Authority to provide the following:

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All Air Source Heat Pump installations shall be designed to achieve a rating level (dBLArTr), that does not exceed the 35dB(LA90,15min) at 1 metre from the façade of the nearest noise sensitive dwelling; in accordance with BS 4142:2014+A1:2019. Methods for rating and assessing industrial and commercial sound.

Reason: - To protect the proposed residential uses against noise from Air Source Heat Pumps.

Planning policy Wales places a requirement for new developments to consider potential air quality effects and address:

- Address any implication arising as a result of its association with, or location within, AQMAs, or areas where there are sensitive receptors.
- not create areas of poor air quality; and
- seek to incorporate measures which reduce overall exposure to air and noise pollution

The Council's Local Development Plan includes policy RP1: Safeguarding Public Health and Natural Resources and RP3 - Air and Light Pollution.

Policy RP3 states:

"Where development could lead to exposure to a source of air 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."

Regarding the 'Construction Phase' of the development I would require the following condition to be attached:

Condition: All mitigation measures, as outlined in table M: 'Construction Dust Mitigation Measures' section 7.1 of 'SLR. Fairwood Terrace, Gowerton. Air Quality Assessment. Persimmon Homes West Wales. Client reference: 132870 14 November 2023, revision:1.0, shall be implemented, monitored and recorded on site. These records shall be made available for inspection when required.

Reason: to protect existing and proposed residential uses

Regarding the 'Operational Phase' assessment that has been carried out, the Council acknowledges that the air quality assessment has been carried out in accordance with Welsh Government, EPUK & IAQM guidance looking specifically at NO₂, PM₁₀ and PM_{2.5} concentrations and human health exposure.

The traffic data that has been used, within the modelling carried out, has been confirmed as accepted by the Council's Highways Department.

Within the modelling undertaken, background NO₂ concentrations have been obtained from the Defra datasets, locally sited NO₂ diffusion tube data have been utilised and traffic count data has been presented within the appendix. The percentage of change in concentrations modelled, using the worst-case scenario baseline data set of 2019, have been classified as negligible when considering the EPUK & IAQM guidance document.

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The assessment also considers the unmitigated effects of the operational phase road traffic emissions to not be significant upon the local air quality and the relevant human health receptors. The modelling process has followed the guidance set out in the Local Air Quality Management, Technical Guidance (TG22) (August 2022) and the model has undergone verification; adjusted modelled NO_x concentrations are within the required 25% difference (between modelled NO₂ and monitored NO₂) and are accepted as suitable in accordance with the guidance. This has been clarified and confirmed with the consultant to confirm the data used to demonstrate the Root Mean Square Error (RMSE) to derive the verification factor of 3.025.

Table 1 below shows the annual mean concentrations, from the Local Authority's NO₂ diffusion tube network, for the three sites referred to within the model verification process:

Table 1 – Annual mean NO₂ concentrations ugm⁻³

	2017	2018	2019	2020	2021	2022
373	28.5	27.3	25.2	18.4	23.	20.6
412	21.8	21.5	21.1	17.1	20.7	18.5
413	24.4	23.4	23.8	21.1	23.3	21.5

The data shows a downtrend from 2017 to 2022 however, it was agreed that the 2019 dataset would be used for the modelling baseline data, in order to ensure that the baseline data is not affected by the impacts of Coronavirus pandemic. The annual mean, Air Quality Objective, for NO₂ is set at 40ugm⁻³ and is to be applied at locations where members of the public would be exposed. Given the data that has been returned from the Local Authority's monitoring work and the results of modelling submitted, the data does not indicate that this annual mean will be exceeded. The Technical Guidance (TG22) document also sets out that if an annual mean concentration is below 60ugm⁻³ then the 1-hour air quality objective for NO₂ is unlikely to be exceeded.

Upon consideration of the assessment that has been carried out, the baseline concentration of NO₂ available and the use of modelled PM concentrations, the Pollution Control and Private Sector Housing Team does not have grounds to question the validity of the results submitted.

The Pollution Control and Private Sector Housing Team will still require the s.106 agreement contributions to be agreed so that monitoring of Air Quality, along Fairwood Terrace, can be carried out once the proposed development is operational.

Having considered the Air Quality Assessment that has been submitted and the requirement for s.106 agreement contributions, the Pollution Control and Private Sector Housing Team has no grounds to object to this application subject to the attachments of the conditions that have been put forward to the Planning Department.

Council's Tree Officer

Initial comments objected to the removal of all of the trees identified. Further information has been provided to explain why some of the suggested tree retentions will not be possible, mostly for the need to ameliorate contaminated ground conditions.

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The applicant has shown an indicative landscape plan with areas of tree planting within the site and at the eastern end in amenity ground.

The off-site ecological mitigation measures will add to the tree planting within the proposed development and ensure that enough tree planting can be secured to comply with the Tree Replacement Standard.

Council's Ecology Officer

Relevant documents reviewed:

- Ecological Assessment, Celtic Ecology and Conservation Ltd, November 2022;
- Ecological Mitigation Strategy, Celtic Ecology and Conservation Ltd, March 2023;
- Construction and Environmental Management Plan, Persimmon, May 2023; and
- Arboricultural Impact Assessment, EDP, May 2023.

Carmarthen Bay & Estuaries European Marine Site (EMS)

LDP Policy ER 6: Designated Sites of Ecological Importance of the LDP states:

"Development that would adversely affect locally designated sites of nature conservation importance should maintain and enhance the nature conservation interest of the site. Where this cannot be achieved development will only be permitted where it can be demonstrated that:

- The need for the development outweighs the need to protect the site for nature conservation purposes;*
- There is no satisfactory alternative location for the development that avoids nature conservation impacts; and*
- Any unacceptable harm is kept to a minimum by effective avoidance measures and mitigation, or where this is not feasible, compensatory measures must be put in place to ensure that there is no overall reduction in the nature conservation value of the area.*

In assessing the potential harm the Council will consider:

- *The individual and cumulative effects which will include impacts during construction;*
- *The role of the site in the ecological connectivity network; and*
- *Whether effective mitigation and/or compensation measures have been provided."*

An Appropriate Assessment HRA and a Test of Likely Significant Effect has been undertaken which has assessed the potential impacts on the Carmarthen Bay and Estuaries European Marine Site, which the application site is hydrologically connected to via the Gors Fawr Brook. The measures in Section 5 of the Appropriate Assessment HRA must be attached to any planning permission and must be in place to protect the European Marine Site and its features

Mitigation Strategy:

Please condition the document - Ecology Mitigation Strategy, dated March 2023 by Celtic Ecology and Conservation Ltd as an appropriate plan.

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European Protected Species:

Please condition all of the documents referred to as appropriate plans as per NRW's response.

25 year Landscape and Ecological Management Plan:

Please add this condition to any permission:

A Landscape and Ecological Management Plan (LEMP), shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. The LEMP shall thereafter be implemented in strict accordance with the approved details. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management e.g. to restore and enhance existing habitats, ensure successful establishment of new habitats etc.
- d) Appropriate management and monitoring options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule and monitoring scheme (including an annual work plan capable of being rolled forward over a five-year period for a minimum of 25 years).
- g) Details of the suitably skilled body or organization responsible for implementation of the plan.
- h) A monitoring report, including of protected species, and remedial measures, shall be submitted to the LPA at the following:
 - year 1 after completion of construction;
 - every 5 years thereafter for 25 years.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The LEMP shall be amended as necessary based on the monitoring results.

Lighting:

Please condition as per previous comments and as per NRW's response.

Trees:

Category A and B trees will require removal to enable the proposed development. The Swansea Tree Replacement Strategy has been used to calculate the number/area of replacement trees required. The GI Parameter Plan and Illustrative Masterplan show that this planting can be incorporated within the site. This tree replacement must be secured by condition.

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SINC Habitats:

Approximately 7.5ha of woodland and 0.5ha of purple moor grass and rush pasture will be lost to the development. These habitats are designated as part of the Alcoa Wet Meadows Site of Importance for Nature Conservation (SINC). Approximately 3.2ha of new planting is proposed to the north of the application site, to comprise a mosaic of 70% wet woodland, 20% dry woodland and 10% purple moor grass and rush pasture. In addition, approximately 4.8ha of retained woodland will be subject to a 25 year ecological management plan to enhance its condition. This habitat mitigation and compensation must be secured by condition / S106 .

Ecological Enhancements:

The Biodiversity Supplementary Planning Guidance (SPG) should be referred to for further information: <https://www.swansea.gov.uk/biodiversityspg>
<https://www.swansea.gov.uk/biodiversitydevelopmentguidance>

The planting and management mentioned above serve as mitigation and compensation for the loss of habitats. Enhancements will be required over and above this. Pole mounted bat boxes are proposed. Integral bat, sparrow terraces and swift boxes will also be required on the buildings.

These enhancements must be secured by condition.

Bats:

Please include the following informative:

All UK bat species are protected under Schedule 5 of The Wildlife & Countryside Act 1981 (as amended) and 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:

- Deliberately take, injure or kill a bat;
- Intentionally or recklessly disturb a bat in its roost;
- Damage or destroy the breeding site or resting place of a bat (even if it is not occupied at the time);
- Intentionally or recklessly obstruct access to a bat roost.

If evidence of bats is encountered during development, work must cease immediately and the advice of a suitably qualified ecologist or Natural Resources Wales (NRW) sought before continuing with any work (0300 065 3000).

Condition: Any removal or pruning of the trees assessed as having low suitability for roosting bats (as per Table 10 in the submitted Ecological Assessment report) shall be undertaken in the presence of and following an inspection by a suitably qualified and licensed ecologist.

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Breeding/Nesting Birds:

Please include the following informative:

It is an offence under The Wildlife & Countryside Act 1981 (as amended) to intentionally:

- Kill, injure or take any wild bird;
- Take, damage or destroy the nest of any wild bird while that nest is in use or being built; and
- Take or destroy an egg of any wild bird.
- Additionally, bird species listed on Schedule 1 of the Act are also protected from intentional or reckless:
 - Disturbance while it is building a nest or is in, on or near a nest containing
 - eggs or young; and
 - Disturbance to dependent young of such a bird.

Condition: No clearance/pruning of trees, shrubs, scrub or buildings shall be undertaken during the bird nesting season (late February-early September). Where this is not possible, a check for active nests by a suitably qualified ecologist shall be required prior to clearance. Any active nests shall be left in situ until chicks have fledged or the nest is no longer active. If any nests of Schedule 1 species are found, additional measures to avoid disturbance shall be required.

Protected Species

Please include the following informative:

Badgers and their setts are protected under The Protection of Badgers Act 1992. It is an offence to:

- Kill, injure or take a badger;
- Damage, destroy or obstruct access to a badger sett; and
- Disturb a badger when it is occupying a sett.

If evidence of badgers is encountered during development, work must cease immediately and the advice of a suitably qualified ecologist or NRW sought before continuing with any work (0300 065 3000).

Condition: No works shall commence on site (including site clearance) until a badger licence has been obtained from Natural Resources Wales (NRW). The licence method statement shall include the information from Section 7.4 of the submitted Ecological Assessment report and a copy of the granted licence from NRW shall be submitted to the LPA.

Condition: All trenches and excavations shall be fenced off or covered overnight to prevent any animals from falling in and becoming trapped. If this is not possible an adequate means of escape shall be provided (i.e. a gently graded side wall or provision of gently sloped wooden plank or equivalent). Any exposed pipes and trenches shall be checked for trapped wildlife each morning before starting construction activities.

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Hedgehog:

Please include the following informative: There is the potential for hedgehogs to be present in the area. Hedgehogs are protected under Schedule 6 of The Wildlife and Countryside Act 1981 (as amended), which prohibits killing and trapping by certain methods. They are also listed on Section 7 of The Environment (Wales) Act 2016. This is a list of the living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.

Condition: In order to retain habitat connectivity for species of principal importance, such as hedgehogs, boundary treatments shall 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/>

Reptiles & Amphibians:

Please include the following informative: Reptiles & amphibians may be present. All British reptile & amphibian species are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It makes it an offence to intentionally kill or injure these species. If widespread reptile/amphibian species are encountered (common lizard, slow worm, adder, grass snake, common frog, common toad, smooth newt, palmate newt), they should be allowed to move away from the works on their own. An ecologist should be contacted if assistance is required to locate reptiles/amphibians to a suitable habitat.

Condition: All works (including site clearance) shall be undertaken in strict accordance with the Reptile Method Statement (Appendix I) of the submitted Ecological Mitigation Strategy.

Condition: As per recommendations contained within section 3.7.5.4 and Appendix F of the Ecological Mitigation Strategy (Celtic Ecology & Conservation Ltd, March 2023), a 4m x 2m ground surface reptile hibernacula shall be provided. This shall be located within the area of Molinia and rush pasture planting, with the location to be determined on completion of the final detailed landscaping plan. The approved ecological enhancement shall be fully provided no later than 6 months within the completion of the development and shall be retained as such in perpetuity.

Otter:

Otters are known to be using the Gors-fawr Brook. Please attach the following informative: Otters may be present. Otters 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 an European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It is also an offence to recklessly / intentionally to disturb such an animal. If evidence of otter use is encountered (e.g. live otters, droppings or resting places) during the work, work must cease immediately and the advice of Natural Resources Wales sought before continuing with any work.

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Lighting Strategy

Condition: A sensitive lighting strategy for the site shall be submitted to the LPA for approval prior to the commencement of development on site. It should aim to protect bats and other nocturnal species. A plan showing location, light spill and specification for any proposed lights on the site (during construction & operation) must be submitted for approval. The lighting plan should reflect the Bat Conservation Trust's Bats and Artificial Lighting in the U.K. (2018) guidance: <https://www.bats.org.uk/our-work/buildings-planning-anddevelopment/lighting>

Invasive Non-Native Species (INNS):

It is an offence to plant or otherwise cause to grow in the wild any plant species listed on Schedule 9 of The Wildlife and Countryside Act 1981 (as amended) or Schedule 2 of The Invasive Alien Species (Enforcement and Permitting) Order 2019.

Condition: As Japanese knotweed and Himalayan balsam were recorded, an INNS Management Plan shall be submitted to the LPA for approval prior to the commencement of development (including site clearance) on site. It shall detail methods of avoidance, containment or removal in order to avoid the spread of INNS. If any other INNS are identified during development, works must cease until the management of these species is agreed with the LPA.

Sustainable Drainage (SuDS):

From 7 January 2019, all new developments of more than 1 house or where the construction area is of 100m² or more require sustainable drainage to manage on-site surface water. It is advised that reference is made to the Swansea Council LDP. SuDS work by making use of landscape and natural vegetation to control the flow of surface water and reduce the risk of flooding. Designs can include ponds, permeable paving and swales, which slow down the discharge of surface water more than conventional piped drainage.

Standard S5 addresses the design of SuDS to ensure, where possible, they create ecologically rich green and blue corridors in developments and enrich biodiversity value by linking networks of habitats and ecosystems together. Biodiversity should be considered at the early design stage of a development to ensure the potential benefits are maximised.

<https://www.swansea.gov.uk/sudsandbiodiversityguidance>

Reason: Conserving and enhancing biodiversity and ecosystem resilience.

Landscape Strategy:

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.

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Condition: A Landscape and Planting Scheme shall be submitted to the LPA for approval, prior to commencement. This shall indicate any trees destined for felling, and other vegetation removal, plus mitigation planting proposals including proposed species re: the new Molinia grassland, dry woodland and wet woodland habitats, translocation methodology for wet woodland and retention of boundary woodland and ongoing management for biodiversity.

GI Strategy

The amended GI Parameter plan includes the planting proposals as per page 96 of the Ecological Assessment, which includes the 3.2 ha of new planting. The amended plan shall be conditioned.

Council's Landscape Officer

We are in approval of the new opportunities described in the DAS and look forward to seeing detailed plans when submitted.

Recommendations:

- We would expect the finalised master plan to be informed by the existing landscape features, not the road layout. The site should be designed around the more mature category A & B trees to afford a more established feel to the development, retain shade as well as maintaining migratory routes and habitats for wildlife.
- Retention and improving of green corridors should be considered rather than replacing trees with smaller species, and dwellings sited accordingly. Retained hedgerows should be managed and thickened using predominately native species or species to attract pollinators.

Trees - To mitigate the loss of category A and B trees in line with policy requirements- species list and sizes to be submitted, a mix of species is advised rather than avenues of the same tree along access routes.

Site & Habitat Improvements - Additional hedgerow planting (preferably native species) recommended as some rear garden boundaries to improve site's green infrastructure and compensate for loss of habitat and existing site vegetation.

All boundaries to be hedgehog friendly fences or predominately native hedgerow. Bat and a variety of bird boxes to be installed on mature trees and buildings.

[Residential-bird-box-guidance-July-2019.pdf](#) (cfpalma.org)

Additional planting to be encouraged around and within the plaza area and areas of hardstanding, (not allocated as parking spaces) to discourage parking and enhance these sites for leisure and bio-diversity.

A detailed planting scheme, showing hard landscaping and landscape management plan will be required if approved as reserved matters.

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The Landscape Team have no objection and are happy that the documents provided on green infrastructure and play strategies, ecological survey and broad mitigation proposals submitted are sufficient for outline permission.

Council's Housing Enabling Officer

In response to the planning consult for 2023/0253/OUT Land Adjacent to Fairwood Terrace Gowerton and subsequent viability appraisal information provided. I can confirm that the Housing Service accepts the recommended 10.2% affordable housing on site with a current split of 18% intermediate / 82% social rented, with the recommendation that the financial viability of this development be reassessed at the detailed planning stage.

The affordable housing must be built to WDQR standard, integrated into the overall development and should not be obviously segregated through location, layout or design. The affordable units will be transferred to either Council/RSL to be determined.

Council's Parks Officer

I wish to make you aware of the following observations which I wish to be taken into consideration by the Parks Service which are as follows:

Outdoor Play - We are happy to see the inclusion of play provision due to the size of the proposed development and the current lack of such facilities within the locality. We would however also require further details of the design and layout of the proposed facilities, and the details of the supplying manufacturer if the desire is for the developer to offer up the facilities for adoption by the Parks Service.

It is not clear at this stage of the process on whether the POS/Play facilities are to be offered up to the council for adoption or if the developer is intending to engage the services of a private management company to oversee the maintenance. If it is the case that the facilities are to be adopted by the council then a commuted sum will be required from the developer for future maintenance of any PLAY facility, tree maintenance/management or POS.

Council's Waste Management Officer

With reference to 2023/0253 in relation to Waste Management any development should adhere to the Local Development Plan 2020-2025 - Section RP 10 (as below):

RP 10: Sustainable Waste Management for New 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.

2.14.59 The following information will need to be provided in support of developments, as appropriate, to demonstrate how sustainable waste management will be provided for:

- Plans demonstrating an adequate footprint for the internal and external on-site waste, recycling, composting, separation and storage facilities. Communal facilities are unfavourable however these may be appropriate for larger developments should sufficient consideration be afforded to recycle separation and residual waste minimisation/restriction; and,

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- Details of proposed access routes for 26 tonne recycling and refuse collection vehicles, including adequately sized access pathways and service roads with suitable dropped kerbs and crossovers.

These requirements will need to be considered in accordance with the User Hierarchy as featured in Manual for Streets.

2.14.60 The views of the Council's Waste Management Section will be taken into account on all types of development to ascertain the extent and nature of facilities needed to deal with any potential municipal waste arising associated with the proposed development. Further guidance to developers and householders on planning for the storage and facilitating the collection of waste and recyclates in new developments is contained within SPG.

2.14.61 Applications will also be considered against Policy T 5 relating to Design Principles for Transport Measures and Infrastructure

Council's Public Rights of Way Officer

Please note the location of footpath Llwrchwyr 101 (L:C101 /C0600) which directly affects the site. This footpath must be protected and open for use at all time. The path will need to be diverted. For a development of this size we would ask for Section 106 monies. For this site we would like to see footpath GN101 improved with surfacing to our specification and we would want to widen the bridge currently on site so it would be more suitable for less abled users. Bridge improvements should be discussed with the countryside access team prior to any works.

Council's Drainage Officer

Initial Drainage Officer Comments (1)

The Technical Note contains no technical information to make any assessment or comment on. It mentions that agreement is required with the SAB on the various SuDS details and rates however no contact has been made with the SAB Authority to discuss these which will inform the layout and density of the site.

In regards to the FCA we note that JBA on behalf of the applicant have undertaken a modelling exercise for the study area, NRW will need to comment on the adequacy of the model and it's results.

In relation to the results of the study the FCA proposes a series of mitigation measures to direct development away from flood zone 3, enhance flood storage and conveyance and flood exceedance pathways. However there is no detail on how these will be protected from encroachment, maintenance etc? What form will it take? What landscaping is it? Will it be designated? Whose responsibility is it? There does not appear to be any flood levels to ODN included within the report so existing and proposed ground levels can be compared to existing and proposed flood levels. Section 5.6 indicates that there are off site impacts however negligible, however the neither the Authority or NRW has the ability to 'authorise' an increase in flood depths, extents etc on third party land.

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For example from Fig 5-10 there are several residential properties on Alder Way affected by 0.5 to 1cm increases this is not acceptable in principle. Compensation for displacement of flood waters should be undertaken on a level for level, volume for volume basis within the red line of the development which is not being provided in full.

Accordingly on this basis alone in the Authority's considered opinion the FCA fails to meet the requirements of TAN15 Appendix A Part C and the conclusions drawn from Table 6.1 are not satisfied.

In regards to the management of surface water from the site the application contains no/very limited strategy or information and as mentioned previously the SAB Authority has had no discussions with the applicant regarding design requirements, discharge rates etc.

In the absence of any acceptable FCA and SuDS Strategy and in accordance with TAN15 and LDP Policies the Authority OBJECTS IN PRINCIPLE to the application.

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 100m² 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 100m² 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

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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 100m² 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

Further Drainage Officer Comments (2)

Following the submission of update information and Drainage Strategy, further comments are:

The FEH Report is for NRW to comment on as it details how the surrounding watercourses are modelled, we note their comments are still outstanding on the adequacy of the flood modelling, the results of this will then inform any FCA which is also required to be updated once the modelling is agreed.

In regards to the 'Drainage Strategy Technical Note Rev A' we highlight this is not a drainage strategy and provides no technical information at all. While detailed design will indeed fall under SAB legislation and regulations the management of surface water is still a material planning consideration (PPW 6.6.16, 6.6.18, 6.6.19, 6.6.27) and all planning application must be supported by a Drainage Strategy appropriate to the scale and nature of development.

As such all previous comments remain unaddressed and require outline strategies to support any application.

In the absence of any acceptable FCA and SuDS Strategy and in accordance with TAN15 and LPD policies the Authority's objection in principle to the application is maintained.

