

Nethell, Isabel (CSI - Planning & Environment Decisions Wales)

From: Grattarola, Luke [REDACTED]
Sent: 13 February 2026 10:51
To: PEDW – Gwaith Achos / Casework
Cc: [REDACTED] Greaney, Ryan
Subject: RE: CAS-03957-S2R6M3 LPA ref; 2023/0253/OUT Land Adjacent to Fairwood Terrace
Gowerton Swansea
Attachments: 13086 TN02 Rv1 - NNAMS Fairwood Terrace, Gowerton.pdf
Importance: High

Dear Sir/Madam,

Thank you for your email.

We confirm that the Appellants are actively progressing further work in relation to potential nutrient mitigation solutions, including updated technical reporting and an active search for viable land options.

In response to the Inspector's request, we set out below our current position and estimated programme:

1. Nutrient Budget of the Appeal Site

As we have noted previously, the Welsh Government has published a 'Nutrient Budget Calculator for Wales' to be used to calculate phosphorus and nitrogen mitigation requirements for developments within catchments for rivers that are SACs and some marine SACs. The Welsh Government updated the Nutrient Budget Calculator for Wales on 9 February 2026 (4 days ago) - version 4 - to correct a previous installation error that the Appellants and the local planning authority drew promptly to the attention of the Welsh Government when a previous version (version 3) was published in December 2025.

Version 4 of the calculator produces a nitrogen budget for the appeal proposal of 466.09kg TN/year. The following comparison table shows how this budget compares with the budget previously produced by the erroneous third version of the calculator, and the budget initially produced by the calculator prepared in-house by the Appellants' consultant, Tetra Tech, in the absence then of an up-to-date version of the national calculator that could be used:

| Calculator | Nitrogen Budget |
|------------------------------|------------------------|
| Tetra Tech Calculator | 468.93 kg TN/year |
| Welsh Government V3 Dec 2025 | 353.02 kg TN/year |
| Welsh Government V4 Feb 2026 | 466.09 kg TN/year |

2. Mitigation Identification Report

A report prepared by the specialist technical consultancy, Brooksbank, providing further information about the process of identifying mitigation options for the appeal proposal is attached to this email.

You will note that the report sets out a number of options and the various land requirements for both wetland habitat creation and the following of agricultural land. The quantum of land required ranges

from 0.5ha to 50ha+ depending on the mitigation proposed and the current use of the land proposed to be used as mitigation. Given the extent of land required to be followed compared with that associated with wetland habitat creation, and the uncertain deliverability of other measures through a private housebuilder, the Appellants have concentrated their land search on wetland habitat creation within the Burry Inlet catchment.

3. Land Search (Viable Mitigation Options)

An active search is underway to identify viable land capable of delivering an appropriate off-site mitigation solution. The Appellants are concentrating on sites of 1ha that are capable of being utilised for wetland habitat creation.

4. Timescale

The Appellants undertake to identify suitable, available land for mitigation, in line with the quantum set out in the Brooksbank report, along with an Outline Wetland Habitat Creation Scheme, within 3 months of the date of this email.

As we have noted in previous correspondence, the publication of a Guidance Note by the Welsh Government, intended to assist all those involved in the development process to address the nitrates constraint, is still awaited. Should the publication of this Guidance Notice in due course have any bearing on the 3-month timeframe identified in the previous paragraph (we do not expect it to do so), we will raise this matter promptly with PEDW.

4. Delivery Mechanism

It is anticipated that the mitigation would be secured by updating the existing planning obligation to incorporate an agreed mitigation scheme and delivery provisions.

5. Summary

As indicated above, the Appellants are committed to identifying land that is suitable and available to mitigate the effects of the proposal, along with an outline mitigation scheme, within **3 months** of the date of this email. If and when the Welsh Government publishes a Guidance Note on addressing the nitrates constraints, the Appellants will address it promptly.

We hope that this email, the attached report and the current land searches demonstrate that the Appellants are addressing this matter in a timely manner in the context of the ongoing efforts by the Welsh Government and Natural Resources Wales to provide national leadership on the issues arising.

We trust that this assists the Inspector and would be pleased to provide any further clarification if required.

I'd be grateful if you could confirm receipt of this email.

Thanks,

Luke

Luke Grattarola MRTPI | Planning Manager

Persimmon (West Wales) | Dragon House, Parc Y Ddraig, Penllergaer Business Park, Swansea, SA4 9HJ

Direct line | 01792 229889 | **Switchboard** | 01792229800 | **Mobile** | [REDACTED]

Email | [REDACTED] **Web** | persimmonhomes.com | charleschurch.com



From: PEDW.Casework@gov.wales

Sent: 05 February 2026 11:09

To [REDACTED] PEDW.Casework@gov.wales

Cc: Grattarola, Luke

Subject: RE: CAS-03957-S2R6M3 LPA ref; 2023/0253/OUT Land Adjacent to Fairwood Terrace Gowerton Swansea

Good morning,

Thank you for your email.

