

Submission by Penllergaer Community Council (hitherto referred to as PCC) to the City and County of Swansea (hitherto referred to as the County) in the Matter of the Proposed Residential Allocation at Parc Mawr Farm, Penllergaer (Proposed Policy and Map Ref SD C) as Included within the Swansea Local Development Plan 2010-2025; Deposit Plan

Introduction

Penllergaer Community Council (**PCC**) objects to the residential allocation at Parc Mawr Farm, Penllergaer, as proposed by the City and County of Swansea (the **County**) in the 'Swansea Local Development Plan 2010-2025: Deposit Plan' (**Plan**) dated June 2016.

In this instance, **PCC** considers the **County** has failed to act in accordance with the principals of sustainable development, as well as the further failing of properly taking into account the significant effects the proposed development will have on the environment.

Social, cultural and well-being goals have also been ignored.

PCC, therefore, requires both **Policy Number SD C** and corresponding site, referenced the same, to be deleted from the **Plan**.

In the event that this request is refused, **PCC** will want to participate at the 'hearing session' during any Public Examination of the **Plan**.

PCC will want to make representations in respect of those matters where **PCC** considers the **County** has failed to properly comply with the 'Procedural', 'Consistency' and 'Coherence and Effectiveness' 'tests of soundness' that are required in this (LDP) process. These matters are fully detailed later in this submission.

Whilst these representations primarily relate to **PCC's** objection to the residential allocation at Parc Mawr Farm, the following reasoned arguments will, in differing degrees, also challenge the soundness of other proposed site allocations as well as the whole **Plan** itself.

Those matters where **PCC** considers the County has failed to properly comply with the requirements of the LDP process are as follows:

The failure by the **County** to properly advertise and consult with the community on the proposed development site in accordance with the requirements of the Welsh Government's 'LDP Manual' and the **County's** own 'Delivery Agreement'. (**Pages 5 and 6**)

The failure by the **County** to properly engage with and involve the community in all the stages of the development of the **Plan**, and other non-compliant matters in respect of its own (the **County's**) Community Involvement Scheme and the Welsh Government's 'LDP Manual'. **(Pages 7-13)**

Planning for Sustainability (Pages 14–17)

- Failure to deliver a sustainable development that properly considers its impact on the **existing highway network**, in particular the adverse effect this will have at Penllergaer itself. **(Pages 18-28)**
- Failure to deliver a sustainable development that properly considers the required measures necessary to overcome the problem of the disposal of **foul drainage** from the site. **(Pages 29-32)**
- Failure to deliver a sustainable development that properly recognises the aims of national planning policy in respect of **transport**. **(Pages 33-36)**
- Failure to deliver a sustainable development that properly recognises the aims of national planning policy in respect of the provision of **education**. **(Pages 37-39)**
- Failure to comply with national planning policy guidelines in managing urban forms by the means of '**Greenbelts and Green wedges**'. **(Pages 40-43)**
- Failure to comply with national policy guidelines in respect of **housing**. **(Pages 44-48)**
- Failure to recognise, minimise and manage in the future the **environmental risks** and increased pollution resulting from the LDP proposals. **(Pages 49-52)**
- Failure to comply with national planning policy guidelines in respect of the conservation of **agricultural land**. **(Pages 53-56)**

- Failure to conserve the **special landscape and biodiversity** of the site in accordance with national planning policy guidelines. **(Pages 57-59)**
- The **Plan** does not accord with national planning policy in respect of the timing of the delivery of the necessary and proposed social and physical infrastructure and, as such, for this to be properly remedied there is real concern over the **viability** of the development. **(Pages 60-63)**
- The **Plan** does not set out a **coherent strategy** from which its policies and allocations should logically flow and therefore it is unrealistic. **(Pages 64-68)**

PCC also considers that the proposed **Plan** requires **economic remodelling** to reflect the changing circumstances affecting population and economic growth in the **County** since the commencement of the LDP process. **(Pages 69-71)**

PCC welcomes the opportunity to meet with the **County** to discuss further the representations made in this submission in an attempt to promote the principal of *collaborative working* endorsed by the **County** in its own Delivery Agreement (Appendix 3 – Stage 4 Schedule refers) which, to date, **PCC** considers the **County** has failed to undertake in any previous Stages.

Failure by the ‘County’ to properly advertise and consult with the community on the proposed development site in accordance with the requirements of Welsh Government’s LDP Manual and the County’s own Delivery Agreement

Evidence in support of PCC’s claim

PCC refers the **County** to its own ‘Candidate Sites Assessment Methodology’ dated September 2010.

Para 2.2.1 states that *On the 27th September 2010 the Council will formally open the Candidate Site process which will conclude on the 31st March 2011.*

Para 2.2.2 goes on to say that *Once sites are submitted then Candidate Site Notices (See Appendix 3) will be placed at or near the sites in question to raise awareness within the local community.”*

On or about the 27th June 2011 a site of 12 hectares was accordingly advertised at Parc Mawr Farm, which was referenced as PG 0002 [**PG 01**]

Para 2.5.4 provides the **County** with the opportunity, by reserving it the right, *to reopen the Candidate Site Register should the initial site submissions be deemed insufficient to meet the Strategic Objectives and Aims of the Plan.*

The document is silent on the timescales involved with this process, the form the process should take as well as the necessary and required community involvement in the process, ie all in relation to Para 2.5.4 of the Delivery Agreement.

PCC assumes the **County** will claim they have properly exercised this right, and this being the case, it is then the subject of a later objection by **PCC** in this submission.

Notwithstanding this, the minutes of the ‘Report of the Cabinet Member for Place’ dated the 12th August 2014 [**PG 02-14 incl**] under para 3.4, records that additional sites had been identified for inclusion post-consultation on the Candidate Sites, but importantly goes on to say *It would be inappropriate to publish a schedule of included sites without prior consultation on these additional sites.*[**PG 08**]

On the 2nd December 2014 the **County** approved the inclusion of the additional sites [**PG 15**] and in the case of Parc Mawr Farm, a further site notice was exhibited on or about the 16th December. [**PG 25**] now referenced as PG 002. The revised site area was 48.05 hectares.

This site was accordingly the subject of public consultation.

PCC assumed that this was the site which was taken forward to the Deposit Plan, but this is not the case.

Public notices exhibited around the site from about the 5th July 2016 [**PG 26**] and titled 'Site Allocation Notice' clearly detail a site where material boundary changes have been introduced by the **County** without any involvement or consultation with the public.

The site is referenced as **SD C**.

PCC believes that the **County**, by acting in this arbitrary manner, has clearly failed to comply with national planning guidelines, either by way of Planning Policy Wales or Welsh Government's LDP Manual, its own (the **County's**) 'Assessment Methodology' and its own 'Delivery Agreement'.

PCC therefore considers that such an act renders the inclusion of the site, referenced as being **SD C** in the Deposit Plan, grossly improper, and, accordingly, it should be removed in its entirety from the **Plan**.

Failure by the County to properly engage with and involve the community in all stages of the development of the Plan and other non-compliant matters in respect of its own (the County's) Community Involvement Scheme and the Welsh Governments LDP Manual

Introduction

One of the key objectives of the LDP system is that of *Basing LDP production on early and effective **community involvement** (emphasis added), to consider a wide range of views, with the aim of building a broad consensus on the strategy and policies for LDP's.* (Para 2.2.1 of the LDP Manual refers).

This endorses one of the main principles that underpins the approach to planning policy for sustainable development which sets the objective of *putting people and their quality of life, now and in the future, at the centre of decision making together with **engagement and involvement** (emphasis added), ensuring that everyone has a chance to obtain information, see how decisions are made and take part in the decision-making.* (Para 4.3.1 of Planning Policy Wales refers)

PCC considers that the **County** has failed to embrace these principles and, in so doing, denied communities the opportunity to be actively engaged in the LDP process.

Although the **County's** own Delivery Agreement proposes that the **County** will exceed, wherever possible, the **minimum consultation standards** (emphasis added) prescribed by Government regulations, **PCC** was not involved in any aspects of the preparation of the Delivery Agreement.

In reality, the practices undertaken only smack at best, of 'tokenism,' at worse, a total disregard of public opinion where representations from the public are seen as little more than dismissible protests.

This is best demonstrated by an e mail sent on the 22nd July 2015 [**PG 27&28**] from Mr Paul Meller, the **County's** Planning Policy Team Leader, to Councillor Wendy Fitzgerald, who represents the Penllergaer Ward, where he says:

*Underpinning all this is the mistaken assumption that opposition to a development is sufficient reason by itself to exclude a site. It is fully acknowledged that no-one wants development near them, but that is a short term viewpoint. The reality is that the strategic sites proposed to be built through the LDP will not happen overnight, they will take 20 years or more to build out – **ironically when many of the current opponents will no longer be around** (emphasis added). Such objections don't wash with me and more importantly they don't wash with the Planning Inspectorate either.*

Clearly, Mr Meller fails to embrace the sentiments of Planning Policy Wales expressed above in relation to *putting people, and their quality of life now and in the future, at the centre of decision-making*, but, more importantly, he has a total disregard for the reasoned arguments presented by the public in respect of the sustainability of the site and dismisses these as being nothing more than 'opposition' and 'objection'. We will expand further on the 'reasoned arguments' later throughout this submission.

Further evidence in support of PCC's claim

*Local planning authorities should provide for the involvement of the general public, **community councils** (emphasis added), voluntary bodies, the business community and all other relevant stakeholders in the preparation of LDP's.* (Planning Policy Wales para 2.2.2 refers).

Table 3.3 of the Welsh Government's LDP Manual sets out the requirements for community involvement through the various stages of the **Plan's** preparation, in particular, during its early stages where such involvement is important to agreeing and forming a broad consensus on the strategy and policies of the LDP.

The Community Involvement Scheme (CIS) is intended to set out the project plan and policies of the **County** for involving local communities in the preparation of the **Plan**.

Part Three of the **County's** Delivery Agreement sets out its policies for involving the community in the preparation of the LDP, stating that:

A key objective of the LDP is to strengthen community involvement in the planning process, particularly at the early stages when there is most opportunity for the public to influence outcomes, and goes on to say community involvement throughout the development of the LDP should be a continuous process that enables the local community to say what place they want to live in, at a stage when this can make a difference.

The CIS sets out, amongst other matters, the benefits to the public as being (a) it empowers the community to influence the decision making process (b) it enables greater public inclusion and ownership of the LD, (c) it creates a transparent and democratic development process, (d) it promotes a feeling of community cohesion and (e) it ensures the provision of local services that are best located to meet local needs and priorities.

PCC considers that the **County** has failed to comply with its own CIS and, as a consequence, none of the perceived benefits to the public have materialised. In practice, community involvement has been limited to simply the opportunity to object to the **County's** proposals and these, in turn, have been developed with no transparency or community involvement whatsoever, with all the representations made in respect of Parc Mawr Farm, without exception, being entirely ignored.

PCC will refer to a letter from Mr Paul Mellert to Mr David Harris (member of **PCC's** Action Group) dated the 17th July 2015 [PG 29 – 31 incl] where he confirms that the **County's** perception of community involvement embraces nothing more than giving residents *opportunities to voice their objections to development of the site at the following 8 stages.*

These stages and the actions taken by both parties are listed below:

Candidate Site

PCC is recognised as being a 'Specific Consultation Body' with whom the **County** is statutorily required to consult.

PCC accordingly responded at this stage (September 2011) to the 12 development sites proposed for Penllergaer. The proposed sites included Parc Mawr Farm.

[PG32- 38 incl]

PCC objected to the inclusion of Parc Mawr Farm.

This representation and the reasoned arguments to support the position being taken by **PCC** was ignored by the **County**.

Vision, Goals and Objectives

PCC was not consulted, and therefore no representations were made at this point .

It is evident, however, from a Guidance Note prepared by the County for the purposes of the Draft Proposals Map (Dec 2014) [**PG 39 – 44 incl**] that *Previous consultations have been undertaken on Candidate Sites submitted to the Council by site promoters, and on the Preferred Strategy document. [PG 39]*

PCC is therefore surprised by Mr Meller's reference to this stage as being one where public consultation was required, as this clearly is not the case.

PCC will highlight further incidents throughout this submission where there are serious questions and concerns in relation to 'questionable' representations made by the **County**.