In this round we have also looked at some of the DAS and highlight that there are issues with the space allocated for roadside swales, minimum bedwidths of swales should be 500mm with side slopes of preferably 1:4. Figures 48 and 49 suggest swale widths of 2m which may or may not be wide enough, if not wide enough footways, verges and developable area become constrained to deliver SuDS design requirements which will affect placemaking, GI and housing density etc. Again we highlight that no pre-app discussions have been held with the SAB function on this site and early engagement is vital to avoid both SAB and planning deliverability issues, it is possible to gain planning but not SAB Approval and vice versa.

Further Drainage Officer Comments (3)

The updated FCA is much better with that amended section, just need the landowner's to basically 'allow' the very minor increases in depth, think there's three highlighted from the meeting, persimmon themselves, and two others. Need that in writing as discussed without that I can't give a positive response as TAN15 is clear on the no increase flooding elsewhere.

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Further Drainage Officer Comments (4)

We have reviewed the submitted details and offer the following comments.

Drainage Strategy - We note the contents of the Drainage Strategy Technical Statement. There are a number of issues with it that will have impacts on attenuation volumes and consequently housing density/layouts. The report states that a preliminary Qbar rate has been identified using an obsolete technique but that it will be revised using the latest rainfall profiles during the detailed design, we agree with this and will be a requirement during the SAB process.

There is nothing on the sizing of SuDS features proposed such as swales, rain gardens etc. which should be considered as that will have an impact on street scene, for example the SuDS Standards provides design ratios for a range of features. For swales service roads the design ratio to meet in accordance with Table G2.1 is 5:1, for swales serving the design ratio is up to 25:1 where the structure is unlined and has an infiltration rate of 1*10-6m/s. Using the 5:1 ratio for an area of 1.09ha a minimum swale base area of 0.218ha is required upstream of any detention feature to meet water quality, biodiversity, amenity and operational requirements.

For the avoidance of any doubt the Authority does not wish to see any roadside rain gardens used as conveyance features which has been a common design feature up to this point, the Authority has found that they tend to be overengineered and not cost effective in maintenance terms due to replacement requirements. This design requirement will have an effect on street scene as swales are required to have a minimum 500mm base wide with 1 in 3 side slopes as a minimum, preferably 1 in 4.

The Authority notes that CV values in the calculations have been left at the default values, these are no longer accepted in line with guidance that came out in 2014, CV values must be set to 1, this means attenuation volumes / space required increases appreciably.

The Authority is also concerned about the proximity of SuDS features to the roads, the starting point should be 7m away from any highway to allow for maintenance and ensure there is no effect on the highway.

We strongly recommend that a SAB pre-app is considered to work through all the design issues to support the planning application, we understand that will be challenging at the present time due to the level of detail currently available but it would help the developers/applicants appreciate SuDS Standards requirements that will affect master planning and placemaking.

The FCA suggests a variety of land level changes and mitigation measures to ensure the site is flood free and where there is offsite changes in flood risk states that two landowners are affected, one Penllergaer Estates has provided a letter accepting any increase in third party impact which does not seem to have been included, there does not seem to be any corresponding statement from GBE which should be included.

We recommend that NRW be consulted with respect to the FCA, its findings and proposed mitigation measures.

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In the meantime, the Authority is obliged to maintain its OBJECTION to the application as there are offsite third party impacts, however minor, on third party land which the Authority has no ability to give permission to on its own.

Final Drainage Officer Comments (5)

We recommend that NRW is consulted with respect to the outputs of the revised FCA Technical Note.

In regards to the SuDS scheme we have not had any discussions with the applicant outside of the outline planning application and previous comments of 31 October 2023 do not seem to have been considered and addressed.

Council's Education Officer

Catchment schools, capacity and projected capacity:

The development is in the Gowerton Ward and the catchment schools are:

English Medium:

Gowerton Primary:	30 unfilled places in Jan 2023 (8.67%) 110 unfilled places forecast Sept 2029 (31.79)
Gowerton Comp :	105 unfilled places in Jan 2023 (8.29%) 235 unfilled places forecast Sept 2029 (18.56%)

Welsh Medium

YGG Y Login Fach : (primary)	13 unfilled places Jan 2023 (5.91%) 30 unfilled places forecast Sept 2029 (13.64%)
YG Gwyr (secondary)	172 unfilled places Jan 2023 (13.46%) 104 unfilled places forecast Sept 2029 (8.14%)

Demountables:

It should be noted that there is currently 1 x single, 3 x double demountables in YG Gwyr and 2 x single, 3 x double demountables in Gowerton Comprehensive.

Pupil Generation:

Primary -	total number of pupils generated = 49.11 pupils (£741,561)
	Welsh Medium (14.41%) = 7 pupils (£105,700)
	English Medium (85.59%) = 42 pupils (£634,200)

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Secondary - total number of pupils generated = 35 pupils (£804,289)

Welsh Medium (14.41%) = 5 pupils (£115,360)

English Medium (85.59%) = 30 pupils (£692,160)

Post-16 - total number of pupils generated = 6 pupils (£157,542)

Welsh Medium (14.41%) = 1 pupil (£24,768)

English Medium (85.59%) = 5 pupils (£123,840)

Total: Total number of pupils generated = 90.3 (£1,703,375)

Welsh Medium (14.14%) = 13 pupils (£245,828)

English Medium (85.59%) = 77 pupils (£1,450,200)

Position of capacity

Primary:

English-medium: The English medium primary school (Gowerton Primary) had 30 unfilled places (8.37%) in January 2023. By September 2029 the current projection indicates that this is expected to increase to 110 unfilled places (31.79%). With existing commitments this takes the projected position to 84 unfilled places (24%).

Welsh-medium: The Welsh medium primary school (YGG Y Login Fach) had 13 unfilled places (5.91%) in January 2023. By September 2029 the current projection indicates that this is expected to increase to 30 unfilled places (13.64%). With existing commitments this takes the projected position to 28 unfilled places (13%).

Secondary:

English-medium: the English medium secondary school (Gowerton Comprehensive) had 105 unfilled places (28.29%) in January 2023. By September 2029 the current projection indicates that this is expected to increase to 235 unfilled places (18.56%). With existing commitments this takes the projected position to 210 unfilled places (17%).

Welsh-medium: the Welsh medium secondary school (YG Gwyr) had 172 unfilled places (13.46%) in January 2023. By September 2029 the current projection indicates that this is expected to fall to 104 unfilled places (8.41%). With existing commitments this takes the projected position to 63 unfilled places (5%).

Requested Contribution:

Primary: Due to the number of unfilled places at the English Medium Primary school there is no request for developers contribution as there is considered there will be sufficient places at the catchment schools to take new pupils from this development.

There is a request for FULL developer's contribution £105,700 for the Welsh medium primary as there is predicted to be insufficient surplus capacity to accommodate the pupil numbers generated by future developments as this development and existing commitments takes the school to within 10% unfilled places which limits flexibility for the school.

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Secondary: There is a request for FULL developer's contribution of £692,160 and £123,840 for the English medium secondary and post 16 education. This development will further impact the limited places below 20% and therefore will impact on any flexibility at the school.

There is a request for FULL developer's contribution £115,630 and £24,768 for the Welsh medium secondary and post 16 education. This development will further impact the limited places well below 10% and therefore will impact on any flexibility at the school.

As this is an outline application the Education department wish to advise that this recommendation is subject to a review being undertaken once a full planning application is submitted.

It should be noted that this development was part of SDA H which details in the LDP a new primary school build (which would have been the catchment school for the whole development) This application has been brought forward separate from the wider Strategic site, which impacts on the long term strategy linked to the Strategic site.

It must be made clear that Education requests for contributions are assessed in accordance with the Supplementary Planning Guidance and are essential to enable the provision of additional places in schools to meet increased demand arising from developments. If requests are rejected, or s106 agreements varied, then this risks Education being in a position that it is unable to accommodate catchment area pupils in their local school.

Council's Japanese Knotweed Officer

The invasive non-native flora (for Himalayan balsam) planning condition needs to be added to this application

Publicity

The application was advertised in accordance with the Town and Country Planning (Development Management Procedure) Order 2012 (as amended) by neighbour notification letters sent to adjacent neighbouring dwellings on 20th February 2023.

The application was advertised by means of 4 Site Notices placed near the site on 20th February 2023, again on 10th October 2023 and again on the 11th June 2024. The Site Notices were placed adjacent to the site at Fairwood Terrace, Lliw Valley Close, Alder way and Gowerton Railway Station.

The application was also advertised by means of a Press Notice on the 27th February 2023.

In response to this publicity exercise, a total of 881 LETTERS OF OBJECTION have been received.

A petition of objection containing 317 signatures has also been received.

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The various points of objection are summarised below:

- Non-compliance with policy within the Swansea Local Development Plan 2010-2025 (LDP). No school or spine street provided.
- Non-compliance with Planning Policy Wales.
- Non-compliance with T1 Transport Measures and Infrastructure and T6 - Parking - "Reduce private car parking provisions to encourage sustainable, low-carbon lifestyles." While this may be an aspiration it is nevertheless at odds with the requirements of the planning policy section T6 above.
- Victoria Road in Gowerton is an extremely busy road.
- Bottleneck is formed by the traffic lights just beyond Fairwood Terrace and a low railway bridge right on the junction of Fairwood Terrace.
- Victoria road is virtually gridlocked several times per day with traffic tailing back onto the A484 for approximately 1.5 miles, as far as the roundabout meeting the B4560 near Day's Motor Park.
- This development will cause traffic problems on Fairwood Rd and Victoria Rd, not only construction traffic, but when the houses are built, it will be gridlocked.
- Many more incidents have occurred where over-height vehicles have had to stop and turn around at the bridge often blocking the entrance to Fairwood Terrace.
- Another significant development of 99 homes is being built by Pobl less than a mile away at Gorwydd Road, and once this site is occupied the traffic situation will get even worse.
- Current statistics for the area show that 2% of people travel by train, and that up to 86% rely on a car or a van or other road vehicle.
- Active travel is a laudable aspiration but it's not a mandate - you can't force people to abandon their cars.
- Although a low car environment is a valid goal and planning aspiration, the reality of the situation is that there is no way to force the occupiers of the new estate to abandon car usage.
- New residents may be manual workers or tradesman relying on vans and cars.
- There is no onward through route for the busses.
- Park and Ride schemes have proven unsuccessful in Swansea.
- Bus services and schedules are currently poor with virtually no connection with nearby Dunvant and Killay and parts of Gower.
- The railway station is a small unmanned facility which is usually served by small trains of 2 coaches.
- The development would be out of character with the appearance of the surrounding bungalows on Fairwood Terrace and Lliw Valley Close.
- Site clearance - contaminated land removal will create significant increase in lorries - the main access for construction traffic would be southwards along Victoria road (the low bridge inhibiting most access from the Gowerton side), this would be dangerous and unacceptable, the spine road is required before any construction works begin.
- Already-over congested Victoria Road will be adversely affected by this development leading to increased pollution, noise, accidents and degraded access to home for other Gowerton residents.
- A proposed crossing at Fairwood Terrace might increase pedestrian safety, but might also be unsafe as approaching traffic has blind spots caused by the railway bridge.
- It would seriously further impact traffic congestion.

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- Impacts upon air quality and air pollution.
- Increase in traffic noise.
- Can the various Consultancy reports submitted by Persimmon's contractors be relied upon as truly independent?
- The single access road via Fairwood Terrace and traffic congestion on Victoria Road is likely to be a safety issue for the access of Emergency vehicles to the proposed development and Gowerton generally.
- Sewage - Welsh Water have stated: "We have considered the impact of foul flows generated by the proposed development and concluded it is unlikely that sufficient capacity exists to accommodate your development without causing detriment to the existing services we provide to our customers, or in regard to the protection of the environment. There are no planned reinforcement works within Dwr Cymru Welsh Water's Capital Investment Programme and therefore, at this stage, we are unable to provide you with a point of adequacy on the network."
- Welsh Water also state: "Furthermore, this site is crossed by strategic assets in the form of a 300mm public rising main and 750-975mm public combined sewer with their approximate positions being marked on the attached Statutory Public Sewer Record." and therefore recommend the development is repositioned."
- The sewage infrastructure is currently inadequate and also that steps are taken to avoid disturbing the ecosystem in the Burry Estuary.
- Health Services - the local Doctors Practice state that: "Our list currently stands at 20,080 and has increased steadily over the last few years. We would struggle to cope with an influx of new patients in the area, so these proposals are just not feasible.
- Dentists - current lack of dentists - they won't be able to accommodate any more additional population.
- Schools - 230 new homes will increase the population of Gowerton by a considerable percentage. Schools, doctors and dentists in the area are already at or near capacity - and also have still to accommodate the new 99 home Pobl development.
- This development will add intolerable pressure to an already overstretched system.
- Insufficient information on what Section 106 contributions would be required from the Developer.
- Flood Risk - proposed development is located partially on and directly adjacent to a flood plain. Natural Resources Wales have stated: "Flood Risk - The proposal is for a highly vulnerable development of up to 230 dwellings and associated infrastructure." They have also stated: "As you may be aware, since 2007, issues have come to light regarding the foul and surface water drainage networks in this area. This has resulted in additional pollution and nutrient loading spilling to the Burry Inlet."
- The proposed site sits right on boundary of a C2 Flood plain where development is not permitted, and with global warming and other effects it is highly likely that this C2 zone could extend into the site in the future.
- Development in an area which could be an accident waiting to happen.
- Additional ground water cannot soak away and will be directed into the Gors Fawr brook thereby increasing the risk of it flooding in future.
- Flooding is prevalent in the area, with the nearby fields flooding regularly.
- Other residents' home insurances could be affected, and residents of the new development may have difficulty in obtaining insurance.

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- It does not make sense to destroy 9 hectares of woodland, removing the area's natural flood defence system.
- It is high risk to allow planning for this site until the revised TAN15 is published.
- Potential Land Instability - The proposed site has been a brown-field industrial site and in the past hosted a tinsplate works and coal mining over several hundred years.
- Coal Authority has concerns - High risk development at this site.
- Environmental and Ecological concerns
- The site is home to many species of wildlife - some of whom are protected, and many mature trees.
- There will be an adverse affect on local wildlife and flora.
- Loss of green areas where people walk & impact upon well-being of local people.
- The site is an area of High Ecological Importance at a regional level, with 1605 records of protected species.
- This proposal will destroy 44% of woodland, entirely lose the scrubland and lose 10.6% of the total moor grass.
- The ecological report conducted by the developer is not thorough, with many species missing, including slow worms, grass snakes, barn owls, hedgehogs, foxes and many more.
- There has not been a Bat check since 2020, and even that last time, the full area was not canvassed and the detectors are limited.
- The whole woodland is used for breeding birds - the last survey the report shows was 2019, this is not up to date.
- Network Rail has provided the following comment: noise and vibration - The site is adjacent to the railway, potential for any noise and vibration impacts
- As Network rail indicates that future levels may rise without notification then the application should be refused on the basis that the noise levels cannot reasonably be guaranteed to comply with the relevant policies.
- Impact on visual amenity - The proposed development includes flats of up to 18 metres in height - although no elevation drawings seem to have been provided this is sure to have an adverse effect on visual amenity for some Gowerton residents.
- The Well-being of Future Generations (Wales) Act 2015) - The degradation of the woodland and green space that the development will be built on: this is a much-loved woodland used daily by residents, it's recognised that having access to greenspaces and nature play an important role in positive mental health and physical wellbeing.
- We should be protecting this woodland for the young people of the village and the future generations it is our duty to consider.
- The noise and disruption of the development will have a huge impact on the surrounding residents, which in turn will be detrimental to emotional wellbeing and mental health.
- Road safety issues due to the significant burden the development will place on the existing infrastructure will present an increased risk to physical health.
- The impact of increased air pollution in the village.
- The extra burden the development will put on existing health services will further reduce access to the population and inevitably negatively impact on physical and mental health outcomes.
- The schools in Gowerton are already at/ or close to capacity, we need to consider the impact that this will have on our children - the future generation the act strives to protect.

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- Procedural Concerns - Persimmon have entered into a Planning Performance Agreement (PPA) with CCS which has offered the opportunity for collaborative working through a series of meetings and workshops with subject experts at the local authority in order to fine tune and test different ideas and preferences. To date, this process has seen five meetings/workshops with CCS in May, June, August, September and October that have covered a wide range of topics.
- Residents and their local Councillors have requested minutes for these meetings and have been repeatedly told to date that none exist. This raises serious issues about transparency and raises questions about whether residents and objectors have been unfairly disadvantaged in this planning process.
- The essential requirements of the LDP are not met.
- There are no material considerations that stand up to any reasonable scrutiny.
- The applicant's story is not backed up by any evidence, and furthermore there would be no redress for residents if and when their predictions fail.
- The development would cause intolerable pressure on local services that already have to accommodate several other local developments.
- In contravention of several key LDP Policies.
- There are many other issues in our objections including flooding and ecology.
- The application must be refused.
- Concerns regarding the Air Quality Assessment by SLR.
- Concerns that the wider Strategic site can't be delivered so the current application can only be viewed as a stand alone application.
- Concerns that the spine road cannot be delivered due to land ownership.
- The application would not be compliant with requirements set out in the LDP.
- The application would not meet requirements with respect to transport and congestion issues.
- The application would not provide a safe access junction to the site for vehicles or pedestrians.
- The application would not deliver on its claims regarding Homeworking, Active Travel, or Public Transport.
- The application would not be able to deliver on future claims regarding access to a wider SD-H development due to flood issues, contain a large number of potentially unsafe retention ponds, and may well have further issues with flooding on the site itself.
- The application would not properly safeguard public health amenity.
- The application would not be compliant with many policies in the adopted Local Development Plan (and Planning Policy Wales) and as such it would be unlawful to grant permission contrary to the Town and Country Planning Act 1990 Section 70c.

Estuary Group Practice Doctors Surgery

Our list size currently stands at 20,080 and has increased steadily over the last few years. We would struggle to cope with an influx of new patients in the area, so these proposals are just not feasible. If this development were to go ahead, the only way the practice could service this is to extend its current premises, which we have neither the planning nor finances to do. General Practice is currently experiencing great difficulty recruiting both clinical and non-clinical staff and this development would put us under even greater pressure.

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Tonia Antoniazzi MP for Gower

A number of residents have raised concerns with me about the impact that the proposed development could have on already stretched local transport infrastructure and the impact of more cars on the road on traffic in Gowerton which is already an extremely busy area.

Residents have also raised concerns that there is not sufficient capacity in local schools or the local doctor's surgery and dental practice that would be needed for the number of dwellings proposed.

Additional concerns have been raised with me regarding the environmental impact of any new developments.

Rebecca Evans MS for Gower

I am writing in my capacity as Member of the Senedd for Gower. As you will be aware, it is against the Ministerial Code for me to express a personal view on planning matters. I would be grateful, however, if you would accept this as a formal observation as part of the planning process.

I have been contacted by a number of constituents expressing objection on the following grounds:

Being built on land that is on a flood plain and provides a habitat for many species including endangered, e.g. otters, bats, badgers, newts, birds, reptiles and a established wooded area. This land would be totally destroyed leaving no habitat for the wildlife, at this time of discussions on wildlife, conservation and planting of trees, how hypocritical the building on this land is, there will be no land left soon to plant new trees, and this will lead to more flooding.

Infrastructure in Gowerton will be under even more pressure from traffic and pollution at the moment all roads in and out of Gowerton are severely congested on most days, taking an hour to get across the common and other roads, plus pressure on our already struggling Doctors, Pharmacy and Schools.

Bryon Davies - The Lord Davies of Gower

I have been made aware of the outline planning application which seeks in principle, to obtain full planning permission to build properties as detailed in the application. This has caused immense concern to residents of Gowerton and the surrounding area, I therefore join them in supporting the numerous objections regarding this application.

My knowledge of the locality, is based on over 55 years of association with the village, based on my school days and family home. Furthermore, I had the great pleasure of representing the village both as their Welsh Assembly and Parliamentary representative.

The outline planning application is for 230 residences with mixed commercial use and recreational facilities.

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This location is already heavily congested, even though works have been carried out recently to enlarge the junction towards Gowerton village centre and Penclawdd. The planning statement shows that they are relying on only one entrance at Fairwood Terrace, for motor vehicles i.e. the one opposite Gowerton Rugby Club. The other entrances indicated are for pedestrians.

The application relies on a 'car free' new neighbourhood, with ancillary doctor and dentist practices. This would attract motor car use beyond the 230 residential properties from outside of the proposed development area. People use their motor vehicles for work and recreational purposes, an expectation that they will rely solely on unreliable public transport, is quite unrealistic.

Commercial units within this new 'neighbourhood' will attract additional motor vans and lorries with increased danger of causing further collisions to the railway bridge situated at the junction outside of the rugby club, intensifying an already irritating and dangerous state of affairs.

Additionally, a long-established concern of residents in the area, centres around the lack of infrastructure in terms of schooling and other essential services. Major shopping facilities are situated in Llanelli and Swansea, necessitating the use of vehicles and further congestion at the junction of Mill Street and Fairwood Terrace.

Above all, the ecological damage to an important recreational and natural habitat would be very much against the grain of current environmental thinking. I therefore put these objections forward in support of local residents.

Councillor Wendy Lewis - Waunarwydd Ward

I have had representations from my residents which is Waunarwydd ward about the amount of traffic which will go through Waunarwydd village if the houses are built and I would like to know what infrastructure would be put in place in Waunarwydd? Also the amount of traffic that come from Gowerton through Waunarwydd is already an issue for residents and the residents fear it will be much worse for those living here.

APPRAISAL

Main Issues

The main issues to consider in the determination of this application relate to the principle of the development, the impacts on the development on the character and appearance of the area, residential amenity impacts on neighbouring occupiers/local residents, the impact of the development on access, parking, and highway and pedestrian safety, impacts upon education provision, trees, ecology, drainage, flooding and environmental interests, having regard to the prevailing provisions of the relevant development plan policies, SPG's and National Policy guidance.

There are considered to be no additional issues arising from the provisions of the Human Rights Act.

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Principle of Development

The Swansea Local Development Plan Policy SD1 identifies 12 allocated Strategic Development Areas (SDAs) within Swansea to provide new homes and opportunities for job creation and commercial investment at a strategic scale.

Residential led SDAs are capable of accommodating new dwellings and other complimentary and supporting uses depending on the nature and scale of the site. The SDA boundaries are defined on the Proposals Map and are considered to be capable of delivering a greater number of homes beyond the plan period.

Specifically, this site forms part of the wider allocated LDP Strategic Site (SD-H) - North of Waunarwydd / Fforest Fach.

