

# HEARING SESSION 1: OPENING, PLAN PREPARATION AND STRATEGIC FRAMEWORK

Tuesday 15<sup>th</sup> October 2024 (10:00-17:00) (Virtual Hearing)

## Matter 1: Plan Preparation and RLDP Strategic Framework

Prepared on behalf of Barratt David Wilson Homes, South Wales

Rep ID: 4879

1. Boyer is instructed by our client, Barratt David Wilson Homes, South Wales ('BDW'), to submit a Matter Statement in respect of Matter 1: Opening, Plan Preparation and Strategic Framework.
2. This Matter Statement should be read in conjunction with previous responses prepared by Boyer and BDW:
  - Deposit Revised LDP (BDW)
  - 2nd Deposit Revised LDP (Boyer)
  - Integrated Sustainability Appraisal and Habitats Regulations Assessment for the 2nd Deposit Revised LDP (Boyer)

**Issue – Is the RLDP legally compliant, and is the Plan's Strategy justified and likely to be effective in ensuring that the development needs of Carmarthenshire can be met in a way that contributes to the achievement of sustainable development?**

### Vision, Objectives and Strategy

**Q8. Is the Plan's Vision sufficiently aspirational and locally specific to form the basis for planning to 2033? And how will they be delivered?**

3. BDW is supportive in principle of the proposed Vision for 'One Carmarthenshire' as it seeks to achieve an appropriate balance between environmental, economic, social and cultural objectives. BDW particularly welcomes direct references within the Vision to securing prosperous, cohesive and sustainable communities and the economic aspirations associated with the Swansea Bay City Region.
4. However, BDW consider to realistically achieve the Vision and to be fully aspirational, in accordance with Future Wales: The National Plan 2040 and, in particular, the Swansea Bay & Llanelli National Growth Area and Swansea Bay City Region, then there needs to be an increase in housing supply. Hearing Statement 2 Prosperous People and Places – Housing and Community Infrastructure, further addresses this matter.

**Q10. Does the Plan's Spatial Strategy represent an appropriate approach for delivering, managing and distributing growth over the Plan period?**

5. BDW specifically support the identification of Llanelli as a Tier 1 Settlement in Cluster 2. BDW agree that the area is capable of accommodating growth for delivery in accordance with Future Wales: The National Plan 2040 and in particular the Swansea Bay & Llanelli National Growth Area and Swansea Bay City Region.

6. However, BDW share concerns with the current approach to delivering new homes as part of the strategy and consider the distribution of growth across the County needs to reflect the inclusion of housing allocations impacted by Phosphates. To address this, housing allocations outside of the Phosphate catchment areas should be included with growth re-distributed in these locations where development can be logically located whilst not impacting Phosphate sensitive catchment areas. In particular Candidate Site (SR/086/053), Land off Heol-y-Mynydd is a site which is developer led (by BDW) and could deliver housing in the early stages after Adoption.

**a) How has the Spatial Strategy been derived and is it based on robust evidence?**

7. The Authority are to confirm the evidence base, however BDW support the identification of the Clusters and settlements based on their respective roles, functions and contribution.
8. The Spatial Strategy and the distribution of growth focus within these clusters has been derived from consideration of the current urban form of key settlements, their sustainability credentials and economic drivers of identified centres.
9. BDW support the retention of Llanelli as a 'Growth Area' within the RLDP, noting its inclusion within the refined National Growth Area for the Swansea Bay and Llanelli NGA as identified in Policy 28 of the National Development Framework. Here, Llanelli forms a designated principal centre and focus for delivery, along with villages within its urban outskirts. BDW consider that Llanelli is capable of accommodating a significant proportion of growth within the County where medium scale sites are available within Cluster 2. Llanelli, being a Tier 1 settlement, is essential in delivering Carmarthenshire's housing delivery targets and should allocate sites that are developer lead and allow early delivery in the trajectory, including BDW's Candidate Site (SR/086/053), Land off Heol-y-Mynydd, Bryn.
10. Whilst BDW support the identification of Llanelli in the Spatial Strategy, questions are raised in the actual delivery of the proposed allocated sites and outline in further detail with Hearing Session 8: Prosperous People and Places – Site Allocations (Cluster 2 – Llanelli).

