



CARMARTHENSHIRE REPLACEMENT LOCAL
DEVELOPMENT PLAN
EXAMINATION IN PUBLIC STAGE

STATEMENT OF OBJECTION

PROPOSED ALLOCATION SeC4/h2
LAND AT BURRY PORT HARBOUR, BURRY PORT

On behalf of
Evans Banks Planning Ltd

Our Ref: SeC4/h2/EBP
EiP Rep. No.: 4967
Date: September 2024
Prepared by: RAB

Representation No.: 5224

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1.0 INTRODUCTION

1.1 This Statement has been prepared by Evans Banks Planning Limited on behalf of its Clients as a continued objection to the proposed allocation of land at Burry Port Harbour (LDP Ref. No. SeC4/h2) as part of the *Carmarthenshire Replacement 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 The contents of this Statement should also be read in conjunction with the originally made points of objection submitted at the Revised Deposit stage, which still stand.

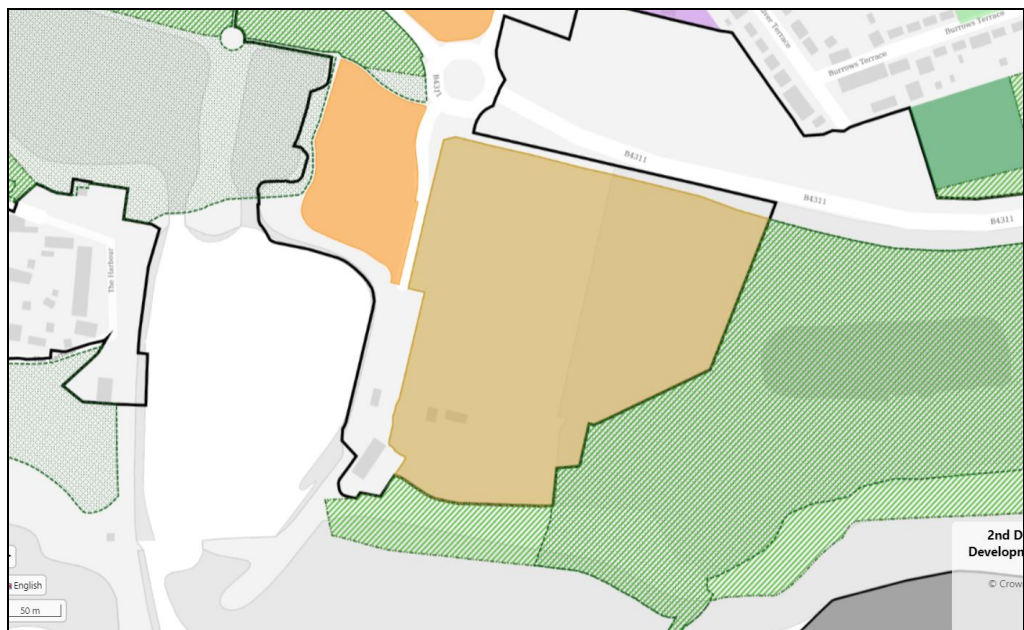
1.2 In addition to providing, where relevant, updated information since the originally made objection (particularly in view of recent changes to national planning policy), this Statement also seeks to address the following questions raised by the Inspector:

- What is the current use of the allocated site?
- What is the proposed use of the allocated site?
- What are the constraints affecting the site, and are these constraints significant obstacles to development within the Plan period?
- In light of the constraints, and having regard to the need to provide affordable housing, is the allocation economically viable?
- Are the number of residential units proposed realistic and deliverable over the plan period?
- What are the mechanisms and timescales for delivering the site?
- Is the allocation of the site essential to ensure the soundness of the Plan?

2.0 THE PROPOSED ALLOCATION

2.1 THE SITE

2.1.1 Since the submission of our original objection to the allocation of the land for housing development purposes, the proposed allocation (Plan A) remains undeveloped, as illustrated by the aerial photograph below, being part of a larger brownfield site, which has begun to return to nature.



Plan A – Extract from Second Deposit Draft



Photograph 1 – Google Earth – September 2023

2.1.2 The site presently and for some time been left in a redundant state, being the former Grillo Zinc Oxide Works, and neighbouring Carmarthen Bay Power Station. It is now cleared, abandoned and surrounded by a high fenced perimeter with locked access gates.

