

Our Ref: EBP/HOM1 (PrC3/h4)

Date: 23rd March 2023

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

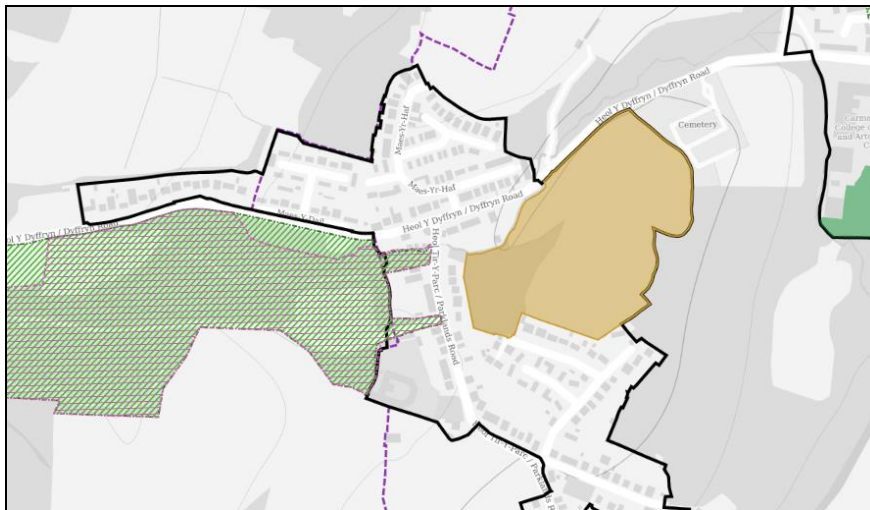
Dear Sir,

**Carmarthenshire Local Development Plan 2018-2033 – Second Deposit Draft
Objection to Policy HOM1 on behalf of Evans Banks Planning Limited
Site PrC3/h4 – Tirychen Farm, Penybanc, Ammanford**

Further to the publication of the above document, we have been instructed 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* (LDP) in relation to the allocation for residential development of **Tirychen Farm, Penybanc (LDP Ref. No. PrC3/h4)** 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 150 residential units.



Plan A

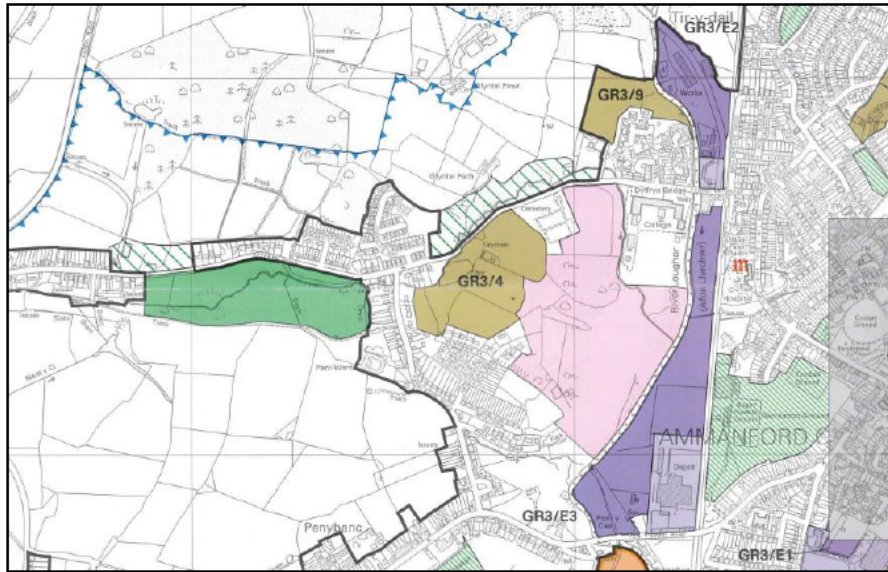
(Extract of Proposals Map for Penybanc and Tirychen Allocation)

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 PrC3/h4 was considered as part of this process and as a result the Council concluded as follows:

Site to be retained as a residential allocation for a lower number of dwellings with the remainder of the site being delivered beyond the Revised LDP’s lifetime. Site reference is PrC3/h4.

It is clear from the above therefore that the Council considers that the site is deliverable for the purposes of 150 houses, although it is not clear on what basis this conclusion has been made.

