

Our Ref.: 1096.a

Date: 5th April 2023

Forward Planning Manager
Place & Sustainability
Sustainability & Infrastructure Department
Carmarthenshire County Council
3 Spilman Street
Carmarthen SA31 1LE

Dear Forward Planning,

**Carmarthenshire Local Development Plan 2018-2033 – Second Deposit Draft
Objection on Behalf of Mr T. Jones
Land part of Ty Newydd, Station Road, Nantgaredig**

We are instructed by Mr. T. Jones to make a formal representation to the “soundness” of the Deposit Draft of the Carmarthenshire Local Development Plan.

Our client made a formal Candidate Site Submission in August 2018, which was referenced **SR/117/005** seeking the inclusion of the land within the defined development limits of Nantgaredig as part of the Replacement Local Development Plan. The Candidate Site is set off the eastern flank of Station Road, upon the road frontage, with the farmhouse and farm outbuildings of Ty Newydd located to its rear. A further detached property, “Clychaur Nant” lies immediately to its southern perimeter, with the Nantgaredig Primary School occupying a wide roadside frontage off the opposite, western flank of the road.

Our client’s Candidate Site related to the need to have settlement limits reformed about this small parcel of land which essentially is in two roadside parts. The northern part lies in a separate field parcel adjoining a bungalow known as “Portfield” and is noted that this part of the Candidate Site has been included within the Second Deposit draft settlement limits. The 2014 adopted settlement limits of the LDP included for a plot of land off the southern part of the southern side of the farm driveway to Ty Newydd, and set between that drive at Clychaur Nant, is it noted that it continues to be included with Second Deposit draft limits. However, the central portion of the Ty Newydd road frontage, being some two-thirds of the Candidate Site has been excluded.

The site lies within walking distance to the range of community facilities and local services the settlement has to offer, such as a Primary School, public house and Medical Surgery, as

well as well serviced bus stops that provide access to those services and facilities in the wider growth area of Carmarthen, which is only some 10 minutes' drive via the A40 road.

The Council have published a "Site Assessment Table" (January 2023) which provides details of the Council's analysis of each received Candidate Site submission, but it should be noted **the assessment was undertaken in manner that largely considered each Candidate Site as if it were being proposed for a residential allocation – i.e. a site capable of accommodating 5 units.** Those sites put forward for less than this number by means of seeking an amendment to the defined development limits therefore failed the assessment by default. Our client made a submission at Candidate Site stage; however, we have noted that the Council did not entertain an amendment of the settlement limits, and the following reason for their exclusion was given:

"The site is unable to deliver 5 units due to topographical constraints, however the development limits will be drawn to include a small part of the site."

We are at a loss to understand such a statement as our client's Candidate Site submission **did not seek an allocated site of 5 or more dwellings.** Instead, Mr Jones merely sought an amendment to the settlement limits to accommodate 3-4 dwellings, and for the limits to correspond and **"mirror" the established development off the opposite, western flank of Station Road, be that the primary school and neighbouring individual houses.**

We however consider that the exclusion of this part of Nantgaredig to be an erroneous decision by the Authority, as well as being an inconsistent approach taken by it in the assessment of such sites. We therefore consider that the LDP is "unsound" and should be changed, as it fails to meet the tests for "soundness", in that the Plan "is not appropriate", as defined by the Planning Inspectorate's LDP Examinations Procedural Guidance.

Specifically, we consider the approach of assessment taken by the Authority to such a proposal has been inconsistent in terms of (a) other policy approaches taken by the Deposit LDP and (b) in relation to other examples that were successfully included within defined development limits of the Deposit LDP. We consider therefore that the land edged red in Figure 1 below, should be included within the defined development limits for Nantgaredig under the provision of **Policy SD1** of the Carmarthenshire Local Development Plan.