Preferred Strategy

PCC presented further representations at this stage in respect of Parc Mawr Farm [**PG45 – 53 incl**] which expanded on the reasoned arguments submitted previously at the Candidate Site stage.

These further representations were again ignored by the **County**.

Draft Proposals Map

PCC considers this stage to be entirely a result of a variation imposed by the **County** in the process of preparing the **Plan** which then failed to cater for the requisite early public involvement.

This occurred in December 2014, and, in the case of Parc Mawr Farm, provided the first real indication of the **County's** intention to massively increase the site development area from one of 12 hectares to something in excess of 48 hectares. This process had clearly been on-going for some time following the original closure of the Candidate Site register which had taken place on the 31st March 2011.

The Delivery Agreement envisaged that a site filtering process would be complete in order to take the Plan to Deposit by the 30th April 2012.

However, it was not until the 12th August 2014 [**PG 02**] that it was reported to Council that *A skeleton version of the Deposit Plan be prepared for public consultation as an additional stage to the LDP preparation process to include publicity of new and **amended** (emphasis added) Candidate Sites.*

The report went on to say that *It would be inappropriate to publish a schedule of included sites without prior consultation on these additional sites, which is the key reason for the recommendation to publish a Draft Deposit Stage later this year.*

[**PG 08**]

On the 2nd December 2014 Council approved both the Draft Proposals Map, and also that all new and amended Candidate Sites should be published for the purposes of the consultation process.

PCC has assumed that this process is as a result of the **County** exercising its right to reopen the Candidate Site Register. In the absence of any indication as to how this process was to be conducted, there has been no public or **PCC** involvement in this process between September 2011 and December 2014.

It is evident, and subsequently confirmed by representatives from the developer, Bellway Homes, at a public meeting on the 9th March 2016, that the revised proposals for Parc Mawr Farm had been entirely driven by the **County**. Indeed, it had been reported to the Council on the 12th August 2014 [**PG 08**] that *it is anticipated that these sites will give rise to further objection.*

PCC considers that there has been no transparency in this process for the very reason that the **County** has been fully aware of the contentious nature of this site and has deliberately avoided any community involvement. In so doing, the **County** has failed to embrace its own CIS by excluding the community from what is intended to be a 'democratic development process'.

PCC, by way of a letter to the **County** and dated the 12th June 2015 [**PG 54 – 56 incl**], expanded on the circumstances involved in this process, and

also brought into question the events giving rise to the **County's** 'Strategic' allocation for the Parc Mawr Farm site.

The **County**, through Mr Paul Meller, replied on the 17th July 2015 [**PG 29 -31**].

The contents of this letter clearly confirm that the **County**, by promoting Parc Mawr Farm as a Strategic Site has gone down a route that is not properly catered for in its own 'Assessment Methodology'. By exercising its right to reopen the Candidate Site Register, it has embarked in a process that has not been transparent.

By way of further explanation, the 'Assessment Methodology' sets out a procedure where, following the conclusion of the submission period for Candidate Sites, the site filtering process will, amongst other matters, identify potential Strategic Sites for the Preferred Strategy.

PCC will maintain that, at that point in time, the only sites that can be properly considered from the 'Assessment Methodology' perspective within the process are those that were included at the Candidate Site submission stage.

If this principal is properly applied, all is transparent. However, this has not been the case.

The site notice posted in June 2011 identifies a site of an area of 12 hectares. Under the **County's** own definition, the site is considered to fall in the category of a 'Non Strategic Site'.

In the absence of any formal public representations by the **County** to exercise its right to reopen the Candidate Site Register by making a second call for Candidate Sites, the only site that could possibly be identified in the Preferred Strategy is that exhibited in June 2011.

PCC considers that the **County** by acting in a manner that is neither transparent nor in accordance with its own 'Assessment Methodology', has behaved improperly, and this, as such, renders the Plan 'unsound'.

Petitions Process

PCC considers that this stage is as a consequence of the **County's** failing under the earlier **Draft Proposals Map** stage.

The Report to the Council on the 12th August 2014 [**PG 02**] recommended that *A skeleton version of the Deposit Plan be prepared for public consultation as an **additional stage** to the LDP preparation process, to include publicity of **new and amended Candidate Sites**.*(emphasis added)

PCC will claim, by definition, that the new and amended Candidate Site list created an additional stage that was not envisaged in the County's Delivery Agreement.

PCC accordingly further claims that the **County** has failed to comply with its own Delivery Agreement.

The Report to the Council went on to say that *It is anticipated that these sites will give rise to further objection.*

The Report to the Council on the 31st March 2015 [**PG 58**] advised that *In response to the LDP Candidate Site consultation process and more recent consultation on the Draft Proposals Map, 35 petitions (of over 30 signatories) were received collectively over 16,000 signatures.*

The purpose of this Report was to *agree a mechanism for all petitioners to proposed Local Development Plan (LDP) allocations to be heard.*

In the case of the petitions raised against Parc Mawr Farm, **PCC** was afforded the opportunity to address Planning Committee for 5 minutes on the 4th June 2015.

There has been no further engagement between the **County** and **PCC** in respect of this presentation, other than the representation has been added to the Candidate Site Assessment forms.

PCC considers the **County** has duly ignored all such representations.

Deposit Plan, Masterplan and LDP Examination

The Deposit Plan public consultation commenced on the 18th July 2016.

Planning for Sustainability

PCC considers that the **County**, in promoting the residential allocation for development at Parc Mawr Farm, has failed to meet the goal of sustainable development, which is to *enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life without compromising the quality of life of future generations*. (Para 4.1.1 of Planning Policy Wales refers)

PCC considers the **County** has acted in a manner that, in many instances, has demonstrated complete disregard for those elements that define sustainability.

PCC has, in this submission, already set out the **County's** failure of not putting people, and their quality of life now and in the future, at the centre of decision-making. This is as a result of the **County's** failure to engage and involve the public in the decision making process.

The remainder of this submission will detail those further elements where the **County** has disregarded the principals that underpin sustainable development. In so doing, **PCC** will specifically seek to demonstrate the 'unsoundness' of the Plan in so far as Parc Mawr Farm is concerned, but **PCC** considers that other allocated sites, as well as the Plan itself, will also be found to be 'unsound'.

PCC would, at this point, refer to the questions posed in the Stage 2 (Detailed Officer Appraisal) selection for Candidate Sites, as set out in the **County's** 'Assessment Methodology' to demonstrate the failings by the **County** from the outset of the LDP process.

Adopting an objective approach on the questions posed, the officer's response should have been as follows:

Q *Would development of the site result in the loss of agricultural land?* – Definitely YES

Q *Is the site protected by landscape, ecological or historical designations?* – YES, and this applies to the entire site whether it is 12, 48 or 58 hectares.

Q *Does the site constitute Brownfield land?* – Definitely NO.

Q *Is there a potential risk of being contaminated land?* – Unlikely.

Q *Is there potential for biodiversity enhancement?* – NO.

Q *Does the site achieve efficient use and protection of natural resources?* – NOT APPLICABLE.

Q *Is there a significant risk that historic environment assets are located within the candidate site area?* – YES, but unlikely to fall under the category of *significant*.

Q *Is the site accessible from the public highway?* – NO

Q *Is the current highway network capable of accommodating the proposed site's traffic movements?* – NO, definitely not.

Q *Is the whole of the site within 800m or less of a frequent public transport access point?* – NO

Q *Is the site accessible to local services on foot?* – NO.

Q *Can local services be safely accessed from the site via the cycling network?* – NO.

Q *Would the proposal promote sustainable means of travel?* – NO, definitely not.

Q *Would the proposal add to the vitality of the surrounding developments and land uses?* – NO.

Q *Do the topographical characteristics of the site present an obstacle to development?* – NO.

Q *Would development on site have an impact upon important views/vistas?*–YES.

Q *Can the site be serviced by utilities infrastructure?* NO, not in the case of foul water disposal.

Q *Is the site within or adjacent to the existing urban boundary/village settlement?* – NO, it is outside the existing urban boundary.

Q *Would the proposal provide continuity and enclosure with regard to adjacent uses and development?* – NO.

Q *Would development of the site contribute to an active high street frontage?* – NO.

Q *Would the proposal relate to the existing settlement pattern and built form?* – NO.

Q *Would the proposal result in the unacceptable loss of open space, recreational or community facilities* – NO as it is agricultural land with green wedge status.

Q *Would the proposal be vulnerable to the effects of climate change including issues of flooding and drainage?* – YES, in so far as it involves the drainage of surface water from the site.

Q *Would the proposal be capable of incorporating renewable energy sources or energy conservation measures?* – NO, only achievable if imposed in a condition by the LPA.

Q *Would the proposal capitalize on the use of existing community infrastructure?* – NO.

Q *Would the proposal promote sustainable transport choices?* – NO.

Q *Would the proposal have the potential to mitigate the effects of climate change?* – NO .

For reasons known only to the LPA officers, it would appear that they do not support these views.

Based on the foregoing, **PCC** accordingly challenges the **County's** 'Sustainability Appraisal' when it says:

The site scores positively in relation to most SA objectives....Furthermore, the proposal promotes an integrated and active travel network, The proposal has a positive effect on social inclusion, economic development and health and well-being.

PCC will demonstrate that these comments present a totally distorted representation of the true position.

PCC is further concerned that the **County** also presents a diluted report on the serious matters relating to transport, highway and the resulting air and noise pollution when it says:

..., but the impact on the wider highway network must be considered via further highway modelling. However, increased congestion on the highway network may

have a localised impact on air quality and further information is required to determine whether this would be significant.

The **County** is shamefully downplaying a serious community concern which **PCC** will fully deal with in this submission.

Failure to deliver a sustainable development that properly considers its impact on the existing highway network, in particular, the adverse effect it will have on Penllergaer itself

Introduction

The County's Topic Paper on Transport and Accessibility, published in August 2013, fully recognised the highway problems in and around Penllergaer and the impact these had on J47 of the M4 motorway.

It is important to note that this Topic Paper pre-dates the Preferred Strategy and therefore, by definition, the extent of proposed development at Parc Mawr Farm would have been 12 hectares as publicly advertised on the 27th June 2011.

As far back as 2007 the Atkins's report identified that this junction had *serious peak and some shoulder congestion* in the morning (am) and *frequent congestion in peaks* in the afternoon (pm) respectively in baseline and forecasted 2013 and 2018 years.

The Topic Paper went on to say (in para 6.6) that in order to inform the Deposit Plan *further detailed research will be required to quantify the potential cumulative effects on the highway infrastructure of major land allocations proposed in the Preferred Strategy.*

PCC considers that the **County** has failed, and knowingly failed, to quantify the impact that the proposed strategic residential sites will have on the highway network as well as locally in Penllergaer itself.

The **County's** reliance on the report prepared by Arup and titled 'Swansea Strategic Transport and Development Study' is, in the opinion of **PCC**, an incomplete and therefore, flawed approach to dealing with this issue.

PCC also considers that the proposed residential allocation at Parc Mawr Farm fails to satisfy Welsh Government's objective in respect of extending the choice in transport and in securing accessibility in a way which supports sustainable development. **PCC** will, however, deal with this other matter later in this submission.

Background to PCC's claim.

Policy 7 of the County's Final Draft Preferred Strategy dated July 2014 states:

Development must be supported by appropriate physical infrastructure and will only be permitted where infrastructure capacity will be sufficient to accommodate the additional demand.

Proposals to upgrade physical infrastructure to meet the needs of existing and new development will be permitted where there is no unacceptable economic, environmental or community impact.

Development at Parc Mawr Farm would have serious environmental and community impact which will become obvious and will be expanded upon later in this submission.

On the 25th October 2013 [**PG 66**] Welsh Government wrote to Mr Mellor and said:
*Thank you for consulting the Welsh government regarding the Swansea Local Development Plan pre-deposit documents. Having considered all the submitted documents provided by the City and County of Swansea we have **significant concerns regarding the soundness** (emphasis added) of the plan which are set out in the supporting annex.*

Later in this letter it was identified that one of the key areas is **infrastructure and deliverability**.

Page 10 of the Annex deals with 'Transport Infrastructure' which identifies that the **County** was relying solely on its own 'Transport and Accessibility Topic Paper' to support its proposed LDP allocations.

The Preferred Strategy was amended to take on board Welsh Government's concerns and in late 2014 the following notice was posted on the County's web site.

