

From: Grattarola, Luke
Sent: 30 January 2026 14:11
To: PEDW – Gwaith Achos / Casework
Cc:
Subject: RE: CAS-03957-S2R6M3 LPA ref; 2023/0253/OUT Land Adjacent to Fairwood Terrace
Gowerton Swansea

Good afternoon,

Further to your email of 19 January 2026, I provide the Appellant's response to the two matters raised by the Inspector, namely the status of the Swansea Local Development Plan for decision-making and flood risk considerations.

Swansea Local Development Plan (LDP)

The Swansea Local Development Plan (LDP) was adopted by the Council on 28 February 2019, with a stated plan period of 2010–2025. In accordance with section 62(9) of the Planning and Compulsory Purchase Act 2004, as inserted by s. 12(4) of the Planning (Wales) Act 2015, the Swansea LDP ceased to form part of the statutory development plan from 1 January 2026 onwards.

Until such time as a replacement local development plan is adopted by the Council, the statutory development plan for decision-making purposes comprises Future Wales: The National Plan 2040.

No conflict has been identified between the proposed development and Future Wales. The relevant national policies were considered as part of the application process and are identified within the officer's report on the application to the Planning Committee. Notwithstanding the above, the expiry of the LDP does not preclude it from being treated as a material consideration in the determination of this appeal. The statutory provision that removed the LDP from the statutory development plan upon the expiry of its plan period did not have the effect of preventing the LDP from being a "material consideration" for decision-making for the purposes of s. 38(6) of the Planning and Compulsory Purchase Act 2004.

The Council's approach to the expiry of the LDP was reported to the meeting of its Planning Committee on 4 November 2025, where officers confirmed that, although the LDP would cease to form part of the statutory development plan from 1 January 2026, it could still carry significant weight as a material consideration in decision-making beyond that date. Accordingly, significant weight should be afforded to the relevant policies of the Swansea LDP in the determination of this appeal. The plan was subject to full scrutiny through an Examination in Public and was found to be sound by independent Inspectors. Its spatial strategy, settlement hierarchy and housing allocations were tested through extensive public consultation and evidence-based assessment, having regard to known environmental and infrastructure constraints. There is presently no alternative spatial strategy for the Council's area that has been subject to this thorough process.

The allocation of land for housing within the LDP reflects a considered and sustainable approach to meeting identified housing needs. The cessation of the LDP's plan period does not signify that housing need has fallen away, nor that previously allocated sites cease to be appropriate in planning terms. In the absence of an adopted replacement plan, the LDP continues to provide a relevant and coherent framework against which the appeal proposal can be assessed, alongside national policy.

Supplementary Planning Guidance documents prepared to support the LDP likewise remain capable of being material considerations and afforded significant weight.

Flooding

The issue of flood risk, as it pertains to the appeal proposal, has been fully assessed through the submission of a Flood Consequences Assessment (FCA), which considers the site in the context of the Flood Map for Planning and incorporates up-to-date flood modelling undertaken by JBA Consulting.

Natural Resources Wales has raised no objection to the proposed development on flooding grounds.

In terms of policy context, the appeal falls within the Welsh Government's transitional arrangements relating to TAN 15. A letter from the Welsh Government's Chief Planner to all local planning authorities in Wales, dated 31 March 2025, stated that "planning applications which were submitted and registered before the publication of the new TAN [on 31 March 2025] will continue to be assessed against the previous version". The reference to "previous version" was to the previous TAN 15 policy framework and its associated flood risk mapping.

The planning application that is the subject of the present appeal was submitted and registered before 31 March 2025. Accordingly, the appeal proposal falls to be determined under the previous TAN 15 regime, under which the submitted FCA demonstrates that the development is acceptable. There are no policy or technical grounds in relation to flood risk that preclude a grant of planning permission.

I trust the above addresses the Inspector's queries. Should any further clarification be required, I would be pleased to provide it.

Thanks,

Luke Grattarola MRTPI | Planning Manager
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From: PEDW.Casework@gov.wales
Sent: 19 January 2026 10:14
To: Grattarola, Luke
Subject: CAS-03957-S2R6M3 LPA ref; 2023/0253/OUT Land Adjacent to Fairwood Terrace
Gowerton
Swansea

Good Morning

As a result of an amendment to the Planning and Compulsory Purchase Act 2004 by the Planning (Wales) Act 2015, and in line with the Welsh Government's advice dated 24 September 2020, Swansea's Local Development Plan (LDP) ceased to be the LDP at the end of 2025. The Inspector therefore invites submissions in respect of the implications of this for the proposed development and in particular views on the weight to be given to policies

within the former LDP and associated Supplementary Planning Guidance and the reasons for those views. The Inspector also invites comments in respect of the potential flood risk to the site based on the latest iteration of the Flood Map for Planning and its implications for the proposed development. The Flood Map can be viewed on Natural Resources Wales's website.

Submissions in these regards should be made by 31 January 2026 in line with other information due by that date.

Kind Regards

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