

Our Ref: EBP/HOM1 (SeC4/h2)

Date: 5th April 2023

Forward Planning Manager
Place and Sustainability
Department of Sustainability and Infrastructure
Carmarthenshire County Council
3 Spillman Street
Carmarthen SA31 1LE

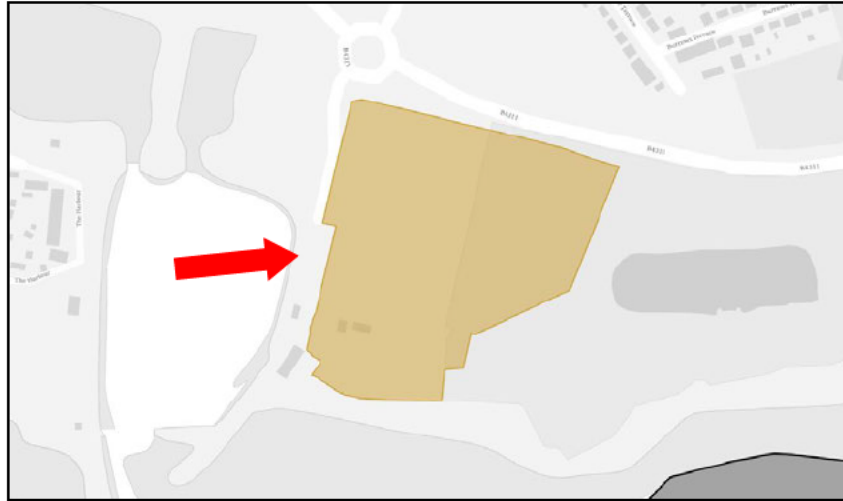
Dear Sir,

**Carmarthenshire Local Development Plan 2018-2033 – Deposit Draft
Objection to Policy HOM1 on behalf of Evans Banks Planning Ltd
Site SeC4/h2 – Burry Port Harbourside**

Further to the publication of the above document, we have been asked by our Clients to review its contents, policies and proposals and advise them of any aspects we believe would unreasonably affect their aspirations and interests. In doing so we consider it necessary to make a formal representation to the “soundness” of the Carmarthenshire Deposit Local Development Plan in relation to the allocation for residential development at land at **Burry Port Harbourside (LDP Ref. No. SeC4/h2)** under the provisions of Policy HOM1. The proposed allocation has been fully assessed and in considering its context and background (summarised below) it is considered that its continued inclusion will lead to the Plan failing the 3 Tests of Soundness for the reasons set out below.

Site Background and Context

The allocation relates to the land shaded brown on the Proposals Map extract below and is proposed for allocation in the 2nd Deposit LDP for the purposes of 364 residential units.



Plan A

(Extract of Proposals Map for Burry Port Harbourside Allocation)

As part of the current consultation process into the 2nd Deposit LDP, the Council have again published a “Site Assessment Table” (2023), which provides details of the Council’s analysis of each received Candidate Site submission and existing allocations within the current adopted LDP. Proposed allocation SeC4/h2 was considered as part of this process and as a result the Council concluded as follows:

“Site to be allocated for residential development. Reference is made to the planning history - notably references S/38106 and S/38251. Site to be allocated with reference SeC4/h2.”

It is clear from the above that the Council considers that the site is deliverable for the purposes of 364 houses, although it is not clear on what basis this conclusion has been made. We suspect it is purely upon the outline permission granted by the Council as Local Planning Authority with the Authority also acting as landowners.

The allocation is brownfield in nature with its topography being generally level. The northern, and western perimeters of the site are bordered by the B4311 and a separate road leading to the Lifeboat Station. The southern boundary is bordered by further brownfield use with the eastern boundary bordered by open grassland as can be seen from the aerial photograph below (outlined in red below).



Photograph 1
(Extract from Google Earth – June 2021)

Access to the allocation is currently gained via an existing exit off a roundabout located on the B4311 (see below).