LDP strategic transport assessment

The Council intends to commission a County wide transport assessment of the key strategic development proposals identified in the draft LDP Preferred Strategy. This assessment will be an important element in demonstrating the soundness of the LDP, particularly in respect of quantifying the impact of its

strategic proposals upon the transport network and demonstrating the sustainability of identified sites.

The transport assessment was to be paid for by the developers promoting the proposed strategic residential sites. Arup was commissioned by the **County** in November 2014 to undertake the necessary work.

The first draft of the Arup report was published in late July 2015.

It immediately became apparent that the intended brief for the strategic transport assessment had changed from that previously advertised on the County's website and **PCC** commissioned WSP Parsons Brinckerhoff (WSP) to comment on the Arup study.

On the 10th September 2015, Councillor Wendy Fitzgerald (**PCC**) submitted the resulting WSP study by email to Mr Meller [**PG 77**] and said:

The conclusion of the WSP report, however, is that the modelling work undertaken by ARUP in respect of North West Swansea and in particular Penllergaer does not fully quantify the impact of the strategic proposals upon the transport network and as per key objective of the study' (1.1 Para 3). This would seem to be a glaring omission, given that this was the intended aim of the study. Of equal concern is the fact that 'no feasibility assessment of the mitigation proposal has been undertaken and therefore there is no certainty over the deliverability of these schemes'.

Whilst the **County** requested Arup to respond to the WSP study, Arup failed to respond to the 'glaring omission' referred to above.

PCC considers that the Arup study failed, by definition, to demonstrate the 'soundness' of the Plan.

PCC also considered that the **County** failed to comply with the requirements of its own Preferred Strategy.

The **County**, in recognition of the misleading web site posting, as a result of the discrepancy between its own Preferred Strategy and the content of the Arup report, accordingly amended its website to read as follows:

Swansea strategic transport model and assessment project:

Council commissioned consultants Arup in 2014 to develop a strategic transport model for the County and to subsequently undertake an assessment using the model of the transport impact of LDP proposals

In February 2016 Arup made a presentation to the elected Members of the City and County of Swansea Council of the final draft of their strategic transport model. [**PG 78 – 108**]

At this presentation it was confirmed by Arup that *A Transport Assessment will still be needed from individual developers to assess the detailed impact of proposals – e.g. detailed junction modelling.*[**PG 104**]

It is clear that the deficiencies within the Arup study still remained and, as a result, the earlier claim made by **PCC** that *the Arup study failed, by definition, to demonstrate the ‘soundness’ of the Plan* also still remained.

Councillor Wendy Fitzgerald, in an e mail to Mr Paul Meller on the 17th October 2015 [**PG 109**] had originally expressed the concerns of **PCC** to these deficiencies together with issues in regard to the **County’s** continuing failure to engage with the public. It is clearly evident that these concerns had not been addressed in the intervening period.

The ‘bespoke macroscopic transport model’ that had been produced, involving averaged increased traffic flows over the **Plan** period being applied to the base model, deliberately avoids the true representation of the likely situation in the NW Swansea where a high proportion of proposed development will occur

PCC further commissioned WSP to revisit their (WSP) study in light of the final Arup report, and this is contained in a WSP’s ‘Technical Note 02’ dated the 9th May 2016 [**PG 110 - 122**] .

The conclusions by WSP on the Arup study are that:

- It confirms it to be a high level assessment tool that has assessed the LDP proposals on a cumulative basis only and does not consider the likely varied impacts of individual sites on the local highway network.

- The proposed approach to trip generation is high level and takes no account of individual site characteristics. On this basis, the trip generation numbers and resultant impacts could be underestimated. This is of particular relevance to Parc Mawr Farm, where officers already recognise the attraction of Penllergaer as being its close proximity to the M4 motorway and where, by definition, there is a greater reliability upon the use of the car.
- It assumes a general 20% shift from car to bus. A detailed public transport strategy was not undertaken as part of the study and therefore this assumption is hypothetical and based on 'hope'.
- The proposed extent of road measures in Penllergaer has intensified from the earlier Arup study and now includes a new link road between the Parc Mawr Link road and the A483 to the east. **PCC** would remind the **County** that in respect of the Public Inquiry held in 2007 in relation to a proposed residential development at nearby Bryn Dafydd Farm, it was claimed that the *“Council’s Head of Transportation would not support a new highway access to the site from the strategic highway network (either from the A483 or A484). The imposition of a new junction at this location would adversely affect the operation of this section of highway.*

PCC believes that the criteria affecting the Bryn Dafydd allocation is no different from that affecting the latest proposed access onto the A483 by Arup.

PCC would further remind the **County** that its own Topic Paper says in para 5.38 that *For some Candidate Sites access would be needed directly from the A483 and this **should be avoided** (emphasis added) due to the disruption to through flow on a major primary route.*

The **County** is therefore failing to comply with its own conditions.

- The proposed road measures have not been subjected to a detailed feasibility study. It is worth noting that the new infrastructure proposed as integral

elements of the LDP Strategic Sites was obtained by Arup from the Masterplans published on the **County's** website. The Arup study has not therefore been the determining factor behind the proposed infrastructure mitigation measures but instead the **County** appears to be relying upon the recommendations of developers. Only after a detailed Transport Assessment to assess the detailed impact of each scheme, including the cumulative impact, has been carried out will the justification for mitigation at a more localised level become known. The **County** is now proposing that this is only undertaken at the planning application stage. This cannot be either right or acceptable.

- The 'Do Minimum' traffic forecasts have significantly overestimated traffic flow figures whilst the 'Do Something' scenario has underestimated traffic flows. The overall impact therefore of the LDP traffic would be underestimated.

To support this statement, **PCC** will refer to para 5.14 of the **County's** 'Topic Paper for Transport and Accessibility' where it says:

Total recorded traffic volume across the County has increased by +6.4% over the last 10 years although this was slightly below the average change recorded for Wales as a whole (+7.1%) and increases have evened off since 2007 as shown in Table 4.

The Table actually records traffic volume between 2001 and 2011, a period of 11 years, but importantly says: *increases have evened off since 2007*

PCC would therefore maintain that increases in subsequent years should follow much the same trend, and is therefore concerned that the Arup study is suggesting in a similar period between 2014 and 2025 that the growth in traffic will be 18%.

PCC believes that this inflated percentage offsets the true percentage that is representative of the traffic impact of the LDP.

PCC therefore considers that the conclusions presented by Arup in their presentation to the Council [**PG 105**] that the traffic impact *with LDP development, and with a range of road infrastructure measures, traffic conditions will be **similar to traffic conditions** if developments went ahead without an LDP – this is within acceptable limits*, is flawed

PCC therefore, by definition, consider the traffic impact of the LDP is underestimated, and by further definition believes is **not** *within acceptable limits*.

- It is considered that the trip generation numbers, presented in Table 6.3 of the Arup report, are underestimated.
- Arup maintain that Parc Mawr Strategic Link Road offers the greatest level of mitigation against the impacts of the LDP development proposals in Penllergaer and NW Swansea. **PCC** considers this assumption to be totally ill-conceived. In arriving at their conclusion, Arup has assumed that traffic flows around J47 and onto the A483 to the Cadle roundabout will be successfully reduced by vehicles travelling along the A48 from Pontlliw diverting onto the new Strategic Link Road through Parc Mawr Farm. However, both the Preferred Strategy and the proposed Policy SD C recognise that, at best, *This new infrastructure has **potential** (emphasis added) to provide a strategic function and alleviate congestion in the area.*

PCC believes that Arup is making a completely false assumption, as such potential will neither be achieved nor realised as much of the traffic from Pontlliw will be heading to the M4 and not into Swansea.

As for traffic coming from Gorseinon and Loughor, the Strategic Link Road offers no possible relief to congestion in Penllergaer, as any vehicle travelling into Swansea from this area will have already identified alternative routes rather than travel through Penllergaer itself. Therefore, traffic that uses

Gorseinon Road will be heading to J47 and presumably onwards to destinations along the M4 corridor.

PCC would remind the **County** that the **County's** proposed mitigation at this location is only one of several that was identified in its Topic Paper but the County has forgotten that such measures are supposedly *in addition to major improvements to the M4 J47*.

The latest Arup study fails to quantify these *major improvements* but it is readily recognised that there are limited opportunities to fulfil this requirement.

In order to ease traffic congestion both the Old Inn roundabout and at J47, **PCC** considers that the most viable and workable arrangement is to construct a new link road from the A48 at the entrance to Tircoed to the northern side of Junction 47.

Although this proposal was included in the Draft Arup report it was omitted from the final version on the basis that *this road scheme is not integral to any LDP development and modelling indicates that there are insufficient network-wide benefits to support its inclusion in the range of infrastructure measures recommended in this Report*. However, what this really means is that there is no specific developer available to pay for such a new link.

PCC would emphasise that, in its view, the Strategic Link Road will serve only one purpose and that is to provide access to and from the Parc Mawr site itself. The additional connection from the Strategic Link Road to the A483 will also provide nothing more than an alternative link from the site to Junction 47 and the M4/Swansea by avoiding Penllergaer itself. **PCC's** conclusion is, therefore, that the overriding purpose of these so-called mitigation measures is simply to benefit the proposed development at Parc Mawr, which in itself will considerably exacerbate the already existing traffic congestion in the area.

- No details are included of the likely phasing of the proposed road mitigating measures, which is key in addressing the impacts of the LDP development

proposals as they come forward. Whilst **PCC** totally objects to the residential allocation at Parc Mawr Farm, it is concerned that the **County** has arbitrarily changed the factors giving rise to this development as set out in its Preferred Strategy. **PCC** would remind the **County** that the premise had been that *This proposal is predicated on the delivery of a new road to serve the site that will also provide a through link from the A4240 Gorseinon Road to the A484 Llanelli Link Road to the south.* (Para 2.3.32, attached to proposed) Policy SD C repeats this, but importantly and worryingly goes on to say *A through route to either the A483 or A484 must be delivered prior to a significant proportion of the homes and associated development coming forward at the site.* This would, under other circumstances, raise concerns that (a) the delivery of the *associated development* will be delayed and (b) the original intended link to the A484 will never be delivered. **PCC** considers this is another instance where changes have been introduced by the **County** with little consultation, and for no other reason than to assist the developer. This relaxed attitude to the delivery of the suggested traffic mitigation fails to satisfy one of the criteria set out in para 8.6.2 of Planning Policy Wales which is to *identify proposals for new roads and major improvements to the primary route network and the broad policy on priorities for minor improvements in the Plan.*

- **PCC** would also remind the **County** that it (the **County**) has failed to comply with the conditions set out in para 6.8 of its own 'Topic Paper for Transport and Accessibility' in which it states *where new highway infrastructure is deemed to be required to support land allocations and/or remedy existing unsustainable circumstances, the need will have to be justified and proposals set out in the LDP.* By its own admission, in failing to carry out the necessary Traffic Assessments for not only this site, but also all other strategic sites in the North and NW of Swansea, compliance with this condition has not been achieved. **PCC** would further remind the **County** that the same Topic Paper goes on to say, under para 6.16, that ***Where transport infrastructure is essential to support developments, it will be necessary in most cases for it to be provided in advance of the development*** (emphasis added).

The County has failed to ensure that there is compliance with this requirement.

- Its high level assessment of the impacts of the LDP development proposals is limited to a strategic level and takes no account of likely local impacts.
- It provides high-level costs for delivering the proposed transport measures. Further assessment work will be required to determine detailed costs and mitigation strategies for the infrastructure requirements. There is, however, no evidence to support the viability of the mitigation measures which will be dealt with later in this submission.
- It assumes the cost of providing the traffic mitigation measures will be borne entirely by developers. This needs to be treated with extreme caution, and again this will be dealt with later in this submission.

Arup readily acknowledge, under para 16.3 of their report that their modelling assessment has failed to quantify the wider impacts of the LDP development in respect of the following:

- Significant economic disbenefits due to travel time increases.
- Road safety disbenefits due to increased traffic on congested roads.
- Air quality due to congestion, which **PCC** will expand upon later in this submission.
- Noise impacts due to traffic congestion, which **PCC** will expand upon later in this submission

In conclusion, **PCC** considers that the inadequacy of the Arup report and its resulting failure to properly determine the cumulative impact of the Strategic Sites on the highway and local road network renders the **Plan** 'unsound'.