I can confirm that we received your email previously, and it has now been forwarded to the Inspector directly for their attention.

We await your nutrient impact and mitigation response prior to deliberating on the extension request.

Kind regards,

Allan Austin

Swyddog Gwaith Achos | Casework Officer

Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment Decisions Wales

Llywodraeth Cymru | Welsh Government

Ffôn | Tel: 0300 123 1590 / 0300 025 3837

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From: [REDACTED]
Sent: 04 February 2026 17:35
To: PEDW – Gwaith Achos / Casework <PEDW.Casework@gov.wales>
Cc: Grattarola, Luke [REDACTED]
Subject: Re: CAS-03957-S2R6M3 LPA ref; 2023/0253/OUT Land Adjacent to Fairwood Terrace Gowerton Swansea

Good Afternoon

Thank you for your email below. The appellants will respond to your queries with regard to the nutrient impact and mitigation timescales when this has been discussed with the consultants and Welsh Government Planning Division.

On the matters of the LDP expiry date and Flooding Map for Wales, Mr Luke Grattarola responded in respect of these matters at 14.10 on January 30th 2026 - before the deadline.

As per previous correspondence with PEDW my involvement in correspondence with yourselves was temporary as Mr Grattarola was taking compassionate leave. Mr Grattarola remains the main contact for the appellants in this matter.

Please confirm that you received the response within the stated deadline on January 30th 2026.

Please respond to myself and Mr Grattarola who is copied into this email.

Kind regards

Philippa Cole

[REDACTED]

From: PEDW.Casework@gov.wales
Sent: Wednesday, February 04, 2026 2:51 PM
To: [REDACTED]

Subject: RE: CAS-03957-S2R6M3 LPA ref; 2023/0253/OUT Land Adjacent to Fairwood Terrace Gowerton Swansea

Good afternoon,

I write further to your email dated 23/01/2026 requesting an extension of time for the submission of further information in respect of the above case. Although a division of Welsh Government we are independent from policy divisions and are unable to advise on when the issues you identify with the calculator will be addressed nor when the Guidance will be issued. I suggest you direct queries in this respect to Welsh Government Planning Division.

We note you are seeking to address the matter through other means and to inform potential mitigation measures. These include potential off-site solutions with instructions being put in place for further analysis and review of land availability. Please provide an estimate of how long it will take to provide this information by 13 February, and the Inspector will consider your request for an extension of time.

The deadline given to respond to the expired LDP and the updated flood maps has passed. If not submitted before 13 February, please indicate when we will receive them by that date.

Kind regards,

Allan Austin

Swyddog Gwaith Achos | Casework Officer

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From: [REDACTED]

Sent: 23 January 2026 15:27

To: PEDW – Gwaith Achos / Casework

Cc: Grattarola, Luke ; Greaney, Ryan

Subject: CAS-03957-S2R6M3 LPA ref; 2023/0253/OUT Land Adjacent to Fairwood Terrace Gowerton Swansea

Good Afternoon

I refer to your email of 3 November 2025 granting an extension of time until 31 January 2026 for the Appellants and Swansea Council to submit comments regarding the implications for the appeal of the Marine SAC condition assessments.

On behalf of the Appellants, I respectfully seek a further extension of time for the reasons set out below:

1. Delays and Issues with the Welsh Government Nutrient Budget Calculator

The Nutrient Budget Calculator was published by the Welsh Government on 11 December 2025. The Appellants' consultants, Tetra Tech, immediately sought to input data into the calculator but quickly identified that the calculator had not been installed correctly insofar as it related to the catchment of the appeal site.

The Appellants raised this with Swansea Council on 12 December (within 1 day of publication). Mr Tom Evans, Placemaking and Strategic Planning Manager at Swansea Council, then raised the matter directly with Welsh Government and NRW on the same day (12 December) as follows:

'I have the following initial feedback from an agent and would welcome thoughts from WG/NRW on this asap:

Yes, they have added the option to select the relevant SAC into the calculator. However, this appears to be because they haven't updated it properly. The actual data for our region is not in the base of the calculator, so it is not working properly. Essentially any of the habitats where there is regional variation in nitrogen coefficients have not been calculated (these are the bits that have been slowing me down especially at the start). They also have not detailed rain fall and soil variations.

