

PLANNING STATEMENT

Plot E6, SA1 Swansea Waterfront

November 2024



Summary

Proposal:

Proposed site engineering works comprising cut and fill exercise, and importation of clean inert material to facilitate the creation of a development plateau

Location:

Plot E6, SA1 Swansea Waterfront

Date:

November 2024

Project Reference:

S24.151

Client:

Pobl Group

Product of:

Asbri Planning Limited
Suite D,
1st Floor,
220 High Street,
Swansea,
SA1 1NW

Prepared by:

Phil Baxter - Director

Approved by:

Richard Bowen – Director

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1.0 Introduction

- 1.1 Asbri Planning is appointed as planning agent to Pobl Group for the proposed site engineering works comprising cut and fill exercise, and importation of clean inert material to facilitate the creation of a development plateau at Plot E6, SA1 Swansea Waterfront.
- 1.2 Specifically, the proposed development comprises engineering works to ultimately raise ground levels across part of the site and reduce site levels across other parts of the site (cut and fill) in order to achieve a development plateau for the site of 7.75m above Ordnance Datum (AOD). The site is allocated for residential development in the adopted Swansea Local Development Plan following approval of a revised masterplan for SA1 Swansea Waterfront area.
- 1.3 Pobl Group intend to submit outline planning permission for a mixed use residential led development for the site and this proposed application is a pre-cursor for future development on the site.
- 1.4 The purpose of this Planning Statement is to provide a clear and logical document to outline the planning considerations and planning policies relevant to the proposal. The document also acts as a method of demonstrating the details of the planning application in a way that can be read both by professionals and the public.
- 1.5 This Planning Statement should be read in conjunction with all other elements of the application which include the following plans and documents.

Name	Reference	Prepared By
Application Forms	PAF	Asbri Planning Ltd
Planning Statement	PS	Asbri Planning Ltd
Site Location Plan	24036 (05) 100	Powell Dobson Architects
Existing Site Plan	16878_650_r01	Vale Consultancy
Proposed Site Plan	16878_651_r02	Vale Consultancy
Sections	16878_652_r01	Vale Consultancy
Ground Remodelling Cut & Fill Plan	16878_653_r02	Vale Consultancy
Ecological Baseline Report	edp8862_r001-A	EDP Ltd
Flood Consequence Assessment	LYQ-JBA-XX-XX-RP-Z-0001-S0-P01	JBA Consulting

1.6 This Planning Statement presents the planning case for the proposed development having regard to the site and its surroundings, the planning history, and policy context. It considers the key policy issues and planning merits of the proposed development. The statement is structured as follows:

- **Section 2:** provides a description of the site and its features which includes a contextual analysis regarding the local character and surrounding land uses and review of planning history.
- **Section 3:** summarises the development proposals.
- **Section 4:** identifies the relevant national and local planning policies which provide the framework for appraising the proposed development.
- **Section 5:** draws together the key points and conclusions from the supporting technical documents to demonstrate the overall appropriateness of the proposal in planning terms.
- **Section 6:** concludes why the proposal should be granted planning permission.

2.0 Site Description

- 2.1 The site measures approximately 0.57 hectares and comprises brownfield land with a gravel substrate, albeit some semi-natural vegetation has started to re-establish across the site (see figure 1).



Figure 1: View from the southern end of the site looking towards existing housing to the north

- 2.2 The boundaries of the site are enclosed by Langdon Road to the north and an unnamed road to the east serving the Associated British Ports (ABP) land.



Figure 2: View from the north looking south along the recently constructed road and towards plot E7/E8 and ABP land further south

- 2.3 Roads to the south and west were previously constructed around 2020 as part of the wider re-development of Swansea Waterfront but are currently unused expect for maintenance. Those roads are also tree lined (see figure 2).
- 2.4 To the south west of the site lies the Prince of Wales Dock and existing residential development lies to the north (see figure 3).



Figure 3: Existing housing to the north

2.5 A driving test centre lies to the east as well as other commercial uses including car dealerships further to the east (see figure 4). Further to the south of the site lies Plot E7/E8 which has recently obtained planning permission for 108 homes on behalf of Pobl Group.



