

Ein cyf/Our ref: CAS- CAS-308373-L2S3
Eich cyf/Your ref: Matters Arising Changes

Carmarthenshire County Council
Civic Offices
Crescent Road
Llandeilo
SA19 6HW

Dyddiad/Date: 26 June 2026

Annwyl Syr/Madam/Dear Sir/Madam,

Revised Carmarthenshire Local Development Plan (LDP) 2018 – 2033

- **Matters Arising Changes**
- **Integrated Sustainability Appraisal (ISA) addendum to the MACs**
- **Habitats Regulation Assessment (HRA) addendum to the MAC**

Thank you for consulting Natural Resources Wales (NRW) on the proposed Matters Arising Changes (MACs) May 2026, the Integrated Sustainability Assessment (ISA)-Addendum to the Matters Arising Changes and the Habitats Regulations Assessment (HRA) - Addendum to the Matters Arising Changes, which we received on 11 May 2026. We have reviewed the submission, and our comments are set out below.

Our comments relate to the adequacy of the proposed changes, in line with Welsh Government (WG) guidance on MAC consultations, and reflect relevant new and material evidence. They do not seek to reopen matters previously examined.

Protected Sites

Please note that in providing our comments on protected sites, specifically Special Areas of Conservation (SACs), we have had regard to the WG's Examination Statement dated 12 January 2026, which advises that, at this advanced stage of plan preparation, it is neither necessary nor realistic to set out detailed or "fine grain" mitigation solutions, and that a proportionate approach is appropriate.

We note and support the various policy amendments to include specific cross referencing to Policy CCH4 within the MACs. This approach is consistent with the point raised for consideration in the WG Examination Statement i.e. the *'need to signpost other policy areas within the RLDP that are necessary to ensure that there is no adverse effect on the integrity of nutrient sensitive protected sites'*.

We note that Policy CCH4, as proposed by the MACs, would retain a generic Habitats Regulations approach, requiring that development does not adversely affect the integrity of European sites. Previously this approach was proposed specifically for riverine SACs; MAC 080 proposes to extend coverage to 'nutrient sensitive protected sites'. We are satisfied that this approach remains appropriate in principle. However, we have a number of comments to make in connection with the proposed amendments under MAC 080; two of those comments are more substantive in nature, the others are suggestions to improve accuracy and clarity as explained below.

Afon Tywi and Afon Teifi Nutrient Neutrality Action Plan

The Afon Tywi and Afon Teifi Nutrient Neutrality Plan is referred to in paragraph 11.514 and others that follow. Paragraph 11.514 states 'The document sets out a range of measures, which have been agreed in consultation with NRW'. We wish to clarify that to date we have not provided any formal comments on the Plan. Recent correspondence from your Authority's Simon Clement confirms that the Plan is '...background evidence to support policy CCH4 and the Revised LDP and has not formed part of an LDP consultation itself'. Therefore, to avoid confusion, the reference to agreement with NRW should be removed from this paragraph.

Furthermore, with regards to the Plan itself, your authority has provided us with two web links for this document. However, neither links to a document titled 'Afon Tywi and Afon Teifi Nutrient Neutrality Plan'. One link leads to a document titled [Carmarthenshire County Council Nutrient Neutrality Action Plan Technical Report](#) dated March 2024. The other link is to a document titled [Carmarthenshire Nutrient Management Strategy - Achieving Nutrient Neutrality & Beyond](#) dated March 2024. Although both documents were produced by Arcadis, they have different authors and differ in length. For the purposes of the LDP, it is vital to ensure that the document referenced in the explanatory text is correct, to avoid confusion in future. We therefore advise that all references to the Plan in the supporting text are checked, and amended as needed, to refer to the correct document.

Permit capacity / headroom (riverine SAC catchments)

One of the amendments proposed under MAC 080 is as follows:

"Amend the reasoned justification to policy CCH4 to include the following new paragraph after 11.512.

Within the hydrological catchment area designated for Riverine SACs, development will be required to demonstrate no adverse effect on the integrity of nutrient sensitive SACs. Where evidence demonstrates that adverse effects on the integrity of SAC can be avoided or mitigated or that sufficient capacity exists at the associated treatment works, this must be agreed with the planning authority on a case-by-case basis, in consultation with NRW."