Site SD H as a whole is allocated for a comprehensive mixed use development of circa 716 homes during the Plan period (with potential capacity for further units beyond the Plan period ending in 2025), strategic park and ride facility, incorporating public realm, a Primary School, commercial units, community buildings and a Regional Employment Site with 26 hectares of potential development areas that could accommodate appropriate B1, B2 and B8 uses.

The site is to be delivered using the placemaking framework set out by Policies PS2 Placemaking and Place Management, SD1 Strategic Development Areas, SD2 Masterplanning Principles and the SD H site specific Policy.

Given the policy context, the principle of a residential led development at the application site is appropriate and in line with LDP objectives.

However, in order to fully comply with the requirements set out in the adopted LDP, the proposals must accord with the Placemaking Principles and Development Requirements defined in Policy SD H, which will need to be delivered in an appropriately phased manner and formally tied into any planning consent.

As mentioned previously, this proposal is only for a section of the larger SD H allocation, and as such, progression of an application for the Fairwood Terrace part of the site, must not compromise the development requirements for the rest of site SD H coming forward.

Policy SD H identifies placemaking and development requirements that specifically relate to the site, which encompass the whole of the allocation. Those most relevant to this geographically distinct part of the site are shown in italics below.

Development at site SD H is required to conform to placemaking requirements to:

- *Create a sustainable neighbourhood as a distinct extension to the existing settlements* with significant opportunities for employment uses.
- *Create a multi-functional GI network throughout the site, taking account of the need to create healthy communities* with a particular emphasis on a new east west linear park and nature reserve along the River Llan as a key feature of the site, which will integrate the landscape, protect biodiversity, include appropriate landscaping, and opportunities for formal and informal play, recreation, Active Travel and community led food growing.

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- *Provide a mix of densities with higher densities adjacent to Gowerton Station and lower densities on the rural/ sensitive edges.*
- *Design development to be viewed in the landscape and face buildings onto the protected open space.*
- Retain existing businesses and create a site for regional employment with direct access from A484.
- *Ensure that buffer uses are located between employment uses and residential uses.*
- *Create an accessible site which integrates positively with existing communities, public transport facilities, and Active Travel.*
- *Face homes and employment buildings onto streets and open spaces including the river corridor, to ensure a positive relationship, community safety as well as a strong sense of place.*

Development proposals cumulatively across the SD H site are required to deliver the following development requirements:

- Locate new Primary School centrally to serve the area, where it is readily accessible by all travel modes.
- A new spine street with appropriate new roundabout junctions, and a vehicular and pedestrian bridge over the River Llan, will be provided from the A484 Llanelli link road to the Alcoa access road to the south to open up the site for development, enhance the capacity and reduce congestion on the surrounding road network and support growth across the wider area.
- Off-site highway infrastructure improvements as necessary, having regard to requirements arising from the necessary Transport Assessment (TA), and as set out in the Transport Measures Priority Schedule appendix of the LDP.
- Provide a Park and Ride facility and public transport interchange on the north side of Gowerton Railway Station
- On and off-site measures to provide good quality, attractive, safe, legible and accessible pedestrian and cycle linkages both to and within the new development area in accordance with Active Travel Design, should include the linkages set out in the LDP Transport Measures Priority Schedule and as indicated below: - AT15, AT16, AT17 and utilise Bridge Road to link to Waunarlwydd.
- Incorporate existing PROW within the development by appropriate diversion and enhancement to form legible and safe routes. Specifically include the following as shown on the Concept Plan: - Retain PROW No. LC71, LC101, LC72, C0 600 - Retain North South linkages between River Lliw and Spine Street as dedicated rights of way
 - Incorporate footbridge link over River Lliw
- Provide a 2.5 form entry Primary School.
- New pitches will be provided as accessible focal point within the new neighbourhoods.
- Public open space should form part of a buffer area between the employment area and new residential district.
- Provide a minimum of 7m development free buffer to allow for access for maintenance of the River Llan.
- On and off-site measures including any necessary upgrades to the clean water supply or public sewerage networks.
- Provision of affordable housing at the on-site target rate of 20% subject to consideration of financial viability

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Of further relevance to this area of the SD H site, as detailed on the Concept Plan, are the following:

- Spine street within application site
- Junction improvements and enhancements to be required at the junction of Fairwood Terrace and Victoria Road
- New roads with active frontages to serve the residential development on this site
- Cycle / footpath links to and from off site
- Access to a limited Park and Ride facility from Fairwood Terrace and no through route to the wider SD H site from Fairwood Terrace by use of a bus gate. Main access to Park and Ride to be provided via a new road route into this area of land from the east through the SD H employment park.
- Provision of accessible open space and parks at the eastern end of this part of the SD H

In addition to the above, the amplification notes of Policy SD H that are of relevance to this part of the site, identify that:

- In order for this area to fully achieve its potential, future development must address the existing constraints associated with transport access and congestion on the surrounding network.
- Providing safe, accessible and attractive walking and cycling linkages between the site and adjacent communities, and connection to wider strategic Active Travel routes and new SDA's in this part of Swansea will be a key priority to ensure the development promotes genuine sustainable travel options.
- The location of the site presents an opportunity to create a park and ride facility at Gowerton rail station. There is also the opportunity to maximise residential densities in close proximity to the rail station. The primary means of access to the rail park and ride will be via the new spine street from the east. Fairwood Terrace may provide a secondary access to the park and ride to serve a limited number of spaces and an element of residential development, the scale of which will be determined through a detailed TA. A through-route from Fairwood Terrace to the wider development areas within site SD H will not be permitted due to highway infrastructure constraints. Detailed design and appropriate traffic management measures will be required to prevent any opportunity for vehicle movements of this nature.
- The proposals will promote the provision of enhanced GI, access to open space and recreation facilities.
- Within the greenfield areas of the site, the existing field hedge boundaries are important landscape features and the retention of these within the public realm is an opportunity to give the place a distinct sense of place that is rooted in the context.
- No residential development will be permitted in any part of the site affected by Zone C2 flood risk. Such areas will be expected to form part of the GI network to be integrated into proposals.

Policy SD H identifies that the provision of on-site affordable housing at a target of 20% (subject to consideration of financial viability), should be provided. The application has been subject to a full "Independent Financial Viability Appraisal" ('IFVA') which was commissioned by Swansea Council and Persimmon Homes, at the expense of the applicant and with the benefit of data provided by them.

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As a result of that appraisal, due to several 'abnormal site constraints' due to the site's previous industrial uses, current characteristics, increasing build costs and 'placemaking enhancements', the viability appraisal reveals that the application site is unable to deliver 20% affordable housing, and can only deliver 10.2% affordable housing, split at a ratio of 82% social rent and 18% intermediate housing.

It is noted that the remainder of SD H site may be able to provide a higher level of affordable housing (subject to viability) in the future when that section of the site comes forward in due course.

Policy SD H identifies the requirement for a 2.5 form entry Primary School to be provided on a specific area of land illustrated in the concept plan, located north of Waunarlyydd and west of Fforestfach, to serve existing and new communities. The development requirements in the policy state *"locate new primary school centrally to serve the area, where it is readily accessible by all travel modes"*. Appendix 3 of the LDP identifies the new Primary School as an 'essential' requirement identified in the LDP as opposed to the alternative category where the requirement will be subject to further negotiation in light of additional evidence of need and/or viability.

It is important to note that the policies relevant to SDA sites in the LDP require comprehensive planning but not comprehensive delivery, and that the proposed new school site illustrated on the SD H Concept Plan lies outside the site boundary for this planning application. This application site forms a distinct development area within SD H which is physically distant and separated by the employment area from the area of SD H that is proposed to accommodate the new school.

Although a spine street is required east-west through the SD H site, no through route for private vehicles (it is proposed to be restricted by a bus gate) is proposed in the LDP through the business park from this application site to that wider part of SD H (in order to control traffic levels). As such, the route from this application site to the new school location would therefore be a long and unsuitable route for walking to school.

It is not considered a reasonable requirement for a planning obligation to be tied to this application for the delivery of a new school to the east of the SDA site (as identified in the SD H policy and concept plan). The residential proposals within SD H to the east of the Business Park would be expected to provide the primary school via a future planning application.

As such, a new school is not required to form part of this planning application.

Instead, this application site is required, in line with LDP Policy SI 3, to mitigate impacts on capacity for the existing schools within the catchment area of the application site. This is discussed in detail later in this report under the 'Education' section, where the issues relating to the current and forecasted school capacity within the catchment area, and whether an education contribution from this site towards the existing schools is considered necessary based on the most up to date data available.

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The SD-H Policy also requires that measures for new pedestrian and cycle linkages are provided - however most of the routes identified in Policy SD-H are located adjacent to the area of residential led development proposed to the east of the business park, and as such these are not relevant to this distinct application area.

A key requirement of the SD H allocation is to provide a new spine street. It is considered that this application site should only provide for those elements of the SD H policy and concept plan that are within the application boundary or can reasonably be said to be affected by the proposal.

It is considered that it would not be appropriate for this part of the SD H to bear the full responsibility for implementing the full spine street through the SD H site. The submitted proposals indicate the spine route bus link would not be implemented by the developer in full, but that appropriate land would be safeguarded for the provision of this link with all re-grading and levelling works to take place. The onward through route is an important element of this site to ensure the bus route is attractive to bus operators. The area is shown as a temporary 'green area' and it is proposed by the applicant that the street link would be implemented by others when the through route to the east is secured. This will be included within the S106 agreement to ensure that there is a legal mechanism to ensure safeguarding and delivery when required.

While the SD H policy identifies other aspects of highways infrastructure such as new roundabout junctions, a vehicular and pedestrian bridge over the River Llan and the A484 Llanelli link road to the Alcoa access road, it is considered that this infrastructure will be required for the wider residential development proposed on the eastern side of the Business Park within SD H, and is not considered to be applicable to this distinct application site.

Reference in LDP (SD H) para 2.3.81 to *'full delivery of the access road to serve the employment area is required prior to a significant proportion of the homes on the greenfield site being brought forward'* is considered to relate to the greenfield parcels to the east of SD H. No through route other than for buses and emergency vehicles is proposed from this application site through to that area of SD H east of the business park. It is considered that the current application site should only therefore provide the elements of scheme that are located within the application site boundary. Similarly schemes RM10, 11 and 14 are also only considered to be applicable to the wider area of SD H to the east of the business park in the same way, and that they are not directly affected by this distinct application site.

The Swansea LDP sets out a clear presumption in favour of the principle of development at land north of Waunarwydd and Gowerton as designated under Policy SD H. As mentioned previously, this application site is being progressed as a distinct part of the wider allocation at SD H. The policy analysis of the submitted proposals indicates that the outline application ensures that placemaking objectives for SD H can be delivered on this discrete part of the site, without compromising the development requirements for the rest of SD H coming forward, providing it is delivered in an appropriately phased manner and that specific placemaking requirements are formally tied into the planning consent.

The proposals have been assessed as offering a unique opportunity for the delivery of new homes and associated facilities at a highly sustainable location, with a public transport interchange linked to Gowerton station offering high quality sustainable transport options for future residents and existing residents of Gowerton and the surrounding area.

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Having regard to the analysis in the paragraphs above, it is considered that on balance, the principle of development for this specific distinct part of the Strategic Site H complies with LDP Policies SD1 and SD-H of the adopted LDP.

Placemaking/Design/Visual Amenity

The Development Plan places significant emphasis on the importance of placemaking, and defines key principles in this regard for all proposals to seek to incorporate:

Future Wales Policy 2 sets out that:

- development should adhere to key defined placemaking principles in order that it positively contributes towards building sustainable places that support well-being objectives, and
- opportunities should be taken to ensure that multifunctional GI is fully integrated into development schemes wherever possible.

Swansea LDP Policies PS 2 and ER 2 highlight that:

- all proposals should adhere to key placemaking principles and development criteria, to ensure that proposals make a positive contribution to the experience and enjoyment of places
- development should enhance the quality of places and spaces, and respond positively to aspects of local context and character
- the design, layout and orientation of proposed buildings, and the spaces between them, should provide for an attractive, legible, healthy, accessible and safe environment, and must not cause unacceptable impacts on people's amenity, and that
- development must take opportunities to maintain and enhance the County's GI network, having regard to the extent, quality and connectivity of the GI resource

Swansea LDP Policy SD 2 highlights that:

- SDA sites must deliver a comprehensively planned, sustainable neighbourhood with a distinct sense of place. The policy provides detailed criteria to assess such applications. The policy sets out 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 application through parameters plans and development principles.

Overview of Placemaking Approach

PPW sets 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 LDP and SPG.

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Set against these national objectives, the LDP sets out general and site-specific placemaking policies, which includes a specific policy for this site with concept plan showing the expected disposition of land uses and main structuring elements. As mentioned in the principle of development section above, it is important to note that the policies relevant to SDA sites in the LDP require comprehensive planning but not comprehensive delivery. This means that it is reasonable for elements of the policy for SD H including new school, local centre and linking spine street to be delivered in association with development of other parts of the allocation, subject to the development on the application site not in any way prejudicing comprehensive delivery across the wider allocation.

This outline planning application has allowed for a comprehensive placemaking approach for this site. This is 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 submitted 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.

The submitted parameter plans are as follows:

- Land uses - this defines the disposition of uses on the site, including the location for the new station plaza and transit hub, areas for housing development, defines the area for mixed uses which could include community retail and highlights the general areas for open space.
- Townscape - this sets out the requirement for the Fairwood Terrace entrance area and station plaza as a landmark space, various nodal points, the outward facing edges, the architectural uplift areas around the station plaza, around key open spaces and outward facing edges.
- Height and Density - this sets the requirement for higher densities around the station plaza and along the spine street, lower densities on the edges and medium densities elsewhere. This also indicates the heights in the number of stories and vertical measurements. The maximum height is confirmed as 4 stories or 18m to the pitched roof ridge.
- Access and movement - this sets the network for active travel, transit interchange, public transport and vehicles as a connected network linked to the hierarchy of street types which ensures Green Infrastructure (GI) is integrated at the local level.
- GI Strategy - this shows the retained trees, green corridors, open spaces and play hierarchy and ecological mitigation areas.

The evolution of the masterplan and preparation of the supporting placemaking framework has been a partnership approach. The applicant and their design team have followed a pre-application collaborative and iterative process involving testing options and refining proposals based on feedback, which reflects the placemaking process that underpins Planning Policy Wales and the Swansea LDP.

The masterplan has been subject to a 'Design Review' with the expert impartial Design Commission for Wales (DCfW) in August 2022 during the pre-application stage.

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Briefly, the DCfW comments were:

- Strengthen the placemaking vision
- A more urban conception of place was encouraged with the higher densities
- Work with distinctive features of the site to give an identity
- Integrate the design with existing community
- Movement design should be stronger
- Collaboration with Transport for Wales is critical
- Ensure a successful station plaza informed by precedents
- Question the wider Park and Ride access
- Energy strategy should be informing the proposals

The full DCfW comments made at the pre-application stage are publicly available on their website at www.dcfw.org. Pre-application discussions were also undertaken with Transport for Wales (TfW).

The well-illustrated Design and Access Statement (DAS) submitted in support of this outline planning application explains how strategic comments by the DCfW and TfW have been addressed in the final submission.

The first part of the DAS sets out the analysis, concepts and justification, plus details of the indicative masterplan and area testing. The second part of the DAS contains the series of parameter plans and defines the supporting principles, to form a robust placemaking framework that underpins the indicative masterplan. These will be conditioned to the outline application so that future Reserved Matters applications must be in 'substantial accordance' thereby setting an appropriate balance of certainty and flexibility.

The analysis that follows below focusses in more detail on the submitted indicative masterplan, Design and Access Statement and parameter plans, and has been undertaken in a structured manner using the criteria set out in the adopted Placemaking Guidance for Residential Developments which aligns with the national and local placemaking framework. The appraisal starts with strategic aspects - including matters relating to neighbourhoods and delivering mixed uses - and works through to the more detailed matters, concluding with an assessment of character as follows:

1. Neighbourhoods
2. Density and mixed uses
3. Blue/ Green infrastructure
4. Making connections
5. Public spaces
6. Streets as places
7. Inclusive places
8. Townscape
9. Quality and character
10. Community safety
11. Privacy and amenity
12. Accommodating parking

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1. Neighbourhood Creation

This is a unique location for development allocated in the LDP focussed on a public transport interchange linked to Gowerton Rail Station.

The LDP allocation for this part of SDA Site H requires a sustainable neighbourhood extension to Gowerton and public transport interchange. The LDP envisaged a Park and Ride facility plus higher density development and with the publication of Future Wales this has evolved to a transit hub for all travel modes and a stronger emphasis on higher density development in an accessible location.

The outline proposal is for up to 216 homes comprising a mixture of 1 and 2 bed apartments and 2, 3 and 4 bed houses. The population could be approximately 482 people (based on an average occupancy of 2.23 persons per home) and the range of homes will help establish a mixed community including many families. The exact mix of house sizes will be confirmed within each Reserved Matters application.

The masterplan layout has been conceived to support the walkable neighbourhood requirement with a network of pedestrian routes and green spaces that support active travel and health/ well-being. The proposal is based upon open spaces linked by green corridors with a range of play provision, plus path links to positively integrate the existing Gowerton community and the new community.

The co-location of the new community retail and transit hub with station plaza in a central location, will 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 0.5km which relates to a 10 minute typical end to end walking time, plus the station plaza is 1km or approximately a 10-20 minute walking time for the majority of wider Gowerton community to access. Additionally, the general development is 2.5km from the town facilities of Gorseinon which is a short 15 to 20 minute cycle ride as encouraged by the Active Travel Act work along the former rail line as a north south main cycle route.

On the basis that the station plaza and transport interchange have an indicative design, the DAS has been updated to demonstrate the testing of the mobility hub area showing the public transport interchange, green infrastructure, public realm, cycle routes, cycle and car parking, space for kiosks and space for possible adjacent active uses to spill out.

The following sections of this assessment demonstrate how the masterplan and parameter 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 LDP sets a density target for all SDA sites of 35 dwellings per hectare (net) and further to this Future Wales sets a density target of 50 dwellings per hectare for transit orientated developments.

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This allows for higher density in central locations, standard family housing 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 benefit from public transport and 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 within the outline planning application red line is approximately 8.7ha. However, based on approximately 3.6ha (41% of the total area) being a developable area, the proposals give a net density of 48 dwellings per hectare based on up to 216 homes. This is welcomed in principle and future Reserved Matters applications will be assessed to ensure that each phase contributes to the overall density target to make best use of the site without becoming cramped.

The indicative masterplan has been an important design tool to assess the housing capacity for the entire site. This is supplemented by large scale 'test layouts' focussing on key areas such as the station plaza and higher density homes. 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 adopted Placemaking Guidance for Residential Developments, the density of development varies within the site. This has higher density three storey apartments and town houses in short terraces in the centre around the station plaza area; 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.

Affordable housing will be integrated into each phase of the development as clusters amongst the private homes. The type and mix of affordable housing will be confirmed at Reserved Matters stage, but they will be similar in design, character and quality to the private homes.

The site is 'residential-led' with a small area of ground floor mixed uses on the east side of the station plaza area. There is no strategic employment floor space proposed which is in accordance with the employment policies of the LDP. The LDP confirms that there is sufficient land in existing employment areas within the city and that where possible new office jobs should be concentrated in the city core as part of the regeneration programme.

The mixed use element is community retail space comprising floor space of up to 200m² which can be configured into a number of active frontage units for use classes A1 - A3, B1 and D1 (broadly retail, cafes/ hot food, office and non-residential institutions e.g. health clinics and day nursery). The larger scale testing suggests that this floorspace could be arranged into separate commercial units that could be serviced from the front. Further testing at the Reserved Matters stage will be undertaken to integrate plant such as air con units/ extractor fan and commercial refuse storage etc. This will also be conditioned.

The commercial units would be integrated into three / four storey buildings with two / three storeys of apartments above facing the station plaza 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 potential for dual front / back entrances to ensure accessibility / legibility.

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Together these elements form the heart of the development, focusing on the transit hub linked to Gowerton Station 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 will follow at the Reserved Matters stage.

3. Blue/Green Infrastructure

The site was formerly a coal mine and metal works and now well vegetated with woodland / scrub and is designated as a Site of Interest for Nature Conservation (SINC).

Due to contamination and flood mitigation it is proposed to clear and level much of the site whilst retaining perimeter vegetation and a green corridor in the east where mature trees appear to be a historic field boundary.

The submitted tree surveys indicate that a proportion of trees to be removed are as follows:

- 3 Category A trees
- 13 Category B trees
- 15 Category C trees
- Circa 0.096ha category A mixed woodland groups
- Circa 0.262ha category B mixed woodland groups

The loss of the existing trees is to be mitigated by extensive new tree planting within streets and new woodland planting areas at the east as a wet woodland, and at the north-west at the site entrance as follows:

- 107 individual trees on site along streets and within the station plaza area
- 1.08ha of wet woodland (on site)
- 2.88ha of wet woodland (off site to the north)
- 0.5ha of dry woodland (on & off site to the north/west)

The full schedule of replacement tree planting will be resolved at the Reserved Matters stage in accordance with the Swansea Tree Replacement Standard.

The applicant has also provided ecological surveys which is supplemented by an ecological mitigation management plan which proposes off site mitigation outside the red line area to the north which will be secured via a S106 agreement.

The ecological, flood and contamination considerations have informed the Green Blue Infrastructure Strategy for this site which balances the community, transportation, 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 retain connectivity whilst providing buffering from the residential activities, breaks up the development and improves the environment for new residents.

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To ensure GI is incorporated 'throughout' the site in accordance with the SD site policy, a strategy of intermittent street trees and planted verges are proposed along the streets. This should mean that every home will have a direct or oblique view of a tree in the public realm, plus there will be ecological 'stepping stones' throughout the development in addition to the strategic green corridor. This will 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 will be protected by Tree Preservation Orders in due course.

The Design & Access statement includes a Landscape and Visual Assessment, this highlights that the site is well screened by off site vegetation views and that new views would be within the site and in the immediate area of the Fairwood Terrace access.

There are non-designated remnant heritage structures on site related to the coal mining and metal works. These are not proposed to be retained due to the ground works required for decontamination and flood mitigation but should be recorded prior to removal with details placed in the Historic Environment Record and Swansea Archives - this will be secured via condition.

4 Making Connections

This strategic site has the unique opportunity for a transport interchange and transit orientated development with direct access to Gowerton rail station which is served by regular train services and with increased frequencies planned as part of the South-West Wales Metro.

Recent works by Swansea Council includes a strategic off-road cycle path (active travel route, ATR) connecting Gorseinon into the north side of Gowerton Rail Station. This has largely been implemented and the final section from Fairwood Terrace to the station has been constructed, but the final connection to the railway station has yet to be made. There has been issues with the contractors on site, and the Council is currently waiting for Network Rail to approve the new intended contractor. It is anticipated that the connection to the railway station will be completed this year.

