

**From:** PEDW – Gwaith Achos / Casework

**To:** "Grattarola, Luke"

**Cc:** appeals

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

**Date:** 03 November 2025 15:44:00

Good afternoon,

Thank you for your email.

In response to the appellant's request, the Inspector notes the ongoing investigations and recent establishment of a Taskforce to address the Marine SAC issue. As such, the Inspector is willing to allow an extension of time until 31 January 2026, in anticipation of receiving a comprehensive response from the appellant. For clarification, the extended deadline will also apply to the Inspector's previous invitation to the LPA for its comments on the implications for the appeal as a result of the Marine SAC condition assessments.

Once received, the Inspector will consider the next steps to be taken in progressing the appeal, including any need for consultation on the additional information.

Kind regards,

Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment  
Decisions Wales

Llywodraeth Cymru | Welsh Government

From: Grattarola, Luke

Sent: 31 October 2025 12:07

To: PEDW – Gwaith Achos / Casework

Cc:

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

Importance: High

Categories:

Dear Sir / Madam,

Thank you for your email confirming the Inspector's agreement to extend the deadline for the submission of further information to 31 October 2025.

As the Inspector might be aware, on 10 October 2025 the First Minister of the Welsh Government established a Taskforce following the publication by Natural Resources Wales, on 25 June, of condition assessments for Marine Protected Areas (MPAs). The Taskforce is charged with ensuring "that development resumes as quickly as possible, in a sustainable way", and is "working at pace to identify and explore all reasonable options, with a focus on identifying short-term solutions that can be actioned quickly and that will contribute to more sustainable medium- and long-term solutions".

In view of this urgent, ongoing work, which is happening in parallel with the Appellants' ongoing investigations in relation to their site that is the subject of this appeal, the

Appellants respectfully request a further extension of time until 31 January 2026 to allow sufficient time to provide a comprehensive response informed by the Taskforce's own work which will, by then, have been ongoing for over 3 months. We consider it reasonable to make this request on the basis that the Taskforce was only established on 10 October 2025 and that it would be reasonable to give it at least three months to progress its work before the Appellants are required to provide a substantive update in relation to their appeal.

I would be grateful if you could forward this email to the Inspector for their consideration.

Thanks,

Luke Grattarola MRTPI | Planning Manager  
Persimmon (West Wales) | Dragon House, Parc Y Ddraig, Penllergaer Business Park,  
Swansea, SA4 9HJ

**From:** PEDW – Gwaith Achos / Casework  
**To:** "Grattarola, Luke"; appeals (Swansea)  
**Subject:** RE: CAS-03957-S2R6M3 - 2023/0253/OUT - Land Adjacent to Fairwood Terrace Gowerton Swansea  
**Date:** 08 September 2025 13:07:00  
**Attachments:** image001.jpg

Good afternoon,

Following the below request by the appellant via email on 3rd September, the Inspector agrees to extend the deadline for the provision of the further information requested to 31st October 2025. As a result, the hearing arranged for 23rd October 2025 is cancelled. PEDW will be in touch in due course regarding arrangements for progressing the appeal. The LPA should inform any interested parties already notified of the hearing arrangements of this cancellation.

The LPA is also invited to provide comments on the implications for the appeal resulting from the Marine SAC condition assessments and latest advice published by Natural Resources Wales, as referred to in the Inspector's recent request for further information on this matter. Any comments should be provided by 31st October 2025.

Kind regards,

Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment  
Decisions Wales  
Llywodraeth Cymru | Welsh Government

**From:** Grattarola, Luke  
**Sent:** 03 September 2025 16:41  
**To:** PEDW – Gwaith Achos / Casework  
**Cc:** appeals  
**Subject:** RE: CAS-03957-S2R6M3 - 2023/0253/OUT - Land Adjacent to Fairwood Terrace  
Gowerton Swansea  
**Importance:** High

Good afternoon,

I would be most grateful if an allocated officer could contact me regarding this appeal.

In light of the letter received on the 21st August 2025, we (as Appellants) require further time to respond fully to the detailed queries in the letter (and work in conjunction with the local planning authority (LPA) on how the answers to those queries are presented). Since the letter was received, we have endeavoured to work expeditiously to respond to the queries raised, but despite our best efforts, it has not been possible, within the 2-week timeframe given for a response, for our technical consultants to complete the work required to enable us to respond, or for the Appellants and the LPA to discuss the queries raised, noting PEDW's request for a joint response from both the LPA and the Appellants.

It is our understanding that the LPA might already have sent an initial response to PEDW simply providing the HRA that the LPA previously prepared when it determined the planning application. The Appellants have not yet seen this HRA so cannot respond meaningfully to any gaps which there may be in the HRA, nor can the Appellants respond in the joint manner requested by PEDW. The Appellants also note that PEDW's letter was clear about the need for an itemised response to the detailed queries raised. If the LPA's response to PEDW's letter has been simply to provide its previous HRA, this does not appear to the Appellants to meet PEDW's expectations in its detailed letter.