2.2 PLANNING HISTORY

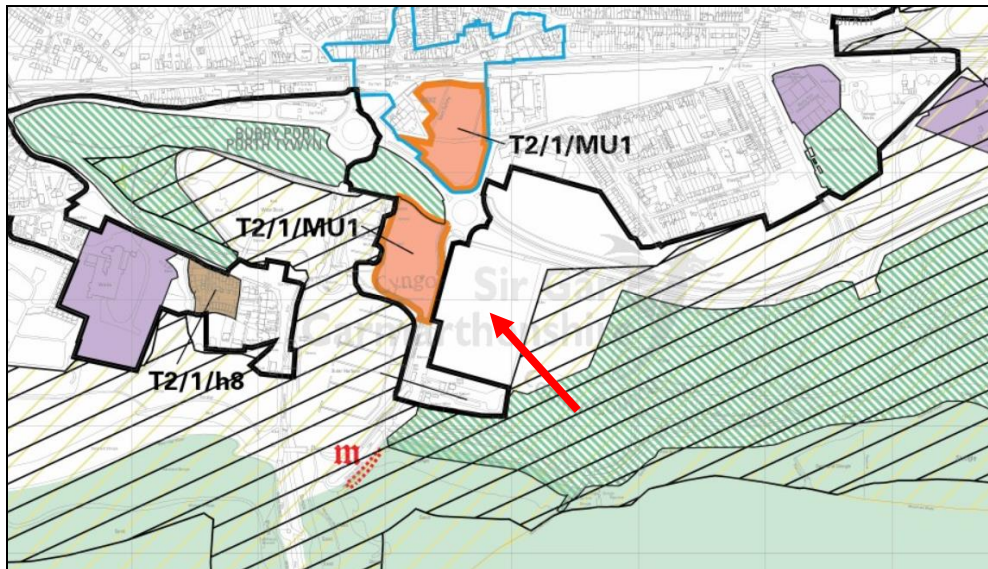
2.2.1 The proposed allocation has been the subject of several applications to extend the time period validity of an original **OUTLINE** planning permission granted in January 2016. That initial application being S/30678 which sought approval for a total of **230 houses, together with up to 465 square metres of retail and leisure floorspace.** Subsequent applications under Section 73 of the Act have been lodged to extend the time period of validity of that permission, and granted in 2019 and also February 2023. That last approval under reference PL/04824 allows for the receipt of Approval of Reserved Matters up to 12 years from the date of the 2016 permission, and therefore to January 2028.

2.2.2 Notwithstanding the above, the site is proposed in the 2nd Deposit Revised LDP for the purposes of developing **364 residential units**, expected under Policy HOM1 to be delivered in two phases over Years 6-10 of the Plan Period, i.e. between 2023 and 2027, and the second phase in Years 11-15 (2028-33).

3.0 DEVELOPMENT DELIVERABILITY

3.1 Welsh Government's Guidance in Development Plans Manual (Edition 3) (March 2020). Page 120 states: "**Rolling forward allocations** - *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. The sites should be subject to the same candidate site process requirements as new sites i.e., they must be demonstrated to be sustainable and deliverable. If an LPA wishes to retain such sites but cannot evidence, they will be delivered, i.e., for aspirational or regeneration purposes, they can still be allocated in the plan but not relied upon as contributing to the provision. It will not be appropriate to include such sites in the windfall allowance. They should be treated as 'bonus sites.'*"

3.2 The site at Burry Harbour site was originally allocated for residential development in the Deposit Draft 2006-2021 Local Development Plan. However, following concerns by Natural Resources Wales of the site's susceptibility to flood, the site was removed during the Public Inquiry in 2014. The LDP was formally adopted in December 2014. Plan B below illustrates its non-inclusion and lying beyond defined settlement limits.

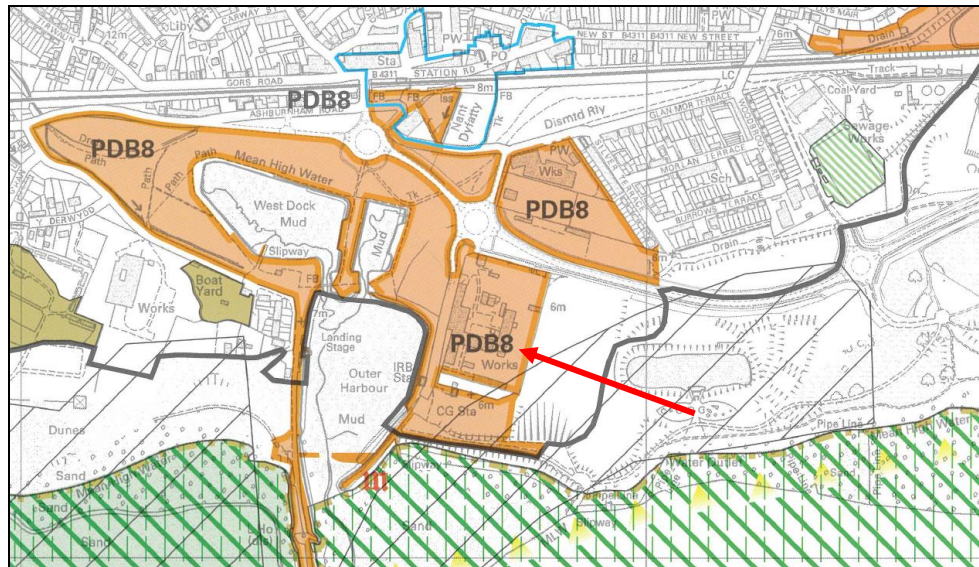


Plan B – 2014 Adopted LDP

3.3 The site was allocated in the **Carmarthenshire Unitary Development Plan, which was adopted in 2006**. Plan C below provides an extract from the Proposals Map from that Plan. Site PDB8 proposed an extensive residential site encompassing all the Grillo Site, together with further commercial land off the northern site of the B4311 road, and also wrapping about the harbour site off its northern side.