This connection to the station allows a transit orientated development of the site with higher densities and reduced parking as advocated in Future Wales which forms part of the development plan. Given the delay regarding the timescale to connect the ATR link to the station, a condition will be imposed to ensure this connection is implemented and linked to the phasing of development in the vicinity. This would ensure the higher quantum of development is not delivered until the direct link to the station is in use.

The proposed transit hub also includes provision for a 50 space park and ride which will incorporate Electric Vehicle (EV) charging in accordance with Future Wales, cycle parking and cycle hire facilities, bus stop and turn around loop. At present the layout for the transit facilities is indicative for the Masterplanning and is not an engineering design.

Furthermore, to ensure that the transit facilities are delivered at the appropriate stage to be available to new residents on site and the wider existing community, they will be linked to the delivery of housing via a phasing condition.

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The masterplan proposal is to accommodate bus priority along the spine street from Fairwood Terrace with the stop and turn around loop at the station plaza. The location of the bus stop will be within a 400m walk for most homes on site and this should help to encourage sustainable travel habits with convenient access to this facility. The carriageway of streets along the bus route would be at least 6.5m wide to ensure ease of bus access through the site and placemaking.

The proposal also safeguards the future public transport and active travel link eastwards to link with the larger strategic area allocated in LDP Policy SD H. The masterplan proposal shows this link alongside the railway in the south connecting to the eastern boundary and the applicant has confirmed that this will be safeguarded as a temporary GI area, and that the street link would be implemented by others when the through route to the east is secured. This will be included within the S106 agreement.

The main vehicle access via Fairwood Terrace proposes a new light-controlled junction at the west end with Victoria Road.

There is limited public access to or through the site at present with only one Public Right of Way (PROW) passing through the north-western corner of the site. The proposal includes new connections to the existing PROW to the north. It has been clarified that this PROW is a footpath and the wider development of the eastern strategic site would need to address shared use of this route by cyclists alongside pedestrians as an Active Travel path in the future.

It is considered that the placemaking concept within the masterplan layout responds to the requirements of the LDP and Placemaking Guidance for Residential Development, and creates a walkable neighbourhood with strong links to the surrounding area and strong links to Gowerton Station as part of a transit hub.

The LDP site specific requirements includes a spine street lined by active frontages and the outline masterplan sets a framework for this spine street within the site, confirming the alignment and design criteria. This would be a tree lined street with verges and houses/building frontages. The general speed limit would be 20mph. The outline masterplan indicates that the spine street would be lined by continuous housing frontages in the higher density areas with typically semi-detached houses with direct access to side drive parking in other areas or street fronting flats with parking in courtyards to the rear. This ensures parking does not dominate whilst helping to calm traffic speeds on the spine street.

The layout within the site is based upon the LDP and the adopted Placemaking Guidance for Residential Development 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 site edges that are overlooked by house frontages. The main movement routes within the site are provided by the east-west 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.

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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 the site are well overlooked to ensure community safety and to deter anti-social behaviour.

5. Public Spaces

The play and open space element of the placemaking framework proposes that approximately 3ha (33% of the site area) is set out as publicly accessible open space. The open space is distributed through the site as a station plaza, green edges and green corridor at the east end. It is proposed that these open spaces will be laid out as part of the relevant housing phase and details of management/maintenance will be agreed as part of the S106 agreement. 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.

Within these main spaces, play provision in accordance with the Fields in Trust guidance is proposed to ensure healthy lifestyles, wellbeing and community cohesion.

- The proposal is for two Locally Equipped Areas for Play (LEAP) located at the east within a green corridor area and in the west at the site access alongside the active travel route. These locations mean that the new and existing residents will have good access to new play facilities.
- Early proposals tested the scope for a Multi-Use Games Area (MUGA) on site but this could not be accommodated with the higher density and flood mitigation area. As such a contribution of £60k is required to facilitate the improvements to the Elba MUGA, which is within reasonable walking / cycling distance from the application site. This will be part of the S106 agreement.
- Distributed through the site will be further Local Areas for Play (LAP) which is 'door step' provision for younger years, with the numbers and locations to be located within 100m of homes.

The play hierarchy is shown in the parameters plans and the detail of the play provision in each area will be resolved at the Reserved Matters stage in due course. At the detailed phase it may be that alternative play provision can be provided such as naturalistic landscape play areas and trim trails along the green corridors. Plus, the network of paths within the site including the perimeter paths on the green edges will encourage walking and a leisure activity.

The DAS indicates that a public art strategy is proposed to be agreed and implemented, this will be delivered via condition. This is expected to be landscape/landform art features with the possibility of participatory events to help develop community links in establishing the landscape features and explanatory boards to help interpret the site, its heritage and features.

The outline proposal addressed the Sustainable Urban Drainage requirements as an opportunity for multi-functional GI; the masterplan and placemaking framework proposes a strategy comprising a number of catchments with rain gardens feeding into street swales that link to landscape feature attenuation areas before discharging into existing watercourses and wet woodland areas to the north.

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The active travel proposals also include an improved pedestrian link to the north-western existing public right of way (PROW). This facilitates wider access to existing off site open spaces including Stafford Common to the north and the sports pitches with play facilities at the Elba to the west.

6. *Streets As Places*

The masterplan shows a connected network of streets to ensure legibility and permeability in support of walking, cycling and community cohesion. This will be ensured through the street hierarchy parameters plan. All residential streets are to be offered for adoption, they will have a 20mph design speed and the key design element of each street type as follows:

- Spine Street - 6.5m carriage way for bus route, plus grass verges and regularly spaced trees to one side with 2m footway on one side and 3m shared path on the other. Typically 3-4 storey buildings with front boundaries. All residential parking behind the building line.
- Secondary Street - 5.5m-6.0m carriageway with 2m footways to either side and verges/ street trees to one side to soften the streetscene and integrate green infrastructure throughout.
- Green Streets - carriageways of 6m with 4.8m narrowing at either end and separate 2m footways to one side and incidental planting/ trees for softening
- Private Drive - these will serve small groups of homes and supplemented by pedestrian paths to ensure walking connections.

All streets integrate GI with verges / street trees along one side of the streets and planted buildouts in the lanes / mews area. This is a step change in placemaking, bringing GI 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 connection to the station plaza 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 will be emphasised through block paving; a range of surfacing options and associated commuted sums are being considered by the Council and this detail will be resolved at the Reserved Matters Stage in due course.

7. *Inclusive Design*

The development will be inherently inclusive. There are no steep gradients within the site and all streets will have pedestrian provision. The parks and play areas will be accessible to all, with appropriate street furniture and they could be designed in consultation with potential users. The legible layout will make the development easy to navigate and the main areas such as the station plaza centrally located and will be easy to find. The mobility hub and community retail units will need to 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.

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There is an existing accessible footbridge on Gowerton Station with ramps, which allows access for all between the two platforms.

It is anticipated that the streets and open spaces will be adopted by the Council (or maintained & managed privately via a S106 requirement) and the development will be open and permeable for all members of the public within the existing and new community. The benches along green corridors and routes will need to be spaced to take stopping points into account and this can be controlled via the reserved matters application to ensure sufficient resting points for all abilities.

8. Townscape

The way that the buildings are arranged alongside streets and around the spaces creates a townscape. The basis for the townscape throughout the scheme is set by the parameters plans and the townscape detail will be resolved at the Reserved Matters stage in due course.

Persimmon Homes are a national house building company with a standard range of house types and the indicative masterplan shows a mixture of apartments, terraced houses, semi-detached and detached. Junctions will be emphasised with corner turning buildings with two public elevations in accordance with the Placemaking Guidance for Residential Developments. The masterplan shows consistent building lines and taller buildings to define key areas within the neighbourhood.

In response to the requirement for a transit orientated development that maximises density in an accessible location and balances this with the local context, the maximum building height will be four storey apartments and three storey town houses.

The new homes will have legible entrances facing the street and habitable windows will 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.

9. Character and Quality

The Design and Access Statement includes a character analysis of the immediate areas of Gowerton 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 outline parameters information breaks the site up into 4 separate character areas that will be differentiated by materials and details:

- Contemporary village - at the west end off Fairwood Terrace with medium density and contemporary design
- Station Plaza will have a higher density contemporary character, predominantly render with repeating gables.

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- Urban core to the east of the station area - reflecting the higher density character
- Countryside edge at the east end - with lower densities and traditional character

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, station plaza, 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 will 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 mixed-use block with active frontage onto the station plaza will be resolved at the reserved matters stage. The outline DAS suggests that these will have a contemporary character with a strong gable language that ties into the spine street residential gable frontage character.

The full detail of elevations and materials etc will be resolved at the Reserved Matters Stage in due course.

10. Community Safety

The site will provide a new station plaza and transit hub and the open spaces/play areas will be open to the wider existing community, not just the new residents which is essential to integrate communities. All streets, open spaces and play areas will be well overlooked by frontages including front doors and windows to habitable rooms which will 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 higher density area around the station plaza 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 will serve only the apartments and they will 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 higher densities and have been approved for these reasons on other strategic development sites. They will be informally policed by direct entrances to the units served and will be well overlooked by windows of habitable rooms. They could be gated if necessary as part of the Reserved Matters design.

11. Privacy and Amenity

The Development Plan requirement is for a transit orientated development of 50 dwellings per hectare within the core of the site. This is achieved with higher density development including 3 and 4 storey flats where every home benefits from private amenity space in the form of an external terrace on the ground floor and projecting balconies to all upper floor flats.

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The size of the balconies and terraces will meet the areas required in the adopted Placemaking Guidance for Residential Developments.

The masterplan demonstrates that the houses will generally benefit from rear gardens of at least the same size as the house footprint. This ensures sufficient useable private amenity space and ensures that the site is not over developed.

The layout is based upon the perimeter block approach with rear gardens abutting rear gardens and secured by frontages. The masterplan indicates 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 15m separation between rear elevations and blank gables can also be achieved to avoid an overbearing effect. These amenity separation distances will therefore be shown in the detailed layouts at the Reserved Matters stage in due course.

There are no immediate impacts on existing adjacent residents in terms of overlooking, overbearance or overshadowing, as there will be a separation distance of at least 25m from the front elevations of the new 2 storey dwellings at the western edge of the site, and the front elevations of the existing bungalows in Lliw Valley Close opposite. It is also noted that the existing 'vegetated bund' adjacent to Lliw Valley Close will be retained which will help screen much of the new development from view from Lliw Valley Close.

12. Parking

The masterplan sets out a layout for a walkable neighbourhood focussed on Gowerton Rail Station. The proposal as required in the LDP is to create a transit hub with interchange between rail, bus, cycle, walk and car. In accordance with Future Wales this location has potential for a low car ownership development on account of the public transport and active travel opportunities. The supporting Transport Statement explains the proposed reduction in parking provision calculated in accordance with the adopted Parking Standards SPG.

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 in the higher density areas will be accommodated in private parking courts behind the buildings that are secure and well overlooked.
- The parking for town houses will be accommodated on plot in the form of side drives between buildings
- Lower density houses would have a mixture of on plot parking within side drives and frontage parking that is typically on one side of the street with half of the frontage and softened by planting.
- Visitor parking will be accommodated throughout the development on street.

Therefore, the masterplan indicates that sufficient parking can be accommodated without dominating this new place.

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Parking for rail customers will be accommodated alongside the multi-functional station plaza urban square with a 50 space park and ride facility incorporating tree planting and a proportion of EV charging points. The station plaza will have a separate car drop off area plus a well integrated bus stop and turn around loop for regular services and rail replacement buses.

Summary of Placemaking Appraisal

The submitted proposals provide an excellent opportunity to create a sustainable neighbourhood in a location that benefits from regular rail services, good connections to Gowerton and improved linkages to the wider countryside.

It is considered that the proposals respond positively to the unique opportunity for a transit mobility hub linked to Gowerton Rail Station and the station plaza and will create an identifiable heart to the new neighbourhood for existing and new residents. The network of streets and open spaces will encourage walking and cycling, whilst the network of open spaces and play will benefit both new and existing residents to support healthy lifestyles and well-being, plus contribute to the sense of place. Therefore, it is considered that the development has the potential to establish a 'sustainable community' that supports active lifestyles and reduces dependence on private cars.

The proposals for new streets, open spaces, drainage and GI are supported by a Design and Access Statement, and masterplan and parameter plans that create a robust placemaking framework for a walkable and sustainable neighbourhood that connects strongly with Gowerton as a place and community.

The houses will 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 for the residential aspects.

The suite of parameter plans provide sufficient robustness to set the framework to fix the strategic aspects, such as disposition of land uses, locations of 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.

In placemaking terms, approval is recommended subject to conditions that address the following issues:

- Future Reserved Matters must be in substantial accordance with the full set of parameters plans, Design and Access Statement and Illustrative Masterplan
- Submission of a Placemaking Compliance document for each Reserved Matters phase to explain compliance with the approved outline placemaking framework and clearly justify any divergence.
- Management plan for open spaces and ecological areas
- No additional boundary treatments in front garden and no hardstanding forward of principal elevation to ensure landscaping strategy is not watered down over time and that front gardens are not turned over to parking areas
- Require ULEV charging points in public parking areas.
- Phasing plan that addresses, inter alia

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- Limit on number of homes to be constructed before pedestrian link to Gowerton Rail Station is completed and available for public use.
- Delivery of all components of mobility hub linked to phasing plan

For the reasons given above, the application is considered to be acceptable in placemaking terms and complies with the provisions of Policy SD1, SD2, SD H and PS2 of the Swansea Local Development Plan (2010-2025).

Residential Amenity

With regard to the impact upon the residential amenities of existing occupiers near to and adjoining the site, it is considered that the use of the site for predominantly residential purposes would not cause an undue harmful impact on the amenities of the existing and future residents.

The application is in outline form with all matters reserved, and a Masterplan has been submitted along with a suite of Parameter plans, which indicatively show the location of the proposed new dwellings, roads, transport hub and commercial areas. As previously discussed within the 'Privacy and Amenity' part of the Placemaking/Design/Visual Amenity section of this report (above), it is considered that the proposed development can be accommodated on the site without adversely harming the residential amenity of the occupiers of the residential dwellings in Lliw Valley Close and Fairwood Terrace.

Full consideration of the impacts upon the amenities of the occupiers of the surrounding dwelling houses in respect of overbearance, overshadowing and overlooking will be considered fully at the Reserved Matters stage.

With regard to potential noise pollution, the site is located adjacent to the railway line, and many of the new dwellings will be within 30m of the railway line and station. As such there is potential for noise impacts from the railway line on the occupiers of the proposed dwellings. A condition will be added ensuring that all habitable rooms within 30m of the adjacent railway line be subject to sound insulation measures. This is discussed further in the Noise Pollution section below.

Transportation and Highway Safety

A Traffic Impact Assessment (TA) has been carried out which has examined the highway effects of the proposed development, and how this would impact on junctions in the area. The assessment of traffic and the use of traffic modelling has been discussed with Highway Authority Officers following the submission of the TA. This has resulted in revised analysis work being carried in the interests of ensuring a robust assessment.

The junction known as (B4295) Gorwydd Road / Mill Street exists in close proximity to the Victoria Road rail bridge and the proposed signalised junction improvement works to Fairwood Terrace/Victoria Road. This existing Gorwydd Road / Mill Street junction is known to have capacity issues and the potential to impact back to the Fairwood Terrace location.

The Local Highway Authority has confirmed that, in detailed discussions with the applicant, it was advised that these two junctions should be considered together, where the associated queues should be considered in terms of affecting each junction and its capacity.

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In order to try and address the capacity issues at these junctions, the applicant has agreed to make a financial contribution to provide a Micro-processor Optimised Vehicle Actuation (MOVA) for these two junctions. This will be secured as part of a S106 Agreement.

The Local Highway Authority confirmed that as a summary of the additional assessments carried out, the applicant was requested to revise the junction models to assess the existing and proposed signalised junctions as a network. The park and ride impact was increased within the assessed peak hours to allow for a more robust assessment. The model inputs were reviewed, and guidance was provided for the parameters which needed to be changed to more accurately represent the actual signal operations. The way in which pedestrian demand was managed was also instructed to be revised. The model now considers a demand for pedestrian provision at every signal cycle and every other. The requested changes to the junction model were carried out and at this stage there is no further reasonable changes required.

The outcome of the junction assessment is that there is predicted to be an impact in delay and in queuing.

What this impact could be is not something that can be predicted accurately and consideration must be given to a number of factors:

- Junction models are used to provide an informed forecast of what may happen in the future. The model outputs are directly related to the quality of the inputs. In this case the Highway Authority has ensured that the inputs are robust.
- The model relies upon forecasts in areas such as traffic growth, which can vary as we have been shown over the most recent few years. Some of this growth forecast allows for inclusion of strategic residential sites.
- Traffic modelling cannot account fully for driver behaviour, in the way that they adapt to their journey, when undertaking daily.
- The model outputs should show a benchmark position which reflects the current situation, Assessment scenarios which forecast future traffic growth, committed developments, development proposals or mitigation, should all be considered against the baseline assessment.
- In the case of the assessments carried out for this scheme, the existing operation is predicted to be beyond the capacity of the junction. The addition of the future development scenarios does further impact the capacity of the junction. However, when a junction capacity has been reduced to negative levels to begin with, additional impact cannot always be forecast accurately. The model software has limitations and experience suggests that the outcome can be erratic in such cases.
- The junction model software cannot model the benefits of traffic management enhancing software such as MOVA. It is industry practise to accept that intelligent control systems result in efficiency benefits of between 10% to 20% where they are applied.

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- The assessment of the junctions has been carried out assuming that the pedestrian crossings will be well used, in a basic way sacrificing cycle time from vehicles to give to pedestrians. This is an appropriate approach to support the requirement to grow active travel in place of private car use. This does however show an impact to junction capacity but may not occur in this way if vehicle drivers have alternated to more sustainable forms of travel.
- An observation could be made that the future development impact on the wider network at the (B4295) Gorwydd Road / Mill Street junction is not considerably different to the baseline position. However, the impact at the proposed Fairwood Terrace / Victoria Road junction would be noticeable. The levels of queuing suggested on the Victoria Road (south) arm of that junction would exceed the available extent of queuing lanes, which may indicate that the model has exceeded its ability to forecast accurately. There could also be queueing along Fairwood Terrace.
- The provision of traffic signals and the ability to control a junction is of benefit. This allows for safer pedestrian crossings and manages the movement of vehicles at these junctions in a more efficient manner.

It is considered that the proposals for a signalised junction upgrade of the existing Fairwood Terrace and Victoria Road junction are logical in their approach as per the detailed Local Highway Authority comments earlier in this report. Following negotiations with Highway Officers, design changes, and a new Road Safety Audit (RSA) has been carried out by a third party specialist and a revised layout was submitted. This noted some areas to be considered further which include visibility to the signal heads at the junction, overgrowth and carriageway drainage maintenance issues.

The forward visibility for vehicle drivers to see the proposed signal heads while travelling northbound was a primary concern. Following further negotiations and site visits, it was considered that a solution could be found which was compliant with design requirements. In a past RSA of the previous layout, there was discussion on junction intervisibility between the stop line at Fairwood Terrace looking right and north to Victoria Road, should the signals fail. The applicant has set out junction visibility splays of 2.4 metres by 25 metres, as appropriate and this includes a clear sight line to the full width of the proposed pedestrian crossing. These visibility splays are acceptable.

In summary, the Local Highway Authority considers that the traffic impact of the new development can be adequately accommodated, providing that the identified proposed improvements are made to local highway junctions, in particular the signalisation of Fairwood Terrace and Victoria Road, as detailed in the Local Highway Authority's comments earlier in this report.

As this application is in outline for, the internal layout, including parking spaces will be fully detailed within the Reserved Matters application.

The Local Highway Authority approach on parking is to follow an SPG approved evidence-based approach to determining if a site is eligible for a discount in parking provision. This will be required to be completed and submitted at Reserved Matters stage.

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As the site is located adjacent to the railway station, the site has the unique opportunity to for a transport interchange and transit orientated development with direct access to the railway station. The development will accommodate bus priority along the spine street from Fairwood Terrace with the stop and turn around loop at the station plaza. The proposed transit hub also includes provision for a 50 space park and ride which will incorporate Electric Vehicle (EV) charging in accordance with Future Wales, cycle parking and cycle hire facilities, bus stop and turn around loop. At present the layout for the transit facilities is indicative for the Masterplanning and is not an engineering design. This will be fully detailed within the reserve matters application. The proposal also safeguards the future public transport and active travel link east to link with the larger strategic area allocated in LDP Policy SD H.

Whilst extensive concern has been raised by local residents regarding the additional traffic movements that would be created by the development, it is considered that the trips arising from the development can be accommodated within the local highway network without there being an impact on highway and pedestrian safety, providing that the above mentioned junction improvements are implemented.

As previously discussed within the Placemaking section of this report, the indicative layout within the submitted Master Plan and Parameter Plans show a hierarchy of streets which will be to adopted standards, consisting of a boulevard and mixed use spine streets, residential spine street, secondary streets and lanes, plus elements of shared drives / unadopted areas. Footways have been shown on the parameter plans. This approach is considered acceptable.

As such, no highway objections are raised subject to the provisions of junction improvement works. These will be secured by means of conditions and via a S106 agreement.

For the reasons given above, the application is considered to be acceptable and in compliance with the provisions of Policies T1, T2, T4, T5, T6 and T7 of the Swansea Local Development Plan (2010-2025).

Air / Noise Pollution

Air Pollution

As requested by Pollution Control Officers, the applicant has submitted an Air Quality Assessment (AQA). Concerns have been raised by local residents in respect of increases in air pollution as a result of this development.

Pollution Control Officers have fully assessed the submitted AQA (as per their comments earlier in this report).

Regarding the 'Construction Phase' of the development, they have recommended the use of the following condition;

Condition: The mitigation measures contained within Table M (Construction Dust Mitigation Measures) of Section 7.1 of the Air Quality Assessment by SLR (dated 14th November 2023) shall be implemented at all times during the construction phase of the development.

Reason: to protect existing and proposed residential uses.

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Regarding the 'Operational Phase' assessment that has been carried out, Pollution Control Officer acknowledges that the air quality assessment has been carried out in accordance with Welsh Government, EPUK & IAQM guidance looking specifically at NO₂, PM₁₀ and PM_{2.5} concentrations and human health exposure.

The traffic data that has been used, within the modelling carried out, has been confirmed as being an accurate set of data by the Local Highway Authority.