Figure 4: Existing car dealerships further to the east

3.0 The Proposed Development

- 3.1 The proposals comprise site engineering works comprising cut and fill exercise, and importation of clean inert material to facilitate the creation of a development plateau at the site.
- 3.2 More specifically, the proposed development comprises engineering works to ultimately raise ground levels across part of the site and reduce site levels across other parts of the site in order to achieve a development plateau for the site of 7.75m above Ordnance Datum (AOD).
- 3.3 At some point in the future Pobl Group intend to submit outline planning permission for a mixed use residential led development for the site.
- 3.4 The site is specifically allocated for residential development in the adopted Swansea Local Development Plan following approval of a revised masterplan for SA1 Swansea Waterfront area. Therefore this proposed application is a pre-cursor for the future development on the site.
- 3.5 As described on the Ground Remodelling Cut and Fill Plan, prepared by Vale Consultancy, ground levels would be reduced in the south eastern corner of the site and in the north western corner. This would facilitate levels being raised in the south western corner and north eastern corner of the site. A level plateau would be created at a level of 7.75m AOD.
- 3.6 Currently the levels in the south eastern corner of the site are circa 8.48m AOD at its highest point and in the north western corner are circa 8.21m AOD at its highest point. Currently levels in the southern western corner of the site are circa 6.94m AOD at its lowest point and in the north eastern corner of the site are circa 7.44m AOD at its lowest point.
- 3.7 As further described on the Ground Remodelling Cut and Fill Plan the extent of proposed 'Cut' comprises 563.01m³ of material and the extent of proposed 'Fill' comprises 735.71m³ of material, requiring a 'Net Fill' of 172.7m³ of material. Therefore 172.7m³ of imported material is required to achieve a site level of 7.75m AOD. This equates to circa 12 lorry loads (assuming 15m³ capacity for a typical 8x4 tipper lorry).

4.0 Planning Policy Context

Introduction

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the purposes of this Planning Application comprises the following:
- National Development Framework: Future Wales – The National Plan 2040 (February, 2021);
 - Swansea Local Development Plan 2010-2025 (adopted February, 2019).
- 4.2 In addition to the Development Plan, the Planning Application has been informed by policy and guidance set out in the following:
- Planning Policy Wales Edition 12 (February, 2024), informed by The Well-Being of Future Generations (Wales) Act 2015, and supplemented by Technical Advice Notes;
 - Building Better Places: The Planning System Delivering Resilient and Brighter Futures (July, 2020);
 - Swansea Council Supplementary Planning Guidance.
- 4.3 This section of the Planning Statement provides an overview of the Development Plan context and planning policy framework of specific relevance to the determination of this application. For ease of reference, this overview is set out below at the national and local level.

Future Wales

National Development Framework: Future Wales - The National Plan 2040

- 4.4 The National Development Framework: Future Wales – the National Plan 2040 was published on 24th February 2021. 'Future Wales' sets out the Welsh Government's strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy; achieving decarbonisation and climate-resilience; developing strong ecosystems; and improving the health and well-being of our communities. As stated above, the National Development Framework has Development Plan status.
- 4.5 Future Wales sets out its overarching ambitions based on the national planning principles and national sustainable placemaking outcomes set out in Planning Policy Wales by means of 11 Outcomes. As set out on Page 52 of Future Wales, the 11 Outcomes are collectively a statement of where the Welsh Government aspire Wales to be in 20 years' time.

Planning Policy Wales Edition 12

- 4.6 Planning Policy Wales (PPW) Edition 12 was published in February 2024. The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015.

Technical Advice Notes

- 4.7 Planning Policy Wales is supplemented by various Technical Advice Notes (TAN's) which provide more in-depth guidance on specific issues. In this instance, guidance contained in the following is relevant to the proposals:

- TAN 5: Nature Conservation and Planning (2009)
- TAN 15: Development and Flood Risk (July 2004)
- TAN 18: Transport (March, 2007).

Adopted Swansea Council Local Development Plan

- 4.8 The Swansea Council Local Development Plan was adopted in 2019 and is the prevailing development plan for the County.
- 4.9 The site is located within settlement and within an allocated Strategic Development Area (SDA) identified in Policy SD1 (SDK Fabrian Way Corridor). This allocation includes a range of existing mixed commercial, residential and employment areas. The policy identifies that SA1 Swansea Waterfront area has a masterplan linked to a previous planning consent that sets out uses for specific plots and capacities for various land uses.
- 4.10 Within the most up-to-date masterplan for Swansea the site is identified for a mixed use residential led development.
- 4.11 The following LDP policies are deemed to be relevant in the context of the proposed development.