Other matters of concern

If it is promoted that *This proposal is predicated on the delivery of a new spine street* (previously described in the Preferred Strategy as being a 'road'), Planning Policy Wales requires that *traffic infrastructure does not contribute to land take, urban sprawl or neighbourhood severance and makes best use of existing landforms to reduce noise and visual impacts*. In this regard, development at Parc Mawr fails to satisfy these criteria of PPW.

Para 6.6 of the 'Topic Paper for Transport and Accessibility' clearly sets out the need to *inform the Deposit Plan, further detailed research will be required to quantify the potential cumulative effects on the highway infrastructure of major land allocations proposed in the preferred Strategy*. The **County**, through the admission of Arup in regard to the need to still carry out detailed traffic assessments of the strategic sites, has ignored its own requirements.

PCC would again refer to Welsh Government's letter to Mr Paul Meller dated the 25th October 2013 [**PG 66 – 76**] outlining concerns over the soundness of the Plan and in particular to infrastructure and deliverability. The Welsh Government's observations on 'Transport Infrastructure' are set out on page 10, which says that:

The Transport & Accessibility Paper highlights that transport infrastructure is key to delivering the strategy. The achievement of many of the LDP's key objectives will be dependent upon development being integrated with the provision of high quality sustainable transport infrastructure. The Authority should provide greater explanation within the deposit plan noting the key transport infrastructure that is required to meet the strategy. [PG 75]

PCC would accordingly claim that, as a result of the **County's** failure to comply with the recommendations set out in its own Transport & Accessibility Paper, the key objectives of the LDP development cannot be supported by a sustainable transport infrastructure. This further demonstrates the 'unsoundness' of the **Plan**.

The **County's** reliance on the report prepared by Arup and titled 'Swansea Strategic Transport and Development Study' is, in the opinion of **PCC**, an incomplete and therefore, flawed approach to dealing with this issue.

Failure to deliver a sustainable development that properly considers the required measures necessary to overcome the problem of the disposal of foul drainage from the site

Introduction

Planning policies, decisions and proposals should, amongst other matters, play an appropriate role in securing the provision of infrastructure to form the physical basis for sustainable communities while ensuring proper assessment of their sustainability impacts: infrastructure will include sewerage and associated waste water treatment facilities.

Policies should encourage opportunities to reduce waste and all forms of pollution, and promote good environmental management and environmental practice.

PCC strongly believes that development at Parc Mawr Farm is unable to satisfy the above requirements for environmental sustainability in respect of the disposal of foul drainage from the site.

Evidence in support of PCC's claim.

The Welsh Government objective in this matter is *to ensure that appropriate sewerage facilities are provided to convey, treat and dispose of waste water in accordance with appropriate legislation and sustainability principles.*

Accordingly, the Welsh Government recognises that the *planning system has an important part to play in ensuring that the infrastructure on which communities and businesses depend is adequate to accommodate proposed development (PPW para 12.1.5 refers) as well as the capacity of existing infrastructure and the need for additional facilities should be taken into account in the preparation of development plans . (PPW para12.1.6 refers).*

PCC would remind the **County** of the 'Response by the City and County of Swansea to Proof of Evidence' [**PG123 - 164**] in respect housing objections raised in the Public Inquiry of the Swansea Unitary Development Plan and dated April 2007. It was stated by the **County** in para 4.1 that *It is acknowledged that Penllergaer is intended to be a growth area; however a significant release has already been made*

*and there is only considered to be capacity in terms of **infrastructure** (emphasis added) and settlement identity for one additional site of around 250 dwellings .*

[PG 131]

The two sites forming the subject of this part of the Inquiry were Land at Parc Mawr Farm and Land at Llewelyn Road.

PCC would further remind the **County** that the Inspector found in favour of the Llewelyn Road site and said that *Penllergaer is identified as a settlement where some further growth should be accommodated* and went on to add of Penllergaer that it was *capable of delivering new housing within the Plan period.*

As the **County** is aware, this has not been the case. The development of the Llewelyn Road site has not commenced due to the inadequacy of the infrastructures affecting the disposal of waste water.

The lack of infrastructure capacity in the catchment area of the Gowerton Waste Water Treatment Works to accommodate additional quantities of foul water and to treat waste water to the required standards are constraints on future development in this area that are recognised as such in the Preferred Strategy.

Policy 7 of the Preferred Strategy sets out that *Development must be supported by appropriate physical infrastructure and will only be permitted where infrastructure capacity will be sufficient to accommodate this demand.*

Any proposed development at Parc Mawr Farm would fail to satisfy this criterion.

Para 12.1.7 of Planning Policy Wales states that *local planning authorities must develop a strategic and long term approach to infrastructure provision when preparing development plans.*

Welsh Government's letter to Mr Meller on the 25th October 2013 [PG 74] identified that sewerage infrastructure/drainage capacity is one of the **significant concerns regarding the soundness** (emphasis added) *of the plan, which are set out in the supporting annex.*

Page 9 of the Annex says: *Sewerage capacity/drainage constraints have been identified as a key constraint to development (Physical Infrastructure Paper) which*

has implications in major applications in affected areas. The authority should explain fully the magnitude of sites affected, the impacts on timing and deliverability, and how this constraint will be mitigated over the plan period. It is essential that it can be demonstrated within the deposit plan that any sites affected can be delivered in the plan period. [PG 74]

Parc Mawr Farm is a site that is affected by this infrastructure constraint.

Proposed Planning Policies SD 1, SD 2, SD C and EU 4 would be expected to address the concerns raised above by the Welsh Government but **PCC** believes that this is has not been the case.

Policy SD 2 i.5 tentatively deals with *a phasing schedule to demonstrate the timely delivery of development and supporting infrastructure* where the onus to provide the same is passed to others.

Policy SD C relates to the site itself, and is totally silent on the matter.

Policy EU 4 states the obvious, but fails to address the situation that presently exists throughout the Gowerton Treatment Works catchment area. Instead, it places the responsibility entirely at the door of DwrCymru Welsh Water and further fails to address the concerns raised by the Welsh Government over the existing constraints on development. The **County** has not responded to the Welsh Government in regard to the requirement that *The authority should explain fully the magnitude of sites affected, the impacts on timing and deliverability and how this constraint will be mitigated over the plan period.*

PCC claims that the existing constraints in respect of waste water disposal from the proposed site does not satisfy Welsh Government's criteria on sustainability in respect of this matter and this therefore renders the residential allocation of Parc Mawr Farm as inappropriate.

Furthermore, the **County's** failure to address the concerns raised by Welsh Government on how this constraint will be mitigated throughout the Gowerton Treatment Works catchment area must also prohibit development of all other affected development sites in this area.

The matter raised by Welsh Government in regard to *significant concerns regarding the soundness of the plan* must still remain.

Failure to deliver a sustainable development that properly recognises the aims of national policy in respect of transport

Introduction

PCC will refer to Policy 8 of the Preferred Strategy which says:

Development will be directed towards locations that are highly accessible by public transport, walking and cycling to provide a range of sustainable travel options and minimise dependency on car use. These locations include strategic development areas identified in the LDP where the prior provision of appropriate transport infrastructure and services are integral elements of development proposals.

Development should support the aims of enhancing sustainable travel options and decreasing dependency on car travel.

PCC will claim that the **County** has failed to achieve the above objective through its proposed LDP Policies and that this failure is clearly demonstrable in the case of Parc Mawr Farm.

As a consequence, the development of Parc Mawr Farm does not comply with the sustainability provisions required by national planning policy and therefore such allocation, in the case of the site itself, is 'unsound'.

Evidence in support of PCC's claim

The **County** fully recognises that one of the important attractions of Penllergaer as a residential location is its close proximity to the M4 motorway.

PCC will refer to an e mail from Mr Paul Meller to Councillor Wendy Fitzgerald on the 26th October 2015 [**PG 165**] where he confirms that *allocation adjoining the M4 makes the area very attractive to prospective developers and it will consequently always remain under development pressure regardless of the planning policy position.*

This comment makes two very important statements in the context of the proposed development of Parc Mawr Farm.

Firstly, and for the purposes of this part of the submission, it recognises, by definition, a greater reliance on the use of the private car.

Secondly, there is more than a strong suggestion from Mr Meller that he is more than aware that the development pressure being put on Penllergaer is being applied *regardless of the planning position*.

Later in this submission **PCC** will present evidence to support the claim that the development of Parc Mawr Farm has been driven by the **County**: if that is proven to be the case, it is the **County** who are guilty of applying development pressure *regardless of the planning position*.

Dealing with the first of these matters, the reliance on the use of the car for residents of Penllergaer is best demonstrated by the **County's** own statistics appended to the 'Transport and Accessibility Topic Paper' under Appendix 3B.

This shows that 90.2% of the working population is dependent on the car as their transport mode to their place of employment.

This percentage is the fourth highest in the County, only surpassed by the neighbouring wards of Llangyfelach, Penclawdd and Mawr.

It is not therefore surprising that only 8.6% of the remaining working population use the alternative travelling modes of cycle, bus, train or foot.

In this instance it is the third highest percentage in the County.

From the above figures it is clearly evident that the working population of Penllergaer is heavily dependent on the car as the mode of travel to their workplace. This is supported by previous Census information which demonstrated that a large percentage of those in employment and living in Penllergaer travel to places of work along the M4 corridor. It is unlikely that this will change much in the future.

Furthermore, the proposed Policy Plan T3 does nothing to *ensure the delivery of efficient, safe and high quality public transit* as the proposed *rapid transport measures appear to exclude Penllergaer from its intended routes*.

PCC believes that the **County** fully realises the dependency on car travel for the Penllergaer workforce but nevertheless promotes wide scale development regardless of the planning policy.

PCC notes that the Policy refers to the fact that *provision will be made to facilitate the functional integration* which immediately casts into doubt the viability of this scheme due to the uncertainty of the funding stream that supports this kind of initiative. **PCC** has already expressed its concerns over the exaggerated and hypothetical future public transport usage set out in the **Plan**, all of which appears based on aspiration alone rather than the necessary *up to date evidence base* that is alleged to underpin the Deposit LDP.

PCC has already set out in detail the failings of the mitigating transport measures proposed by the **County**. When the further failings associated with the intended public transport initiative are also taken into consideration, the proposed development at Parc Mawr Farm fails to achieve the principal objectives set out in the Preferred Strategy under Policy 8 which **PCC** would remind the **County** are that:

Development will be directed towards locations that are highly accessible by public transport, walking and cycling to provide a range of sustainable travel options and minimise dependency on car use. These locations include strategic development areas identified in the LDP where the prior provision of appropriate transport infrastructure and services are integral elements of development proposals. Development should support the aims of enhancing sustainable travel options and decreasing dependency on car travel.

As for the requirements of Chapter 8, Planning Policy Wales, the **Plan**, in the context of Parc Mawr Farm, fails to satisfy all of the following objectives:

- Reducing the need to travel, especially by private car, by locating development where there is good access by public transport, walking and cycling;
- Locating development near other related uses to encourage multi-purpose trips and reduce the length of journeys;
- improving accessibility by walking, cycling and public transport;
- promoting walking and cycling;

- support the provision of high quality public transport;
- supporting necessary infrastructure improvements and
- ensuring that, as far as possible, transport infrastructure does not contribute to land take, urban sprawl or neighbourhood severance.

The **Plan** further fails to recognise the requirements of para 8.5.7, which says that:

Great care must be taken to minimise the adverse impacts of new transport infrastructure, or improvements to existing infrastructure, on the natural, historic and built environment and on local communities where neighbourhood severance should especially be avoided.

The **County** fails totally to comply with this condition by its intended mitigation works.

The proposed 'new transport infrastructure' involves extending the existing road system in and around Penllergaer to a highway system that totally encircles the heart of the community, turning it into little more than an island in the middle of a large roundabout. It also includes the installation of three improved and signalised road junctions, two new roundabout junctions and two new signalised junctions.

