

Our Ref.: 1029.a

Date: 19<sup>th</sup> March 2020

Head of Planning  
Forward Planning Section  
Carmarthenshire County Council  
3 Spilman Street  
Carmarthen  
SA31 1LE

Dear Sir/Madam,

**Carmarthenshire Local Development Plan 2018-2033 – Deposit Draft  
Objection on Behalf of Ms D England and Mr D Davies  
Land off Dyffryn Road, Saron**

We are instructed by Ms D England and Mr D Davies to make a formal representation to the “soundness” of the Deposit Draft of the Carmarthenshire Local Development Plan.

Our clients made a formal Candidate Site Submission in August 2018, which was referenced SR/149/010, seeking the allocation of their land for future residential development within the defined settlement limits of Saron as part of the Replacement Local Development Plan. The Candidate Site comprised of two single existing enclosures, accessed directly off the adjoining public highway on its northern boundary. The enclosures are then well defined, with existing residential development to its north, east and to a degree west. The site is also within close proximity to the range of community facilities and local services the settlement has to offer.

The Council have published a “Site Assessment Table” (January 2020) which provides details of the Council’s analysis of each received Candidate Site submission, and in the case of our Client’s submission, the reason why the site was not selected for allocation for

residential development purposes within the draft settlement limits of Capel Hendre, as contained within the Deposit Draft.

We note that the submission successfully passed through Stage 1 (site compatible against the location of future growth presented in the Preferred Strategy), Stage 2A (Initial Detailed Site Assessment), Stage 2B (further detailed site assessment) and Stage 3 (Sustainability Appraisal and Habitat Regulation Assessment). However and despite passing each stage of the Council's assessment, the Authority determined not to allocate the site for residential development for the following single reason:

*“There is sufficient and more suitable land available in Saron to meet its housing needs.*

We however consider its exclusion to be an erroneous decision by the Authority and consider therefore 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”, and “will not deliver”, as defined by the Planning Inspectorate’s LDP Examinations Procedural Guidance.

Specifically, we consider that alternative allocations within the settlement and wider growth area are neither appropriate nor deliverable. We consider therefore that the land edged red in Plan A below, should be allocated for residential development under the provision of Policy HOM1 of the Carmarthenshire Local Development Plan.



**Plan A**

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

- Completed Deposit LDP Representation Form
- Completed Sustainability Appraisal form
- Copy of Candidate Site Submission Report
- Copy of Transport Statement

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

#### *Sufficient Residential Land Allocated Within Settlement*

The Council consider that the allocation of the site for the purposes of residential development is unnecessary due to their view that alternative allocations within Saron and the wider growth area (Cluster 3) it forms part of will deliver sufficient housing for the town.

Under the current provision of the Deposit LDP, Cluster 3 has a range of proposed residential allocations. Having considered each one in terms of its sustainability level, technical deliverability and recent planning history, we consider that a number will not be brought forward during the Plan period and so will result in the Plan being unsound if it is adopted in its current form. These proposed allocations are listed below and now considered:

Ref. No.	Site Name	Units
PrC3/h4	Tirychen Farm, Penybanc	150
PrC3/h9	Land adjacent to Maesyrhaf	9
PrC3/h10	Land to the rear of Gwernllwyn, Cross Hands	30
PrC3/h14	Nantydderwen, Drefach	13
PrC3/h20	Land north of Maespiode, Llandybie	42

**Table 1**

Allocation PrC3/h4 is currently allocated for 150 residential units. Planning permission was last granted in 2014 for 289 dwellings, under Application E/21633. However, that permission was only granted in outline form. It subsequently lapsed, and the landowners sought to vary conditions upon that permission to extend the validity of the outline permission. That Variation of Condition application was finally approved in October 2019, under Application E/38686.

A Phasing Plan has been introduced, which proposes that a first phase of 50 dwellings be brought forward with full details to be submitted within two years of the date of the above variation approval. The remaining phases are shown as long-term proposals, with details not required to be submitted for up to a further five years.

