

Our Ref.: 1076a/RAB

Date: 31st March 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 & Mrs M. Lloyd
Land at Aberlash Farm, Aberlash Road, Ammanford**

We are instructed by Mr & Mrs M. Lloyd 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/004/019**, seeking inclusion of their land for future residential development within the defined settlement limits of Ammanford within the Replacement Local Development Plan. The Candidate Site comprised two parts, being the frontage part of a grazing field off the northern side of Aberlash Road, and the majority of an open field fronting the southern side of Aberlash Road.

We have noted that the northern part of the Candidate Site is included within the draft settlement limits. Our clients are very satisfied with this inclusion and wish to express their support and gratitude to the Council. They intend to seek planning permission for detached houses upon this area within the new limits immediately after LDP adoption.

However, **the southern field has not been included** within the Second Draft settlement limits, despite formal representations made to you following publication of the First Draft of the LDP in March 2020. This formal Representation to the Second Draft relates solely to the unsuccessful part of the Candidate Site.

The Council have published a “Site Assessment Table” (January 2023) which provides details of the Council’s analysis of each received Candidate Site submission, and in the case of our clients’ submission, reasons why the site was not selected for inclusion within the settlement limits of Ammanford, as contained within the Second 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) and Stage 2A (Initial Detailed Site Assessment) of the Council's site assessment.

However, it was rejected at Stage 2B (further detailed site assessment), with reasons for non-inclusion reported as follows:

Development of the southern part of the site would be likely to impact upon trees subject to Tree Preservation Orders and access to the site is likely to be gained through an area which falls within the C2 floodzone as identified in the TAN15 Development Advice Maps.

Our clients consider 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, our clients consider that the Second Draft settlement limits for Ammanford, as defined under Policy SD1 "Settlement Limits", **should be amended to include the land as edged in red upon the extract of the Proposals Map for Ammanford, as reproduced below in Figure 1.**

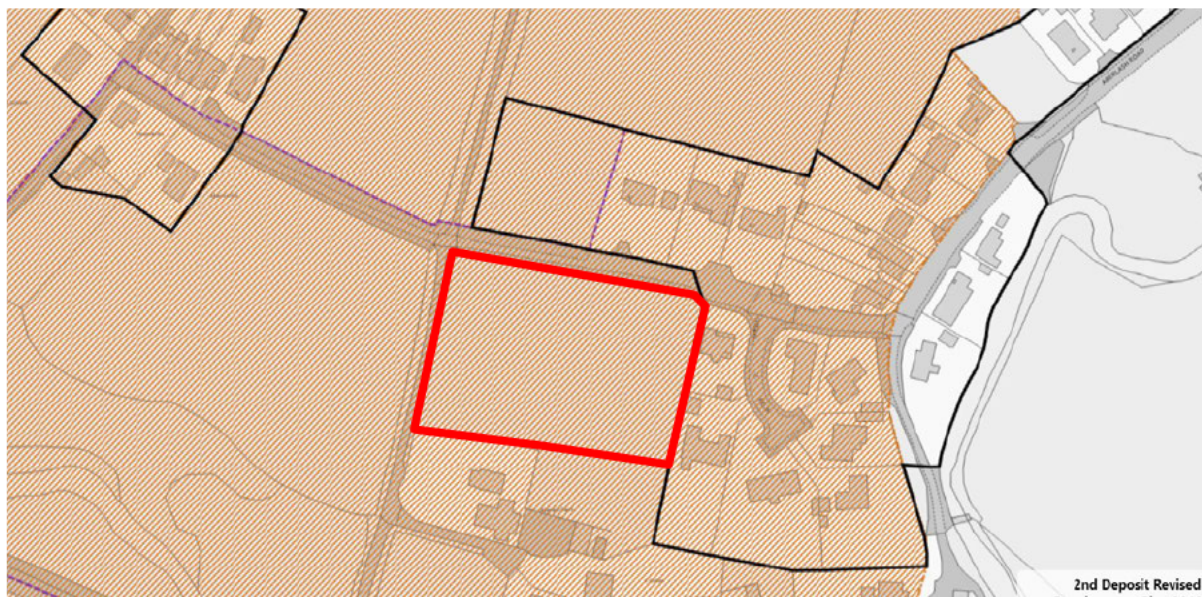


Figure 1 – Extract from Proposals Map with Representation site edged in red

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
- Location and indicative site layout plan

Response to Council's Reasons for Non-Inclusion of Site within Settlement Limits

1.0 Impact upon trees subject to Tree Preservation Order

- 1.1 The Council consider that the inclusion of the site within defined settlement limits would be likely to impact upon trees which are the subject of a Tree Preservation Order. The TPO in question is "E48", which is shown below, being an extract from the Council's on-line record of Tree Preservations Orders in Carmarthenshire.