Policy Reference	Relating to
PS1	Sustainable Places
PS2	Placemaking and Place Management
PS3	Sustainable Housing Strategy
SD1	Strategic Development Areas
SDK	Fabian Way Corridor
I01	Supporting Infrastructure and Planning Obligations
H2	Affordable Housing Strategy
H3	On-Site Affordable Housing
ER1	Climate Change

ER2	Strategic Green Infrastructure Network
ER8	Habitats and Species
ER9	Ecological Networks and Features of Importance for Biodiversity
T1	Transport Measures and Infrastructure
T5	Design Principles for Transport Measures and Infrastructure
RP2	Noise Pollution
RP3	Air and Light Pollution
RP4	Water Pollution and the Protection of Water Resources
RP5	Avoidance of Flood Risk
RP6	Land Contamination
RP7	Land Instability
RP10	Sustainable Waste Management for New Development

5 Appraisal

Overview

- 5.1 As stated above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. This section of the Planning Statement aims to identify the main issues of relevance to the determination of the Planning Application, and assess the scheme against the Development Plan.
- 5.2 The key material considerations of relevance in the determination of the application are as follows:
- The Principle of Development
 - Residential Amenity
 - Transport
 - Noise and disturbance
 - Biodiversity
 - Flood Risk

The Principle of Development

- 5.3 The site is located within the settlement boundary and the works proposed are simply engineering works to facilitate the creation of a future development plateau. This is pre-cursor to a future outline planning application for residential development, a use which is firmly established by virtue of the site's allocation for housing in the adopted Local Development Plan and previous planning history relating to the site. These works would be required as part of enabling works to facilitate the residential development of the site. The works are being sought in advance of planning permission being sought for the proposed residential development in order to afford the opportunity for Pobl Group to let an enabling package of works as a separate entity to the construction of homes. The principle of development of the site for housing is not in question and given the small scale nature of the works the principle of development ought to be acceptable in planning terms and able to be considered on its own planning merits. The principle of residential development on the site and nature and scale of development would need to be considered on its own merits via a separate planning application.

Amenity and Ground Conditions

- 5.4 Clean inert material would be brought onto the site in addition to the reworking of the previously remediated site to establish the site

levels sought through a cut and fill exercise. Plot E6 sits partially within the area of the former 3663 Food Service Unit, and when vacated, the building was demolished, site cleared and asbestos removed. Under the asbestos contract, 5,000m³ of contaminated material was removed from site by the contractors and replaced with inert material.

- 5.5 As previously discussed, the 'Net Fill' for the site is estimated at 172.7m³ of material. This is a small amount of material equating to approximately 12 lorry loads of clean inert material (See para 3.7). Given the above it is not considered that there will be any significant adverse amenity and ground condition concerns. It is anticipated that the use of clean inert material would be conditioned and regulated through NRW.
- 5.6 Residential amenity impacts associated with the future residential development would be appropriately considered via the separate application for the proposed residential use.

Transport

- 5.7 The proposed development is unlikely to give rise to any significant transport issues. Aside from the bringing of plant and machinery to site and the likely 12 lorry loads material being imported the transport implications of the proposed development are considered to be negligible. An appropriately worded Construction Management Plan will be prepared to consider the routing of vehicles, hours of operation and mitigation measures to ensure minimal transport implications and other environmental safeguards.
- 5.8 The proposed plans demonstrate that the proposed access into the site to facilitate the engineering works would be via the recently constructed access road through a licence with Welsh Government. This would ensure minimal disturbance to the free flow of traffic and highway safety.

Noise and disturbance

- 5.9 The proposed works would be temporary in nature and would be governed by working practices to comply with adopted standards and in accordance with a Construction Management Plan. This will ensure noise and disturbance is appropriately mitigated for the short duration of works

Biodiversity

- 5.10 An Ecological Baseline Report has been prepared by EDP on behalf of the applicant.