The Pollution Control Officer advises that within the modelling undertaken, background NO₂ concentrations have been obtained from the Defra datasets, locally sited NO₂ diffusion tube data have been utilised and traffic count data has been presented within the appendix. The percentage of change in concentrations modelled, using the worst-case scenario baseline data set of 2019, have been classified as negligible when considering the EPUK & IAQM guidance document. The assessment also considers the unmitigated effects of the operational phase road traffic emissions to not be significant upon the local air quality and the relevant human health receptors.

It is considered that the modelling process has followed the guidance set out in the Local Air Quality Management, Technical Guidance (TG22) (August 2022) and the model has undergone verification; adjusted modelled NO_x concentrations are within the required 25% difference (between modelled NO₂ and monitored NO₂) and are accepted as suitable in accordance with the guidance. This has been clarified and confirmed with the consultant to confirm the data used to demonstrate the Root Mean Square Error (RMSE) to derive the verification factor of 3.025.

Table 1 below shows the annual mean concentrations, from the Local Authority's NO₂ diffusion tube network, for the three sites referred to within the model verification process:

Table 1 – Annual mean NO₂ concentrations $\mu\text{g m}^{-3}$

	2017	2018	2019	2020	2021	2022
373	28.5	27.3	25.2	18.4	23.	20.6
412	21.8	21.5	21.1	17.1	20.7	18.5
413	24.4	23.4	23.8	21.1	23.3	21.5

The data shows a downtrend from 2017 to 2022. However, it was agreed that the 2019 dataset would be used for the modelling baseline data, in order to ensure that the baseline data is not affected by the impacts of Coronavirus pandemic. The annual mean, Air Quality Objective, for NO₂ is set at 40 $\mu\text{g m}^{-3}$ and is to be applied at all locations where members of the public would be exposed. Given the data that has been returned from the Local Authority's monitoring work and the results of modelling submitted, the data does not indicate that this annual mean will be exceeded. The Technical Guidance (TG22) document also sets out that if an annual mean concentration is below 60 $\mu\text{g m}^{-3}$ then the 1-hour air quality objective for NO₂ is unlikely to be exceeded.

Upon consideration of the assessment that has been carried out, the baseline concentration of NO₂ available and the use of modelled PM concentrations, the Pollution Control Officer does not have grounds to question the validity of the results submitted.

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The Pollution Control recommend that a S106 agreement contributions to be agreed so that monitoring of Air Quality, along Fairwood Terrace, can be carried out once the proposed development is operational. This will be a contribution of £15,000 and will for the monitoring of ambient air quality for 3 years close to the junction of Fairwood Terrace / Victoria Road.

Having considered the Air Quality Assessment that has been submitted and the requirement for s.106 agreement contributions, the Pollution Control officer advises that they have no grounds to object to this application on the basis of air quality.

Noise Pollution

The site is located adjacent to the railway line, and many of the new dwellings will be within 30m of the railway line and station. As such there is potential for noise impacts from the railway line on the proposed dwellings. Therefore, it is considered necessary to utilise a planning condition as follows:

Prior to commencement of the development on site, a scheme shall be submitted to and approved in writing by the Local Planning Authority which shall make provision for the following:

Prior to the construction of any residential dwellings located within 30m of the adjacent to the railway line, a scheme of sound insulation measures relating to those dwellings shall be submitted to and approved in writing by the Local Planning. The submitted scheme shall ensure that all rooms located within these dwellings achieve an internal noise level of 37dBA Leq 16 hour during the day and 30dBA Leq 8 hour at night and shall ensure that the habitable rooms within these dwellings subject to sound insulation measures shall be provided with acoustically treated ventilation units. These dwellings shall thereafter be constructed in accordance with the approved scheme and shall be retained as such thereafter.

Reason: To minimise future residential exposure to train pass-by noise.

It is noted that that the proposed development will incorporate an all-electric approach consisting of air source heat pumps, in compliance with Part L of the Building Regulations. The Pollution Control have requested that the following condition is applied:

Condition: All Air Source Heat Pump installations shall be designed to achieve a rating level (dBLArTr), that does not exceed the 35dB(LA90,15min) at 1 metre from the façade of the nearest noise sensitive dwelling; in accordance with BS 4142:2014+A1:2019. Methods for rating and assessing industrial and commercial sound.

Reason: To protect the occupiers if the new residential units against noise from Air Source Heat Pumps.

In summary, subject to the use of the conditions set out above, the proposed development is considered to be acceptable in noise pollution terms.

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Trees

The Council's Tree Officer and Landscape Officer raise no objection to the application, as detailed in their comments earlier in this report.

The submitted Tree Surveys indicate that a proportion of trees proposed to be removed are as follows:

- 3 Category A trees
- 13 Category B trees
- 15 Category C trees
- Circa 0.096ha category A mixed woodland groups
- Circa 0.262ha category B mixed woodland groups

The loss of the existing trees is to be mitigated by extensive new tree planting (in accordance with the requirements of the Swansea Tree Replacement Standard set out in the Council's Trees, Hedgerows and Woodland SPG), as shown on the indicative landscape and GI parameter plans, within the streets and new woodland planting areas at the east as a wet woodland, and at the north-west at the site entrance as follows:

- 107 individual trees on site along streets and within the station plaza area
- 1.08ha of wet woodland (on site)
- 2.88ha of wet woodland (off site to the north)
- 0.5ha of dry woodland (on & off site to the north/west)

The full schedule of replacement tree planting will be addressed at the Reserved Matters stage.

Standard tree protection measures and Arboricultural Method statements will be required via condition.

Consequently, whilst the level of tree loss of regrettable, it is being adequately mitigated and therefore no objection is made to this aspect of the development, which is considered to comply with Policy ER11 of the Swansea Local Development Plan (2010-2025) and the Council's Trees, Hedgerows and Woodland SPG (2021).

Ecology

The Council's Ecology Officer and NRW have raised no objections to the application subject to conditions, and the applicant entering into a Section 106 agreement relating to the future maintenance of the retained woodland and ecologically sensitive areas, as detailed within the consultation responses from NRW and the Ecology Officer in previous sections of this report.

An Appropriate Assessment (Habitats Regulation Assessment (HRA)) and test of likely significant effect has been carried out by the Council's Ecologist. This was submitted to NRW who have confirmed that they are content with the Assessment carried out and consider the development is unlikely to have an adverse effect on the integrity of the Carmarthen Bay and Estuaries Special Area of Conservation (SAC), Carmarthen Bay Special Protected Area (SPA); and the Burry Inlet SPA and Ramsar Site.

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The conditions recommended in the Appropriate Assessment will be included in any planning permission granted - namely a Construction Environmental Management Plan (CEMP), a sensitive lighting plan, a drainage strategy, and connections to public sewerage following a hydraulic modelling assessment. On the basis of the submitted information and taking account of the conservation objectives of the site, it is considered that the proposal would not contribute to deterioration of water quality within Carmarthen Bay and Estuaries EMS alone or in combination with other plans and projects.

A SINC (Alcoa Wet Meadows) is located within the SD H allocation which affects this proposal. Part of the allocated site requirements recognises that the site affects the SINC and states that 'significant areas of priority habitats including wet woodland and purple moor grass and rush pasture to be retained and enhanced'. Approximately 7.5ha of woodland and 0.5ha of purple moor grass and rush pasture will be lost to the development. These habitats are designated as part of the Alcoa Wet Meadows Site of Importance for Nature Conservation (SINC).

As detailed on the submitted GI Parameter Plan, approximately 3.2ha of new planting is proposed to the north of the application site to comprise a mosaic of 70% wet woodland, 20% dry woodland and 10% purple moor grass and rush pasture. In addition, approximately 4.8ha of retained woodland will be subject to a 25 year ecological management plan to enhance its condition. A Management Plan for the future maintenance of the retained woodland, mitigation planting and ecologically sensitive areas will be required as part of the S106 agreement.

The SD H policy amplification states that within the greenfield areas of the site, the existing field hedge boundaries are important landscape features and the retention of these within the public realm is an opportunity to give the place a distinct sense of place that is rooted in the context.

The Council's Biodiversity and Enhancement SPG identifies the Stepwise Approach (sections 3 and 4) as being:

- A. Identify and Assess - Identify and assess existing or potential, important habitats or species and ecological connectivity.
- B. Avoid - Avoid loss of any existing or potential important habitats or species; or fragmentation of ecological connectivity
- C. Respond and Design - Identify and assess existing, or potential, important habitats or species and ecological connectivity corridors.
- D. Mitigate - Mitigate for any unavoidable harm or loss to important habitats or species or the fragmentation of ecological connectivity
- E. Compensate - Address the residual effects of a proposal after avoidance and mitigation have been considered and provide appropriate compensation.
- F. Enhance - Explore all opportunities to enhance biodiversity and ecosystem resilience, proportionate to the scale and nature of the proposal.
- G. Manage - Submit and implement long term management plan of agreed and appropriate mitigation, compensation and enhancement measures.
- H. Monitor - Submit and implement a monitoring plan to ensure that the development and associated mitigation, compensation and enhancement measures deliver the attributes of resilience post-construction.

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It is considered that Stages A to F of the Stepwise Approach have been followed to maintain and enhance biodiversity and the resilience of ecosystems. This has been achieved through the sensitive design and site layout, mitigation, compensation, enhancement and connectivity. A significant area within the eastern area of the site will include GI in the form of multifunctional areas for public open space, SUDS attenuation, flood mitigation, as well as re-planted wet woodland habitats with biodiversity features, as shown the GI parameters plan, The exact details will be secured at Reserve Matters Stage. Steps G and H of the Stepwise approach will be achieved via planning conditions and S106 Agreement.

It is considered that the planting and management mentioned above serve as mitigation and compensation for the loss of habitats. Ecological Enhancements will be required over and above this, such as pole mounted bat boxes, integral bat, sparrow terraces and swift boxes will also be required on the buildings. The ecological enhancements will be secure via a condition.

There is evidence of 'European Protected Species' on the site (EPS). NRW has no objection to the development in principle provided. A licence from Natural Resources Wales will be required with an appropriate method statement and mitigation.

Nevertheless, where a EPS is present and the proposed development is likely to contravene the protection afforded to it, a development may only proceed under a licence (derogations from the provisions of the Habitats Directive) issued by NRW as the appropriate authority responsible for issuing licences under section 55 of the Conservation of Habitats and Species Regulations 2017.

Advice contained within PPW (section 6.4.36) states that in order to avoid developments with planning permission subsequently not bring granted derogations in relation to EPS, Local Planning Authorities should take the three requirements for derogations into account when considering development proposals where a EPS is present.

The three 'tests' are;

- i) that the development must be for the purposes 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) if 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.

The proposed development is assessed against these three tests below;

- i) The site is designated as one of the Council's Strategic Development Areas within the adopted Local Development Plan. The site is therefore integral to the delivery of the Council's LDP strategy and will make a significant contribution to meeting the need to provide land supply for housing. The development will provide a range of house types and affordable housing, together with a transport hub that will serve both new occupiers and the existing community.

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ii) The site is capable of delivering a sustainable development which provides a significant number of dwellings whilst will not have an unacceptable adverse impact providing the key concepts of the proposals are adhered to. It is acknowledged that there are other strategic sites identified within the LDP which could provide a development of the scale proposed. However, as all of the LDP strategic sites are collectively needed to underpin the LDP strategy, the 'transfer' of the proposed development to one of other strategic sites in order to keep the application site free of development would undermine the LDP strategy. Furthermore, it is not considered that there are any other alternative sites that could accommodate the proposed development, whilst also being deliverable.

iii) The application contains various supporting documents relating to the impact of the proposals on the ecology of the site. It is noted that NRW and the Council's Ecology Officer have raised no objection to the proposals subject to the imposition to the conditions that will adequately mitigate and compensate for the loss of habitats relating to EPS.

It is therefore considered that subject to the imposition of such conditions together with using mechanisms that will control the management of such areas, the proposals will not be detrimental impact on the maintenance of the EPS population.

For the reasons given above, on balance, the application is considered to be acceptable in term of its impacts upon ecology and complies with the provisions of Policies ER2, ER6, ER8, and ER9 of the Swansea Local Development Plan (2010-2025) and the SPG - Biodiversity and Development (2021).

Landscape and Visual Assessment

The outline masterplan and placemaking framework is supported by a Landscape and Visual Assessment (LVIA). This informs the masterplan and assesses the effect on the wider landscape and the effect on specific public view points.

The LVIA notes that a review of the landscape character and visual amenity has been undertaken, and that the findings confirm that the site relates well in landscape and visual terms to the existing settlement area and is distinct from field-scape pattern located north of the site, separated by a woodland belt. As a historically previously developed area including industrial land uses alongside a railway line, the site represents a logical development which could be readily assimilated into the settlement area. The site's interior would change from wooded scrubland to a new suburban character and the tree loss is likely to be the most adverse effect of the scheme.

The LVIA notes that the viewpoint assessment illustrates effects on visual amenity from surrounding PRoW POS and roads, would be highly localised, would not exceed moderate and would reduce slightly in the longer term as embedded mitigation planting, as part of the design, establishes and matures. Outside of these areas the vast majority of areas contain views, if and where available, that are distant and where the site forms a small part of an already settled landscape floor.

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Given its location adjacent to and alongside Gowerton Railway Station there would be moderate effects for rail users with views from platforms and the overbridge changed from wooded scrubland to new mixed-use development including a new station plaza. Elsewhere there would be no visual effects on railway users. Effects on residential groups are greatly restricted to those flanking the site to the west and south which would inevitably be substantial with a change from a woodland scrub backdrop to one of built form.

Overall, the masterplan which is given certainty through the associated placemaking framework of parameter plan and principles in the DAS, is positively integrated into the landscape. The site open space areas, railway line and planted buffers separate the majority of the existing settlement from the proposed development, while pedestrian / cycle connections between the two are provided for. The area to the east will contain a wet woodland and SUDS features and open space should provide an attractive space which further mitigates the visual impact.

It is considered that overall the visual effects elsewhere are not considered inappropriate or unacceptable, and for a site delivering 216 new homes and a transport hub, these effects are considered minimal.

For the reasons given above, the application is considered to be acceptable in this regard, and complies with the provisions of Policies PS2 and ER5 of the Swansea Local Development Plan (2010-2025).

Ground Conditions / Coal Mining Legacy

The Coal Authority has raised no objection to the application subject to conditions.

The application site falls within the Coal Authority's (CA) defined Development High Risk Area. Within the application site and surrounding area, there are coal mining features and hazards. The Coal Authority records indicate that within the application site and surrounding area there are coal mining features and hazards, specifically actual shallow coal mine workings. There are also thick coal seams outcropped across the site, which may have been worked from the surface. In addition to the above, the CA records indicate the presence of five recorded mine entries (shaft and adits), within, or within close proximity of the boundary.

The planning application is supported by a Site Investigation Report (March 2022, prepared by Integral Geotechnique Ltd). The Report confirms that further investigations are required to establish the exact situation with regard to potential shallow workings in the southern part of the site. On the basis that the Report goes on to confirm that the recorded mine entries also require investigating to inform appropriate stand-offs and to inform an appropriate development layout, the Coal Authority has no objections to the planning application, subject to the imposition of appropriate conditions.

The Coal Authority has therefore suggested that the intrusive site investigation works are done before the layout of the proposed development is finalised, so any coal mining legacy issues can be incorporated into the site layout.

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Any necessary remedial measures could then be addressed as part of a subsequent discharge of condition application, representing those aspects of the condition, which would be required to be satisfied prior to the commencement of development.

It is noted that the Coal Authority state that the applicant is required to seek separate permission from the Coal Authority Permit and Licensing Team before undertaking any activity, such as ground investigation and ground works, which may disturb coal property.

Based on the above, the Coal Authority considers that an adequate assessment of the coal mining risks associated with this site has been carried out. In order to ensure that sufficient information is provided by the applicant to demonstrate to the Local Planning Authority that the site is safe and stable for the development proposed, the Coal Authority advises that the imposition of planning conditions that cover the issues as per their comments earlier in this report.

The Coal Authority therefore has no objection to the granting of outline consent at this site, subject to the imposition of the conditions to secure the above.

Consequently, subject to the imposition of conditions, the ground conditions/coal mining legacy issues at the site can be adequately addressed.

Contaminated Land

The Council's Pollution Control Officers and NRW raise no objections to the application, subject to conditions that require detailed measures to be undertaken in order to investigate the presence of land contamination.

A Site Investigation Report was submitted with the application which sets out the site investigation proposals and states that more extensive investigation works are to be carried out.

As part of the conditions, the applicant will be required to submit a phased scheme, comprising three more progressively detailed reports, detailing measures to be undertaken in order to investigate the presence of land contamination, and related risks, at the site.

One of the required conditions is set out below:

No development shall commence (including site clearance and ground works) until the following components of a scheme to deal with the risks associated with contamination at the site, have been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways, and receptors
 - potentially unacceptable risks arising from contamination at the site

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The risk assessment shall include a mine gas risk assessment that considers the potential for mine gases to exist on the site. The mine gas risk assessment shall be undertaken by a competent person as defined in the National Planning Policy Framework and conducted in accordance with : CL:AIRE - Good Practice for Risk Assessment for Coal Mine Gas Emissions; October 2021.

2. If the preliminary risk assessment identifies potentially unacceptable risks, a site investigation scheme, based on (1) that provides information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. Based on the quantitative risk assessment results arising from (2), an options appraisal and remediation strategy giving full details of the remediation measures required, how they are to be undertaken and a timetable for its implementation. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 and The Contaminated Land (Wales) Regulations 2006, as amended by The Contaminated Land (Wales) (Amendment) Regulations 2012, in relation to the intended use of the land after remediation.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy required by (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details and time-table

Reason: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination, in the interests of human health, public safety and residential amenity.

In addition, a condition will be required to demonstrate that 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 until the developer has submitted and obtained written approval from the Local Planning Authority for, a detailed strategy for dealing with said contamination.

The Council's Pollution Control Officer and NRW raise no objection to the development, as it is considered that issues relating to contaminated land can be adequately addressed by means of appropriately worded conditions.

Consequently, it is considered that issues relating to land contamination can be addressed by means of the conditions required by these consultees.

Affordable Housing

Policy SD H requires the provision of affordable housing at the on-site target rate of 20% subject to consideration of financial viability.

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The site has been subject to an Independent Financial Viability Appraisal (IFVA), which was commissioned by the Council and Persimmon Homes, at the expense of the applicant and with the benefit of data provided by them.

The appraisal has indicated that, having regard to costs and values attributed to the proposals, the site cannot deliver 20% affordable housing as identified within Policy SD H. The IFVA does confirm that 10.2% affordable housing (22 dwellings) can be delivered across the site.

The IFVA confirms that due to the industrial history of the site and current characteristics, there are expected to be a considerable number of 'abnormal development costs' associated with this scheme. These include site clearance and remediation of existing contamination and stabilisation of coal mining features, Japanese Knotweed eradication, ground works / re-profiling of the land, overhead electric cable diversion, archaeology and ecology costs, abnormal foundations for the dwellings, barrier pipework, off site highway works, and foul and surface water works.

Other costs due to changes in Building Regulations (Parts L, F and O) which are likely have come into force by the time the development commences include improvements to insulation and airtightness in new homes; installation of air-source heat pumps and/or mechanical ventilation with heat recovery; and on-site electricity generation (e.g. photovoltaics) and storage (batteries).

It is noted that the financial appraisal has been undertaken by the same Independent Viability Assessor who, in 2016, as part of the assessment of Strategic Sites for the Swansea LDP, concluded that this site might not deliver more than 15% affordable housing largely as a result of abnormal costs associated with: (a) the site's former industrial uses, (b) roads and access and (c) surface water attenuation. It was not expected, at that early stage, that site levels would need to be raised to the extent that is now envisaged, following a significant amount of further survey and design work.

The Independent Viability Assessor has also noted that, other financial appraisals have been run to determine whether 20% or 15% of affordable housing might be achievable. The end result, based on all the information currently available, indicates that a "viable" margin from the development is only achievable when the proportion of affordable homes is reduced to 10.2% of the total number of dwellings.

As this application is at outline stage, the Independent Viability Assessor has also commented that the financial viability of this development should be reassessed at the detailed Reserved Matters planning stage, in order to establish whether it would be viable to deliver any greater number of affordable homes in accordance with the Council's LDP policies. As such a clause will be included within the S106 agreement which ensures that further viability assessments will be undertaken at the reserved matters stage, which may yield a higher level of affordable housing. The level of affordable housing would not be acceptable below a rate of 10%.

It is noted that the remainder of SD H site may be able to provide a higher level of affordable housing (subject to viability) in the future when that section of the site comes forward.

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The 10.2% affordable housing (22 dwellings) would be split in a ratio of 4 (18%) intermediate and 18 (82%) social rented housing and would consist of 1 and 2 bedroom flats.

The Council's Housing Enabling Officer has confirmed that the Housing Service accepts the recommended 10.2% affordable housing on site with a split of 18% intermediate / 82% social rented, with the recommendation that the financial viability of this development be reassessed at the detailed planning stage.

The affordable housing will be built to WDQR standard, and integrated into the overall development and will not be obviously segregated through location, layout or design. The affordable units will be transferred to either the Council or an RSL

The details of the layout and locations of the affordable housing dwellings will be considered as part of the reserved matters application. The development is likely to be built out over a number of phases - the developer has agreed that 10.2% affordable housing will be provided within each of the phases to avoid a lack of provision in phase one. This approach will also ensure that the affordable homes are spread throughout the development site.

The affordable housing will be secured via the Section 106 agreement with the requirement for further viability assessment at Reserved Matters stage.

For the reasons given above, on balance, the level of affordable housing being proposed is considered acceptable.

Education

Policy SD H identifies the requirement for a 2.5 form entry Primary School to be provided on a specific area of land illustrated in the concept plan, located north of Waunarlwydd and west of Fforestfach, to serve existing and new communities.

The development requirements in the policy state "*locate new primary school centrally to serve the area, where it is readily accessible by all travel modes*". Appendix 3 of the LDP identifies the new Primary School as an 'essential' requirement identified in the LDP as opposed to the alternative category where the requirement will be subject to further negotiation in light of additional evidence of need and/or viability.

It is important to note that the policies relevant to SDA sites in the LDP require comprehensive planning but not comprehensive delivery, and that the proposed new school site illustrated on the SD H Concept Plan lies outside the site boundary for this current application. This application site forms a distinct development area within SD H which is physically distant and separated by the employment area from the area of SD H that is proposed to accommodate the new school.

Although a spine street is proposed east-west through the SD H site, no through route for private vehicles (it is proposed to be restricted by a bus gate) is proposed in the LDP through the business park from this application site to that wider part of SD H (in order to control traffic levels). The route from this application site to the new school location would be a long and unsuitable route for walking to school.

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It is not considered a reasonable requirement for a planning obligation to be tied to this application for the delivery of a new school to the far east of the SDA site (as identified in the SD H policy and concept plan). The residential proposals within SD H to the east of the Business Park would be expected to provide the primary school via a future planning application.