The Appellants' consultants are clear that the intricacies of the queries raised in the letter of the 21st August require work to be undertaken that cannot, with the best will in the world, be completed within the 2-week period given. It is not within the control of the Appellants to require their consultants to complete this work within an unachievable timeframe. They have advised us to seek, respectfully, an extension of time until **31st October 2025** to provide a detailed response to the queries raised in PEDW's letter. We appreciate that allowing this extension would have implications for the hearing date, but it seems that an adjournment of the hearing is unavoidable given that this new issue, which could not have been foreseen when the appeal was submitted, is likely to require the provision of significant additional information and evidence that could not have been prepared previously.

I would be grateful if you could forward this email to the Inspector for their consideration.

Thanks,

Luke Grattarola MRTPI | Planning Manager  
Persimmon (West Wales) | Dragon House, Parc Y Ddraig, Penllergaer Business Park, Swansea, SA4 9HJ

**From:** Grattarola, Luke

**Sent:** 02 September 2025 11:57

**To:** PEDW – Gwaith Achos / Casework

**Subject:** Re: CAS-03957-S2R6M3 - 2023/0253/OUT - Land Adjacent to Fairwood Terrace  
Gowerton Swansea

Dear ,

Would you be able to give me a call to discuss the content of this letter please? I called earlier with no luck.

My mobile would be appreciated.

Thanks

**From:** PEDW – Gwaith Achos / Casework

**Sent:** Thursday, August 21, 2025 1:12:11 pm

**To:** Grattarola, Luke; appeals

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

Good afternoon,

Please see the attached request from the appointed Inspector for the above appeal.

Kind regards,

Penderfyniadau Cynllunio ac Amgylchedd Cymru | Planning and Environment  
Decisions Wales  
Llywodraeth Cymru | Welsh Government

We refer you to the publication by Natural Resource Wales (NRW) of the results of the compliance assessment of Welsh Riverine Special Areas of Conservation (SACs) and the condition assessment of Marine SACs:

- Riverine SAC compliance assessment available at:  
<https://naturalresources.wales/evidence-and-data/research-and-reports/waterreports/compliance-assessment-of-welsh-river-sacs-against-phosphorustargets/?lang=en>
- Marine SAC condition assessments available at:  
<https://naturalresources.wales/guidance-and-advice/environmentaltopics/wildlife-and-biodiversity/protected-areas-of-land-and-seas/conditionassessments-for-welsh-european-marine-sites-ems/?lang=en>

Planning and Environment Decisions (PEDW) has identified the development subject of this appeal as potentially capable of increasing the levels of nutrients discharged into the catchment of a nutrient sensitive Marine SAC.

Therefore, the appointed Inspector, acting as Competent Authority under the terms of the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations), will require additional information to carry out a Habitats Regulations Assessment (HRA) screening process to determine whether the proposed development is likely to have a significant effect on the SAC's qualifying features.

In accordance with the latest advice from NRW (<https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/our-role-in-planning-and-development/advice-to-planning-authorities-for-planning-applications-affecting-phosphorus-sensitive-river-special-areas-of-conservation/?lang=en>), the Local Planning Authority and the appellant are required to provide to PEDW, no later than two weeks from the date of this letter, **i.e. by 04 September 2025**, the following information:

1. Information that will allow the development to be screened out as not likely to have a significant effect on a river or marine SAC in relation to nutrient inputs as there is unlikely to be a source of additional nutrients or pathway for impacts:

a) Evidence that the development would not increase the volume and concentration of nutrients in wastewater; or

b) Evidence that the development would improve existing water quality discharges by reducing the nutrient concentration of wastewater without increasing volume, or by decreasing the volume of wastewater produced without increasing the concentration of nutrients; or

c) Evidence that the development is intended to provide services, facilities, commercial sites, or places of employment (e.g., community buildings, schools etc.) for a local population already served by residential connections to existing public or private sewers discharging within the associated SAC catchment.

d) Confirmation that the development would provide a private sewage treatment system discharging domestic wastewater to ground, built to the relevant British Standard (BS 6297:2007+A1:2008: <https://knowledge.bsigroup.com/products/code-of-practice-for-the-design-and-installation-of-drainage-fields-for-use-in-wastewater-treatment/standard>) and that **all** of the following criteria are met:

i. the maximum daily discharge rate is less than 2 cubic metres (m<sup>3</sup>); and

ii. the drainage field is located more than 40 m from any surface water feature such as a river, stream, ditch or drain and

iii. it is located more than 50 m from a SAC boundary, **and**

iv. the discharge to ground is at least 50 m from any other discharge to ground.