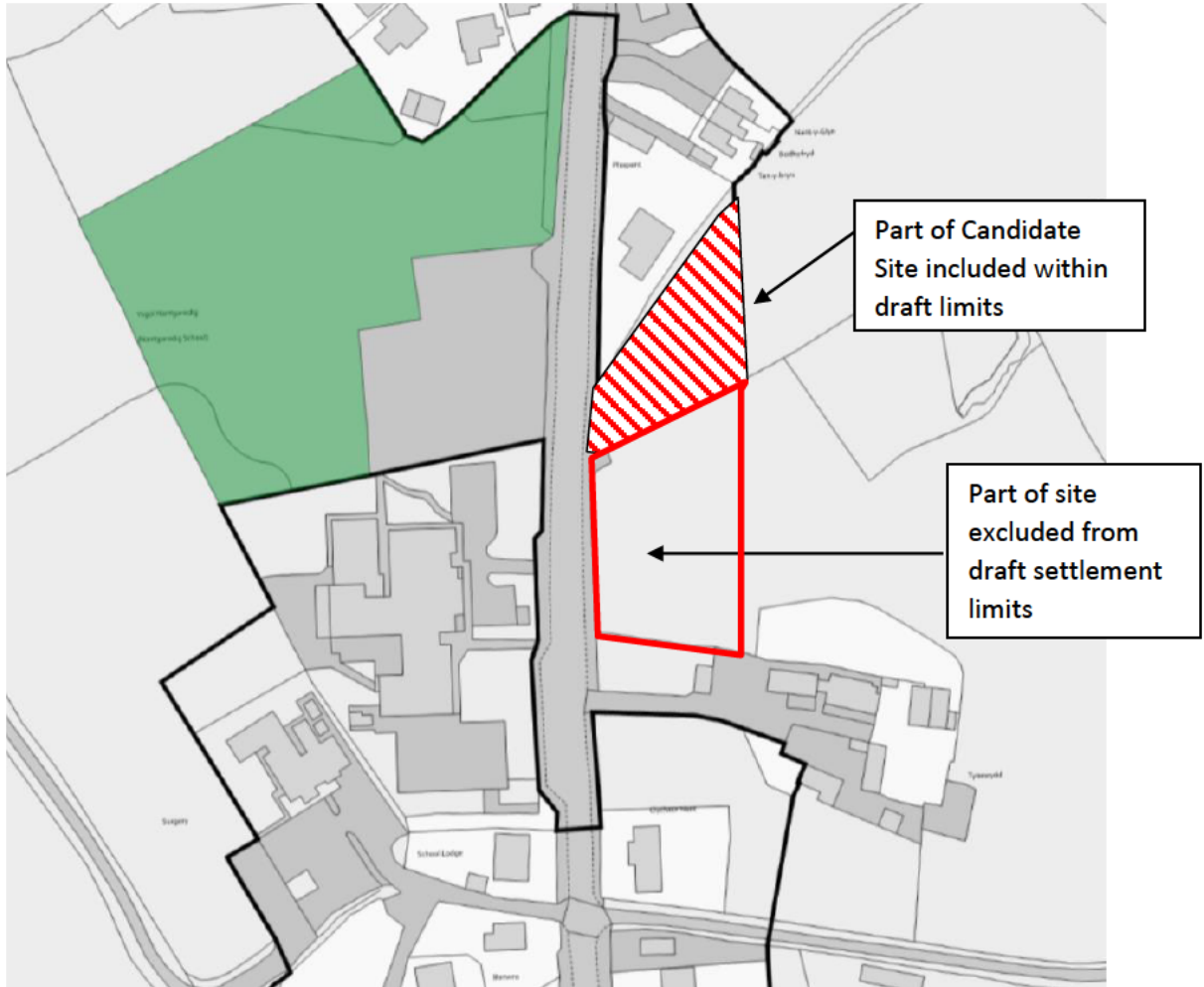


Figure 1 – Extract from Second Deposit Draft with Representation Site highlighted in red

This formal representation letter supplements the following documents which comprise a complete submission to the Second Deposit Draft Consultation stage:

- Completed Deposit LDP Representation Form

Response to Council's Reasons for Non-Allocation of Site

Consistency with Other Policies of the Deposit LDP

The Authority has provided no specific indication or guidance on how it has determined and defined development limits within the Deposit LDP. It has therefore been difficult to ascertain why some sites have been successfully included and others haven't, which is discussed further below. However, Policy HOM3 deals with small extensions to existing rural villages and so provides a useful series of criteria in determining where such extensions would be acceptable, namely the following:

- Minor infill or a small gap between the existing built form; or
- Logical extensions and/or rounding off of the development pattern that fits in with the character of the village form and landscape; or

It is logical therefore that the same assessment criteria should be utilised in assessing whether or not a candidate site would make an acceptable addition to existing development limits. Taking our client's land into consideration, together with the actual 'on-the-ground' physical attributes of adjoining and nearby land and its use, it is clear that it would adhere to the first criteria listed above and so should in turn have been included within the defined development limits of Nantgaredig. The land in question if developed is set within a roadside frontage of established number of dwellings and would appear as an infill plot immediately alongside the remainder of the settlement. There are no "topographic issues" preventing its inclusion, as shown from the graphic images at Figures 2 and 3 below. It is a relatively level enclosure, mirroring that off the southern side of the farm driveway.