As such, no new school is required by this planning application.

Instead, the development is required - in accordance with LDP Policy SI 3 - to mitigate impacts on capacity for the existing schools that the application site falls within the catchment area of.

The projected pupil numbers generated by the proposed development of 216 dwellings (having regard to the calculations contained within the Planning Obligations SPG - The 1 bedroom dwellings are excluded from the calculations as these are unlikely to be occupied by households with children of a school age) is as follows;

Primary - total number of pupils generated = 49.11 pupils (£741,561)
Welsh Medium (14.41%) = 7 pupils (£105,700)
English Medium (85.59%) = 42 pupils (£634,200)

Secondary - total number of pupils generated = 35 pupils (£804,289)
Welsh Medium (14.41%) = 5 pupils (£115,360)
English Medium (85.59%) = 30 pupils (£692,160)

Post-16 - total number of pupils generated = 6 pupils (£157,542)
Welsh Medium (14.41%) = 1 pupil (£24,768)
English Medium (85.59%) = 5 pupils (£123,840)

Total: Total number of pupils generated = 90.3 (£1,703,375)
Welsh Medium (14.14%) = 13 pupils (£245,828)
English Medium (85.59%) = 77 pupils (£1,450,200)

The development is in the Gowerton Ward and the catchment schools are:

English medium - Gowerton Primary and Gowerton Comp :
Welsh medium - YGG Y Login Fach(primary) and YG Gwyr

Within the Education Officers response earlier in this report, it is noted that the current and forecasted capacity for each of the 4 schools are as follows

English Medium

Gowerton Primary: 30 unfilled places in Jan 2023 (8.67%)
110 unfilled places forecast Sept 2029 (31.79%)
Gowerton Comp : 105 unfilled places in Jan 2023 (8.29%)
235 unfilled places forecast Sept 2029 (18.56%)

Welsh Medium

YGG Y Login Fach : 13 unfilled places Jan 2023 (5.91%)
(primary) 30 unfilled places forecast Sept 2029 (13.64%)

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YG Gwyr (secondary)	172 unfilled places Jan 2023 (13.46%) 104 unfilled places forecast Sept 2029 (8.14%)
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The Education Officer also notes that there is currently 1 x single, 3 x double demountables in YG Gwyr and 2 x single, 3 x double demountables in Gowerton Comprehensive.

From the above figures it is noted that that the English medium primary school (Gowerton Primary) had 30 unfilled places (8.37%) in January 2023. By September 2029 the current projection indicates that this is expected to increase to 110 unfilled places (31.79%). With existing commitments this takes the projected position to 84 unfilled places (24%). The Welsh medium primary school (YGG Y Login Fach) had 13 unfilled places (5.91%) in January 2023. By September 2029 the current projection indicates that this is expected to increase to 30 unfilled places (13.64%). With existing commitments this takes the projected position to 28 unfilled places (13%).

The English medium secondary school (Gowerton Comprehensive) had 105 unfilled places (28.29%) in January 2023. By September 2029 the current projection indicates that this is expected to increase to 235 unfilled places (18.56%). With existing commitments this takes the projected position to 210 unfilled places (17%). The Welsh medium secondary school (YG Gwyr) had 172 unfilled places (13.46%) in January 2023. By September 2029 the current projection indicates that this is expected to fall to 104 unfilled places (8.41%). With existing commitments this takes the projected position to 63 unfilled places (5%).

The Education Department have requested;

FULL developer's contribution £105,700 for the Welsh medium primary

FULL developer's contribution of £692,160 and £123,840 for the English medium secondary and post 16 education.

FULL developer's contribution £115,630 and £24,768 for the Welsh medium secondary and post 16 education.

It is noted that the Education Dept desire a minimum '10% buffer' in terms of establishing capacity and that they also note that there is currently 1 x single, 3 x double demountables in YG Gwyr and 2 x single, 3 x double demountables in Gowerton Comprehensive

However, from the capacity figures provided by the Education Department, it is noted that there will be significant unfilled places within all the Welsh and English medium primary and secondary schools, which are considered to be sufficient to accommodate all of the pupils generated by this development.

Local Planning Authorities cannot take into account the Education Departments 'desire' to maintain a 10% capacity buffer or replacement of existing demountable classrooms as that falls outside the remit of the Planning Obligations Circular 13/97.

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Circular 13/97 - Planning Obligations specifically states (para B12) that *"the extent of what is sought or offered is fairly and reasonably related in scale and kind to the proposed development" and "that developers should not be expected to pay for facilities which are needed solely in order to resolve existing deficiencies, nor should attempt be made to extract excessive contributions to infrastructure costs from developers"*. Para B15 goes on to say *Authorities should be particularly care to guard against attempting to secure a list of desirable benefits from developers, even if they consider such benefits to be related in some way to the proposed development.*

The existing demountable classrooms are considered to be 'existing deficiencies' in this regard, and cannot be excluded from the capacity calculations as it is not the developer's responsibility to provide an upgrade to existing demountable classrooms. That responsibility lies with the Council / school.

S106 monies can only be requested for new capacity within schools, where the school does not have current or projected capacity to accommodate the new children from the development. As such, it is considered that no contribution can be sought for any of the schools within the catchment area as there is sufficient capacity within the schools forecasted in 2029 to accommodate the children generated by this development.

Drainage

With regard to land / surface water drainage, it is noted that the Drainage Officer has 'objected' to the application. The application is in outline form and as such a detailed drainage strategy has not yet been submitted. The full layout of the site and the associated drainage strategy will be submitted at Reserved Matters stage. In addition, a separate SAB application will need to be submitted under separate legislation. All issues relating to surface water drainage will be considered under the SAB application in due course.

With regard to foul drainage Dwr Cymru / Welsh Water (DCWW) have noted that the proposed development site is crossed by strategic assets in the form of a 300mm public rising main and 750-975mm public combined sewer, and that they note that the public combined sewer is located to the east of the bordering watercourse whereas the proposed development is located to the west and DCWW therefore consider that suitably setback from the protection zone of this asset can be achieved.

With respect to the 300mm public rising main, DCWW note that the proposed development will be maintained outside the protection zone of the 300mm public rising main, measured 3 metres either side of the centreline. Nonetheless, DCWW recommend that the developer carry out a survey to verify the location of this rising main and establish its relationship to the proposed development and that they request that the developer they contact our Plan and Protect. An informative will be added in this regard.

DCWW have highlighted that there is insufficient capacity in the public sewerage system (to accommodate anticipated foul flows from the development) and the public watermain system to provide the site with an adequate potable water supply.

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It is considered that due to the lack of capacity within the foul sewerage system, that a compensation surface water removal scheme is required to be submitted to remove existing surface water from the existing combined sewers to allow for the additional foul flows from the development. This will be secured via condition.

Accordingly, DCWW advise there would be a requirement to commission and instruct DCWW to undertake Hydraulic Modelling Assessments (HMAs) of the public sewerage and water supply systems, and that they request that a condition is included, to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

For the reasons given above, the application is considered to be acceptable in this regard and complies with the provisions of Policy RP4 of the Swansea Local Development Plan (2010-2025).

Flood Risk

The site is bound to the north and east by the Gors Fawr Brook, which is a tributary of the Afon Llan, which flows downstream for approximately 1km into the Afon Lliw. The Gors Brook flows through an existing Network rail owned culvert under the adjacent railway line, which is upstream of the application site.

Within TAN15, Zone A areas are considered to be at little or no risk of fluvial or tidal / coastal flooding, Zone B is where areas have been flooded in the past, Zone C is where flooding is equal or greater than 0.1% (river, tidal or coastal); Zone C1 are areas of the floodplain which are developed and served by significant infrastructure, including flood defences and Zone C2 is areas of the floodplain without significant flood defence infrastructure.

Under the current TAN15 Development Advice Maps (DAM), proposed development is largely situated in Zone A of the DAM, with some small areas falling into Zone C2 and Zone B of the DAM.

The LDP in para 2.3.86 sets out that no residential development will be permitted in any part of the site affected by Zone C2 flood risk and such areas will be expected to form part of the Green Infrastructure (GI) network to be integrated into proposals.

The applicant's submitted Flood Consequences Assessment (FCA) states that the site has been designed so that residential development area are not included in the Zone C2 area, and that instead this area is proposed for GI and Sustainable Drainage.

In terms of the adopted TAN 15, the development would need to satisfy the justification tests set out in Sections 6 and 7. In this case the applicant's FCA indicates that the justification test only applies to limited areas of the site within Zone C2 with the only development proposed being engineering works associated with drainage infrastructure, public open space and flood mitigation works which the FCA considers to be water compatible. Para 11.21 of TAN15 sets out that 'proposals for public open space, outdoor recreational uses are likely to be acceptable in all areas where there is a risk of flooding'.

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It is noted that the current TAN15 refers to the DAM maps - the updated Flood Maps for Planning (FMfP) will be introduced when the new TAN15 is published. However it is not known when this will occur, and as such the current DAM maps support the current version of TAN 15 and as such is afforded substantial weight in determining flood risk at this time.

The application site is an allocated Strategic Site within the adopted Local Development Plan, which was informed by the Swansea Strategic Flood Consequence Assessment, which noted that part of the site is located within Zone C2, which will remain undeveloped and form part of the multi-functional Green Infrastructure, which is considered to be 'less vulnerable' uses

As mentioned above, the majority of the site falls within Zone A, which has little or nor risk of fluvial or tidal / coastal flooding.

The smaller areas of the site which fall within Zones C2 and B are located to the north west and south east (Zone B) and a very small area to the south east (Zone C2).

TAN15 advises that new development should be directed away from Zone C (1 and 2) and towards suitable land in Zone A, otherwise to Zone B, where river or coastal flooding will be less of an issue.

TAN15, at paragraph 6.1 states:

"Much urban development in Wales has taken place alongside rivers and in the coastal plain. It is therefore inevitable, despite the overall aim to avoid flood risk areas, that some existing development will be vulnerable to flooding and fall within zone C. Some flexibility is necessary to enable the risks of flooding to be addressed whilst recognising the negative economic and social consequences if policy were to preclude investment in existing urban areas, and the benefits of reusing previously developed land. Further development in such areas, whilst possibly benefiting from some protection, will not be free from risk and could in some cases exacerbate the consequences of a flood event for existing development and therefore a balanced judgement is required."

Furthermore, TAN15 Section 7.3 states that new development should ensure *"minimal impact of the proposed development on flood risk generally"*.

Appendix 1, Assessing Flooding Consequences of TAN15, part A1.2 also states that one of the prime objectives of the assessment of an FCA is that *"The assessment can be used to establish whether appropriate mitigation measures can be incorporated within the design of the development to ensure that development minimises risk to life, damage to property and disruption to people living and working on the site or elsewhere in the floodplain."*

A letter to Chief Planning Officers from Welsh Government in January 2014 confirms that, for proposals in Zone C, the 'justification tests' set out at paragraph 6.2 of TAN 15 are relevant.

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The tests are as follows:

Development will be justified if it can be demonstrated that:

- (i) Its location within Zone C is necessary to assist, or be part of, a Local Authority regeneration initiative or a Local Authority strategy required to sustain an existing settlement; OR
- (ii) Its location in Zone C is necessary to contribute to key employment objectives supported by the Local Authority, and other key partners, to sustain an existing settlement or region;

And

- (iii) It concurs with the aims of Planning Policy Wales (PPW) and meets the tests of previously developed land (PDL); and
- (iv) The potential consequence of a flooding event for the particular type of development have been considered and found acceptable.

With regard to the above tests,

- (i) & (ii) The site is designated as one of the Council's Strategic Development

Areas within the adopted Local Development Plan. The site is therefore integral to the delivery of the Council's LDP strategy and will make a significant contribution to meeting the need to provide land supply for housing. The development will provide a range of house types and affordable housing, together with a transport hub that will serve both new occupiers and the existing community. As such it is considered that the development of this site is necessary to meet the LDP requirements for delivery of new housing.

- (iii) Although the site is not considered to be 'previously developed land', as defined by PPW, the C2 area falls outside the area for the residential development, and will remain undeveloped and form part of the multi-functional Green Infrastructure, which is considered to be 'less vulnerable' uses
- (iv) The potential consequences of a flooding event have been considered.

It is noted the area of land within Zone C2 is 'low vulnerability' as per sections 5 and 7, and appendix 1 as the C2 area falls outside the area for residential development and will remain undeveloped and form part of the multi-functional Green Infrastructure, as referred to above.

It is proposed to install a landscaped berm set at 12.1m AOD, located along the eastern edge of the flood storage area. The berm will have a height of 0.5m above existing ground levels. This berm is to manage flood levels locally, minimising changes in flood levels elsewhere, preventing water from spilling towards the east. A 20m gap in the berm allows flow from the Gors-Fawr Brook to enter the storage area. NRW note that they can appreciate the benefit of this berm and support this proposal

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NRW also note that the proposed area/ground that is to be raised has been amended. A small area will be removed from the ground raising, a section where deep flooding occurred in the baseline model. By not raising this small area it should help limit third party detriment, and that they appreciate the benefit of reducing the proposed raised ground area and support this proposal.

Appendix 1 Section C of TAN15 is entitled Acceptability Criteria for Flood Consequences. The proposed development has been assessed by NRW against the criteria contained within Section C of Appendix 1. In summary, NRW advise that the flooding is contained within the intended flood storage areas, with no flooding of the proposed residential buildings. With regard to a blockage scenario (the culvert below the railway line on Gors Brook Fawr), during the 0.1% AEP event, the residential buildings will flood to depths of 0.02m and it is proposed to set finished floor levels at 0.015m above surrounding ground levels to alleviate this risk.

NRW also comment that because of the proposed development, there will be a significant reduction in flooding to the railway line and Gowerton Station, which is considered to be betterment over the current situation.

The proposed development could give rise to the possible flooding of third party land. Penllergaer Estates (as a stakeholder) have provided a letter of acknowledgement, accepting and understanding this third-party impact.

NRW raised concerns regarding the potential increase of flooding to land in the ownership of EP Properties, (formally Garrison Barclay Estates, GBE). NRW have noted the submitted Technical Note, Ref. 2021s1476, dated 28 May 2024, and commented that the details show the inclusion of a pond within the flood mitigation area and that the minor changes made to the flood mitigation scheme to eliminate the area of elevated flooding on the EP Properties land (formerly GBE). The Technical Note advises that EP Properties have purchased the area of land previously owned by GBE. The pond has removed all negative impacts to the EP owned land.

NRW noted that for the access/egress, during the 1% AEP plus climate change event, access to the site along Fairwood Terrace is predicted to be flood free. In the 0.1% AEP event, Fairwood Terrace floods to less than 100mm. Given this minimal amount in the 0.1% AEP event, it is considered that the consequences of flooding can be managed in accordance with TAN15.

NRW comment that in conclusion, the development still does not fully comply with all of Appendix 1 Section C of TAN15 (specifically parts A1.14 or A1.15). However, NRW acknowledge that the proposed residential buildings are not expected to flood and that the development does now comply with A1.12. As mentioned previously, the C2 area falls outside the area for the residential development, and will remain undeveloped and form part of the multi-functional Green Infrastructure, which is considered to be 'less vulnerable' uses.

Therefore, NRW do not object to the proposal.

For the reasons given above, the flood risk associated with the development is considered acceptable.

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Archaeology

Gwent Glamorgan Archaeological Trust (GGAT) have assessed the submitted Archaeological & Heritage Assessment and advised that the site is located within an area of high archaeological potential, and that the site contains several industrial features, including Fairwood Tinplate Works and New Gorwydd Colliery, as well as a mill leat and canal. However, the level of preservation and condition of such remains could not be determined due to heavy vegetation cover / accessibility issues. As a result a programme of archaeological work is recommended, including during vegetation clearance and building recording.

As such it is recommended that a condition requiring the applicant to submit a detailed written scheme of investigation for a programme of archaeological work to protect the archaeological resource should be attached to any consent.

The condition will require a programme of work in the form of a watching brief during the vegetation clearance and ground works with detailed contingency arrangements, including the provision of sufficient time and resources, to ensure that any archaeological features or finds that are located are properly investigated and recorded; it should include provision for any sampling that may prove necessary, post-excavation recording and assessment and reporting and possible publication of the results.

Japanese Knotweed

It has been confirmed that Japanese Knotweed is present on the site. Therefore a planning condition is recommended that requires that a detailed scheme for the eradication of Japanese Knotweed be submitted to and approved in writing by the Local Planning Authority, which shall be implemented prior to the commencement of work on site, in the interests of the ecology and amenity of the area.

Renewable Energy

Policy EU 2 requires development 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. The policy also requires the development to submit a comprehensive Energy Assessment to investigate connections to existing sources of renewable energy. The LDP also encourages significant energy consuming development to connect to district heating and cooling networks.

The applicant has submitted a Sustainability and Energy Assessment as part of the application. The statement sets out that 'persimmon will achieve net zero carbon homes in use and operations' with new homes delivered by Persimmon circa 30% more efficient than the existing housing stock with an average SAP rating of 66 or more EPC rating C. Most recent dwellings delivered by Persimmon have an average SAP rating of 87 EPC rating B equivalent.

The sustainability statement sets out that the sustainability credentials of the proposed development will be secured primarily by planning condition and / or planning obligation.

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In terms of energy efficiency, the statement sets out that 'Persimmon are fully supportive of the UK Government's targets for reductions in greenhouse gas emissions and have a set a number of ambitious sustainability targets as a business which will be adhered to as part of the proposed development.' It states the site will accord with Part L standards in Wales. In addition the aspiration is for none of the heating for the development to be fuelled by fossil fuels. Page 8 of the statement sets out that a number of options will be considered as part of each site design to achieve carbon reductions.

Policy EU 2 states that 'development will be required to maximise the contribution of renewable and low carbon energy technology. The Energy Statement does not set out 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. This will be considered as part of detailed Reserved Matters application with an updated Energy Statement covering this to meet the requirements of Policy EU 2.

Welsh Language

The site is located within the Welsh Language Sensitive Area and in accordance with LDP Policy HC 3 (for allocated development sites), the planning application has included a Welsh Language Impact Assessment. This considers the 2021 census which shows the ward has a higher proportion of individuals speaking the Welsh language than at County level and recognises that Welsh forms an important role and feature of the community.

In line with para 2.6.27 of the LDP, a Welsh Language Action Plan is required to accompany the application.

The submitted Welsh Language Impact Assessment sets out that during pre-application consultation process, bilingual site notices were used and no comments were received which raised adverse impacts on the Welsh language.

A Welsh Language Action Plan forms part of the submitted Welsh Language Impact Assessment. This document outlines that the Transport Mobility Hub will expand the offer of sustainable travel from Gowerton and argues that this will have a positive impact on the Welsh language by providing sustainable travel options to Welsh speakers in the community.

The document also highlights that the development provides affordable housing which will provide affordable housing choices for all members of the community including Welsh speakers. Whilst the application is in Outline form, the Action Plan indicates 4 areas: 'Marketing', 'Phasing', 'Unit Mix', and 'Street Names and Signage'.

Whilst much of the detail contained within the submitted document is considered acceptable, there are several sections of the document which require the provision of further information and details.

Consequently, the submission of a revised and more comprehensive Welsh Language Action Plan will be secured via condition.

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Beyond Bricks and Mortar Initiative

The developer (Persimmon) has confirmed their commitment to the Beyond Bricks and Mortar Targeted Recruitment and Training programme, to address opportunities arising during the construction phase of the proposal's development. The programme is run by Gower College and is aimed at unemployed people aged 18+. They undertake basic skills training and other appropriate work-related training, followed by a job placement. Candidates can work for 16 hrs per week in the placement or in training for up to 13 weeks or more, if necessary, at no cost to an employer, following which they could be placed into employment for a minimum of 13 weeks or the length of the project.

Other Issues

The site lies within 2-3km of a number of Scheduled Ancient Monuments (SAMs) - namely: Roman Practice Camp on Stafford Common, Garn Goch Round Barrow, Mynydd Carn-Goch Roman Earthworks, and Melin Mynach.

Cadw have been consulted on the visual effect on the off-site designated SAMs.

Cadw have offered no objection to the application due to the separation distances and intervening development between these SAMs and the proposed development. Consequently, these are not considered to any likely effects on the setting of these designated heritage assets.

Response to Objections Raised

Issues relating to the principle of development, compliance with the Local Development Plan and Policy SD H and PPW, the impacts upon traffic and highway safety, parking, access for emergency vehicles, impact on the low bridge on Victoria Road, loss of greenspace, character and appearance of the area, visual amenity, contaminated land, construction traffic, noise pollution, air pollution, sewerage, impact upon the Burry Estuary, schools, S106 contributions, flood risk, drainage, land instability, environmental, ecology, wildlife, protected species, trees, bats, birds, overdevelopment, privacy, open space and Welsh Language implications, are addressed in the report above.

With regard to capacity for local doctors and dentists, the development will provide for flexible floor space which include uses that fall within A1-3, B1 and D1 Use Class. Consequently, the D1 floorspace can be used for clinics, health centres, and consulting rooms. It should also be noted that the site is already allocated for development in the LDP.

Concern has been expressed in respect of the accuracy of Persimmon's consultancy reports. However, all of the submitted technical reports have been assessed by the relevant consultees/experts within their field. Councillors should note that none of the consultees have queried the adequacy of the final suite of information submitted by the applicant.

With regard to procedural concerns, it is standard practice for developers to enter into Pre-application enquires and Planning Performance Agreements (PPA) with the Local Planning Authority prior to the submission of a planning application. These pre-application negotiations are 'confidential' and the details of which are not in the public domain.

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Other issues contained within the list of objection points include the parking situation at Gowerton Railway station, bus services, the loss of this private land as an informal recreational space, and house values and insurance. These issues are not material planning considerations and so do not form a reason for the refusal of the application.

It is noted that Network Rail has requested a contribution for further improvement to facilities at Gowerton Railway Station. It is noted that the application includes the provision of a 50 space park and ride car park and a mobility hub which will provide street furniture and shelters. In addition, there is also an active travel route to the station through the application site, which is likely to be completed before the current development is implemented. As such, it is considered that no additional S106 obligations are necessary in this instance, and therefore any request for additional contributions would not comply with the relevant CIL tests.

It is also noted that the PROW officer requested S106 funds to upgrade the existing foot bridge over the river. However the existing foot bridge was installed relatively recently, and does not need replacing. The PROW will need to be diverted as part of the development and as such the new route will be upgraded. As such, it is considered that no additional S106 obligations are necessary in this instance, and therefore any request for additional contributions would not comply with the relevant CIL tests.

Conclusion

Having regard to all material planning considerations, including the provisions of the Human Rights Act, it is considered that the proposed scheme is acceptable, subject to a S106 agreement and conditions.