We are concerned that this may not provide adequate explanation regarding the issues of capacity at wastewater treatment works and could be misunderstood. To provide greater clarity, we suggest the paragraph is amended as follows:

“Within the hydrological catchment area designated for Riverine SACs, development will be required to demonstrate no adverse effect on the integrity of nutrient sensitive SACs. *For development creating wastewater discharges, there will be a requirement to demonstrate there is capacity within the environmental permit limits set at the Wastewater Treatment Works to which it drains, taking account of fair share principles within the catchment into which the Works discharges. In doing so, development should not lead to any deterioration to a SAC failing to meet phosphorus targets or delay the achievement of meeting its conservation objectives.*

Where evidence demonstrates that adverse effects on the integrity of SAC can be avoided or mitigated ~~or that sufficient capacity exists at the associated treatment works~~, this must be agreed with the planning authority on a case-by-case basis, in consultation with NRW.”

Phasing of development (Burry Inlet Inner and Milford Haven Inner catchments)

We believe there should be additional clarity provided in the explanatory text regarding the need to align delivery of development with environmental capacity. This would be consistent with the point raised for consideration in the WG Examination Statement i.e. *‘...phasing and delivery of growth contained within the RLDP to ensure it is within sustainable locations and reflects the ‘lead in times’ necessary to ensure compliance with achieving NN targets’.*

In contrast to river SACs, where there is now a developing but structured framework (including nutrient neutrality requirements, Action Plans such as those for the Tywi and Teifi, and supporting governance arrangements), there is currently no equivalent established framework for marine SAC nitrogen impacts.

This is of particular relevance to the Carmarthen Bay and Estuaries SAC (including the Burry Inlet Inner) and Milford Haven Inner catchments, where the Plan identifies a requirement for nutrient neutrality for nitrogen but where the associated mitigation framework remains in development.

While we recognise that there is a clearly articulated approach and commitment to providing *“developer led mitigation guidance / toolkit as well as a strategic mitigation guidance alongside a focused Action Plan”*, the absence of an agreed and operational framework introduces a degree of uncertainty as to how nutrient impacts will be managed in practice and how development will be aligned with the delivery of mitigation over time.

Notwithstanding this uncertainty, at this stage of plan preparation, we do not consider that the solution requires the development of detailed mitigation schemes. Rather, it requires proportionate clarification to demonstrate a credible pathway to delivery.

In our view, this can be achieved by introducing a high-level requirement that development is aligned with the availability and timing of mitigation.

Accordingly, we suggest adding additional text at the end of the MAC 080 paragraph that begins *“To support and facilitate delivery of development... the Council is preparing developer led mitigation guidance / toolkit...”*. We suggest the following addition:

“In applying this approach, development proposals will be considered in the context of the availability of environmental capacity and the delivery of mitigation measures. Where necessary, proposals may need to be brought forward in a manner that reflects the timing of mitigation delivery, to ensure that no adverse effect on site integrity arises.”

Other matters

Aside from the two issues highlighted above, we have a number of other comments to make. However, these are more minor in nature, where we believe there should be further edits to the proposed text for reasons of clarity / accuracy. We are concerned that some of the wording is unclear and this could cause confusion / delay when determining future planning applications. We also refer you to the flood risk and protected sites sections below. Our comments are as follows:

- Amend policy wording of CCH4 in the following paragraph:

Development will only be permitted if it can be demonstrated that there is no adverse effect on the integrity of phosphorus nutrient sensitive protected sites. Where appropriate development will be required to achieve nutrient neutrality. ~~riverine Special Areas of Conservation (SACs). In the hydrological catchment area designated for riverine SACs, development creating wastewater discharges will be required to demonstrate there is no increase in phosphorus levels in the SAC. This can be achieved through implementation of mitigation measures and associated supplementary planning guidance. Where evidence demonstrates that adverse effects on the integrity of river SAC can be avoided or offset using mitigation, these must be agreed with the Council on a case by case basis, in consultation with NRW.~~

The second sentence should read: ‘Where appropriate, development will be required to...’

- Amend wording in the last sentence of paragraph 11.513 to read:

“Updated NRW Guidance now advises on constraints to development planning in relation to both phosphorus and nitrogen impacts within river SAC catchments.”