Failure to deliver a sustainable development that properly recognises the aims of national policy in respect the provision of education

Introduction

The LDP Deposit Plan states, in relation to Strategic Development Areas, that *'it is recognised that the future additional pupils generated from these sites may not be accommodated in existing schools.* (Chapter 2 paragraph 2.7.17)

PCC believes that the impact of Parc Mawr on educational provision in Penllergaer has not been fully recognised by the Council, especially when considered in the context of other proposed housing developments within the catchment area. The requirement in the Deposit Plan on Page 75 merely states that the developer must *'deliver a 3 form entry primary school incorporating community facilities to be sited in a central location to serve new and existing communities and provide safe active travel to school (SD C Land south of A4240 Parc Mawr)*

Evidence in support of PCC's claim

In regard to a new school, there is no timetable for delivery and the developer has already indicated that the initial build would be nursery-only. In the view of **PCC** that would be totally inadequate.

PCC believes that capacity issues in the existing primary school have not been properly addressed and would remind Swansea Council that the main school building was constructed in the mid 1970's to replace the one built in the 1890's which is now the Village Hall and owned and managed by the Community Council.

Over many years, numbers of children attending Penllergaer Primary ranged between 140 and 160 but with the expansion of the catchment area to include Tircoed Village (480 homes and 110 children in the school) growth accelerated dramatically. The recent Parc Penderri development - 228 homes - led to a £340,000 106 contribution to the school in recognition of mounting school numbers

and this enabled the construction of a large, new reception unit. In January of this year pupil numbers had reached 378 or 345 Full Time Equivalent

Despite this new classroom, Penllergaer Primary is still unable to meet fully the present demand with all classes for September 2016 full except for years five and six where limited places are still available.

There is particular pressure at the nursery stage and it is known that some families living in Penllergaer, who in some instances attended the Primary themselves, have been unable to secure nursery places for their children. This demand for places is due in part to Penllergaer being a *Green* school which, in terms of Welsh education, means it is in the highest category for performance and standards and is thus a draw to families living in the wider area.

PCC is thus of the view that unless a new school is delivered at the earliest stage of any development on Parc Mawr, then it is difficult to see how the existing premises could accommodate even just a small rise in the number of children.

New homes proposed for Penllergaer include not only those on Parc Mawr but a further 200 off Llewelyn Road which have already been granted outline planning consent (with a potential for an additional 100 if settlement boundaries are realigned). Land at the former council offices in Penllergaer has also been sold on the basis that it can accommodate 80 new homes with the prospect of more if a woodland area is desecrated. It is thus possible that house building could take place simultaneously in three areas of Penllergaer, all of which would place escalating demand on school places.

Therefore, **PCC** considers that the construction of an initial nursery-only option is clearly not realistic in terms of potential population growth or in regard to substantially increased traffic and pollution. A two site arrangement must be questioned in terms of the challenges and the risks that would be faced by parents and children in crossing extremely busy and polluted roads to access two different school sites. This could not be regarded as either safe or sustainable.

PCC believes that the Deposit Plan fails to demonstrate that the early delivery of a new school is a critical requirement if land at Parc Mawr Farm is to be developed

and essential if educational standards are to be maintained in classes sizes that accord with national educational policy

Failure to comply with national policy guidelines in managing urban forms by the means of green belts and green wedges

Introduction

The Parc Mawr Farm development site lies within the Llan Valley green wedge area in the current development plan (UDP), which in this instance, serves the purpose of preventing coalescence between Penllergaer and Fforestfach.

Existing planning policy recognises that the area making up this green wedge is under the *greatest development pressure* and *where there is a need to control the urban form to complement urban renewal and regeneration issues*. (Amplification UDP para 1.7.5 of Policy EV 23 refers)

PCC fully recognises that there is a distinction in terms of permanence between green belts and green wedges, but **PCC** similarly recognises that the factors giving rise to Parc Mawr's previous and lengthy protection under green wedge status is unchanged and that the intentions of the **County** were clearly to provide protection beyond the term of the UDP.

PCC therefore requires the proposed 'green belt' status under Policy ER 3 to be extended to include the land identified under Policy SD C.

Evidence in support of PCC's claim.

PCC would remind the **County** of the arguments presented within the 'Response by the City and County of Swansea to Proof of Evidence' [**PG 128-129**] at the Public Inquiry dated April 2007. This was in regard to housing development at Parc Mawr Farm (the Omission Site) being omitted from the Swansea Unitary Development Plan.

At this Inquiry the **County** stated that:

When considering the omission site against the purposes for green wedge designation, the County would make the following observations:

*i) **Prevention of coalescence:** The proposed omission site would not in itself lead to coalescence between Penllergaer and Fforestfach. However, development of the larger site area would and the Council considers the proposal to be the thin end of a very large wedge. If the omission site was released as proposed, it would immediately put land to the west and adjoining the access road under pressure for development. If the agricultural unit subsequently proved unviable there would be further pressure to release land extending south of the current settlement limits, thereby contributing towards coalescence.*

*ii) **Management of urban form:** The urban form is currently managed at this location by the frontage development onto Swansea Road and Gorseinon Road, which limits opportunity to develop at the rear. The unusual access arrangement across open countryside to serve the development of the objection site would enable this containment to be breached and open up the possibility of further development to which there would be no defensible boundary.*

*iii) **Safeguarding the countryside:** The omission site is in an area of open countryside. It is certainly not perceived as being part of the urban form as evidenced by the attached aerial photograph. (Appendix 8). Furthermore, as the land is located in close proximity to the M4 it will remain under constant pressure for development: hence the extra protection of green wedge status is essential.*

*iv) **Protecting the setting of the urban area:** The open rolling farmland character of the land to the south of Penllergaer and viewed to the rear of properties fronting Swansea Road and Gorseinon Road would be fundamentally changed should this area be released for development.*

v) Assisting urban regeneration: *If the omission site is allocated for development it will inevitably delay the regeneration of an area of urban land that would otherwise have been brought forward.*

The **County** concluded their 'Response' by emphatically saying:

*It is acknowledged that Penllergaer is intended to be a growth area, however a significant release has already been made **and there is only considered to be capacity in terms of infrastructure and settlement identity for one additional site of around 250 dwellings** (emphasis added). The allocated site at Llewelyn Rd and the omission site display a number of similarities in terms of convenience/accessibility: however, the physical and visual impact of the Parc Mawr site would be far greater. It would also lead to pressure to develop more adjoining land in future impacting on the character and setting of the settlement and surrounding countryside. [PG 131]*

The **County** was successful in their challenge to the proposed development of Parc Mawr Farm and it must therefore be assumed that the Inspector would have taken due cognizance of the case that was presented.

That being the case, **PCC** believes this question must be asked – *what are the changed circumstances that have led to the **County** adopting a complete volte-face?*

PCC claims that nothing has changed and considers the **County's** revised stance has no logical or justifiable basis. **PCC** supports this statement with the following evidence:

Prevention of coalescence: the argument constructed by the **County** presented a case whereby the protection of the 'Omission Site' was necessary for the further and future protection of the surrounding land. On the basis that the Inspector found in favour of the **County** in respect of its position on the 'Omission Site', **PCC** fails to understand how the **County** can now support a policy that would include in the LDP both the 'Omission Site' of Parc Mawr Farm and a large tract of Bryn Dafydd Farm as well.

PCC will claim that the Plan further disregards the principal of “prevention of coalescence“, and deliberately attempts to create coalescence between Penllergaer and Fforestfach. **PCC** is concerned that it is the **County’s** intention to achieve this by way of an underpass to the A484, thereby linking the Strategic Sites identified by Policies SD C and SD H.

Management of urban form, safeguarding the countryside, protecting the setting of the urban area and assisting urban regeneration. **PCC** fully endorses the arguments previously presented by the **County** and, on the basis that circumstances have not changed, presents the same arguments to the **County** for the purposes of this submission.

In its concluding statement in 2007, the **County** recognised that growth in Penllergaer was restricted, at that time, to only 250 further dwellings due to the constraints in infrastructure capacity. However, this assumption has so far proven to be incorrect, in that there appears to be no available capacity to support even a further 200/250 dwellings, with the Llewelyn Road development not progressing beyond the outline planning stage.

The **County** also acknowledged that there were growth limitations in terms of *settlement identity*. In 2007, it was argued at the Public Inquiry that only a further 250 houses could be accommodated in Penllergaer not only because of infrastructure constraints but also because settlement identity would be threatened. **PCC** therefore questions why it is now considered acceptable to expand the settlement of Penllergaer by up to a 1000 new homes on Parc Mawr. Other residential developments are also included in the Deposit Plan and the **PCC** believes that all these constitute a significant threat to the *settlement identity* of Penllergaer.

PCC would also remind the **County** that the omission of Parc Mawr Farm from the UDP was, as argued successfully by the **County**, required to avoid *pressure to develop more adjoining land in future* (emphasis added) *impacting on the character and setting of the settlement and surrounding countryside.* [**PG 132**]

Failure to comply with national policy guidelines in respect of Housing

Introduction

PCC will claim, as has already been identified elsewhere in this submission, that the **County** has failed to properly *consider the following criteria in deciding which sites to allocate for housing* in their Deposit Plan:

- *the availability of previously developed sites “*
- *the location of potential development sites and their accessibility to jobs, shops and services by modes other than the car, and the potential for improving such accessibility.*
- *the capacity of existing and potential infrastructure, including public transport, water and sewerage, other utilities and social infrastructure (such as schools and hospitals) to absorb further development , and the cost of adding further infrastructure.*
- *the scope to build sustainable communities to support new physical and social infrastructure including consideration of the effect on the Welsh language*
- *the physical and environmental constraints on development of land, includingthe level of contamination*
- *the compatibility of housing with neighbouring established land uses which might be adversely affected by encroaching residential development . (Para 9.2.9 of Planning Policy Wales refers to all above)*

PCC will further claim that the **County** has failed to comply with the development management and housing criteria of Para 9.3 of Planning Policy Wales.

PCC will also claim that the **County** has failed to ensure that the proposed transport infrastructure does not contribute to land take, urban sprawl or neighbourhood severance.

Evidence in support of PCC's claims

Planning Policy Wales – Para 9.2.9

PCC's claim in respect of the **County's** failure to properly consider the criteria set out in Para 9.2.9 in assessing the suitability of sites for residential development, **PCC** has already set out all the necessary evidence elsewhere in this submission.

Planning Policy Wales – Para 9.3

In considering the **County's** further failure in relation to Para 9.3 of Planning Policy Wales, **PCC** would again refer to the 'Response by the City and **County** of Swansea to Proof of Evidence' in respect of housing objections raised at the Public Inquiry of the Swansea Unitary Development Plan and dated April 2007.

PCC would repeat that the **County** stated that *there is only considered to be capacity in terms of infrastructure and **settlement identity** for one additional site of around 250 dwellings* (emphasis added). *The allocated site at Llewelyn Rd and the omission site display a number of similarities in terms of convenience/accessibility; however, the physical and **visual impact*** (emphasis added) *of the Parc Mawr site would be far greater. It would also lead to pressure to develop more adjoining land in future impacting on the character and **setting of the settlement and surrounding countryside.*** (emphasis added). [**PG 131 & 132**]

PCC also maintains that development of Parc Mawr Farm would not satisfy the criteria set out in Para 9.3.1 of Planning Policy Wales in that (a) it would not be well integrated and connected to the existing pattern of settlements and (b) it would encourage coalescence of settlements and a fragmented development pattern. Furthermore, **PCC** will claim that the LDP Parc Mawr would be on *such a massive scale* that it would be difficult for it to be *integrated with existing.....community facilities*: rather, it would need community facilities all of its own which would lead to *a fragmented development pattern*.

As for Para 9.3.2 of Planning Policy Wales, **PCC** will claim that the proposed development of Parc Mawr Farm would not satisfy this criterion. By way of explanation, it is a significant incremental expansion of housing that should be avoided as this will result in unacceptable expansion of travel demand to urban centres and where travel needs are not well served by public transport.

As for Para 9.3.3 and 9.3.4 of Planning Policy Wales, **PCC** will claim that the current proposal and its sheer scale is an insensitive infilling that will damage the area's

character. The LDP proposal intends to create *a new neighbourhood with supporting community infrastructure* that will *bring a new focus to the wider community*. The **County's** failure to engage with the community throughout the LDP process has inevitably led to a situation where the **County** is oblivious to the facilities that are already enjoyed by the community and these include the following:

Village Hall, Pontarddulais Road owned and managed by the Community Council

Llewelyn Hall (Church Hall), Swansea Road run by a committee of users.