The land does slope and ascend from its road frontage, but the increase / difference in profile is not dramatic that would prevent sympathetically designed houses from being implemented at this location. The ground could be excavated to reveal terraced plateaus for new dwelling footprints with foreground parking at a lower level, and rear gardens terraced above. Such a form of development over gently sloping land is not uncommon in Carmarthen, and there are numerous example of such developments gaining planning permission upon far steeper hillsides, some of which are provided in example cross sections below, at Figures 4 and 5. In any event, the retention of the majority of the tree cover along the road frontage would "visually absorb" and mask off the impact of such split-level development, to a degree that passers-by upon Station Road would not be adversely affected and the village character would be preserved.

Its exclusion would be inconsistent with the provisions of Policy HOM3 and indeed decisions taken by the Authority with regard to other sites within the Plan area. As a result, and on this basis alone, the Plan as it currently stands is unsound.



Figure 2 – view of Candidate Site off northern side of Ty Newydd farm drive with no “topographical issues” displayed



Figure 3 – view taken along farm access driveway and orientated towards Candidate Site

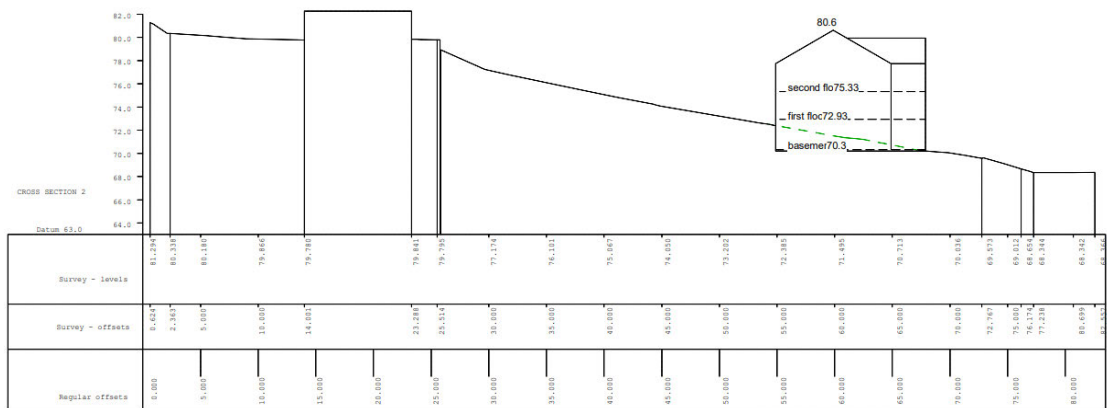


Figure 4 – typical cross section of how gently sloping sites can be successfully designed to incorporate topographic changes in levels in Drefach – granted planning permission within the last 18 months by the Council

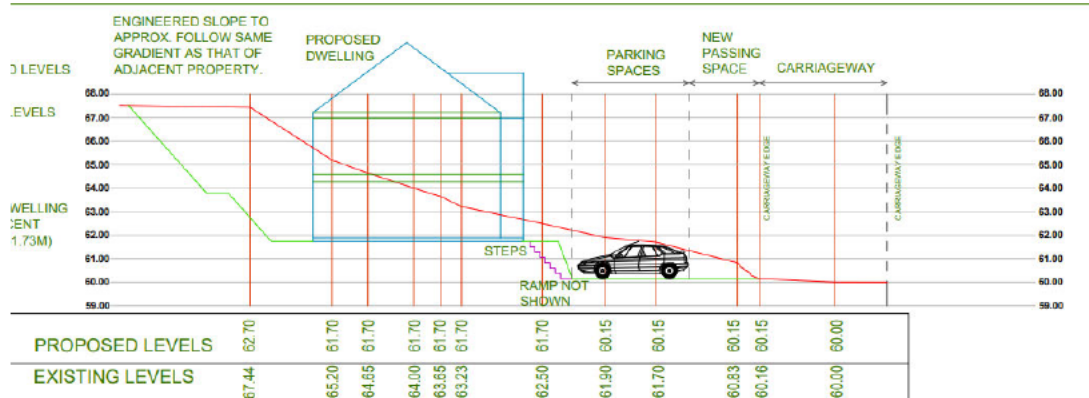


Figure 5 – example of a far more precipitous slope being proposed for new housing development in Burry Port, with wholesale excavation required to form a level footprint. Nevertheless, the Council granted planning permission within the last 18 months