Figure 2 – Extract of Tree Preservation Order record for Aberlash locality

- 1.2 The Order amounts solely to two individual mature specimens, one set on the road frontage of the field, whilst the other lies near the eastern field perimeter with existing dwellinghouses at Ffrwd -y-Felin. The specimens in question are graphically shown by the Google Earth image reproduced below as Figure 3.



Figure 3 – Extract from Google Earth (April 2021) illustrating two protected mature tree specimens

- 1.3 Both trees are well defined with equi-concentric crown spreads from respective central trunks, and as such an indicative site layout plan can easily be adapted to illustrate a form of residential development which can effectively preserve each specimen and ensure their future health and well-being, **allowing existing root protection areas to be designated and thereafter maintained.**
- 1.4 The original Candidate Site indicative site layout plan has been subsequently revised to account for this issue, and is reproduced below as Figure 4. It illustrates for only four detached dwellinghouses set fronting the southern flank of Aberlash Road, and thus also complementary in form to adjacent established forms of residential development along this highway and particularly the existing and proposed form of frontage development off the opposite, northern flank of Aberlash Road.



Figure 4 – Indicative site layout plan of proposed Representation Site

2.0 Proximity to Zone C2 Flood Zone & Means of Emergency Access / Egress

2.1 The Council indicate that the Candidate Site fails to be included within defined settlement limits as access to the site is likely to be gained through a “*Flood Zone flood zone as identified in the TAN15 Development Advice Maps.*” The Council are referring to the designated flood zone of the River Lash as reproduced below as Figure 5. The extreme fluvial flood waters are predicted as flowing over the public carriageway of Aberlath Road, where that highway underpasses the Heart of Wales railway line. The new draft “Flood Map for Planning” which is due to supersede the DAM map in 2023/24 also repeats the same extent of flood zone east of the site.