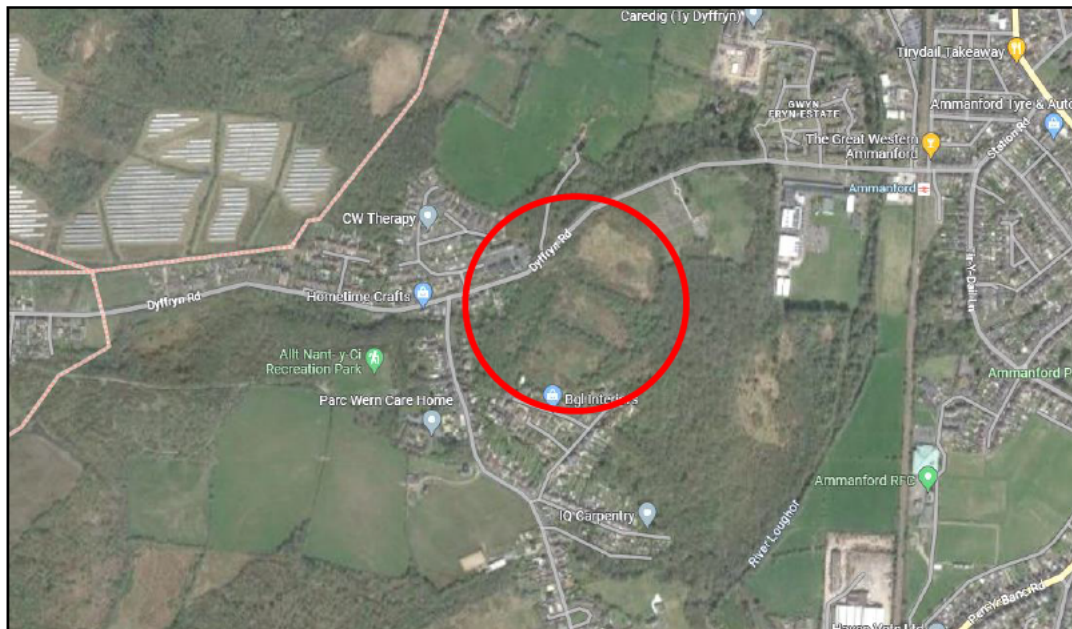
It should be noted that the site was also allocated in the *Carmarthenshire Unitary Development Plan (2006)*, with an extract from the UDP’s Proposals Map showing the allocation in question shown below.



Plan B

(Extract of UDP Proposals Map for Allocation Site)

The allocation itself is greenfield in nature with an undulating topography. It consists of a series of enclosures, many of which contain mature vegetation, trees and hedgerows, as can be seen from the aerial photograph below (allocation circled red).



Photograph 1

(Extract from Google Earth – June 2021)

Access to the site is currently gained from Newtown Close, a narrow road, served by a single or no footway for its extent (see below).



Photograph 2
(streetscene of Newtown Road)

Full planning permission was first granted for residential development on the allocation as far back as **1992** (Application D6/19332), which subsequently lapsed. The site continued to be allocated however for the purposes of residential development within the *Dinefwr Local Plan* (1996), the subsequent *Carmarthenshire Unitary Development Plan* (2003) and finally the *Carmarthenshire Local Development Plan* (2014).

A number of outline planning permissions have been granted since the 1992 permission lapsed, but following a recent refusal of planning permission under Application PL/00919 (based on insufficient information to demonstrate no detrimental impact on biodiversity interests on the site), the allocation currently does **not** benefit from a 'live' planning permission. Despite therefore over 30 years of support for the principle of residential development at the site from the Council, **not a single housing unit has been delivered to date.**

Tests of Soundness

Based on the above information and the guidance documents produce 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, particularly in light of recent contrasting refusals for residential development relating to the impact of such development on biodiversity interests on the site.

Test 3 – Will the Plan deliver?

The allocation fails the test of soundness as the site is clearly unable to deliver any new housing. The 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 a 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 delivered.

In addition to biodiversity interest constraints, we understand from speaking with interested developers and housing associations who have expressed interest in the site that the landowners **land value aspirations resulting in any development of the site being financially unsustainable**. This is qualified by the lack of development on the site for over 30 years. The Council has failed to provide any evidence to the contrary.

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