- We suggest paragraph 11.515 is updated to refer to the West Wales NMB.
- For the first new paragraph proposed in the section titled ‘Marine’, we suggest the following edits:

“The marine SACs in Wales have a number of ecological **qualifying** features ~~designated for environmental protection~~ including estuaries, coastal lagoons, large shallow inlets and bays and mudflats/sandflats that are sensitive to high levels of nutrients.

The updated condition assessments undertaken by NRW and published in June 2025 identified that nutrient sensitive features at some designated sites had reached an unfavourable condition for ~~both chemical~~ (Dissolved Inorganic Nitrogen [DIN]) ~~and biological~~, (phytoplankton and opportunistic macroalgae). ~~Both of These~~ **are chemical and biological** indicators of nitrogen enrichment.”

- In the second new paragraph proposed in the section titled ‘Marine’, the following words should be deleted: ‘Nutrient Neutrality Area for Nitrogen associated with’.
- The third, fourth and fifth paragraphs proposed in the section titled ‘Marine’ should be redrafted. In parts, they are difficult to read and lack clarity.
- With regards to the fifth paragraph and the reference to surface water removal (which links to Policy INF4) we suggest this is reworded to advise that ‘...~~developers proposals~~ may wish to **consider** ~~also introduce~~ the removal of surface water as a mitigation measure...’ While surface water removal from a combined sewer may reduce the frequency and duration of sewer overflow, further work is required to determine the nutrient reduction benefits of such measures and therefore it may be premature to include the text as currently drafted.
- The sixth paragraph should be amended as follows:

The geographical extent of the ~~freshwater~~ catchment for **draining to** the Burry Inlet Inner and Milford Haven Inner can be identified using the latest NRW layer as contained on DataMapWales.

- The seventh (and final) paragraph in that section should be amended and simplified as follows:
- ~~In relation to both the riverine and marine SAC freshwater catchments~~ **The Council has produced (and is continually developing) a library of resources to assist developers in bringing forward nutrient neutral proposals when considering proposals that drain into a marine or riverine SAC.** These open access resources are regularly updated and can be accessed via the CCC website. The **Welsh Government’s All Wales Nutrient Budget calculator, and Mitigation Guidance (published June 2023) are available for developers** remain the only catchment specific tools available in Wales. ~~Developer led proposals further benefit from NMB expertise in appraising complex developers led mitigation proposals Further mitigation guidance to support developer and applicants and the strategic response to the neutrality requirements for the Marine SAC will be published along with a further iteration of the All Wales Calculator (as prepared by the WG).~~
- We have one further comment with regards to MAC 036 and the proposed amendments to Policy INF4. Again, this comment relates to further edits to the proposed text for reasons of clarity / accuracy.

MAC 036 proposes the following:

New paragraphs added after paragraph 11.205 As part of granting planning permission for relevant major developments, Carmarthenshire LPA requires the removal of a quantifiable amount of surface water from the combined system as expressed in l/s. Such credits will then be entered onto the register of surface water removal. It is acknowledged that the removal of surface water can offer wider benefits including making a valuable contribution towards achieving nutrient neutrality where required. Policy INF4 therefore provides the opportunity to developers to offer surface water removal in respect of minor developments as a mitigation measure to contribute towards achieving nutrient neutrality as required in accordance with Policy CCH4. Surface water removal is not a policy requirement for minor developments; however, this can be included within a wider package of mitigation measures where a minor development is required to demonstrate that it can achieve nutrient neutrality.

However, as explained above, while surface water removal from a combined sewer may reduce the frequency and duration of sewer overflow, further work is required to determine the nutrient reduction benefits of such measures and therefore it may be premature to include the text as currently drafted.

Therefore, we suggest that the third sentence is amended as follows: 'It is acknowledged that the removal of surface water ~~can~~**may** offer wider benefits including making a ~~valuable~~ contribution towards achieving nutrient neutrality where required'.

- Finally, for consistency and clarity, we advise the spelling of phosphorus is corrected throughout the rLDP (i.e. all references should be to phosphorus, not phosphorous or phosphates).

Summary

Recognising the advanced stage of the plan preparation process, we consider that the approach set out in Policy CCH4 remains appropriate in principle and consistent with established plan-making practice. However, we consider some specific amendments are required to ensure the Plan is accurate and to support its effective and sound implementation.

