

Safeguarding public interest

Principal points of objection .

This submission intends to deal with specific matters where safeguarding the public interest is compromised either by way of the Officer's recommendation of approval for the application and / or the proposed conditions of the approval .

There is real public concern that the ambitions of Bellway, for viability reasons, go no further than the 184 houses included in the first phase . In so doing, Bellway would largely realise their original **LDP** ambition for house building numbers on the site, the same ambition they had previously for their failed attempt under the **UDP** .

The proposed phasing which Members are now being asked to support would enable Bellway to maximise their profit return on the first phase and walk away from the financial contributions required from them for existing deficiencies in physical and social infrastructure, enhancement of which was a prerequisite to development .

For Officers to respond to this concern by saying another developer will come in, is not only another example of the dismissive approach adopted throughout, but a total lack of appreciation of the problem . Viability challenges will be the same for any developer, but worse for anybody stepping in where the profit has already been *creamed off* .

The proposed phasing now in front of Members is a material deviation to that presented by both Bellway and the City and County of Swansea to the LDP Inspectors, and upon which the Plan was approved .

Members should be reminded that the Inspectors were unequivocally told by Bellway and the Council that :

'The site is expected to carry some significant development costs – for example the delivery of highway works/improvements and a new 3 form entry primary school. The LDP policy for SD C also sets out a relatively comprehensive list of other necessary developer requirements and placemaking principles.

*Notwithstanding this, the IFVA shows that the delivery of these requirements (including key infrastructure such as the road and new school as part of **initial phases**)*

This undertaking supposedly addressed the concerns raised by the Inspectors over the specific problems experienced elsewhere in Wales over infrastructure and its delivery .

We, as we would hope Members will , have translated **initial** to mean the first phases, unlike Bellway and Officers who believe completion of 75% of the housing in the case of the relief road and 60% housing completion in respect of the new school , are deemed to fall within the definition of **initial** .

Not only does this inexplicable approach contradict everything that has gone before, but it also festers a situation where the principals of *timely incorporation* of needed infrastructure *goes out of the window* . To put this all in to context , the school will optimistically be provided in 6 to 7 years time , with the delivery of the relief road in 8 to 9 years time . (This is contrary to the intended timescale suggested in the report by the Head of Highways)

Furthermore, Bellway would have embarked on this project with the clear understanding of both Council's requirements and national planning guidelines that needed to be met, in that :

*Where transport infrastructure is essential to support developments, **it will be necessary in most cases** for it to be provided in advance of the occupation of the development, **particularly in support of non-car modes of transport** in order to ensure sustainable travel habits are established and embedded from the outset .“*

Accepting the recommendation in its current form provides no safeguard in relation to the public's concerns and interest, where the destiny of the public, in particular those from Penllergaer, are dictated by, and totally in the hands of, Bellway .

Whilst the Officer's report sets out the conditions that need to be satisfied to comply with CIL Regulation 122, there is no attempt to demonstrate in its reasoning how those conditions have been met . This is a common theme and failing throughout the Officer's report, where reference has been made to the requirements of national planning policy and guidelines, as well as further reference to Well Being of Future Generations Act , but no attempt has been made to say how this application complies with both .

At this point, and for the sake of brevity, we believe we have also already highlighted examples in our written submission in both the cases of the **Brynrhos Crescent access** and **Highway congestion**, where safeguarding the public interest will be compromised by approval of this application .

We are also concerned that Officers have failed to place a positive obligation on the developer , and obviously landowner, and dictate a requirement to enter into the necessary Section 38 and 278 Highway Agreements . It is clearly in the public interest that dedication of these works is undertaken, which in turn will demonstrate the developer's intentions .

Finally, there is a further continuing and worrying theme where the developer, in the case of a raft of pre-commencement conditions, is excluded from providing this information in relation to the first phase of the works, with notable exceptions relating to the undertaking of a mining survey and bat survey .

