Statement Prepared
On behalf of
G.S. Eaton Estate
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1.0 INTRODUCTION

1.1 Further to the submission of representations made at the Deposit stage of the LDP to Policy H5 on behalf of our Client, we have been instructed to pursue the points previously raised at Hearing Session 4 of the Examination in Public with respect to the content and wording of the Policy in question.

1.2 As part of this instruction, we offer this submission for the consideration of the Inspectors, which together with previous submissions will form the basis of and be referred to by ourselves on behalf of our Client in relation to the site in question at Hearing Session 4.

1.3 This submission will therefore begin with an update on the consideration of sites forming part of Policy H5 by the local planning authority through its development management processes, making reference to relevant aspects that are pertinent to the discussions of the Hearing Session in question. A response will then be provided to the relevant points raised in the Matters & Issues Agenda prepared and issued by the Inspectors for Hearing Session 4 with respect to the policy in question.
2.0 CONSIDERATION OF POLICY H5 SITES BY LPA TO DATE THROUGH THE DELIVERY MANAGEMENT PROCESS

2.1.1 Policy H5 relates to 6 allocations spread across what is referred to in the Deposit LDP as the Gower Fringe Strategic Housing Policy Zone, distributed between 5 settlements or areas. We understand that to date a number have been the subject of formal pre-application enquiries to the LPA, with a mind then to shortly submit planning applications for their designated purpose as set out in Policy H5 of the Deposit LDP.

2.1.2 One of the aforementioned allocations – Allocation H 5.5 (Land at Summerland Lane, Newton) - has in fact not only been the subject of a full planning application for 61 dwellings (based on the 49%/51% tenure mix set out by Policy H5) (LPA Ref. No. 2017/1948/FUL), but has also been granted planning permission by the LPA on the 9th January 2018. The permission was granted by the LPA subject to a number of conditions, with the following it is considered being of particular relevance to the Examination in Public and items to be discussed as part of Hearing Session 4:

“*The dwelling-houses identified as "local needs housing" shall not be occupied otherwise than by a person with a local connection, or the widow or widower of such a person and any dependents of such a person living with him or her, unless the property has been marketed for sale for a period of at least 16 weeks at market value price and at the end of the 16 week period a person with a local connection has not been identified as a purchaser.*

*This process must be repeated for every successor in title (repeat sale) to each individual dwelling.*

*In this condition the following definitions apply:*

*‘Person with a Local Connection’ means an individual who before taking up occupation of the dwelling satisfies one of the following conditions:*
(1) The person has been in continuous employment in the Locality defined for at least the last 9 months and for a minimum of 16 hours per week immediately prior to occupation; or
(2) The person needs to live in the Locality defined because they need substantial care from a relative who lives in the Locality defined, or because they need to provide substantial care to a relative who lives in the Locality defined. Substantial care means that identified as required by a medical doctor or relevant statutory support agency; or
(3) The person has been continuously resident in the Locality defined for three years immediately prior to the occupation of the dwelling and is need of another dwelling resulting from changes to their household as detailed in informative 1 below:

- The 'Locality' is defined as the Council’s administrative wards of Newton, Bishopston, West Cross, Mayals, Oystermouth, Gower, Pennard and Penclawdd. The obligations contained in this condition shall not be binding or enforceable against any mortgagee or chargee or any receiver appointed by such a mortgagee or chargee or any person deriving title through such a mortgagee, chargee or receiver provided always that a successor in title of such a person will be bound by the obligations contained in this condition.”

and

“The dwelling-houses identified as "local needs housing" shall only be occupied by a person as his or her Only or Principal Home. The Occupant will supply to the Local Planning Authority (within 14 days of the Local Planning Authority’s written request so to do) such information as the Authority may reasonably require in order to determine whether this condition is being observed.

In this condition, the following definition applies:

An ‘Only or Principal Home’ is a dwelling house that is occupied continuously for a minimum period of six months in every twelve month period. For the avoidance of
doubt the dwelling shall not be occupied as a holiday home, second home or for short
term let accommodation."