**b) What are the key components of the Spatial Strategy and how do they interact?**

11. This is for the Authority to answer.

**c) Does the Strategy represent a sustainable approach to planning over the Plan period? And does it effectively link transportation, employment and residential growth?**

12. Whilst BDW appreciate the co-ordinated and integrated approach of the Spatial Strategy towards housing growth and economic ambitions, BDW consider that the impact of Phosphate sensitive areas needs to be incorporated into the balance. Concerns remain where the current strategy continues to include housing allocations within Phosphate constrained areas, casting doubt on the sustainability of the approach towards residential growth, its deliverability and any knock-on effects on the housing trajectory.

13. In turn, this would re-direct growth and economic development to sites that can comfortably accommodate growth outside of these catchment areas to ensure growth within the County is both sustainable and deliverable.

**d) Does the Spatial Strategy maximise the use of previously developed land and adopt the sequential approach to the release of land as set out in Planning Policy Wales?**

14. The Deposit Plan itself does not provide any explicit break down of the current mix of previously developed land (PDL), though BDW note that PDL is a finite resource and often subject to a number of constraints which can delay the implementation and impact the proposed trajectory.

15. In this regard, BDW confirm that there is a need for green field releases to allow development to be sustainably located, in particular Candidate Site (SR/086/053), Land off Heol-y-Mynydd as a site which is developer led and could deliver housing in the early stages post Adoption.

**e) Are the Spatial Strategy and anticipated levels of growth consistent with those of neighbouring authorities? what are the main cross boundary issues and how have these been addressed?**

16. BDW support the retention of Llanelli as a 'Growth Area' within the RLDP, noting its inclusion within the refined National Growth Area for the Swansea Bay and Llanelli NGA as identified in Policy 28 of the National Development Framework. Llanelli is an important location for cross boundary opportunities capable of accommodating a significant proportion of growth within the County and strategically linked to Swansea.

**f) Will the Spatial Strategy support national growth areas and the wider region?**

17. BDW specifically support the identification of Llanelli as a Tier 1 Settlement in Cluster 2. BDW agree that in principle the area is capable of accommodating growth for delivery in accordance with Future Wales: The National Plan 2040 and in particular the Swansea Bay & Llanelli National Growth Area and Swansea Bay City Region.

18. However, whilst BDW support the Spatial Strategy, in principle, and consider that it has a great benefit to supporting the National Growth Area and Swansea Bay City Region, concerns are raised in terms of the under delivery and uncertainty of some of the larger sites within Cluster 2 and their ability to actively contribute towards the housing supply and trajectory within this plan period.

19. Please refer to Question 3 and 4 (a) of Hearing Session 2: Prosperous People and Places – Housing and Community Infrastructure, as well as Hearing Session 8: Prosperous People and Places – Site Allocations (Cluster 2 – Llanelli) Statements.

20. In summary BDW consider that whilst there is a positive link between the Spatial Strategy and the Future Wales National Growth Areas, and the wider region, a number of concerns regarding the delivery of proposed allocations within Llanelli are raised. These concerns include:

- The reliance on a significant number of small site allocations and their ability to have as great an impact on the National Growth Area as additional larger strategic site allocations, such as BDW's Candidate Site (SR/086/053), Land off Heol-y-Mynydd, Bryn. Their ability to cumulatively deliver to allow the critical mass required is questioned, and if they are able to deliver to support the Spatial Strategy.
- The lack of suitable allocations in strategic locations within the Spatial Strategy, such as Llanelli which supports the National Growth Area and the Swansea Bay City Region. Without allocations in Cluster 2 that are ready and deliverable, there is a real possibility that the trajectory will not be met, and the Plan is Adopted with inherent under delivery.