Yet, the whole 2006 allocated site remains undeveloped, with no applications for full planning permission, with detailed proposals for any component of any part of the overall site.

A total of nearly 20 years has lapsed without any attempt to positively develop the land and being the above allocation to fruition.

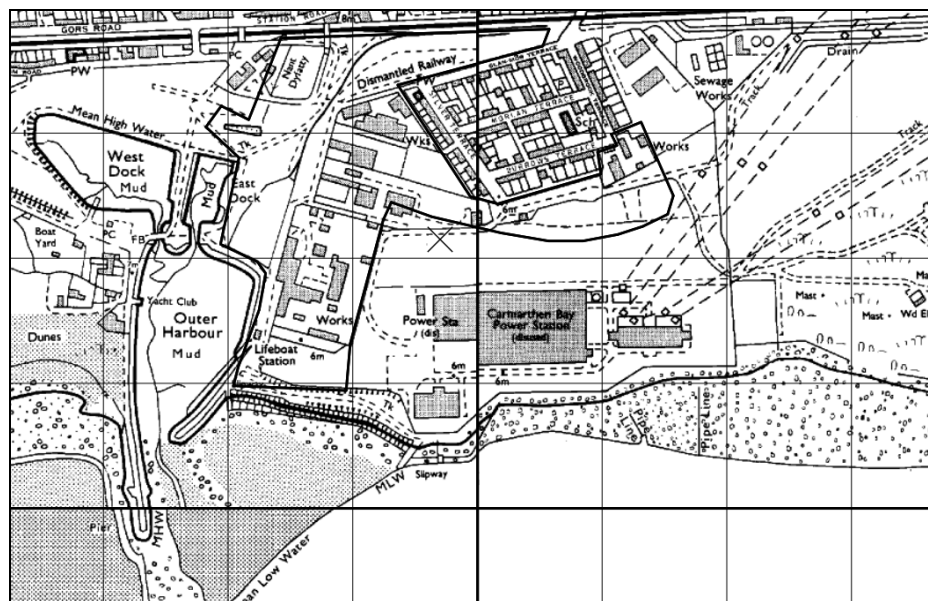


Plan C – 2006 Adopted UDP Plan for Burry Port Harbour

- 3.4 The failure to submit detailed proposals to develop sites is quite striking, particularly as the site entry in Policy HOM1 indicates that a proportion of the site is proposed for Affordable Housing, namely 72 units being 20% of the overall total. The site is **under the ownership of the County Council, and has been so for many years.** Given the lack of any notable activity, certainly over the last 10 years, it therefore must be questionable as to whether the landowner has genuine intentions to bring the allocated site to one which would provide a mix of seafront market housing, and also social housing, which clearly the Plan indicates is needed in Burry Port.

4.0 DEVELOPMENT CONSTRAINTS

4.1 The site appears made-up ground, being plateaus of former industrial development set off the harbourside. The suitability of the site to cater for standard building foundations is called into question. Not only would ground remediation be required to mitigate for potential contamination from previous industrial uses (as shown in the historic OS Map at Plan D below), but extensive piling could be required, substantially adding to construction costs at the site.



Plan D – Historic Industrial Uses on the site

4.2 It is noteworthy that no Geotechnical Report was contained with the 2016 outline planning application. However, surely the landowners have long since known as to the true ground conditions at the site, which could appear to be obvious inhibitors to the delivery of this prime seafront site.

No attempt has been made to actively market the site over that time period, despite the obvious opportunity to produce a development with seaward views over the Estuary.

5.0 TESTS OF SOUNDNESS

5.1 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 allocation of SeC4/h2 (Land at Burry Port Harbour) fails to adhere to the following Tests of soundness, as required by the *Development Plan Manual*:

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

5.2 It is quite clear that the allocation of the land in question is not consistent with the guidance and requirements of national planning policy (particularly *Planning Policy Wales*), is not appropriate for allocation in light of the evidence, and will clearly, fail to deliver any residential units during the Plan period.

5.3 As a result, the inclusion of the allocation in question would result in the *Carmarthenshire Replacement Local Development Plan* being unsound and alternative sites such as those promoted on behalf of our Clients should in turn be allocated and included within the Plan, in order to rectify the situation.