Woodland Centre, Valley Woods owned and run by Penllergare Trust

Sports and Social Club, owned and run by members

Penllergaer Primary School

Sports Pavilion, Sports Field owned and run by the Community Council

Sports Field (2 soccer pitches and cricket strip) owned, maintained and managed
Penllergaer Community Council

Gors Common with winter goal posts for informal games City and County

Mini Pitch at Sports and Social Club owned and managed by the Club

Children's Play Area, Gors Common City and County

Children's Play Area, Parc Penderri

Play Area incorporating play fortress, LlysNini RSPCA LlysNini

Woodland walks, Penllergare Valley Woods Penllergare Trust

Nature Walks, LlysNini RSPCA LlysNini

Penllergaer Pond – fishing and walking leased to the Friends

Model Aircraft Take-off/Landing strip Garngoch Common Flying Club

Coffee Shop Penllergare Valley Woods Penllergare Trust

Old Inn with room for hire used by community groups

PCC therefore considers the **County's** reference to *a new focus to the wider community* to be somewhat insulting, given the range of facilities the community already has available and it believes that any new focus would only be required to meet the needs of a vastly expanded population. **PCC** is concerned too, that all the facilities that the **County** has been indicated as deliverable may not ultimately materialise. Past experience supports this concern.

PCC believes that the 'village' feel that is so important to Penllergaer will be lost which is something that is unacceptable to residents already living here.

Planning Policy Wales – Para 8.1.4

The Preferred Strategy clearly sets out that the proposed residential development *is predicated on the delivery of a new road.*

PCC will refer to a trail of e-mails between Councillor Wendy Fitzgerald and Mr Tom Evans from the County's Planning Department between the 10th and 14th March 2016 [**PG 167 – 169**] where the significance of the road formed a major part of the subject matter discussed.

This followed a public meeting held with the developer, Bellway, on the 9th March 2016.

Bellway publically admitted that the **Council** was the driver of the Parc Mawr scheme with the 1000 new homes seen as a way of achieving funding for a Strategic Relief Road.

Mr Evans in his e-mail dated the 11th March 2016 denied that this was the case and said of the proposed residential development: *I can confirm it is not a proposal to finance a strategic relief road.* [**PG 168**]

PCC believes Mr Evans is wrong to say this and whilst **PCC** will maintain that the wording of the Preferred Strategy is clear in its intention, **PCC** would also point to an earlier e-mail from Mr Paul Meller to Councillor Wendy Fitzgerald on the 26th May 2015 [**PG 171**] which advises that *Parc Mawr Farm is being pushed as it is the only*

site that has the potential to provide an alternative highway route for traffic from both the north and west

PCC will rely upon the public representations by Bellway in respect of the funding considerations but it is clear from the above that the Strategic Link Road proposals extending through both Parc Mawr Farm and Bryn Dafydd Farm do not meet Welsh Government's objectives for transport by failing to ensure that transport infrastructure does not contribute to land take, urban sprawl or neighbourhood severance. It very clearly does.

Conclusion

PCC would remind the **County** that the *planning system is intended to help protect the amenity and environment of towns, cities and the countryside in the public interest while encouraging high quality sustainable development.*(Para 3.1.1 of Planning Policy Wales)

PCC considers that the adoption of Policy SD Cof the Plan completely fails to achieve this goal.

Failure to recognise, minimise and manage in the future the environmental risks and increased pollution resulting from the LDP proposals

Details of PCC's claim

The prevention of pollution is one of the key principles that underpins Welsh Government's approach to planning policy for sustainable development.

Planning policies therefore should, amongst other considerations, (a) promote resource efficient settlement patterns that minimise land take and urban sprawl , especially through the preference for the re-use of suitable previously developed land , wherever possible avoiding development of Greenfield sites, (b) locate developments so as to minimise the demand for travel, (c) contribute to the protection and improvement of the environment, so as to improve the quality of life, and protect local and global ecosystems and (d) facilitates development that reduces emissions of greenhouse gases in a sustainable manner and facilitates low and zero carbon developments .

PCC considers that the **County** has failed to embrace the objectives set down by Welsh Government in its Deposit Plan, and in some instances paid scant regard to the necessary measures required to protect the environment.

PCC will limit its claim to those matters arising from the County's preference to develop Greenfield sites, together with its intended transport policies that rely upon the adequacy of the 'Swansea Strategic Transport and Development Study' produced by Arup.

Preference for the re-use of land

Para 4.9.1 of Planning Policy Wales says *Previously developed (or brownfield) land ... should , wherever possible, be used in preference to Greenfield sites, particularly those of high agricultural or ecological value.*

In respect of this objective and the County's proposed residential allocation for Parc Mawr Farm in the Plan, **PCC** will claim that the **County** has failed on both fronts, viz

(a) it has chosen to develop on a Greenfield site as opposed to available brownfield land, and (b) the Greenfield site in this instance is of high agricultural value .

Previously allocated residential sites under the UDP, which are largely under the ownership of the **County** and are brownfield in classification, are no longer included in the housing land bank. Their exclusion has been explained as being caused by 'economic climate or other physical constraints'.

The loss of dwellings as a result of this amounts to 2,510 units, a shortfall that the **County** is now proposing to be made through the allocation of Greenfield sites.

PCC considers the actions of the **County** to be negligent, absolving themselves of the responsibility to properly prosecute the development of the sites in question and support the objectives of Welsh Government.

PCC considers that the **County** is deliberately withholding the release of the allocated brownfield sites until such time as it is able to obtain a better return.

If this stance is continued, it will set a precedent for development that will put even greater pressure on Greenfield sites, and release the pressures from the urban regeneration that is required in the more prominent areas of the **County**.

PCC considers that it is a complete misrepresentation to suggest that *due to the success of past regeneration there is now limited previously developed (brownfield) land remaining to accommodate development*. (Para 1.1.23 of Deposit Plan refers)

The **County** needs to be vociferously challenged on this statement because, if accepted, it will set a further precedent that will place Greenfield sites under even greater pressure.

PCC considers that if the **County** believes this to be the case, it is seriously failing in its responsibility to properly address the objectives set by the Welsh Government.

PCC will remind the **County** that it has taken every opportunity recently to promote and publicise its success in releasing brownfield sites in and around the city centre for student accommodation.

Such land should be put to far better use by the **County** to achieve the objectives set by Welsh Government to *secure environmentally-sound and socially inclusive*

regeneration in those urban areas which require it, so that they become more desirable places in which to live and work ...

Unfortunately, the **County** has not taken up this opportunity for the 'economic' reason that student accommodation provides a better return on the land.

This situation is further exacerbated where political influences are allowed to undermine planning policy in respect of residential development of brownfield sites, illustrated by the Vetch Field and Cwmrhydyceirw Quarry, the latter representing the loss of 300 new homes whilst the masterplan for the former recommended 120 housing units. That number is now reduced to 40.

More recently the **County** has reversed its decision to convert the County owned Mansion House into 24 apartments, with the Council Leader reported as saying: *Our priority is to focus on commercial options for the Mansion House, and until that option is shown not to work we won't be proceeding with the planning application for flats.*

The South Wales Evening Post further reported that *the commercial options for the Mansion House are part of a wider council review of council buildings and assets in the face of declining budget settlements from central government.*

PCC will claim that sustainable development principals and proposals are knowingly being disregarded by the **County** in preference for more commercially attractive options that are solely for the **County's** benefit.

Adverse environmental impact resulting from the concentration of the Strategic Sites in the NW of Swansea

The Deposit Plan proposes to concentrate both its 'Strategic' and 'Non Strategic' housing allocations in NW Swansea. **PCC** has earlier in this submission raised its concerns over the **County's** failure to quantify the impact that the Strategic Sites would have on the highway network, as well as the local impact they will have on Penllergaer itself.

PCC also considers that there are other allocated residential sites in the nearby area of North Swansea that will only exacerbate this problem.

The proposed residential allocations in these areas represents circa 45% of the total LDP allocation.

PCC believes that it has already, within this submission, demonstrated the inadequacy of the 'macroscopic' approach adopted by the **County** in its transport study report. This approach ignores the disproportionate distribution of the proposed residential allocation that creates car dependent communities that will, in turn, create unacceptable levels of traffic congestion in Penllergaer.

The study importantly, however, admits to its own failings in respect of the following:

It is outside the scope of the modelling assessment undertaken for this study to quantify wider impacts, however, the results of the traffic modelling...indicate that wider impacts would be likely to include:

- *Significant economic disbenefits due to travel time increases;*
- *Road safety disbenefits due to increased traffic on congested roads;*
- **Air quality** (emphasis added) *impacts due to congestion; and*
- **Noise impacts** (emphasis added) *due to traffic congestion.*

PCC therefore considers that the **County**, in relying on a study that is flawed, has accordingly totally underestimated, or as it appears ignored, the adverse impact that the increased traffic flow will have on both air quality and noise in Penllergaer.

PCC considers that the County by saying in its Sustainability Appraisal that *increased congestion on the highway network may have a localised impact on air quality and further information is required to determine whether this would be significant*, readily recognises the shortcomings of the Arup study, but nevertheless fails to take responsibility to address the issues that need to be properly considered by the **County** in the **Plan**.

Failure of the Council to comply with national planning policy guidelines in respect of the conservation of agricultural land

Land at Parc Mawr Farm has formed part of an important productive agricultural unit over several generations as well as providing the rural backdrop to Penllergaer. In the *Response by the City and County to Proof of Evidence 2007* [**PG 129**] it is clear that the Council also acknowledges the importance of the landscape at Parc Mawr in protecting the setting of the urban area by stating that *the open rolling farmland character of the land to the south of Penllergaer and viewed to the rear of the properties fronting Swansea Road and Gorseinon Road would be fundamentally changed should this area be released for development.*

This opinion reflected that of the planning inspector appointed at a previous planning inquiry in 1981, also in relation to an application for a small housing development on land at Parc Mawr Farm. In his conclusions, the Planning Inspector states that: *the appeal site appears not as a small pocket of land mostly surrounded by residential development but as an integral part of the extensive agricultural lands which abut development fronting Gorseinon Road and Swansea Road and extend away to the south and the west. The effect (of any development) would be to extend considerably the built up area of Penllergaer into an area of predominantly open countryside.* [**PG 157**]

The farmstead at Parc Mawr can be dated back to 1650 and it is reasonable to conclude that, in conjunction with Bryn Dafydd Farm to the south, it has played an important role in local food production in north west Swansea. Until comparatively recently and over many years, both farms were worked as a single entity by two brothers.

As far back as 1971, when Parc Mawr was still being farmed as an independent unit, discussions were held between the landowners' agent and the former Llŵchwr Urban District Council about the possibility of developing part, or all, of the farm for residential purposes. However, an application for planning permission in respect of the entire farm was refused by the former Glamorgan County Council in April 1971

on a number of grounds. A further planning application was submitted but was again refused in March 1972.

At the Planning Inquiry in 1981, held following Lliw Valley Borough Council's refusal to grant consent for a small residential development on Parc Mawr Farm, it was officers employed by Lliw Valley Council who argued against such development claiming that a Welsh Office Circular (110/76) indicated that *as far as possible land of a higher agricultural quality should not be taken for development where land of a lower quality was available.* [**PG 154**]

'Planning Policy Wales in Chapter 4 – Planning for Sustainability' – continues this theme pointing out the need to conserve the best and most versatile agricultural land (*Paragraph 4.10*) by stating that land of Grades 1, 2 and 3a of the DEFRA Agricultural Land Classification system should be *conserved as a finite resource for the future.*

The supply of land that can be categorised as meeting these standards is scarce across Wales and **PCC** therefore submits a plan [**PG 172**] that evidences that most land is Agricultural Land Classification Grades 4 and 5. Plan [**PG 173**] shows the land classification for the City and County of Swansea and Plan [**PG 174**] the land classification for Penllergaer, including that at Parc Mawr Farm. It can be seen that the latter is assessed as Grade 3.

PCC would further contend that at least part of Parc Mawr Farm was identified as being subdivision Grade 3a and that was one of the reasons for the refusal, at the aforementioned planning inquiry in 1981, of a residential development on this site. Evidence was provided at the time by a representative from the Agriculture Department of the Welsh Office who informed the inquiry that the entire land area put forward for development – 4.5 hectares - was Grade 3 and *demonstrably fell into the best half of Grade 3 classification sub-grade A.* It was also pointed out that *some 45% of the agricultural land area of the then West Glamorgan was of a quality less than that of the appeal site.*[**PG 155**]

Parc Mawr Farm has been the recipient of EU grants – as much as £95,000 in the late 70's and early 80's – given for general improvements.