2.1.3 We understand that the above represents a culmination of almost 2 years of
discussions between Officers of the LPA and the various promoters of allocations
forming part of Policy H5 and so we consider it appropriate to draw the above, in
essence, form of agreement, to the Inspectors attention for further discussion as part
of Hearing Session 4.
3.0 MATTERS & ISSUES AGENDA

3.0.1 The following is a response to the points raised under Question 8 of the Matters & Issues Agenda dealing with Policy H5 only.

3.1 QUESTION 8 – IS POLICY H5 EFFECTIVE AND CONSISTENT WITH NATIONAL POLICY?

3.1.1 In dealing with the question of the effectiveness of Policy H5, we hold the view that this is indeed the case. Significant positive interest has been expressed to all 6 of the proposed allocations not only by housebuilders and housing associations seeking to deliver the sites, but we have also seen this from prospective occupiers of both types of dwellings. This has been demonstrated both by the number of pre-application enquiries made to the Authority on the allocations in question and indeed the responses received to such submissions from some members of the public, as well of course by the approval of the scheme referred to in Section 2 of this Statement.

3.1.2 The net result of the above therefore is that the response and interest to the allocations put forward by Policy H5 shows a clear demand for such sites and that they will each be effective and indeed deliverable in meeting it.

3.1.3 With regard then to national planning policy, the Policy and its allocations straddle a number of different strands of both Planning Policy Wales and its associated Technical Advice Notes. We concur with the view of the local planning authority in that the Policy therefore is consistent with the requirements and in in particular the objectives of national planning policy in relation to affordable housing and rural areas.
3.2 **QUESTION 8A – IS THE PROVISION OF NON-AH TENURES ON RURAL EXCEPTION SITES CONSISTENT WITH TECHNICAL ADVICE NOTE (TAN) 2 – ‘PLANNING AND AFFORDABLE HOUSING’?**

3.2.1 Again, we would concur with the view of the local planning authority in that the Policy therefore is consistent with the requirements and in particular the objectives of national planning policy in relation to affordable housing and rural areas.

3.3 **QUESTION 8B – IS THE DEFINITION OF MARKET HOUSING FOR LOCAL NEEDS SET OUT IN LDP PARAGRAPH 2.5.31 AND APPENDIX 6 CONSISTENT WITH TAN2? SHOULD THE POLICY REFER TO APPENDIX 6?**

3.3.1 In our response to the Deposit LDP this was of particular concern as the explanations provided as part of the Policy’s own text and that of Appendix 6 were less than clear. However, through an application for one of the proposed allocations having now gone through the process of determination as an actual full planning application, it would appear that the Authority have now given this matter further detailed thought and have established a series of set conditions to secure what it sees as the goals of the Policy in terms of occupancy control.

3.3.2 Whilst we would support the conditions put forward by the Authority (as reproduced in Section 2 of this Statement), it is clear that these do not tie-in or relate to the points raised at Appendix 6 of the Deposit LDP. As a result and in the order of clarity, it is suggested that the wording of Appendix 6 should be now be revisited and revised to better reflect the current approach of the Authority to the allocations of Policy H5.

3.3.3 In addition to the above, clarity and confirmation should be provided by the Authority with regard to the term ‘Locality’ and whether or not the same areas referred to in the Conditions referred to above will now apply for each of the proposed allocations of Policy H5.
4.0 SUMMARY

4.1.1 We would reiterate that our Clients are in full support of the principle of Policy H5 and its objectives. In addition, it is clear through further work and discussions with and by the Authority, and in no small part due to the recent approval of planning permission to the scheme in question, that most of the points raised in our representations made to the Deposit LDP have now been addressed.

4.1.2 Notwithstanding the above, through the provision of further detail from the Authority, there is now a need for further clarification of a number of points as set out in this Statement, which we look forward to exploring and resolving at the Hearing Session to ensure that all aspects of Policy H5 meet the required Tests of Soundness.