**g) What is the purpose of Policy SP13? Does it provide an appropriate framework for managing development in rural communities?**

21. This is for the Authority to answer.

**Q11. Is the level of growth contained in Policy SP1 realistic and based on robust and credible evidence?**

22. BDW continue to raise concerns that the proposed housing requirement figure remains too low and therefore not realistic for the level of growth the County requires to account for the delays incurred during the plan making process.
23. The delays resulting from the NRW intervention and COVID-19 pandemic have significantly impacted the RLDP with the introduction of the 2nd Deposit RLDP encroaching into the plan period 2018 – 2033, the end of which is now less than 9 years away.
24. In order to provide the appropriate level of future growth that is realistic and robust enough to account for these delays, the housing requirement figure must be uplifted to accommodate the required growth of the County.
25. Furthermore, and as detailed in Hearing Session 2: Prosperous People and Places – Housing and Community Infrastructure, Question 2(f), BDW consider that a minimum of 15% flexibility allowance is required, otherwise, any change in circumstance or delay in the Allocations would have detrimental impacts on delivery. There is an over reliance on a number of small sites as well as a lack of national house builders to provide certainty and continuity.
26. BDW also consider that to fulfil the aspirations of Future Wales: The National Plan 2040 and in particular the Swansea Bay & Llanelli National Growth Area and Swansea Bay City Region, then a higher level of growth is required. This is a message that BDW have repeated throughout each stage of consultation and representation.

**a) What is the purpose of Policy SG1? And have the requirements of the allocated sites listed in the policy been clearly expressed?**

27. It is for the Authority to address the purpose of Policy SG1, however BDW note that regeneration sites and mixed-use sites can be subject to delays as generally, they are located on previously developed land which needs remediating and can impact upon delivery.

**b) Is the inclusion of reserve sites contained in Policy SG2 appropriate and consistent with national planning policy?**

28. BDW question the inclusion of Reserve Sites to allow the additional flexibility to cover any non-delivering allocations. Whilst BDW are aware of paragraph 5.59 of the Development Plan Manual (2020) suggesting that '*a development plan will not be effective if it cannot accommodate changing circumstances*', concerns are raised that by their very nature Reserve Sites are difficult and often subject to delays and uncertainty.

29. Whilst the Reserved Sites do not form part of the supply or trajectory, given the delays that have occurred to date, BDW question the actual delivery of these site to address any under delivery. The nature and scale of the sites mean that they are likely to not deliver in this plan trajectory, therefore it would be more appropriate to allocate sites, in particular Candidate Site (SR/086/053), Land off Heol-y-Mynydd as a site which is developer led and could deliver housing in the early stages after Adoption.

**Q12. How have the Settlement Hierarchy and Clusters contained in Policy SP3 been defined? And are they based on robust and credible evidence?**

30. It is for the Authority to address how Policy SP3 has been defined, however BDW support the Settlement Hierarchy and the inclusion of Llanelli as a Tier 1 Settlement, of which Candidate Site (SR/086/053), Land off Heol-y-Mynydd, Bryn is closely associated.

**a) What is the purpose of the Settlement Hierarchy? Will it guide new development to the most sustainable locations, and is it clear what types and amount of development, other than housing, will be appropriate in each tier of the hierarchy?**

31. As identified, BDW support the Settlement Hierarchy in principle, though do question the delivery of the allocated sites in Cluster 2.

32. Please refer to Question 3 and 4 (a) of Hearing Session 2: Prosperous People and Places – Housing and Community Infrastructure, as well as Hearing Session 8: Prosperous People and Places – Site Allocations (Cluster 2 – Llanelli) Statements.