Figure 5 – DAM map illustrating extent of flood zone

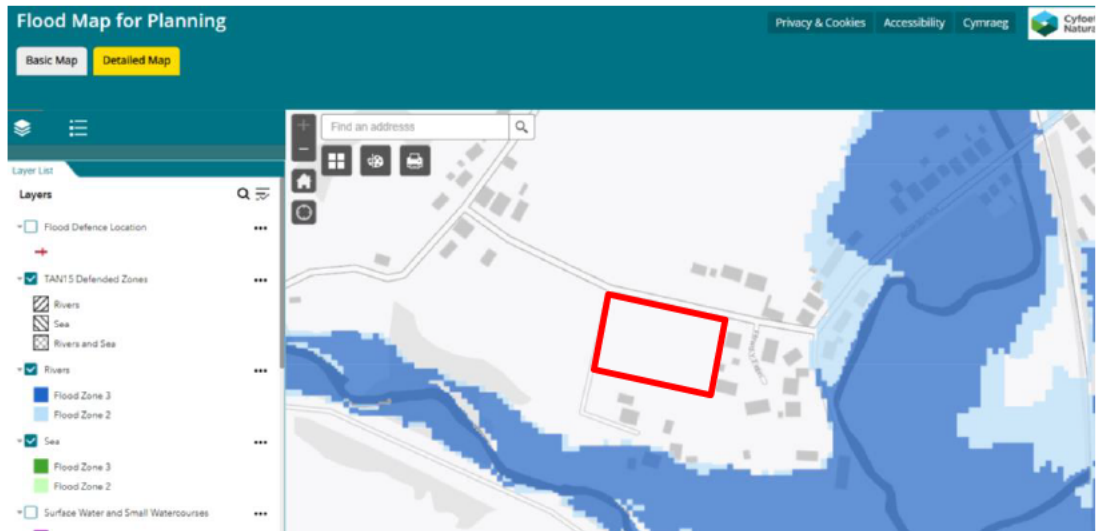


Figure 6 – extent of Flood Map for Planning

- 2.2 In response, our clients would point to that contractors acting on behalf of Natural Resources Wales have recently begun the implementation of flood alleviation works to this section of the River Lash, as part of their capital expenditure programme for the town of Ammanford. The Alleviation Works are considered by NRW to be *“a combination of measures is needed to reduce the risk of flooding. We believe that the best option is to construct a series of flood defence embankments and walls in several areas in the town to contain flood water in the River Loughor, and installation of Property Flood Resilience (PFR) measures to houses on Aberlash Road.”*
- 2.3 We therefore submit that flood prevention matters are being put into place by NRW to effectively manage the effects of flood waters during such extreme events. We submit that following the completion of these works, it will lead to a revision of the Development Advice Map, and consequential redrawing of the flood zone designation. Notwithstanding this, existing and proposed residents at Aberlash also have the option to egress the locality by travelling north to Waunfarlais Road and back to the A483 AND along Waunhafog Road west towards the B4556 Llandybie to Penygroes road. Neither of which are, nor would be, affected by flooding.
- 2.4 We submit that the land subject of this Representation **remains within Zone A, and as such is not subject to flood risk.** In accordance with TAN 15 advice, new residents could remain in their properties, as a place of safe refuge, and await those extreme floodwaters to recede. **ALL ABERLASH ROAD RESIDENTS WILL HAVE A LOGICAL MEANS OF EVACUATION as required by TAN15 Guidance.** We submit that in any extreme event the depth of floodwaters at this point and are of a depth so as to not to prevent emergency vehicles from accessing Aberlash Road properties, which given the limited headroom of the railway bridge have to **travel along Waunfarlais Road** to access Aberlash Road properties.

3.0 Overall Housing Supply at Ammanford with Deposit Draft

- 3.1 The proposals under this Representation merely seek the addition of four residential units to the overall housing supply of Ammanford. Aberlash forms part of the principal service centre centring upon the Ammanford Cluster as defined within the Second draft LDP.
- 3.2 The new Draft Proposals Map reveals that the Council have allocated a total of 8 sites at Ammanford as shown below.

Ammanford (inc Betws and Penybanc)		
PrC3/h1	Land at r/o No 16-20 & 24-30 Betws Road	9
PrC3/h2	Former Petrol Station, Wind Street	6
PrC3/h3	*Land at Gwynfryn Fawr	28
PrC3/h4	Tirychen Farm	150
PrC3/h5	Yr Hen Felin, Pontamman Road	6
PrC3/h6	Land Adjoining Maes Ifan, Maesquarre Road	18
PrC3/h33	Llys Dolgader	9
PrC3/h36	Betws Colliery	66

- 3.3 The above eight allocated sites proposed for Ammanford reveal a combined total of 292 units, however upon analysis it is clear Wind Street, Llys Dolgader, Gwynfryn and Yr Hen Felin have already been constructed, totalling 49 dwellings.
- 3.4 Of the other four Ammanford allocations, it is immediately noteworthy that they are predominately “roll-overs” from earlier Development Plans with those sites showing no commitment whatsoever to commit to the implementation of a planning application. We would comment on the two largest of those sites as follows:

Site PrC3/h4 - Tirychen Farm, Dyffryn Road, Penybanc - for 150 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.

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. Clearly, there is no historic demand for a site of this scale in this part of the Ammanford area. More physically challenging sites, such as the re-development of the Betws Colliery site at Betws and Cae Pound at Cross Hands West Tip have come forward long before Tirychen, and yet still the Council is prepared to allocate the site once again in a new Development Plan.

The decision to retain Tirychen Farm after a period of 30 years within the LDP is shown to be inconsistent, as does not sit with LDP Procedural Guidance which encourages Local Planning Authorities to only re-allocate sites based upon firm evidence of deliverability.