The recently approved Variation of Condition permission does little to display any real progress in the deliverability of the site. It merely amounts to the landowners seeking to continue to benefit from an outline planning permission at the site. Full planning permission was granted as far back as 1992 (D6/19332), which subsequently lapsed. The Land continued to be allocated within the *Dinefwr Local Plan* (1996), and subsequent *Carmarthenshire Unitary Development Plan* (2003). No progress was made in bringing the site forward, and yet it was allocated within the Local Development Plan in 2014.

Consequently, thirty years of Development Plan allocations have elapsed without any signs of delivery of this site – not a single new housing unit has been constructed on the site in that time. More physically challenging sites, such as the re-development of the Betws Colliery site have come forward long before Tirychen, and yet still the Council is prepared to allocate the site once again in a new Development Plan despite clear doubts over its deliverability within the Plan period.

The Council has seen fit to re-examine housing land supply and residential land availability in preparation of this draft LDP, and ultimately decided to omit various sites that were allocated in the 2014 Local Development Plan, from the new Deposit Draft. Those sites include “Heol Ddu” at Tycroes (LDP site GA3/h23) which was allocated for 150 units, and also had an outline planning permission. However, the Council now consider that a residential development will not be deliverable on the site. The decision to retain Tirychen Farm after a period of 30 years within the LDP is shown to be even more inconsistent, and does not sit with LDP Procedural Guidance which encourages Local Planning Authorities to only re-allocate sites based upon firm evidence of deliverability. The allocation of the site for residential development is therefore clearly unsound.

The above trend of re-allocating undeliverable sites continues then through the other allocations highlighted in Table 1 above. Each of these has seen consents granted on them some time ago, but each has seen little or no evidence of any development since these approvals were issued. Table 2 provides a summary of this information.

Allocation	Name	Units	Planning History
PrC3/h9	Land adjacent to Maesyrfhaf	9	S/01815 – Full (10 Units) – 09/09/1999 S/13257 – 10/07/2006 – Extended existing time limit of S/01815 S/22921 – 01/04/2011 – Residential Development S/35926 – 08/08/2017 – Construction of 9 dwellings
PrC3/h10	Land to the rear of Gwernllwyn, Cross Hands	30	W/29164 – Outline 28 Units – 12/11/2013
PrC3/h14	Nantydderwen, Drefach	13	W/20230 – Full (33 Units) – 14/11/2008
PrC3/h20	Land north of Maespiode, Llandybie	42	E/21328 – Full – 23/06/09 E/22540 – Full (1 Unit) – 25/2/10 E/26446 – Full (4 Units) – 17/04/12 E/39129 – Full (2 Units) – 12/07/19

**Table 2**

As can be seen, despite each having historic consents, often repeated through extension of time applications, each of the above application has still failed to deliver a significant level of housing for the growth area in question. Combined with the failure of the Tirychen Farm allocation to deliver any units, the historic under provision of these sites has resulted in a deficit of almost 250 units being delivered for the benefit of the local community they should serve. Each clearly has significant questions over its deliverability and genuine availability for development. To continue to allocate such sites for residential development therefore results in the Plan being unsound. Alternative sites, such as that put forward by our Client, must therefore be considered and brought forward in order to address this deficiency and ensure that the Plan is sound in all respects.

In conclusion, this Representation to the Deposit Draft of the Revised LDP has sought to examine the Council's reasons for non-allocation of a Candidate Site. It has successfully addressed the reason put forward by the Authority for its exclusion and has identified that currently proposed allocations are undeliverable.

We therefore respectfully request that this Representation be given careful examination, and consequently the land in question be allocated for residential development as part of the Carmarthenshire Local Development Plan to ensure that the document passes all the relevant tests of soundness.

Yours sincerely,



**Jason D Evans**

**Director**

Enc.