It is considered that the proposal accords with the provisions of Policies PS1, PS2, SD1, SD2, SD H, IO1, IO2, H2, H3, HC3, SI2, SI3, SI5, SI6, SI8, ER1, ER2, ER6, ER8, ER9, ER11, T1, T2, T4, T5, T6, T7, EU2, EU4, RP2, RP3, RP4, RP5, RP6, RP7 and RP10 of the Swansea Local Development Plan 2010-2025 (LDP), and the following Supplementary Planning Guidance Notes (SPG's):

- Placemaking Guidance for Residential Development (Adopted October 2021)
- Trees Hedgerows and Woodlands (Adopted October 2021)
- Development and Biodiversity (February 2021)
- Parking Standards (Adopted March 2012)
- Planning Obligations (Adopted March 2010)
- Planning for Community Safety (Adopted December 2012)

Regard 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 Part 2, Section 3 of the Well-Being of Future Generations (Wales) Act 2015 ("the WBFG Act"). In reaching this decision, the Local Planning Authority has taken account of the ways of working set out at Part 2, Section 5 of the WBFG Act and consider that this recommendation is in accordance with the sustainable development principle through its contribution towards one or more of the public bodies' well-being objectives set out as required by Part 2, Section 9 of the WBFG Act.

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RECOMMENDATION

APPROVE, subject to the following conditions and S106 agreement

Affordable Housing

- 10.2% affordable housing on site, comprising 82% social rented (at 42% ACG) and 18% Intermediate (at 70% ACG) and WDQR compliant. The AH shall comprise a mix of 1 and 2 bed flats. The design and specification of the AH shall be equivalent quality to those used in the Open Market Units. The AH shall be dispersed across the site in clusters, and 10.2% shall be delivered within each phase of the development. The Council shall be an option, as well as a registered social landlord, to receive / transfer the affordable homes
- Review mechanism for viability appraisal update to be submitted with the reserved matters application. The review must not fall lower than 10% Affordable Housing.

Local Highway Improvement works

- Contribution of £40,000 for the installation of the Micro-processor Optimised Vehicle Actuation relating to the two signalised junctions, to be paid on the occupation of the 1st dwelling. The two signalised junctions are the existing signal junction of the B4295 Gorwydd Road with the B4296 Mill Street / Victoria Road and the proposed signalised junction of the B4296 Victoria Road and Fairwood Terrace.
- The creation, operation and management of a 'Car Club' service, which offers free membership to occupiers of the new residential units and provides an EV parking space for a 'club car' within the site. The Car Club service shall operate for a minimum of 3 years. The Car Club service is to be provided prior to the occupation of the 50th dwelling.
- Contribution of £60,000 for a Bike rental scheme within the transit hub (including a dock supporting 8 bays) to be paid prior to the occupation of the 50th dwelling
- Transit hub - all weather waiting facilities & secure lockers with technology modern train and bus timetable displays and secure personal cycle parking provision to be installed prior to the occupation of the 50th dwelling

Local Play Facilities

- Contribution of £60,000 for improvements to the Elba Multi-Use Games Area (MUGA) to be made on the occupation of the 1st dwelling

Ecological Mitigation

- Off-site SINC ecological mitigation (as detailed within the approve Ecological Mitigation Strategy received on 4th October 2023 and as shown on plan EDP7327_D035L - Green Infrastructure Parameter plan received on 25th July 2024) shall be completed within the 1st planting season following the commencement of work on site. This will then be managed and maintained for a period of 25 years.

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Future route for bus / ATR connection

- The area of the 'Potential future bus route link / loop' as shown on plan edp7327_d032h - Access and Movement Parameter plan shall be retained as 'temporary open space' to safeguard the area for future public transport and active travel route links to the wider Strategic Development Site H.

Air Quality Monitoring

- Contribution of £15,000 for a solar powered sensor to be sited on Fairwood Road or Victoria Road to allow monitoring of ambient air quality for a period of 3 years. To be paid prior to the occupation of the final dwelling.

Management Plans

- Unless offered for adoption by the Council (with an appropriate commuted sum agreed with the Council's Parks Dept), the Management Plans for the future maintenance of the retained woodland and ecologically sensitive areas, proposed parks, open spaces, LEAPS, NEAPS, pumping stations and SUDs features, (including attenuation ponds, soakaways, infiltration trenches), to be submitted and implemented prior to the occupation of the first residential dwelling.

Council's Monitoring Fee

A Monitoring fee of £3,812 (based on 20% of the application fee, as the 2% fee of the overall cost of the obligation would be unreasonably and prohibitively large). The fee to be paid prior to the commencement of works on site.

Legal Fees

The Council's legal fees of £1,000 relating to the preparation of the S106 agreement.

Time limit

If the S106 is not signed within 6 months of the date of resolution, then the planning application shall be refused permission.

Conditions

- 1 Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
Reason: The application, in outline form, does not give sufficient detail for consideration of these matters at this time.

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- 2 Any application for approval of the reserved matters shall be made to the Local Planning Authority not later than three 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.
- 3 The development shall begin either before the expiration of five 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 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.
- 4 Prior to the commencement of development on site, a phasing plan relating to the proposed development and the application site shall be submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include details of the phasing of the following:
- a) each and every development parcel
 - b) site accesses
 - c) transit hub, bus route and public transport stops, and ATR links to Gowerton Station
 - d) strategic foul and surface water features and SUDS
 - e) all open spaces, community infrastructure and other publicly accessible areas.

The development shall be carried out in accordance with the approved phasing plan.

Reason: To ensure there is a clear framework for both the progression of the development and for the submission of reserved matters applications so that the development is carried out in a comprehensive, sustainable and coherent manner.

- 5 The development shall be carried out in accordance with the following approved plans and documents:

EDP7327_D036A - Site location plan, received 25th September 2023.

Ecological Mitigation Strategy, received 4th October 2023.

Ecological Assessment, received 10th October 2023.

226579_A02 - Signalised Junction General Arrangement Signage Layout and

226579_A01 Rev D - General Arrangement Of Proposed Signalised Junction Victoria Road And Fairwood Terrace, received 5th June 2024.

Construction Environmental Management Plan (CEMP), received 5th July 2024.

Reason: For the avoidance of doubt and to ensure compliance with the approved plans.

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- 6 The proposed development shall be designed in substantial accordance with the following documents:

EDP7327_D034-E - Density Parameter Plan
EDP7327_D033-E - Scale and Height Parameter Plan
EDP7327_D031-G - Land Use Parameter Plan
Received 25th September 2023

EDP7327_D039G - Street Hierarchy Parameter Plan
EDP7327_D038G - Suds Strategy
EDP7327_D037G - Townscape Parameter Plan
EDP7327_D032H - Access and Movement Parameter Plan
EDP7327_D022R - Illustrative Masterplan
Design and Access Statement
Received 5th June 2024

EDP7327_D035L - Green Infrastructure (Gi) Parameter Plan, received 25th July 2024

10299-SK01- Rev F - Catchment Plan and Basin Sizes, received 6th August 2024

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.

- 7 Any reserved matters application, shall be accompanied by a detailed Design and Access Statement which explains how the proposals comply with the placemaking principles of the development hereby approved.

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.

- 8 Prior to commencement of any site clearance, ground works or construction works on site, the proposed signalisation of the junction of Fairwood Terrace and Victoria Road shall be fully implemented in accordance with the details shown on approved plans 226579_A02 (Signalised Junction General Arrangement Signage Layout) and 226579_A01 Rev D (General Arrangement of Proposed Signalised Junction Victoria Road And Fairwood Terrace).

Reason: In the interest of Highway Safety.

- 9 Prior to the occupation of the first dwelling hereby approved, the Active Travel Link connecting the site to Gowerton Railway Station shall be completed in accordance with the details approved as part of planning permission 2017/0628/RG3 granted on 2nd March 2018.

Reason: To ensure full connection to the railway station in the interest of active travel and pedestrian accessibility.

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- 10 Prior to the occupation/use of any of the approved dwellings or any commercial units, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include provision for encouraging and incentivising use of public transport and cycling. 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.
- 11 Any reserved matters application relating to layout shall include full details of an Autotrack run that demonstrate that refuse vehicles/emergency vehicles can enter, turn and leave all parts of the proposed development in a forward gear.
Reason: To ensure full access can be gained by refuse and emergency vehicles in the interests of highway safety.
- 12 No development shall commence, including any site clearance, ground works or demolition works, until a Construction Method Statement (CMS) which shall include a Construction Traffic Management Plan (CTMP) has been submitted to, and approved in writing by, the local planning authority. The approved CMS shall be adhered to throughout the construction phase of the development. The CMS shall provide details relating to;
- i) the parking of vehicles of site operatives and visitors;
 - ii) loading and unloading of plant and materials;
 - iii) storage of plant and materials used in constructing the development;
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - v) wheel washing facilities;
 - vi) measures to control the emission of dust and dirt during demolition and construction;
and
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- Reason: To ensure that the proposed development is constructed with regard to the interests of safety and traffic management.
- 13 No development approved by this permission shall be commenced until a Site Waste Management Plan (SWMP) has been produced and submitted in writing for approval by the Local Planning Authority. The construction phase of the development shall be implemented in accordance with the agreed SWMP at all times.
Reason: To ensure waste at the site is managed in line with the Waste Hierarchy in a priority order of prevention, re-use, recycling before considering other recovery or disposal option.
- 14 Prior to the occupation of any residential dwelling hereby approved, full details of the proposed arrangements for future management and maintenance of the proposed streets within the development, shall be submitted to and approved in writing by the Local Planning Authority.

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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.

Reason: To ensure that the development is provided with satisfactorily maintained and managed streets.

- 15 No development shall commence until full engineering, and construction details of the internal roads and footways have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of highway safety.

- 16 Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no fences, gates or walls shall be erected within the curtilage of any dwelling house, forward of any wall of that dwelling house which fronts onto a road.

Reason: To ensure that the overall open plan housing layout is not prejudiced by uncontrolled development, and also in the interests of highway safety.

- 17 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, E and F of Part 1 of Schedule 2 of that Order shall not apply.

Reason: In the interests of residential and visual amenity and also to protect the integrity of the chosen surface water management system from additional impermeable areas that the surface water system is not designed to accommodate.

- 18 The car parking spaces shown on any layout drawings forming part of a future reserved matters application shall be provided prior to the first beneficial use of the dwelling to which they relate and shall be kept available for the parking of motor vehicles at all times.

Reason: To reduce the likelihood of obstruction of the highway or danger to road users.

- 19 Notwithstanding the provisions of Classes A or E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking or amending that order), all domestic garages forming part of the proposed development shall only be used for the parking of vehicles and purposes incidental to that use 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.

- 20 A scheme of electric vehicle charging points to be provided at any public parking areas shall be submitted as part of any reserved matters application relating to layout. The approved scheme shall thereafter be provided prior to the public parking areas being brought into beneficial use.

Reason: To ensure adequate charging points are provided in the interests of sustainable transport.

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21 Prior to the occupation of any dwelling or commercial building hereby approved, the means of enclosing the boundaries of the individual curtilage of that dwelling or building, shall be erected in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The submitted details shall indicate the positions, height, design, materials and types of boundary treatment to be erected. The submitted details shall also show the provision of gaps or holes of a minimum of 13cm by 13cm along the bases of any proposed boundary fences (in order to allow for the free movement of small foraging animals such as hedgehogs). Any future replacement fencing shall also include such gaps or holes.

Reason: In the interests of residential amenity, the interests of the visual amenities of the area and the interests of small foraging animals.

22 Prior to the commencement of any site clearance works and any related ground works, a record of the non-designated remnant heritage structures on the site related to the historic coal mining and metal works uses, shall be submitted to the Local Planning Authority. The recording levels shall be in accordance with Historic England: Understanding Historic Buildings - A Guide to Good Recording Practices 2016.

Reason: To record an undesignated heritage asset which would be destroyed by the development.

23 Notwithstanding the submitted Welsh Language Action Plan, no dwelling shall be occupied, until a revised Welsh Language Action Plan which includes the following proposed measures has been submitted to and approved in writing by the Local Planning Authority.

- The bilingual marketing of properties;
- The production of a welcome pack for each household which sets out Welsh language provision in the area;
- Ensuring street names are in Welsh in order to protect and promote the local linguistic character and cultural distinctiveness of Gowerton.

The measures/recommendations contained within the approved Welsh Language Action Plan shall be implemented in full thereafter.

Reason: To ensure that the impact of the development on the Welsh language is considered in the development, marketing and place names of the proposal.

24 Prior to the construction of any residential dwellings located within 30m of the adjacent to the railway line, a scheme of sound insulation measures relating to those dwellings shall be submitted to and approved in writing by the Local Planning.

The submitted scheme shall ensure that all rooms located within these dwellings achieve an internal noise level of 37dBA Leq 16 hour during the day and 30dBA Leq 8 hour at night and shall ensure that the habitable rooms within these dwellings subject to sound insulation measures shall be provided with acoustically treated ventilation units.

These dwellings shall thereafter be constructed in accordance with the approved scheme and shall be retained as such thereafter.

Reason: To minimise future residential exposure to train pass-by noise.

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- 25 Before development works commence, a Lighting Plan which provides full details of all external lighting to be provided within the proposed development (including street lighting) shall be submitted to and agreed in writing by the Local Planning Authority.

The Lighting Plan should include:

- Details of the siting and type of all external lighting to be used
- Drawings setting out light spillage in key sensitive areas
- Details of lighting to be used during both the construction and operational phases of the development
- Measures to monitor light spillage once development is operational

The Lighting Plan should reflect the Bat Conservation Trust's Bats and Artificial Lighting in the U.K. (2018) guidance:

<https://www.bats.org.uk/our-work/buildings-planning-anddevelopment/lighting>

Only the lighting shown in the approved Lighting Plan shall be provided within the site.

Reason: In the interest of protected species, and their habitats and commuting corridors.

- 26 No development shall commence (including site clearance and ground works) until the following components of a scheme to deal with the risks associated with contamination at the site, have been submitted to and approved in writing by the Local Planning Authority.

1. A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways, and receptors
 - potentially unacceptable risks arising from contamination at the site

The risk assessment shall include a mine gas risk assessment that considers the potential for mine gases to exist on the site. The mine gas risk assessment shall be undertaken by a competent person as defined in the National Planning Policy Framework and conducted in accordance with : CL:AIRE - Good Practice for Risk Assessment for Coal Mine Gas Emissions; October 2021.

2. If the preliminary risk assessment identifies potentially unacceptable risks, a site investigation scheme, based on (1) that provides information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. Based on the quantitative risk assessment results arising from (2), an options appraisal and remediation strategy giving full details of the remediation measures required, how they are to be undertaken and a timetable for its implementation. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 and The Contaminated Land (Wales) Regulations 2006, as amended by The Contaminated Land (Wales) (Amendment) Regulations 2012, in relation to the intended use of the land after remediation.

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4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy required by (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action.

The remediation strategy and its relevant components shall be carried out in accordance with the approved details and time-table

Reason: To ensure the risks associated with contamination at the site have been fully considered prior to commencement of development as controlled waters are of high environmental sensitivity; and where necessary remediation measures and long-term monitoring are implemented to prevent unacceptable risks from contamination, in the interests of human health, public safety and residential amenity.

27 Prior to the occupation of any of the dwellings, a verification report demonstrating the completion of the works set out in the approved remediation strategy (required by Condition 26) and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include a long-term monitoring and maintenance plan for longer-term monitoring of pollutant linkages, maintenance, and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be carried out in accordance with the approved details.

Reason: To ensure the methods identified in the verification plan have been implemented and completed and the risk associated with the contamination at the site has been remediated prior to occupation or operation, to prevent both future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

28 Prior to the occupation of any of the dwellings, a long-term monitoring plan for land contamination shall be submitted and approved in writing by the Local Planning Authority. The long-term monitoring plan should include:

- Details of the methods and triggers for action to be undertaken
- Timescales for the long-term monitoring and curtailment mechanisms e.g., a scheme of monitoring for 3 years unless the monitoring reports indicate that subsequent monitoring is or is not required (for x years)
- Timescales for submission of monitoring reports to the LPA e.g., annually
- Details of any necessary contingency and remedial actions and timescales for actions
- Details confirming that the contingency and remedial actions have been carried out.

The monitoring plan shall be carried out in accordance with the approved details, within the agreed timescales.

Reason: A land contamination long term monitoring plan should be submitted prior to occupation or operation, to ensure necessary monitoring measures are approved to manage any potential adverse impacts as a result of development on water quality.

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- 29 If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy detailing how this unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be carried out as approved.
Reason: To ensure the risks associated with previously unsuspected contamination at the site are dealt with through a remediation strategy, to minimise the risk to both future users of the land and neighbouring land.
- 30 No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.
Reason: To prevent both new and existing development from contributing to or being put at unacceptable risk from or being adversely affected by unacceptable levels of water pollution.
- 31 No development works shall commence until full details of any piling works or any other foundation design using penetrative methods, have been submitted to and approved in writing by the Local Planning Authority. The submitted details must demonstrate that the proposed works do not pose an unacceptable risk to groundwater. Any the approved piling works/foundation designs shall be implemented thereafter.
Reason: To ensure there is no unacceptable risk to groundwater.
- 32 Prior to the submission of any reserved matters application relating to layout, a scheme of intrusive site investigations for the mine entries and a scheme of intrusive site investigations for the shallow coal workings (to be designed by a competent person), shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Coal Authority). Both schemes of intrusive site investigations shall be undertaken in accordance with the approved details, prior to the submission of any reserved matters application relating to layout.
Reason: To ensure the safety and stability of the proposed development.
- 33 Prior to the submission of any reserved matters application relating to layout, the following shall be submitted to and approved in writing by the Local Planning Authority.
- (i) A report of findings arising from both of the intrusive site investigations required by Condition 32 (above)
 - (ii) The submission of a scheme of treatment for the mine entries for approval, including the submission of the proposed layout plan which identifies the location of any on-site mine entries (if found present) including appropriate zones of influence for all mine entries, and the definition of suitable 'no-build' zones; and
 - (iii) The submission of a scheme of remedial works for the shallow coal workings for approval.

Prior to the commencement of development works, the treatment/remedial works shall be implemented in accordance with the details thereby approved.

Reason: To ensure the safety and stability of the proposed development.

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34 Prior to the occupation of any of the buildings hereby approved, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to and approved in writing by the Local Planning Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure the safety and stability of the proposed development.

35 Prior to the commencement of any works to stabilise the existing mine shafts and other coal mining features on the site, full details of any proposed grouting works together with an assessment of their impact on groundwater shall be submitted to and approved in writing by the Local Planning Authority (in consultation with NRW).

Only the approved scheme of grouting works shall be implemented thereafter.

Reason: Grouting details should be submitted to ensure there is no unacceptable risk to groundwater during construction and methods and design are agreed prior to the commencement of development or phase of development.

36 The Construction Environmental Management Plan (CEMP) received 5th July 2024 shall be shall be implemented in full (with the exception of the Earthworks Method Statement Process referred to on page 19 of the CEMP) during the site preparation and construction phases of the development.

Reason: To prevent pollution of controlled watercourses and the wider area.

37 Notwithstanding the details contained within the approved CEMP, prior to the commencement of any site clearance or ground works, full details of the Earthworks Method Statement Process, including area specific silt mitigation measures for Gors Brook Fawr, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with NRW). The approved details shall be fully implemented prior to the commencement of construction works.

Reason: To prevent pollution of controlled watercourses.

38 No development works shall commence within each phase of the development, until a surface water removal strategy delivering sufficient compensation for the foul flows from the proposed development within that phase of development, is submitted to and approved in writing by the Local Planning Authority. The approved surface water removal strategy shall be implemented in full, prior to the occupation of any of the buildings within that phase of the development and written confirmation of this must be sent to the Local Planning Authority prior to the occupation of any of these buildings.

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

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- 39 No reserved matters application (pertaining to this outline planning permission) shall be submitted to the Local Planning Authority, until a hydraulic modelling assessment relating to the proposed development has been carried out. The hydraulic modelling assessment shall identify a point of connecting the proposed development to the public sewerage system, together with any necessary reinforcement works to the local sewerage system.

The results of the hydraulic modelling assessment (together with details of the point of sewer connection and any proposed sewer reinforcement works) shall be submitted to and approved in writing by the Local Planning Authority, as part of any reserved matter application relating to layout. The approved scheme shall be implemented thereafter in accordance with the approved details prior to the occupation of the first dwelling hereby approved.

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.

- 40 Any reserved matters application relating to layout shall be accompanied by a comprehensive drainage (foul and surface water) strategy. This strategy shall include details of treatment of surface water via mechanisms such as basins, raingardens and swales prior to discharge to the Gors-fawr Brook.

Reason: In order to mitigate the potential operational impacts of operational pollution.

- 41 Prior to the commencement of development works on site, including site clearance and ground works, a detailed scheme for the eradication of any Japanese Knotweed and any Invasive Non-Native Species (INNS) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of works on site.

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

- 42 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 to 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. The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.

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.

- 43 Any Air Source Heat Pump installations shall be designed to achieve a rating level (dB(LA_rTr), that does not exceed the 35dB(LA₉₀,15min) at 1 metre from the façade of the nearest noise sensitive dwelling in accordance with BS 4142:2014 A1:2019.

Reason: To protect the occupiers of the new residential units against noise from Air Source Heat Pumps.

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- 44 The mitigation measures contained within Table M (Construction Dust Mitigation Measures) of Section 7.1 of the Air Quality Assessment by SLR (dated 14th November 2023) shall be implemented at all times during the construction phase of the development.
Reason: to protect existing and proposed residential uses.
- 45 The development shall be implemented in strict accordance with the mitigation measures contained within Chapter 5 (Mitigation Summary) and Appendix B (Mitigation Summary Plan) of the Ecological Mitigation Strategy by Celtic Ecology Ltd (Version B dated March 2023).
Reason: In the interests of conserving and enhancing biodiversity and ecosystem resilience.
- 46 Prior to the commencement of development, a scheme of Ecological Enhancement Measures and an associated Implementation Timetable shall be submitted to and approved in writing by the Local Planning Authority. The Ecological Enhancement Measures shall thereafter be undertaken in accordance with the approved scheme and Implementation Timetable and retained thereafter for the lifetime of the development.
Reason: In the interests of biodiversity and to provide a net benefit to biodiversity.
- 47 No surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage network.
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.
- 48 No earlier than 3 months prior to the commencement of any pre-construction / enabling works at the site, including vegetation clearance works, a site walkover must be conducted by a suitably qualified ecologist, together with a Preliminary Roost Assessment (PRA) of any trees to be felled or pruned, to determine whether there are any protected species nests present at the site at that time. The results of the site walkover shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement or any pre-construction / enabling works. Should any protected species be found on the site during the site walkover, the applicant shall apply for a EPS Derogation Licence from NRW and a copy of the licence shall be submitted to the Local Planning Authority before development works commence.
Reason: In the interests of bio-diversity and in order to minimise the impacts of the scheme on any protected species.
- 49 All works (including site clearance works) shall be undertaken in strict accordance with the Reptile Method Statement (Appendix F) of the Ecological Mitigation Strategy by Celtic Ecology Ltd (Version B dated March 2023).
Reason: In the interests of conserving and enhancing biodiversity and ecosystem resilience.