We also recommend a number of further amendments to the text proposed under MAC 080 and MAC 036 to provide a simpler and clearer point of reference for future decision making.

In addition to the above, we have some further comments to make on protected sites and flood risk.

Protected sites

MAC 067 – NE3: Corridors, Networks and Features of Distinctiveness.

We have considered otter as a feature of the Carmarthen Bay and Estuaries SAC and are aware that you are currently developing a Llanelli Otter Mitigation Strategy, which will provide guidance regarding the provision and maintenance of suitable commuting corridors for otters moving upstream from their coastal habitat areas.

We request that reference to this document is included in the supporting text, after paragraph 11.420 of the reasoned justification.

MAC 121 - Update Appendix 4 Mineral Sites to include ROMP Review Dates Appendix 4: Minerals Sites Active/Inactive Sites. LDP reference M12. We note that reference to *river shingle shoal habitat* has been removed from the M12 section. We recommend that this reference is reinstated, particularly as this section of river may be affected by future river shoal removal works

Flood risk

MAC 045 – Strategic Policy – SP 12: Placemaking and Sustainable Places. We welcome the incorporation of flood resilient design to new construction in a flood zone. However, it should be stressed that new construction in a flood zone should only happen if it can be compliant with TAN15 and that resilient design should not be used as a reason, or as mitigation, for inappropriate development in flood zones.

We advise expanding point i. to include incorporating resilient design into redevelopment / alteration of existing development and not just confined to new development.

MAC 076 - Strategic Policy – SP16: Climate Change. Section 1 1.471 states: “Where a site is in part impacted upon by flood risk, the developer will need to consider the impact of the risk on the developability of the remainder of the site. Where appropriate they should undertake the necessary evidential work (including a Flood Consequences Assessment) **to the satisfaction of NRW.**” Reference “to the satisfaction of NRW” should be removed, as the FCA must satisfy the provisions of TAN 15, and its acceptability is determined by the Local authority.

In addition you propose the following wording “Where a development is proposed in an area of identified flood risk an accompanying **technical evidential statement** must be provided to satisfy the provisions of TAN15” - for clarity “Flood Consequences Assessment” should be used rather than “technical evidence statement”.

In addition to the above, we have included MAC’s where we support the changes.

MAC 013. AP2/4 AP15/7 AP6/21 – To include an annotation to identify the sites which have an element of flood risk

MAC 033 – Planning obligations to include ecology

MAC 037 - INF5: Rural Allocations outside Public Sewerage System catchments

MAC 065 – NE1: Regional and Local Designations

MAC 066 – NE 2: Biodiversity

MAC 069 – NE 5 Coastal Management

MAC 070 - NE6: Coastal Development

MAC 071 - E7: Coastal Change Management Area – Residential Development

MAC 075 - BHE1: Conserving and Enhancing Landscape Character

MAC 081 - Delete Policy CCH5

MAC 083 - CCH7: Climate Change – Forest, Woodland, and Tree Planting

MAC 087 - MR1: Mineral Proposals

MAC 090 - SP 19: Sustainable Waste Management

MAC 091 - WM2: Landfill Proposals

MAC 110 - Insert new Monitoring Indicator after MI 42. Local Indicator Delivery of biodiversity enhancements as part of new development (where applicable)

MAC 112 - Include a new Monitoring Indicator after MI. 55. Local Indicator: Publish Mitigation Strategy / Action Plan for Nutrient Neutrality in Marine SACs

MAC 116 - Include new monitoring indicator under SP16. Local Indicator: Number of dwellings delivered in areas located within the catchment of nutrient impacted SACs

MAC 125 - AP1/6 - Add a new appendix containing a schedule which provides details of the regeneration and mixed-use sites, phasing requirements, constraints, infrastructure requirements and planning obligations.

- PrC1/MU1 - West Carmarthen
- PrC2/MU1 – Former Old Castle Works, Llanelli
- PrC3/MU1 – Emlyn Brickworks

If you have any queries about the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully,

Louise Edwards

Uwch Cynghorydd - Cynllunio Datblygu/Senior Advisor - Development Planning

Cyfoeth Naturiol Cymru/Natural Resources Wales

E-bost/E-mail: [REDACTED]

Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi./Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.