**Q13. Are the requirements of Policy SD1 clearly expressed and consistent with the requirements of national planning policy? and are the defined settlement boundaries flexible enough to allow the anticipated level of growth to be delivered?**

33. BDW object to the lack of flexibility in the development limits, specifically where they exclude the site in Bryn. The intended purpose of development limits is to define the extent of cohesive built environment and protect the countryside from sporadic and inappropriate development. In the case of Candidate Site (SR/086/053), Land off Heol-y-Mynydd, Bryn, and given proximity to Llanelli, the number of facilities/services located nearby the proposed site would be a sustainable and appropriate infill development.
34. BDW also consider that development limits need to afford greater consideration to those sites constrained by Phosphates and ensure the proposed limits accommodate greater flexibility in locations not constrained by Phosphates. This would ensure there is sufficient capacity to accommodate growth in these unaffected locations and supported by the RLDP, thus providing further security and confidence that Carmarthenshire can comfortably deliver the proposed housing requirement to meet the local housing need.
35. This would allow development of suitable sites unaffected by Phosphates in the short to medium term of the plan period, maintaining a stable housing trajectory.

**Q14. Is the approach to site selection sufficiently clear and transparent, and is it founded on robust and credible evidence?**

**a) Are the allocated sites based on a robust site assessment methodology that takes into account all potential constraints?**

36. BDW are aware of the assessment methodology undertaken as part of the allocated site process, however, note that not all are developer led site allocations which can provide certainty on delivery are considered. This is particularly relevant given the number of small sites proposed.
37. As a result, the ability to deliver the level of housing growth envisaged by the Plan through the non-developer allocated sites is uncertain. This concern over delivery is further compounded by the inclusion of allocations within the Phosphate Sensitive Catchment Areas, when there are alternative sites which are developer lead and would remove all the uncertainty and would have a positive impact upon the Councils Housing Trajectory.
38. Currently BDW are aware that over 400 proposed allocated dwellings are within the Phosphate Sensitive Catchment Areas and would be subject to required mitigation. This accounts for a large proportion of the total allocated sites and creates uncertainty in delivery and needs to be reflected within the site assessment methodology.

39. This is because the proposed Phosphate mitigation does not go to the heart of the Phosphates issue, rather push the mitigation to the application stage further along the process, which has the potential to cause significant delays in the delivery of sites, impacting upon the trajectory.
40. Moreover, given the total number of impacted sites, then clearly this is going to have a significant additional pressure on the planning resources at the Authority and effectively causing a further back log in determination and delivery impacting upon the trajectory.
41. BDW repeat that additional more suitable sites should be sought which are located outside of the Phosphate Sensitive Areas. Land off Heol-y-Mynydd, Bryn is a suitable location for development, being located adjacent to the settlement of Bryn/Llanelli and located outside a Phosphate Sensitive Area.

**b) Have all infrastructure requirements been considered to ensure the timely deliverability of allocated sites?**

42. This is for the Authority to answer.

**c) Do all of the site allocations accord with the requirements of national planning policy relating to Flood Risk?**

43. This is for the Authority to answer.

**Q20. Should the Plan include a policy which provides a context for the management of phosphate levels in Riverine Special Areas of Conservation? And are the requirements of Policy INF4 clearly expressed?**

44. Policy INF4 relates to the Llanelli Wastewater Treatment Works (WwTW) and the catchment for surface water removal. BDW consider that the implication of surface water needs to be closely aligned with the SAB process and reflected within the Policy.
45. BDW also note that Llanelli WwTW is identified in Table 3 of the HRA 2nd Addendum (2024) as having potential capacity issues, however highlight that a possible solution would be to look to allocate further development in the catchment to allow greater planning contributions and earlier investment in the WwTW. This would be particularly relevant given the importance of Llanelli and the fact that the proposed RLDP allocations are constrained by the Phosphate Sensitive Area, in particular:
- SeC16/h1 – Llandilo Northern Quarter (27 Units)
  - SeC14/h2 – Land Adj Maescader (24 Units)
46. The allocation of the wholly deliverable site at land off Heol-y-Mynydd, Bryn would assist in both providing further funding in the WwTW and providing further comfort in the early delivery within the Housing Trajectory (as those other sites are continued to be delayed by Phosphates).