For developments which do not clearly meet the above criteria, they cannot be screened out of HRA, and the Inspector would have to undertake an Appropriate Assessment if they were minded to allow the proposal. To inform an Appropriate Assessment the following information will be required.

2. Where the development involves connecting to public wastewater treatment works:

a) Confirmation as to whether the environmental permit for the associated wastewater treatment works (WwTW) has been reviewed against revised conservation objectives for water quality; and

b) Confirmation as to whether there is capacity in place to accommodate the additional wastewater in compliance with revised permit limits; and

c) Confirmation the sewer network and associated WwTW is operating in compliance with the permit conditions and has the hydraulic capacity for new connections without leading to an increase in the environmental impact of storm overflows; and

d) Confirmation of how foul drainage will be managed; and

e) Scale plans showing the location of the nearest public sewer and proposed connection point; and

f) Where relevant, evidence that an application has been made to the sewerage undertaker for connection to a public sewer, and a copy of their formal response confirming either:

i. there is capacity to treat additional wastewater and nutrients from the proposed development (in combination with other planned development) within the existing discharge permit limits;

**or**

ii. the necessary treatment capacity to remain within revised environmental permit limits will be delivered within the agreed Asset Management Plan (AMP) and that when implemented the treatment capacity will ensure that additional waste water generated in consequence of proposed development will remain within revised permit limits and;

iii. that the sewer network and associated WwTW is currently operating in compliance with permit conditions (or will be prior to any new connection being made) and has the hydraulic capacity to

accommodate additional wastewater without contributing to an increase in frequency or duration of storm overflows.

3. Where a private sewage treatment system is proposed within a sewered area you must demonstrate how the development accords with [Welsh Government Circular 008/2018](#) (planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants), [Planning Policy Wales](#), and where relevant NRW's advice '[Private sewage treatment in an area with a public sewer](#)'.

It must be clearly demonstrated that connection to public sewerage is not possible by:

- i. Feasibility testing - information regarding the connection constraint associated with the environmental performance of the wastewater treatment works, and / or
- ii. The capacity of the SAC catchment to receive increased nutrient discharges and still meet water quality targets.

If a private treatment plant is adequately justified, the following needs to be taken into account:

- iii. There should only be a small discharge around less than 2 m<sup>3</sup> per day, via a suitable drainage field, built in accordance with guidance.
- iv. If larger discharges, the proposal will be subject to an Appropriate Assessment.

4. If an Appropriate Assessment is required, the following information would be required to be submitted to us:

- a) Confirmation of how foul wastewater will be managed; and
- b) Clear scale plans showing the location of the proposed private sewage treatment system and discharge location; and
- c) **Where a private sewage treatment system is proposed within a sewered area:** A statement regarding how the development accords with Welsh Government Circular 008/2018 (planning requirement in respect of the use of private sewerage in new development, incorporating septic tanks and small sewage treatment plants), Planning Policy Wales, and where relevant NRW's advice '[Private sewage treatment in an area with a public sewer](#)'; or
- d) **For all other private sewage treatment systems:** evidence that Circular 008/2018 has been followed; and

e) Where discharges to ground are proposed, developers should provide the results of infiltration testing with calculations to demonstrate that the drainage field size and design is appropriate for the volume of discharge proposed and follows the relevant British Standard; and

f) Applicants should also provide, where available, copies of any Natural Resources Wales environmental permit or registered exemptions to discharge to ground or to a watercourse.

5. Where the development proposes measures to avoid or mitigate potential nutrient impacts, for each measure the applicant is required to provide details on:

a) how the measure would avoid or reduce adverse effects on the SAC (considering the predicted duration of the effects);

b) demonstrate how the measure(s) would achieve nutrient neutrality;

c) how the measure will be secured and implemented, and by whom;

d) how the measure will be maintained and who will be responsible for maintenance; and

e) How the measure will be monitored to ensure it is effective.

6. Where nutrient reduction technologies are proposed for a private system, information is required to provide certainty that the system can be installed and operated effectively in accordance with manufacturers specifications for the lifetime of the development. Supporting information should include:

- test performance certification issued by a recognised body demonstrating the effluent nutrient standards that can be achieved by the proposed treatment system.

- a method statement detailing how the sewage treatment plant and nutrient reduction technology will be operated and maintained.

This information is in addition to the manufacturer's specifications, design information and drainage plans.

Please note that there are other factors covered in NRW's advice that may be relevant to this case. It is the responsibility of the appellant or the Local Planning Authority to provide evidence relevant to the HRA process to support their case.

If you are satisfied that all of the information listed above is included in your appeal submission, please signpost us to where the relevant information can be found.

As noted above, please respond no later than **04 September 2025**.