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- 50 The development shall be implemented in accordance with the recommendations contained within Section 3.7.5.4 and Appendix G of the of the Ecological Mitigation Strategy by Celtic Ecology Ltd (Version B dated March 2023).

The proposed reptile hibernacula shall be provided within 6 months of the completion of the development and shall be retained as such at times thereafter.

Reason: In the interests of biodiversity and to provide a net benefit to biodiversity.

- 51 No development works shall commence on site (including site clearance and ground works) until a badger licence has been obtained from Natural Resources Wales (NRW). A copy of the badger licence obtained from NRW shall be submitted to the Local Planning Authority before development works commence.

Reason: In the interests of safeguarding a protected species.

- 52 Prior to the commencement of development works (including site clearance and ground works), a Landscape and Ecological Management Plan (LEMP), shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall thereafter be implemented in strict accordance with the approved details. The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management e.g. to restore and enhance existing habitats, ensure successful establishment of new habitats etc.
- d) Appropriate management and monitoring options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule and monitoring scheme (including an annual work plan capable of being rolled forward over a five-year period for a minimum of 25 years).
- g) Details of the suitably skilled body or organization responsible for implementation of the plan.
- h) A monitoring report, including of protected species, and remedial measures, shall be submitted to the LPA at the following:
 - year 1 after completion of construction;
 - every 5 years thereafter for 25 years.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body (ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The LEMP shall be amended as necessary based on the monitoring results.

Reason: In the interests of maintaining and managing the landscape and ecological features of the site.

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53 No development shall take place until a Wildlife and Habitat Protection Plan has been submitted to and approved in writing by the Local Planning Authority. The Wildlife and Habitat Protection Plan shall include:

- i) A plan showing the Construction Exclusion Zone (CEZ) fencing scheme designed to protect all features of ecological interest throughout the construction period.
- ii) Details of any proposed activities within the CEZ and measures to be taken to minimise the impact of any works.
- iii) Details of phasing of construction.
- iv) Vegetation Removal Method Statement.

All vegetation removal will need to be supervised by a suitably experienced Ecological Clerk of Works (ECoW) with site-specific knowledge, working to the agreed Vegetation Removal Method Statement.

The approved Wildlife and Habitat Protection Plan shall then be implemented prior to any ground works commencing and in accordance with the timings approved by the Local Planning Authority.

Reason: In the interests of protecting retained habitats and wildlife on the site during the construction process.

54 No development shall commence, until a Tree Protection Plan and Arboricultural Method Statement, (which should include the canopy and the boles of adjacent trees whose roots will likely be impacted by grading and or construction of means of enclosure) is submitted to and approved in writing by the Local Planning Authority. The drawings contained within the Tree Protection Plan and Arboricultural Method Statement shall be annotated to show how foundations and any excavation in the vicinity of trees would be done by hand and that the boundary construction detail(s) would allow for the reduction of panel widths (or bridging foundations) to avoid damage to major tree roots (trees within and from trees adjacent to the site). The Tree Protection Plan and Arboricultural Method Statement shall include the following information:

- (a) A tree protection plan comprising of a drawing at a scale of not less than 1:500 showing, with a solid line, all trees and other landscape features that are to be retained and, with a dashed or dotted line, those that are to be removed. This drawing shall also show the position of protection zones, fencing and ground protection measures to be established for retained trees. Where applicable, two lines shall be shown demonstrating the lines of temporary tree protective fencing during the demolition phase and during the construction phase.
- (b) A British Standard 5837 Tree Survey schedule with tree reference numbers corresponding with trees on the plan required by section a) of this condition.
- (c) The specification for protective fencing and a timetable to show when fencing will be erected and dismantled in relation to the different phases of the development;

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- (d) Details of mitigation proposals to reduce negative impacts on trees including specifications and method statements for any special engineering solutions required and the provisions to be made for isolating such precautionary areas from general construction activities;
- (e) Details of any levels changes within or adjacent to protection zones;
- (f) Details of the surface treatment to be applied within protection zones, including a full specification and method statement; (g) The routing of overhead and underground services and the location of any wayleaves along with provisions for reducing their impact on trees to an acceptable level;
- (g) A specification and schedule of works for any vegetation management required, including pruning of trees and details of timing in relation to the construction programme;
- (h) Provision for the prevention of soil compaction within planting areas;
- (i) Provision for the prevention of damage to trees from soft landscape operations including details of the application of any herbicides;
- (j) Provision for briefing construction personnel on compliance with the plan;
- (k) Provision for signage of protection zones and precautionary areas;
- (l) Details of contractor access during any demolition or building operations including haulage routes where soil is to be removed.
- (m) A tree protection mitigation plan detailing emergency tree protection and remediation measures which shall be implemented in the event that the tree protection measures are contravened.

The development shall then be implemented in accordance with the recommendations/mitigation measures included within the approved Tree Protection Plan and Arboricultural Method Statement.

Reason: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity.

- 55 No development works shall commence on the above ground superstructure of the development, until full details of a scheme of public art is submitted to and approved in writing by the Local Planning Authority. The approved scheme relating to each phase of the development shall be implemented prior to the occupation of the 75th dwelling within that phase and shall be maintained as such at all times thereafter.

Reason: In the interests of creating a quality and legible built environment.

- 56 Any topsoil (natural or manufactured) or subsoil, to be imported to the site shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported to the site.

Subject to approval of the above, verification sampling of the material received at the development site to verify that the imported soil is free from contamination shall be undertaken in accordance with a scheme to be agreed in writing by the Local Planning Authority before development works commence on site.

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

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- 57 Any aggregate (other than virgin quarry stone) or recycled aggregate material to be imported shall be assessed for chemical or other potential contaminants in accordance with a scheme of investigation to be submitted to and approved in writing by the Local Planning Authority in advance of its importation. Only material approved by the Local Planning Authority shall be imported.

Subject to approval of the above, verification sampling of the material received at the development site is required to verify that the imported aggregate is free from contamination and shall be undertaken in accordance with a scheme to be agreed in writing by the Local Planning Authority before development works commence on site.

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

- 58 The reserved matters application relating to the phase of development that relates to the Use Class A1-A3, B1 and D1 units, shall be accompanied by details of facilities for the loading and unloading of vehicles serving the Use Class A1-A3, B1 and D1 units. Prior to the beneficial occupation of the Use Class A1-A3, B1 and D1 units, a servicing management plan, which shall include hours of operation for deliveries shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details, and none of the Use Class A1-A3, B1 and D1 units shall be occupied until the approved servicing / loading / unloading facilities serving them 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.

- 59 Prior to the first beneficial use of any Use Class A3 units, the equipment to control the emission of fumes and odour from each individual building, shall be installed in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority. 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.

- 60 The Use Class A1-A3 and D1 units shall not be open to customers/visitors outside the hours of 7am to 9pm Monday to Saturdays and 8am to 8pm on Sundays.

Reason: To protect the amenities of the occupiers of nearby residential premises.

- 61 The rating level of the noise emitted from any fixed plant and equipment to be installed on the commercial units within the site shall not exceed 10dB below the existing background noise level at any time, when measured in accordance with BS4142: 1997 (or any British Standard amending or superseding that standard).

Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected.

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Informatives

- 1 The national development plan is Future Wales: The National Plan 2040. The following policies were relevant to the consideration of the application: Policies 1, 2, 7, 8, 9, 11, 12 and 28.

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, SD H, IO1, IO2, H2, H3, HC3, SI2, SI3, SI5, SI6, SI8, ER1, ER2, ER6, ER8, ER9, ER11, T1, T2, T4, T5, T6, T7, EU2, EU4, RP2, RP3, RP4, RP5, RP6, RP7.

- 2 All UK bat species are protected under Schedule 5 of The Wildlife & Countryside Act 1981 (as amended) and 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:

- Deliberately take, injure or kill a bat;
- Intentionally or recklessly disturb a bat in its roost;
- Damage or destroy the breeding site or resting place of a bat (even if it is not occupied at the time);
- Intentionally or recklessly obstruct access to a bat roost.

If evidence of bats is encountered during development, work must cease immediately and the advice of a suitably qualified ecologist or Natural Resources Wales (NRW) sought before continuing with any work (0300 065 3000).

- 3 It is an offence under The Wildlife & Countryside Act 1981 (as amended) to intentionally:
- Kill, injure or take any wild bird;
 - Take, damage or destroy the nest of any wild bird while that nest is in use or being built; and
 - Take or destroy an egg of any wild bird.
- Additionally, bird species listed on Schedule 1 of the Act are also protected from intentional or reckless:
- Disturbance while it is building a nest or is in, on or near a nest containing eggs or young; and
 - Disturbance to dependent young of such a bird.

- 4 No clearance/pruning of trees, shrubs, scrub or buildings shall be undertaken during the bird nesting season (late February-early September). Where this is not possible, a check for active nests by a suitably qualified ecologist shall be required prior to clearance. Any active nests shall be left in situ until chicks have fledged or the nest is no longer active. If any nests of Schedule 1 species are found, additional measures to avoid disturbance shall be required.

- 5 Please note the location of footpath Llchwyr 101 (L:C101 / C0600) which directly affects the site. This footpath must be protected and open for use at all time.

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6 **Warning: An 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-protectedspecies/?lang=en>

Badgers and their setts are protected under The Protection of Badgers Act 1992. It is an offence to:

- Kill, injure or take a badger;
- Damage, destroy or obstruct access to a badger sett; and
- Disturb a badger when it is occupying a sett.

If evidence of badgers is encountered during development, work must cease immediately and the advice of a suitably qualified ecologist or NRW sought before (0300 065 3000).

7 There is the potential for hedgehogs to be present in the area. Hedgehogs are protected under Schedule 6 of The Wildlife and Countryside Act 1981 (as amended), which prohibits killing and trapping by certain methods. They are also listed on Section 7 of The Environment (Wales) Act 2016. This is a list of the living organisms of principal importance for the purpose of maintaining and enhancing biodiversity in relation to Wales.

8 Reptiles & amphibians may be present. All British reptile & amphibian species are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). It makes it an offence to intentionally kill or injure these species. If widespread reptile/amphibian species are encountered (common lizard, slow worm, adder, grass snake, common frog, common toad, smooth newt, palmate newt), they should be allowed to move away from the works on their own. An ecologist should be contacted if assistance is required to locate reptiles/amphibians to a suitable habitat.

9 Otters may be present. Otters 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 an European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It is also an offence to recklessly / intentionally to disturb such an animal. If evidence of otter use is encountered (e.g. live otters, droppings or resting places) during the work, work must cease immediately and the advice of Natural Resources Wales sought before continuing with any work.

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- 10 It should be noted that where SUDs are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.
- 11 As of 7th January 2019, this proposed development is subject to Schedule 3 of the Flood and Water Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the : Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems. It is therefore recommended that the developer engage in consultation with the City & County of Swansea Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.
- 12 This consent is issued without prejudice to any other consents or easements that may be required in connection with the proposed development.
- 13 The applicant is advised of the need to obtain separate consent under the Town and Country Planning (Control of Advertisements) Regulations 1992 for any advertisements requiring express consent which it is intended to display on the premises.
- 14 It is an offence to plant or otherwise cause to grow in the wild any plant species listed on Schedule 9 of The Wildlife and Countryside Act 1981 (as amended) or Schedule 2 of The Invasive Alien Species (Enforcement and Permitting) Order 2019.
- 15 Wales & West Utilities - 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. You must not build over any of our plant or enclose our apparatus.
- 16 Dwr Cymry / Welsh Water - The water supply system in the immediate vicinity has insufficient capacity to serve the development and will also cause detriment to existing customers' water supply. The applicant is advised that as part of any future water connection application under Section 41 of the Water Industry Act (1991), a hydraulic modelling assessment and the delivery of reinforcement works may be required at the same time as the provision of new water mains to serve the new development under Section 41 and Section 51 of the Water Industry Act (1991).

Management Act 2010. The development therefore requires approval of Sustainable Drainage Systems (SuDS) features, in accordance with the : Statutory standards for sustainable drainage systems - designing, constructing, operating and maintaining surface water drainage systems.

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It is therefore recommended that the developer engage in consultation with the City & County of Swansea Council, as the determining SuDS Approval Body (SAB), in relation to their proposals for SuDS features. Please note, Dwr Cymru Welsh Water is a statutory consultee to the SAB application process and will provide comments to any SuDS proposals by response to SAB consultation.

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication : Sewers for Adoption - 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com.

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

In accordance with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

- 17 NRW- For land affected by contamination we recommend that you should:
1. Follow the risk management framework provided in Land contamination risk management (LCRM)
 2. Refer to : Land Contamination: a guide for developers (WLGA, 2017) for the type of information that we require to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
 3. Refer to the Environment Agency's (2017) : Approach to Groundwater Protection.
- 18 Network Rail -
SAFETY Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact assetprotectionwestern@networkrail.co.uk

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TRESSPASS The development site is substantial and any impact from the development to the station or lineside must be addressed. There is also additional risk of trespass which will need to be mitigated.

NOISE AND VIBRATION The site is adjacent to the railway, which has services which are capable of increase or decrease, passenger and freight, the development should have regard to the adjacent railway and be suitably noise insulated. The potential for any noise/ vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of Planning Policy Wales and Technical Advice Notes which hold relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains.

LANDSCAPING Any planting should have regard to the location and have no impact to operational services. Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fence. Lists of trees that are permitted and those that are not are provided below and these should be added to any tree planting conditions:

Permitted: Birch (*Betula*), Crab Apple (*Malus Sylvestris*), Field Maple (*Acer Campestre*), Bird Cherry

(*Prunus Padus*), Wild Pear (*Pyrus Communis*), Fir Trees - Pines (*Pinus*), Hawthorne (*Crataegus*), Mountain Ash - Whitebeams (*Sorbus*), False Acacia (*Robinia*), Willow Shrubs (Shrubby *Salix*), Thuja Plicatata "Zebрина"

Not Permitted: Alder (*Alnus Glutinosa*), Aspen - Poplar (*Populus*), Beech (*Fagus Sylvatica*), Wild Cherry (*Prunus Avium*), Hornbeam (*Carpinus Betulus*), Small-leaved Lime (*Tilia Cordata*), Oak (*Quercus*), Willows (*Salix Willow*), Sycamore - Norway Maple (*Acer*), Horse Chestnut (*Aesculus Hippocastanum*), Sweet Chestnut (*Castanea Sativa*), London Plane (*Platanus Hispanica*).

SAFETY Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact assetprotectionwales@networkrail.co.uk.

EXCAVATIONS/EARTHWORKS All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur.

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If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

PLANT, SCAFFOLDING AND CRANES Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

ACCESS TO RAILWAY All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

DRAINAGE Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels - if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.

19 Construction

- a) **Construction Noise** - The following restrictions should be applied to all works of demolition/ construction carried out on the development site: All works and ancillary operations which are audible at the site boundary shall be carried out only between the hours of 08.00 and 18.00 hours on Mondays to Fridays and between the hours of 08.00 and 13.00 hours on Saturdays and at no time on Sundays and Public Holidays and Bank Holidays unless otherwise agreed through the Local Planning Authority. The Local Authority has the power to impose the specified hours by service of an enforcement notice under Control of Pollution Act 1974, Section 60. Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice. If applying for Prior consent under Control of Pollution Act 1974, section 61, please contact pollution@swansea.gov.uk and ensure any application is submitted a minimum of 28 days prior to commencement of any works.
- b) **Smoke/ Burning of materials** - No burning of any materials to be undertaken on site. The Local Authority has the power to enforce this requirement by service of an abatement notice. Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.

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- c) Dust Control - During construction work the developer shall operate all best practice to minimise dust arisings or dust nuisance from the site. This includes dust and debris from vehicles leaving the site. The Local Authority has the power to enforce this requirement by service of an abatement notice. Any breaches of the conditions attached to such a notice will lead to formal action against the person[s] named on said notice.
- d) Lighting - During construction work the developer shall operate all best practice to minimise nuisance to local residences from on site lighting.

20 Waste - The treatment and disposal of contaminated soils and groundwater is regulated by waste legislation and requires an environmental permit. Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL: AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether excavated material arising from site during remediation and/or land development works are waste. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed-on site operations are clear. If in doubt, Natural Resources Wales should be contacted for advice at an early stage to avoid any delays.

- 21 For land affected by contamination we recommend that you should:
1. Follow the risk management framework provided in Land contamination risk management (LCRM)
 2. Refer to 'Land Contamination: a guide for developers (WLGA, 2017) for the type of information that we require to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.
 3. Refer to the Environment Agency's (2017) : Approach to Groundwater Protection.

22 Highway Advisory notes
Parking for all uses will need to be provided in accordance with the CCS Parking Standards.

All off-site highway works are subject to an agreement under Section 278 of the Highways Act 1980. The design and detail required as part of a Section 278 Agreement will be prepared by the City and County of Swansea. In certain circumstances there may be an option for the developer to prepare the scheme design and detail, for approval by the City and County of Swansea.

However, this will be the exception rather than the rule. All design and implementation will be at the expense of the developer. The Developer must contact the Highway Management Group , The City and County of Swansea , Penllergaer Offices, c/o The Civic Centre , Swansea SA1 3SN before carrying out any work . Please contact the Team Leader , e-mails to mark.jones@swansea.gov.uk, tel. no. 01792 636091

Retaining Walls - Under the provision of the Highways Act 1980, the approval of the Highway Authority must be obtained for the construction of any retaining wall that is both within 4 yards of a highway and over 4ft 6ins (1.37m) in height. Under the provision of the West Glamorgan Act 1987, the approval of the Highway Authority must be obtained for the construction of any retaining wall that exceeds 1.5m in height.

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Future maintenance - The applicant is advised that to discharge the condition relating to the maintenance and management of streets, that the local planning authority requires a copy of a completed agreement between the applicant and the local highway authority under Section 38 of the Highways Act 1980 or the constitution and details of a Private Management and Maintenance Company confirming funding, management and maintenance regimes.

The developer must contact the Highway Authority regarding the provision of a Construction Method Statement.

- 23 The archaeological work must be undertaken to the appropriate Standard and Guidance set by Chartered Institute for Archaeologists (CIfA), (www.archaeologists.net/codes/ifa) and it is recommended that it is carried out either by a CIfA Registered Organisation (www.archaeologists.net/ro) or an accredited Member.
- 24 Welsh Language Action Plan - It is advised that you include the proposed promotion of Welsh education/lessons for children and adults, such as highlighting proximity of Welsh schools in sales promotions: - which should include information of Welsh language preschool groups, such as Menter Iaith Abertawe playgroups and mother and baby groups, which meet in the area.
- 25 All access works would be subject to an agreement under Section 278 of the Highways Act 1980. The design and detail required as part of a Section 278 Agreement will be prepared by the City and County of Swansea. In certain circumstances there may be an option for the developer to prepare the scheme design and detail, for approval by the City and County of Swansea. However, this will be the exception rather than the rule. All design and implementation will be at the expense of the developer.
- 26 Any open excavations made during the construction phase of the development shall either be covered or fitted with ramps when not in use to prevent any terrestrial mammals that may be present from becoming trapped in open excavations. Any open pipework with an outside diameter of greater than 120 mm must be covered at the end of each work day to prevent animals entering/becoming trapped. Any exposed pipes and trenches shall be checked for trapped wildlife each morning before starting construction activities.
- 27 In respect of Condition 35, if any mineshafts are to be grouted to provide stability, the following information should also be considered:
- Grouting detail
- 1.Vulnerability Survey
- Identify all surface and groundwater features and users in the vicinity of the site including old or existing mine adits and mine-workings, drains and culverted features. In addition, all relevant historic documents held by the appropriate local planning authority should be used to identify any natural or man-made structures beneath or in the vicinity of the site. It is important for a walk-over survey to be carried out to validate the vulnerability survey and identify any features not included in the formal records, i.e., disused adits or mine workings etc.

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- To notify abstractors in case of grout break-out licensed surface water abstractions and private water supplies downstream of a site need to be identified. For a main river this would typically be a few km's; NRW can supply this information. See also 1.4 "Management".

2. Procedure

- Location of the area to be grouted.
- Check area against vulnerability survey and historic land-use records.
- Nature of any structures to be grouted, cavities in the sub-strata, mine-workings etc.
- Is grouting to take place above or below the water table? o Method of grout injection, i.e., as part of an inner/outer "curtain" or individual injection boreholes etc.
- Type of grout to be used, i.e., ratio of cement, water, other material (e.g., PFA) - this should take into consideration whether grouting is to take place above or below water table.
- Thixotropy of the grout, i.e., how far will the grout extend into the cavity when injected. Again, this should take into consideration whether the works are above or below water table.
- Duration of grouting works.
- How much grout is to be injected into both individual points and as a total quantity.

3. Monitoring

- Identification of sites grouting material could emerge, i.e., adits/drains into water courses etc.
- Proposals for monitoring such features during the work, i.e., which ones, frequency of monitoring.
- Confirm details of monitoring with Natural Resources Wales local Environmental Protection Officer prior to the commencement of workings.
- Agree suitable mitigation measures with the local Environmental Protection Officer should any impact on any feature occur during to the workings.

4. Management

- Keep daily records of the following:
- Review previous days grouting operations (where grouted, how much grout used etc).
- Location of areas to be grouted.
- Boreholes used for grouting. o
- Times of injection into each borehole. o
- Quantities of grout to be injected into each borehole (both projected and actual).
- Records if quantity of grout "lost" in a borehole.
- Pressure used in grouting at a borehole.
- Type of grout used. o Review of monitoring.
- Details of any breakouts of any grout. o Details of any clean-up of grout at monitoring sites.
- Reporting of information needs to be agreed with NRW prior to the commencement of workings.

Planning Committee – 3rd September 2024

Item 1 (Cont'd)

Application Number:

2023/0253/OUT

- In cases of an unpredicted loss of grout, emergency procedures should be agreed with NRW to include an increase in the frequency of monitoring of any identified surface water features.
 - Notification of the local Environmental Protection Officer should either any outbreak or an unpredicted loss of grout occurs
 - Notification of identified downstream surface water abstractors in the event of an emergency, i.e., if there was any outbreak of grout into a surface watercourse
Depending on the type of grout used on site, an Environmental Permit may be required - please
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