In 2008 **PCC** was heartened to read that one of the proposed Post Inquiry Modifications to the Unitary Development Plan (but later removed) was for amplification to Policy EC13, recognising the lack of high quality agricultural land in Swansea. It was noted in what was then paragraph 2.5.13 that *The County does not have any top quality agricultural land of grades 1 & 2 outside the Gower AONB with poor quality farmland predominating. In these areas of poorer farmland, subgrade 3b is considered to be locally valuable to the agricultural and rural economy. Accordingly, it is included as part of the 'best and most versatile land' within the County.* [**PG 175**]

Currently *Planning Policy Wales* in paragraph 4.10 *Planning for Sustainability* makes it clear that considerable weight should be given to protecting land of Grade 1, 2 and 3a from development because of its special value and importance. It goes on to say *Land in grades 1, 2 and 3a should only be developed if there is an overriding need for development and either previously developed land or land in lower agricultural grade is unavailable.*

PCC therefore strongly disagrees with the letter from Head of Plans Branch, Welsh Government to Swansea Planning department dated 25 October 2013 in which he concluded, in the Annex under the heading Agricultural Land, *it is considered that there is unlikely to be any significant loss of best and most versatile agricultural land.* [**PG 75**] In the context of Swansea, the loss of any Grade 3 Agricultural Land must surely be detrimental.

Additionally, the implications of the link road through Parc Mawr Farm to the A484 are that not only will Parc Mawr be lost but effectively so also will Bryn Dafydd. **PCC** believes it is unacceptable that 112.87 hectares of quality historic farmland is at risk of being destroyed.

Comments have been made that Parc Mawr is no longer a working farm. This is not the case although unfortunate constraints have been imposed upon it due to its

uncertain future. An Agricultural Agreement to enable crop growing can only be granted for the minimum of three years. Such is the uncertainty around Parc Mawr that all that has been possible in recent years is a Grazing Agreement and this has limited the use of the farmland to cattle and horses. Fields SS6198 6074, SS6198 6978, SS6198 5684 and SS6198 4580 are used for cattle whilst SS6198 3353 is grazed by horses. Valuable *grown local* produce such as potatoes, which once were an important source of income for Parc Mawr have been eliminated. Two fields – SS6198 7265 and SS6 198 7451 - are growing grass that will be harvested for silage [**PG 176**] All fields are delineated by mature trees and hedgerows.

Crops are still being grown on Bryn Dafydd including grain but the productive future of this farm is also now in jeopardy. [**PG 177&178**]

PCC fears that the building of 1,000 homes on Parc Mawr Farm and also on land which forms part of Bryn Dafydd, will terminate farming altogether and in doing so, destroy more than 112 hectares of farmland that has formed an integral part of the open, rolling countryside which has been a feature of this part of Swansea for generations past. It believes that Penllergaer could well become just another urban sprawl, severed by busy roads, congested junctions and suffering high levels of pollution, with Gorseinon Road and Pontardulais Road being especially affected by these health damaging problems.

PCC is of the view that by actively encouraging the easy option of developer-led residential development in the north west of Swansea, and in Penllergaer in particular, and by failing to identify an adequate number of brownfield sites together with poorer quality agricultural land more suitable for large scale housing developments, the **County** has failed to comply with national planning policy guidelines in respect of the conservation of agricultural land.

Failure to conserve the special landscape and biodiversity of the site in accordance with national planning policy guidelines

Planning Policy Wales states that Planning policies, decisions and proposals should:

Contribute to the protection and improvement of the environment so as to improve the quality of life and protect local and global ecosystems. In particular, planning should seek to ensure that development does not produce irreversible harmful effects on the natural environment... (Planning Policy Wales, Chapter 4 Para 4.4.3)

PCC believes that by promoting large scale development on Parc Mawr Farm the County is failing to implement this policy *and is inflicting irreversible harmful effects on the natural environment.*

The proposed development is on over 50 hectares of land that encompasses two working farms as both the new road infrastructure and house construction will extend onto Bryn Dafydd Farm to the south. The planning history of Parc Mawr is summarised in [**PG 152**] and detailed information in respect of the high quality of the agricultural land is contained in [**PG 155**]

PCC claims that concreting over this land to provide housing would not only eradicate for ever a valuable food growing resource but it would also confer significant harm on the wildlife and biodiversity of the whole area.

In 2007, when land at Parc Mawr was put forward for inclusion in the UDP, a revised ecological survey was carried out, a follow-up up from the one conducted in 1998. The 1998 survey had included an assessment of the hedges against the wildlife and landscape criteria set out by the Hedgerows Regulations 1997. It concluded that, in terms of the ecological evaluation of the site, a large area was of District Value as opposed to the lower level Local Value [**PG 183**].

[**PG 186**] shows the assessments of hedgerows against the 1998 Hedgerows Regulations and [**PG 187**] the ecological evaluation.

PCC believes that the area described as being of District Value must be preserved and points to the 'Wildlife and Biodiversity Statement of Case', para 3.1 March 2007 which confirms that the *richer marshy grasslands and unimproved/semi-improved neutral grassland in the southern and western parts of the site are considered to be of Distinct Value for nature conservation by virtue of their extent, the presence of a local plant (whorled caraway), local invertebrates (eg black darter dragonfly) and their overall species-diversity*. It goes on to say that *taken together with their surrounding hedges, trees and scrub features, these grasslands are considered to form part of a larger coherent unit of habitats which is collectively assessed as being of high ecological value*. (emphasis added)[**PG 181**]

The remainder of the site to the north and east is assessed as being of Local Value only and the grassland is regarded as of low ecological significance. However, **PCC** would point out that what is of value in this area are the hedgerows, some of which are described as *individually quite diverse in terms of habitat structure and species and qualify as 'Important Hedgerow' under the wildlife criteria of the Hedgerows Regulations 1997*. [**PG 181**] (Ecological Survey and Assessment of Land, Parc Mawr Farm 2007 Para 3.3)

In 2007 there was evidence too of foraging badgers, nesting birds, various reptiles, such as slow worms, and roosting bats. **PCC** would remind **County** that these are all species that are afforded some level of statutory protection.

Interestingly, also in [**PG 182**] Ecological Survey and Assessment of Land, Parc Mawr Farm March 2007 para 5.6. the author comments that the site would be comprehensively surveyed before any development took place *to ensure that any protected species which may be present are adequately mitigated for*. He goes on to add *Routes of access for foraging badgers would be considered and appropriate badger tunnels and culverts provided as necessary. There is not considered to be any likelihood of significant impact to badger foraging, given the extent of alternative suitable habitat in the vicinity*. (emphasis added)

PPC would ask, where would the routes and tunnels be located when land on two farms is being lost? Where exactly would the *alternative suitable habitats in the vicinity* be located?

In respect of the land that currently constitutes Bryn Dafydd Farm no ecological report is available but **PCC** believes it is reasonable to assume that a similar ecological richness to Parc Mawr would be likely.

PCC believes that one of the concluding statements in the 'Ecological Survey and Assessment of Land at Parc Mawr Farm' March 2007 is of considerable relevance. It notes, in para 6.4, *that there is an abundant suitable alternative habitat in the immediate vicinity* (emphasis added), *including in the areas of ecologically high value habitats which will be retained and managed sympathetically.* [**PG 183**]

A wide scale housing development at Parc Mawr, destroying two farms, will also destroy the *abundant suitable alternative habitat in the immediate vicinity*. By so doing, it is **PCC's** view that the **County** is failing to comply with 'Planning Policy Wales', Chapter 4, para 4.4.3 *which states that planning should seek to ensure that development does not produce irreversible harmful effects on the natural environment***PCC** believes that all the evidence shows that what is proposed for Parc Mawr would clearly result in *irreversible harm* on the natural environment.

The Plan does not accord with national planning policy in respect of the timing and delivery of the necessary and proposed infrastructure and, as such, for this to be remedied the development will not be viable

Evidence in support of PCC's claim

The Deposit Plan identifies that the *Effective use of Planning Obligations and potentially Community Infrastructure Levy (CIL), together with the masterplanning of sites will be key to ensuring new development comes forward in a co-ordinated fashion with the delivery of necessary supporting infrastructure.*

The proposed policy SD C sets out the 'Development Requirements for the site', which means, that based on the above, the cost is intended to be borne by the stakeholder/developer.

PCC would remind the **County** that any masterplanning of the sites must be conducted to fully comply with national planning policy guidelines and requirements.

PCC has already identified that the Transport Study Report fails to provide details of the likely phasing of the proposed road mitigating measures throughout the County, which is key in addressing the impacts of the LDP development proposals as they come forward.

PCC would remind the **County** that the 'Topic Paper for Transport and Accessibility' says, under para 6.16, that ***Where transport infrastructure is essential to support developments, it will be necessary in most cases for it to be provided in advance of the development*** (emphasis added).

The **County** is required to comply with this requirement, and in so doing **PCC** believes there will be doubts raised over the viability of the scheme.

PCC will further remind the **County** that the third Test of Soundness of the **Plan** is whether the plan will deliver, with the pertinent questions in relation to this Section being :

- Can it be implemented?

- Is there support from the relevant infrastructure providers both financially and in terms of meeting relevant timescales?
- Will development be viable?
- Can the sites allocated be delivered?
- Is the plan sufficiently flexible?
- Are there appropriate contingency provisions?

PCC believes that the **Plan** provides little certainty that any of the above questions can be answered positively, and reference Chapter 2.4 of the Deposit Plan, and in particular para 2.4.9, fully demonstrate the present state of uncertainty that raises serious questions over the ‘soundness’ of the **Plan**.

This paragraph is ‘riddled’ with doubt over matters that have yet to be addressed, by, it would appear, both the County and Developers, on the important question of viability . It says:

*The Council **expects** that the costs relating to any measures required to make the development viable and sustainable **will be taken into account** at an **early stage of the development process** (including land acquisition) in order that realistic values and costs are achieved as part of the development appraisal. Where a developer **seeks to question the viability** of a scheme to be delivered in accordance with the Policy requirements, the Council **will request** an independent development appraisal, which **may involve** a full assessment if no viability appraisal has been undertaken, and **will expect the costs** of such an appraisal to be met by the developer. (emphasis added)*

PCC will claim that para 2.4.9 is an admission by the **County** that the question of viability has not yet been addressed, and without an element of certainty in relation to this matter, **PCC** believes that the **County** is acting in an irresponsible manner by allocating sites in the **Plan**, in particular that at Parc Mawr Farm.

PCC will further claim that with the full extent of the ‘Development Requirements’ agreed, presumably between the **County** and developers, there is no reason why the necessary viability appraisals have not yet been undertaken.

Para 2.4.10 of the Deposit Plan goes on to say:

In the case of SDAs, it is acknowledged that the effect on viability of the specific Policy requirements will require a specialist appraisal.

PCC's earlier concerns remain, and it is indeed the **County's** preference to designate these so called Strategic Sites, and by definition, the associated infrastructure measures, that makes the question of viability one that importantly needs to be answered before the **Plan** is presented to the Welsh Government for examination. This is a concern that was raised by the Welsh Government in their letter to the **County** dated the 25th October 2013. []

PCC further believes that developers will be unable to achieve the delivery of the 'estimated units' set out by the **County** in Chapter 4 of the Deposit Plan.

Taking Parc Mawr Farm as an example, for the County to comply with national policy on the early delivery of the necessary infrastructure measures, it is unlikely that when all considerations in respect of the development process are taken into account, the earliest delivery of completed units will be at least 12 months from the date of adoption of the Plan. The Delivery Agreement has been recently revised to reflect a planned adoption date of January 2018.

Therefore, in the 2 years following the possible completion of the first of the 'estimated units', ie January 2019, the developer is required to complete in total 265 units in this period.

PCC will claim that this figure is unrealistic and unachievable, a fact that should be endorsed by developers. **PCC** believes that developers will only be factoring between 50/60 units per annum in their own feasibility studies.