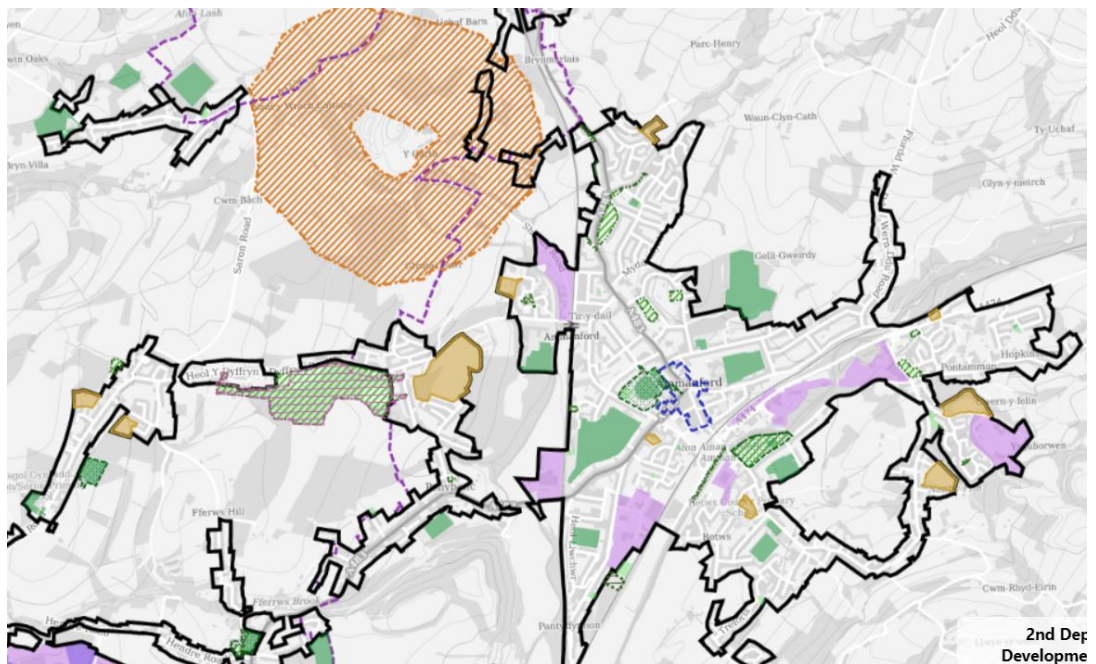


Figure 7 – wider view of Ammanford draft Proposals Map

3.5 Site Prc3/H36 - Betws Colliery – for 66 units

Outline planning permission was first granted for residential development on the allocation as far back as **2005** (Application E/09584), with reserved matters being granted in 2011 (Application E/24724). A Non-Material Amendment (Application PL/04568) has been granted in September 2022 for the 'Removal of chimneys and raising the height of window sills'.

The site was allocated in the *Carmarthenshire Local Development Plan (2014)* as part of a larger allocation (GA3/h9), and Allocation PDB27 of the *Carmarthenshire Unitary Development Plan (2006)*, which included the land south of Ffordd y Glowyr, which has been developed.

However, the northern element continues to be allocated for 66 units in the Second Draft LDP. This is despite having almost 20 years of support for the principle of residential development at the historic allocation from the Council, with **not a single housing unit has been delivered to date.**

In conclusion, this Representation to the Deposit Draft of the Revised LDP has sought to examine the Council's reasons for non-inclusion of a Candidate Site. It has successfully addressed two technical issues, and revised the indicative site layout proposals to ensure any future houses avoid incursion into the root protection zones of two mature protected trees, and; will access the A483 Ammanford Road via Aberlash Road where the NRW have embarked upon a series of flood prevention measures, with the aim to lessen the effects of fluvial flooding upon the locality. The site itself nevertheless remains flood-free.

This Report has also painted an inconsistent rationale applied by the Council in continuing to allocate historic allocations in the LDP, without the majority of those units having been brought forward over the last 20 years. Their continued retention within the Plan renders the Plan as undeliverable, contrary to Planning Policy Wales guidance. Those sites should be omitted, and more modest alternatives included such as that promoted at Aberlash Farm.

Our clients have presented their indicative proposals to promote a frontage development of only four additional dwellinghouses. The proposals will be compatible with existing and proposed development along both flanks of Aberlash Road, and thus ensuring that future development respects the character and setting of the locality.

We respectfully request that this Representation be given careful examination, and consequently the defined settlement limits of this part of Ammanford realigned to include the Representation Site in the Proposals Map of the adopted Local Development Plan.

Yours sincerely,



Richard A. Banks
Director

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Cc clients