- 5.11 Baseline data pertaining to the site was collected during 2024. The investigations undertaken comprise a desk study and Extended Phase 1 Habitat Survey, including a search of the site for evidence of badger.
- 5.12 No part of the site is covered by any statutory nor non-statutory designations. However, there are several such designations within the potential zone of influence of the site, the most pertinent of which include Crymlyn Bog Ramsar Site, Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI), Neath Port Talbot Watercourse Site of Importance for Nature Conservation (SINC), Kilvey Hill SINC, Tawe Corridor SINC and Swansea Bay SINC.
- 5.13 With respect to habitats, the site is characterised by a coarse gravel substrate, the southern extents of which are largely bare, with only scattered patches of vegetation. The northern extent of the site supports vegetation more characteristic of an ephemeral/short perennial community which is overall considered to be of no more than site level importance given its poor structural diversity, with any one area largely dominated by a single species. Such habitat is considered of limited importance to ground nesting birds, a foraging/commuting bat assemblage and common reptile and amphibian population given the limited availability of suitable habitat for foraging and refuge, whilst the site is also devoid of semi-natural boundary features that would facilitate dispersal of such species between the site and the wider landscape. The site is, however, likely to be of some value as a foraging/nesting resource for an invertebrate assemblage, particularly given the availability of more abundant and floristically diverse habitats adjacent to the site and within the wider landscape, such that the presence of notable species cannot be entirely ruled out.
- 5.14 Nevertheless, given that habitats supported by the site are largely species-poor and lacking in heterogeneity, the presence of significant invertebrate populations is unlikely such that an invertebrate assemblage is not considered of importance beyond a site level context.
- 5.15 In light of the above it is not considered that the proposed engineering works would have an unacceptable adverse impact on biodiversity interests.

Flood Risk

- 5.16 A Flood Consequence Assessment for the site has been prepared by JBA Consulting to consider the flood risk implications of the proposed development which would see the ground levels reworked and raised to 7.75m AOD across the site to create a development plateau for future development.

- 5.17 As stated within the FCA the proposed engineering works do not fall into any of the three stated vulnerability classifications as defined by TAN 15.
- 5.18 The site is approximately 0.57ha in size and is comprised of disused brownfield land. The topographic survey shows that currently the site generally slopes in a south-westerly direction. The highest elevation is 8.48mAOD and the lowest elevation is 7.09mAOD.
- 5.19 The site is located within Zone A. DAM Zone A is defined as an area 'considered to be little or no risk of fluvial or tidal/coastal flooding'.
- 5.20 The site is partially located in Flood Zone 3 of the Flood Map for Planning for the Sea. This means the site has a greater than 0.5% AEP (1 in 200) chance of tidal flooding in any given year, including climate change.
- 5.21 To further assess the impacts of tidal flooding at the site JBAs detailed 1D-2D ESTRY-TUFLOW Lower Tawe hydraulic model for Swansea created on behalf of Natural Resources Wales in 2021 was used and updated for a site-specific assessment.
- 5.22 Post-development modelling demonstrates that ground raising results in a flood free development plateau. There is no impact to third parties as a result of the proposals.
- 5.23 Flood risk from groundwater, surface water, sewers and as a result of reservoir failure are considered to be low.
- 5.24 The Flood Consequence Assessment concludes that on the grounds of flood risk this development is likely to be deemed acceptable against the requirements of Planning Policy Wales and TAN-15.

6. Conclusion

- 6.1 This Planning Statement has been prepared on behalf of Pobl Group to accompany a full planning application for the proposed site engineering works comprising cut and fill exercise, and importation of clean inert material to facilitate the creation of a development plateau at Plot E6, SA1 Swansea Waterfront.
- 6.2 The site is allocated for residential development in the adopted Swansea Local Development Plan following approval of a revised masterplan for SA1 Swansea Waterfront area.
- 6.3 Pobl Group intend to submit outline planning permission for a mixed use residential led development for the site and this proposed application is a pre-cursor for future development on the site.
- 6.4 The proposed engineering works would comprise primarily a cut and fill exercise to lower and raise levels across the site to form a development plateau of 7.75m AOD. A small amount of imported clean inert material would also need to be brought onto the site to achieve this level and this would amount to approximately 12 lorry loads of material, which would not, it is considered give rise to any significant adverse traffic impact. Any such works are will be temporary and through the incorporation of a Construction Management Plan, these works will be appropriately mitigated.
- 6.5 The application is also supported by an Ecological Baseline Report and Flood Consequence Assessment. The Ecological report demonstrates that there would be no adverse biodiversity impacts associated with the development and the FCA demonstrates that the ground raising results in a flood free development plateau and there is no impact to third parties as a result of the proposals.
- 6.6 As such, it is concluded that the proposal fully accords with both national and local policies. Furthermore, there are no material considerations which would prevent the planning application from being determined in accordance with the relevant planning policy framework. In this respect, it is respectfully requested that Swansea Council consider this planning application favourably and grant planning permission for the proposed development.