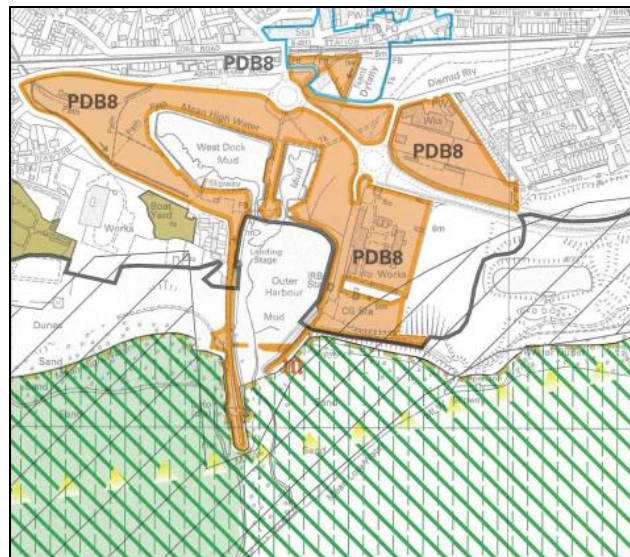
Photograph 2
(Streetscene of B4311)

Outline Planning Permission was granted in 2015 for the demolition of existing buildings as well as the construction of up to 134 residential units with associated infrastructure works (S/30598). A second, separate Outline Planning Permission was then granted in 2016 for the construction of up to 230 homes (S/30678). Since these dates, there have only been variation of condition applications submitted and approved for the extension of time to submit Reserved Matters. There have been no further applications submitted to propose any firm

details for any further development of the site. We find this surprising given the fine coastal position of the site with panoramic views of the harbour and seascape.

We also note that there is a condition on Outline Permission S/30678, stating that the components of a scheme to deal with the risks associated with contamination of the site must be submitted and approved by the Council. This suggests that there might be a number of issues in terms of contamination of the land which could in turn affect the possibility for development.

The site makes up part of an allocation in the *Carmarthenshire Unitary Development Plan* (2006) under allocation GR2/E1 as can be seen below. The allocation was then removed from the Carmarthenshire Local Development Plan (2014) due to flooding concerns.



Plan B

(Extract of Carmarthenshire UDP Proposal Map for Burry Port Harbourside (Adopted 2006))

Despite having support for the principle of residential development at the historic allocation from the Council, **not a single housing unit has been delivered to date**. We are led to believe that there is also **no active marketing strategy** for the development and the Council being the landowners are merely seeking to secure an outline permission on their own land asset.

Tests of Soundness

Based on the above information and the guidance documents provided by the Welsh Government and Council itself, it is considered that the inclusion of the adoption of the LDP in its current form with the inclusion of the allocation in question, would result in it failing to meet the requirements of the Tests of Soundness, for the reasons summarised below.

Test 1 – Does the Plan Fit?

The allocation fails the test of soundness as its inability to be delivered is in conflict with **Paragraph 4.2.2 of Planning Policy Wales (Edition 11)** requirements of national planning policy.

Test 2 – Is the Plan appropriate?

The allocation fails the test of soundness as its **inability to be delivered** would fail to address key issues set out by the Plan (housing supply). The Council's decision to allocate the land appears to not have been done so on credible or robust evidence.

Test 3 – Will the Plan deliver?

The allocation fails to test the soundness as the site is clearly unable to deliver any new housing. The **Welsh Governments Development Plans Manual (Edition 3)** is quite clear with regard to rolling forward allocations and states that allocations “... *rolled forward from a previous plan will require careful justification for inclusion in a revised plan, aligning with PPW. There will need to be substantial change in circumstances to demonstrate sites can be delivered and justify being included again. Clear evidence will be required that such sites can be delivered*”. No evidence has been presented to demonstrate a change in circumstances to indicate the allocation will now be deliverable and so its continued allocation would lead to the plan being deemed unsound on this basis.

In summary, we **object** to the inclusion of the allocation in question on the basis of the above and that its inclusion within the Plan would result in the document being ‘**unsound**’.

We therefore respectfully request that this Representation be given careful examination, and that the allocation be removed to ensure that the document passes all the relevant tests of soundness.

Kind regards



Richard Banks

Director



Jason Evans

Director