However, there is no legal mechanism that can be implemented to ensure the expected phasing promoted by the **County** becomes an obligation on the part of developers. This again throws the viability of the strategic sites into question, as well as the 'soundness' of the **Plan**.

Again, **PCC** will claim that this is as a consequence of the County's preference and reliance on the delivery of the Strategic Sites.

Para 2.4.11 briefly refers to the possible adoption of a 'Community Infrastructure Levy' by saying:

A Community Infrastructure Levy (CIL) for Swansea is currently being considered. The balance between site masterplanning, planning obligations and CIL to deliver infrastructure will be informed by site viability, dialogue with developers and the availability of other funding sources.

PCC will claim that this is a clear indication that the **County** has failed in its responsibilities to produce a Plan that is deliverable, where reliance on funding sources to promote the planned development has yet to be agreed .

PCC will further claim that this is another instance where the **County's** reference to CIL is for no other reason than including the necessary planning jargon, but without the necessary supporting substantiation that makes such reference credible.

The Plan does not set out a coherent strategy from which its policies and allocations should logically flow, and therefore it is unrealistic

Introduction

PCC has throughout this submission largely concentrated on those matters that fail to support a sustainable development at the **County's** proposed residential allocation for the site known as Parc Mawr Farm.

PCC has also challenged the viability of the Plan as a whole, and in particular Parc Mawr Farm. In so doing, **PCC** has argued that it is the **County's** preference to promote 'Strategic Sites' that has brought pressure upon the **Plan's** viability, and accordingly its 'Soundness'.

PCC will further claim that it is the **County's** preference to promote these 'Strategic Sites' that produces a **Plan** that is not based on a coherent strategy from which its policies and allocations logically flow, thereby making the **Plan** unrealistic by failing to properly respond to the second test of 'Soundness' - Is the Plan appropriate ?

Evidence in support of PCC's claim

PCC will claim that the **County** by proposing to promote the site at Parc Mawr Farm as a 'Strategic Site' is undermining two of the main objectives that underpin the principal of sustainable development, and in so doing is promoting a strategy that is incoherent.

The same criticism will generally apply to the other proposed 'Strategic Sites', but this may be to varying degrees. Nevertheless, the overall impact produces a **Plan** which is inappropriate, and this submission has already demonstrated, in the case of Parc Mawr Farm, that:

- The allocation is not supported by robust, proportionate and credible evidence.
- The allocation does not contribute to the achievement of sustainable development.

- The allocation has no rationale, as demonstrated by the illogical approach adopted by the **County** from the position it held under the UDP.

The two main objectives set by Welsh Government, which **PCC** will claim the **County** has failed to embrace, and in so doing produced a **Plan** that is illogical and unreasonable, incoherent and inconsistent, where real alternatives have not been considered, are:

The **Plan** sets out clear goals for the regeneration of the City Centre and its immediate surrounds, but fails to apply an integrated approach to achieve this goal of securing environmentally-sound and socially inclusive regeneration which will become more desirable places in which to **live** (emphasis added) and work .

Instead the **Plan** proposes to locate the greater part of the workforce that fuels the proposed regeneration and economic growth in distant Strategic Sites, where the Welsh Government's principal objective for transport is immediately compromised .

PCC will remind the **County** that this (Welsh government) objective is *to extend the choice in transport and secure accessibility in a way which supports sustainable development and helps to tackle the causes of climate change by: encouraging a more effective and efficient transport system, with greater use of the more sustainable and healthy forms of travel, and minimising the need to travelensuring that development is accessible by means other than the private car,*

PCC believes that it has already in this submission highlighted its concerns over the ability of the **County** to deliver a more effective and efficient transport system to other parts of the County, with Penllergaer being excluded from this initiative.

The **Plan**, in its present form, places an over reliance on the use of the private car.

The **County** will, however, place reliance on the employment opportunities offered at both Waunarlwydd and Felindre as part justification for the location of the Strategic Sites, but **PCC** will strongly challenge such representations.

The site at Waunarlwydd presents too many challenges to its possible attraction to investors and end users as initiatives in the past 10 years have already shown. Its location, transport links to the motorway, past industrial use and absence of

necessary levels of government grant assistance present obstacles that will impact on the viability of any scheme intended to create employment at this site.

As for Felindre, whilst this site has benefited from grant aid and is not affected by the same location problems as the site at Waunarlwydd, there has been little real interest in its development over a longer period as recognised in the **Plan** which says *A number of sites have been allocated historically for employment purposes, but not yet developed for a variety of reasons, including the Felindre strategic site.*

PCC accordingly consider it is a misnomer for the **County** to suggest that the sites at Waunarlwydd and Felindre offer the employment opportunity to support the proposed Strategic Site allocations.

The **Plan** envisages that the economic ambitions of the **County** will largely be realised through the following initiatives:

Evidence suggests there is potential for 14,000 additional jobs to be created during the Plan period.

*The Swansea Central Area is the heart of the 'City Region', and should act as its economic hub and main driver. Its sustainable regeneration must be a key driver for the **Plan**.*

The additional jobs required over the Plan period will need to be delivered through development that promotes growth across sectors, and re-orientates the economy towards high quality, skilled and knowledge based sectors.

There is a lack of available, high quality office space to meet economic growth needs, combined with an oversupply of sub-standard office space at central and out of town locations.

Out of town development of retail, office and leisure uses has historically reduced City Centre investment and further proliferating of out-of-centre retail in particular poses a significant threat to delivering a regenerated Central Area.

Further investment at SA1 and the Fabian Way corridor is needed to sustain the successful regeneration of former dock areas, whilst complementing Central Areas regeneration and the remaining port operations.

Leisure, tourism and heritage-led developments have potential to deliver significant economic and cultural benefits, including facilitating regeneration of the Swansea Central Area, and enhancing the rural economy.

All of the above focuses upon the importance of City Centre regeneration, and the LDP Vision and Strategic Objective accordingly sets out that:

The County will be a desirable place to live, work and visit that:

Is a thriving City Centre destination that offers excellent shopping facilities and supporting leisure and business opportunities, capitalising on its proximity to the waterfront.

Unlike the objectives set by the Welsh Government, the **County**, through its **Plan**, places no importance on creating a City Centre that through regeneration can become a *more desirable place in which to live*. (emphasis added)

Instead it prefers to create developments that fail to satisfy the principals of sustainability, and there is no better example of this than Parc Mawr Farm.

Evidence earlier in this submission has already highlighted the further failings of the **County** in promoting more commercially attractive forms of development other than that which satisfies its housing requirements at sites owned by the **County** in the City Centre.

The **Plan** offers little more than a token gesture by identifying only 1000 residential units within the City centre.

PCC has already identified the **County's** preference to promote student accommodation within the City Centre on brownfield land owned by the **County**.

PCC believes such land would be better used by the **County** to aspire to the objectives set by Welsh Government to *secure environmentally sound and socially*

inclusive regeneration in those urban areas which require it, so that they become more desirable places in which to live and work.

PCC also considers that this kind of focus would help to achieve the identified need to deliver 3,210 new homes in the city centre zone as stated in par 6.4.3 of the Preferred Strategy. This target appears to have been reduced substantially since then with numbers of new homes fluctuating. Clarity as to what constitutes permanent residential and student accommodation also seems to have been muddled and there appears to be fluidity in respect of the actual boundaries of the city centre zone.

In conclusion, **PCC** will claim that the **County** has knowingly embarked on a strategy that is incoherent, with its resultant policies and allocations failing to meet the objectives set by Welsh Government.

Economic remodelling

PCC is aware that Swansea, like other cities in the UK is undergoing considerable change in terms of its economy and population. With a relatively weak economy and poor market conditions Swansea was ranked, in 2015, as one of the 10 cities in the UK with the lowest employment rate and a *low wage, high welfare* culture. (Centre for Cities) It was also amongst the 10 cities with the lowest average earnings.

Whilst there was a steady growth in private sector jobs between 2012 and 2013, Swansea was nevertheless assessed as one of the 10 cities with the lowest proportion of private sector jobs compared to public sector – 65,400 private sector and 40,700 public sector. It is mainly the public sector that has contracted in recent years due to government austerity, although the universities continue to expand quite rapidly.

Historically, Swansea's job growth has fallen far short of Cardiff's and even that of Newport. Over the 100 years from 2011 to 2013 Cardiff's job growth is estimated at a 108,041 net gain, Newport's at 22,893 and Swansea's, slightly less still at 22,270.

Despite national growth improving over the last few years, Swansea's economy remains stubbornly weak with poor market conditions which, in turn, have a negative impact in attracting private sector led-development. There is thus a clear need to boost the attractiveness of the city centre to provide better office stock and to help remedy the lack of highly skilled and better paid jobs in the centre itself.

In Swansea only 37% of highly skilled jobs are located there compared to a city average of 53% and this makes it apparent that Swansea's city centre is not attracting the number or quality of jobs it should unlike most other cities. Additionally, large numbers of those in employment and living in Swansea – about 16,100 – actually work outside the county boundaries in Neath Port Talbot, Carmarthenshire and even further afield along the M4 corridor. However, net in-commuting still exceeds out-commuting with about 27,000 coming into Swansea to work each day but many will be employed in such places as the Enterprise Zone in Swansea East rather than in the city centre itself.

Thus the current situation in Swansea in respect of jobs and the economy is that improvement is slow, somewhat erratic and still largely driven by the public sector.

PCC believes that in considering Swansea's economic future and prosperity, information contained in *Future Trends for Swansea* published by the **County** in September 2014 should be taken into account. This gives an indication of likely trends in areas such as Demographics, Housing, Economy and Employment up until 2030-36. It predicts, for example, that the population of Swansea will rise by 13.1% from 238,700 in 2011 to 269,900 in 2036 – an increase of 31,200. It concludes therefore that by 2025, between 729-1329 new dwellings will be needed each year based on four scenarios (low, medium, medium-high, high) in order to accommodate this growing population.

On these projections (and even taking the highest growth estimates) over a 10 year period up to 2025 the number of new homes required will be 13,290. **PCC** is firm employed jointly by Swansea and Neath-Port Talbot. This company forecasts in its *Economic Assessment and Employment Land Provision for Swansea and Neath-Port Talbot* that there will be a requirement for 16,400 new homes over the same plan period (further increased to 17,000 after intervention by the Welsh Government). The basis for this figure is the predicted number of new jobs coming to Swansea and *the number of extra workers that would be required to match the number of additional jobs without needing to increase in-commuting*.

PCC believes that the 14,700 new jobs forecast by Peter Brett that Swansea can expect to attract over the period of the LDP is grossly inflated and that the lower figure of 6,100 is much more realistic. PCC would remind the Council that between 2004 and 2013 Swansea had a net gain of only 900 new jobs. (Centre for Cities)

With regard to population growth, *Future Trends* provides a further useful breakdown. It predicts that by 2036, Swansea will have grown by 31,200 and of this, 18,850 will be due to net overseas migration (around 750 a year) and by 4,000 through net UK migration. The remaining 8,350 would be via natural growth of the existing population.

Given the recent referendum and the Brexit vote, **PCC** believes that the LDP should be revised to take account of the changed situation. It considers that population and

employment statistics should be overhauled and challenged given that overseas migration was seen as a significant driver of the former, placing considerable pressure on the need for new homes, in both the private and social and housing sectors. In the post Brexit world overseas migration from Europe will be controlled and reduced and it is reasonable to expect that this is reflected in future housing needs for Swansea.

PCC believes that the impact of any potential decline in the housing market should also be considered together with the fact that share prices for the biggest house building companies have fallen which could point to a freeze in house building. The number of people house hunting for a new home also fell in the month following Brexit and was down by a third compared with the same month in 2015. The Treasury too are warning that house prices could drop by up to 16% over the next 2 years as the economic shock of Brexit increases the cost of mortgages.

Meanwhile recent forecasts from the estate agent Countrywide estimates that home price growth will slow to 2.5% this year, contract by 1% in 2017 finally recovering to 2% in 2018. That will still be 0.5% lower than at present. Whilst this may be of benefit to house buyers it represents a poorer and uncertain economy for house builders

In this post Brexit world **PCC** believes that there is an undoubted threat that new jobs may not materialise which in turn will lessen the need for more homes as will the reduction in the number of European migrants. It therefore urges the **County** to undertake economic remodelling to reflect the changing circumstances affecting both population and economic growth in Swansea since the commencement of the LDP process.