Consistency with Other Settlement Limits

Consistency in approach and application is critical in order for the planning system to be both effective and credible to all its users. Without it, the system itself becomes unsound and in the case of the determination of the development limits for Nantgaredig, the Authority has been found to be inconsistent. In this case, the Council consider that land adjoining Allocated Site SuV17/h1 should be included within the settlement limit, as shown in Figure 6 below, being is an extract of the Deposit LDP Proposals Map

Figure 7 highlights the inclusion of “white land” at the southern extremity of Station Road where the limits have been extended to include undeveloped land at the western flank of the highway. Nearby Capel Dewi has also had its settlement limits extended to include land at its extremity, but in that case without that addition being logically capable of being described as “infilling” or “rounding-off.” Figure 8 illustrates that nearby circumstance.

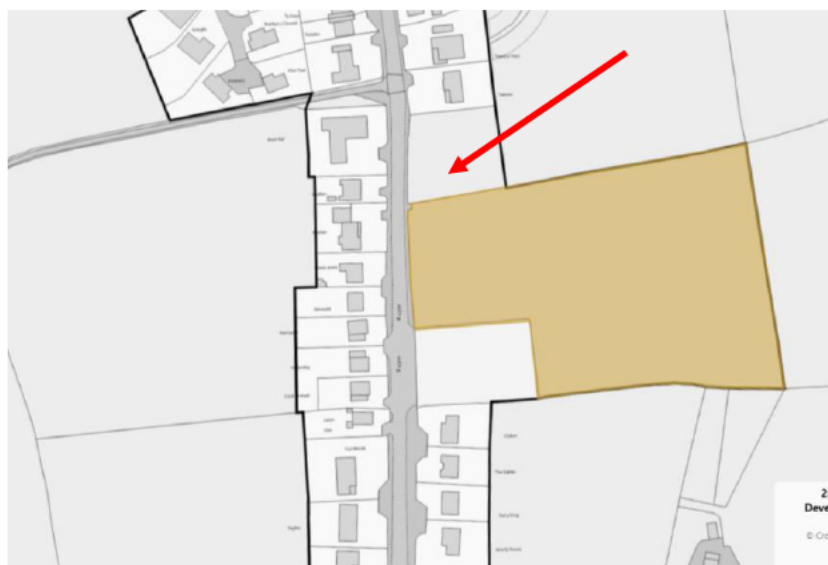


Figure 6 – Undeveloped land at Station Road within defined limits marked with arrow



Figure 7 – Undeveloped land at Station Road in Nantgaredig within defined limits marked with red arrow



Figure 8 – land included at eastern extremity of Capel Dewi

As can be seen, three separate undeveloped parcels of land have been included within defined development limits at Nantgaredig and Capel Dewi. They constitute either the promotion of infilling or extend the existing form of the settlement as such that they respectively form part of the settlement. Or in the Capel Dewi neither, which is even more baffling and illogical to comprehend?

It should be noted that we do not object to this form of identified land parcels to those development limits, as it secures a varied form of available housing development opportunities for a community. However, their inclusion is a direct contrast and inconsistency

to the Authority's decision to **exclude this part of Ty Newydd from the development limits**. Combined with our client's land representing a logical "infilling" of the respective area of the settlement, the exclusion of it would represent a clear inconsistency in approach taken by the Authority, resulting in the Plan as it stands being unsound.

In conclusion, this Representation to the Deposit Draft of the Revised LDP has sought to examine the Council's reasons for non-inclusion of the Candidate Site at Nantgaredig within specified defined development limits. It has successfully addressed the reason put forward by the Authority for its exclusion and highlighted that its continued exclusion would represent a dangerous inconsistency. We therefore respectfully request that this Representation be given careful examination, and consequently the land in question be included within the defined development limits as part of the Carmarthenshire Local Development Plan to ensure that the document passes all the relevant tests of soundness.

Yours sincerely,

A solid black rectangular box used to redact the signature of Richard A. Banks.

Richard A. Banks
Director

Enc.

Cc client