



**CARMARTHENSHIRE REPLACEMENT LOCAL  
DEVELOPMENT PLAN  
EXAMINATION IN PUBLIC STAGE**

**STATEMENT OF OBJECTION**

**POLICY SD1 – DEVELOPMENT LIMITS**

On behalf of  
Evans Banks Planning Ltd

**Our Ref:** PSD1/EBP  
**EiP Rep. No.:** 5464 & Others  
**Representor ID:** 4967  
**Date:** September 2024  
**Prepared by:** JDE

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## 1.0 INTRODUCTION

- 1.1 This Statement has been prepared by Evans Banks Planning Ltd on behalf of its numerous Clients as a continued objection to the application of *Policy SD1 – Development Limits* of the *Carmarthenshire Revised Local Development Plan (LDP)*. This Statement has been prepared in advance of our attendance of the relevant session of the Examination in Public and has been prepared in response to the Inspector's issued '*Matters, Issues and Questions*' document. The contents of this Statement should also be read in conjunction with the originally made points of objection submitted at the Revised Deposit stage with respect to all of our respective Clients and their land in relation to this Policy, which still stand.
- 1.2 In addition to providing, where relevant, updated information since the originally made objection, this Statement also seeks to address the following question raised by the Inspector:
- Are the requirements of Policy SD1 clearly expressed and consistent with the requirements of national planning policy?

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## 2.0 PLANNING POLICY CONTEXT

### 2.1 NATIONAL PLANNING POLICY

2.1.1 In terms of all aspects of Development Plans, Planning Policy Wales (PPW) sets out at Paragraph 1.22 that they must “... *provide **certainty** for developers and the public about the type of development that will be permitted at a particular location.*”. Paragraph 1.26 then goes on to provide more specific guidance in relation to Local Development Plans, setting out that they should “... *set out a vision for how places are expected to change in land use terms to accommodate development needs over the plan period. This provides **certainty** for developers and the public about the type of development that will be permitted at a particular location.*”.

2.1.2 Based on the above, in all aspects, development plans – including Local Development Plans - are expected to include policies that ensure certainty. Certainty can only be assured, if all policies and the application of such policies are consistent. In contrast, if the application of such policies is inconsistent, this results in an absence in the required level of certainty of their projection as part of a development plan, which in turns results in a conflict with the requirements of national planning policy. As a result, a failure to follow this path, will result in a development plan be deemed ‘unsound’ in terms of the relevant Tests set out in the Development Plans Manual.

### 2.2 LOCAL POLICY

2.2.1 As detailed in our original submissions, the supporting text of Policy SD1 sets out 4 reasons for the use of Development Limits. However, the only real indication for the rationale of the application of Development Limits as part of the preparation of the Revised LDP and providing any further insight into how Development Limits have been chosen and defined by the Council is published in *Topic Paper – Development Limits (2018)* (TPDL).

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2.2.2 Within the TPDL, Section 8 sets out a series of ‘Principles’ and guidelines to “... *ensure continuity and consistency* ...” in the application of Development Limits across the Plan area. Such principles and guidelines relate to 12 areas of consideration, which are in summary as follows:

- Defined Urban Form
- Infill and Extensions to Settlements
- Ribbon Development and Coalescence
- Amenity
- Open Space
- Use of Buildings
- Previously Developed Land
- Nature Conservation
- Historic Built Environment
- Physical and Other Constraints
- Farmyards and Farm Buildings
- Gardens

2.2.3 Under each of the above headings, further context and advice as to how Development Limits should be applied in those related situations is given, with two key examples being as follows:

***Infill and extensions to settlements***

*8.4 Make provision for appropriate infill within, logical extensions to, or rounding off of defined settlements.*

## **Gardens**

*8.15 Gardens on the edge of the built urban form should generally be included within the limits, with the exception of where:*

- *The character of the area is considered to have more similarity with the open countryside than the built up area.*
- *The result is limits of an irregular shape and size.*
- *Their inclusion may encourage development proposals which are contrary to the character and amenity of the settlement.*
- *Where the garden or grounds of a property extends considerably beyond the built urban form of the settlement they may be partially or completely excluded from the limits.*

2.2.4 As with guidance provided at national policy level, the TPDL again highlights that in drawing the Development Limits, the application above the guidance, principles and approach must be done so in a consistent manner to ensure clarity, and in turn compliance with national planning policy requirements.

### **3.0 APPLICATION OF DEVELOPMENT LIMITS BY THE COUNCIL**

- 3.1.1 As has been detailed in our original submissions on behalf of numerous Clients, it is clear that the use of Development Limits within the Revised LDP has been applied by the Council in an inconsistent manner, which has in turn led to the Revised LDP having a lack of clarity on the purpose and application of Policy SD1.
- 3.1.2 The above has been identified with respect to numerous pieces of land, and we are aware of further examples on which representations have not been made where this is equally the case. As a result of this inconsistent application of the Development Limits under the provisions of Policy SD1 (prepared through the use of the Council's own guidelines), the Revised LDP lacks consistency and in turn lacks clarity. As detailed above, this lack of clarity fails to adhere to the requirements of national planning policy and so in turns fails two of the Tests of Soundness for the reasons submitted.

## 4.0 TESTS OF SOUNDNESS

4.1.1 In summary, on the basis of the evidence submitted in and with this Statement, as well as that already submitted to the Authority, it is clear that the definition of Development Limits under the provisions of Policy SD1, in numerous instances, fails to adhere to the following Tests of Soundness, as required by the *Development Plan Manual*:

- Does the Plan fit?
- Is the Plan appropriate?

4.1.2 It is quite clear that the application of Developments Limits has been done in a manner that lacks clarity and in turn consistency. This then creates a confusing document for use by all parties that lacks transparency and in turn is not consistent with the guidance and requirements of national planning policy (particularly *Planning Policy Wales*).

4.1.3 As a result, the current representation of Development Limits in numerous instances would result in the *Carmarthenshire Revised Local Development Plan* being unsound and all should be reviewed, or the composition of Policy SD1 should be redrafted to secure greater clarity and consistency, in the manner suggested in our original submissions.