The wastewater calculations match but the habitats vary. This is because grazing land and urban land are giving a nitrogen export coefficient of 0 in the NRW calculator. This is not consistent with other regions within the same calculator as an example 1ha in the Teifi catchment gives 15.01kg TN/year and 20.61 kg TN/year for residential while for our region it gives 0 for both.'

The matter was further raised by Mr Evans with the Welsh Government's Marine Nitrates Development Taskforce at its meeting on 13 January 2026 as there had been no response from the Welsh Government and NRW to the matters that Mr Evans had raised in his email to them on 12 December 2025. At the Taskforce meeting, Swansea Council were advised that the Welsh Government would look at this as a matter of urgency.

To aid matters, the Appellants' consultants provided further evidence of the problems with the calculator as it applies to the appeal site catchment. This has been sent by Swansea Council to the Taskforce members.

At the time of writing, there is still no resolution of this matter. Accordingly, there is still no working Nutrient Calculator for the appeal site catchment.

I have attached correspondence from Mr Evans of Swansea Council relating to this matter.

2. Guidance Note

At the Taskforce meeting on 13 January 2026, its members were advised by the Welsh Government representative that a Guidance Note, to assist all those involved in the development process to address the nitrates constraint, will be available in draft form from appointed consultants in January 2026. The draft guidance will then need to be reviewed (including a review by NRW and WG) before its publication.

At the time of writing, the draft guidance has not been published and there is no formal timetable for the publication of the final version of the Guidance Note.

The previously referred to email from Mr Evans of Swansea Council also refers to the Guidance Note.

In view of the matters set out under 1 and 2 above, which are beyond the control of the Appellants, they are not in a position to provide the detailed representations that they had intended to provide, by 31 January 2026, on the implications for the appeal of the Marine SAC condition assessments. Any representations made before 31 January 2026 on these matters would be without the benefit of a working Nutrient Calculator and supporting guidance from the Welsh Government, both of which the Appellants had been led to believe would be in place by now.

3. Update of work undertaken to date.

Notwithstanding the challenges discussed above, the Appellants and their consultants have continued to address the issue of nutrient mitigation based on experience elsewhere.

The Appellants appointed Tetra Tech in August 2025 to provide a Nutrient Budget Assessment for the development. In this case a nutrient budget assessment for nitrogen is required.

Currently in Wales there is a Nutrient Budget Calculator that covers nine SACs associated with rivers. As stated above, there was no calculator associated with marine SACs published until 11 December 2025 and concerns have been raised regarding the workings of the calculator as it affects the catchment of the appeal site. To progress matters following their appointment, Tetra Tech created a bespoke methodology for the site and in October 2025 reported a requirement to mitigate for circa 468 KG/TN/yr.

We do not propose to submit this assessment at this stage. This is only being used by the Appellants and their consultants in the absence of a Welsh Government calculator and related guidance. It is being used by the Appellants as an interim measure to inform the quantum and type of mitigation works, including potential off-site solutions, that might be required using the best methodology currently available.

Mitigation that is actively being considered includes but is not limited to the following:

- Off-site mitigation (e.g. habitat enhancement/ fallowing/SUDS and wetland creation)
- Waste reduction methodologies
- Purchase of units.

As part of its consideration of off-site mitigation, the Appellants have instructed property agents at Herbert R Thomas to review land available within the identified catchment as well as reviewing land known to the Appellants.

4. Work progressing

The Appellants have instructed Tetra Tech to undertake a detailed nutrient analysis of the sites that are being identified as available by its property agents. This analysis includes a review of the site's existing hydrological dispersion, identifying any intervention measures that are needed and providing a headline nutrient capture figure.

Once sufficient sites are identified and it is agreed with the landowners they can be used to mitigate against the effects of the development, formal on-site testing will be required of the soil and water outfall to determine the nutrient flow from the proposed mitigation sites. The Appellant will need detailed advice on any works required (e.g. wetland creation) and on the monitoring of the mitigation measures implemented. The Appellants have instructed Brookbanks to undertake this work.

As a result of the above circumstances, which are outside the Appellants' control, I respectfully seek a further extension of time to submit the requested comprehensive response to address the Marine SACs issue. In view of the ongoing uncertainty at a national level in Wales in resolving this issue, PEDW is perhaps better placed than the Appellants to identify a realistic date for the extension sought. The Appellants would respectfully suggest that PEDW might want to consider setting a new date for the parties' detailed submissions on this issue once (i) the Guidance Note has been published in its final form; and (ii) the acknowledged operational issues with the published calculator have been resolved. In the meantime, please be assured that the Appellants will continue to work on proposed mitigation measures as outlined in point 4 above.

Please do not hesitate to contact me should you require clarification on any matters.

Yours sincerely

Philippa Cole

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