

HEARING SESSION 8: PROSPEROUS PEOPLE AND PLACES – SITE ALLOCATIONS (CLUSTER 2 – LLANELLI)

Wednesday 6th November 2024

Matter 8: Prosperous People and Places – Site Allocations (Cluster 2 – Llanelli)

Prepared on behalf of Barratt David Wilson Homes, South Wales

Rep ID: 4879

Issue – Are the allocated sites soundly based and capable of delivering new residential, community and commercial development over the Plan period?

Allocated Sites
PrC2/h1 - Beech Grove, Pwll
PrC2/h4 - North Dock
PrC2/h10 – Land adjacent to the Dell, Furnace
PrC2/h16 - Ynys Las, Llwynhendy
PrC2/h20 – Harddfán
PrC2/h22 - Cwm y Nant, Dafen
PrC2/h23 - Dafen East Gateway
SeC6/h2 - Land between Clayton Road and East of Bronallt Road
SeC7/h1 – Box Farm
SeC7/h3 - Golwg Yr Afon
SeC8/h2 - Cae Linda
SeC8/h3 - Golwg Gwendraeth
SuV23/h1 - Clos y Parc
SuV23/h2 – Adjacent to Little Croft

PrC2/h4 - North Dock

a) What is the current use of the allocated site?

1. Vacant land.

b) What is the proposed use of the allocated site?

2. Residential development of 210 units.

c) What are the constraints affecting the site, and are these constraints significant obstacles to development within the Plan period?

3. The site forms previously developed land of a former factory site, therefore requiring significant regeneration and land remediation works to make this brownfield site appropriate for residential development.
4. The site is located within the Burry Inlet area of international importance for nature conservation and constrained by nearby Scheduled Monuments.

5. Previous planning permissions were granted for a mixed-use development in 2002 and 2008, however neither were implemented.
6. Carmarthenshire County Council (CCC) own the site as part of a joint venture economic initiative between CCC and Welsh Government. This funding forms a significant obstacle, given these bodies are unable to deliver the site themselves. There is no known developer on board to deliver the proposed units.

d) In light of the constraints, and having regard to the need to provide affordable housing, is the allocation economically viable?

7. The brownfield regeneration requirements of the site raises concerns over the viability of the proposal especially given the reliance Welsh Government funding.

e) Are the number of residential units proposed realistic and deliverable over the plan period?

8. The proposed allocation seeks 210 residential units, as per the valid Outline planning permission (approved 11/11/21) submitted by CCC's Regeneration and Policy Team. However, this is a reduction from the allocation of 335 units in the current LDP under policy GA2/MU7. 42 units of the allocation would be affordable (20%) and delivery is proposed years 6-10 of the plan period (2024-2028).

f) What are the mechanisms and timescales for delivering the site?

9. The factory building has been demolished and the site benefits from Outline planning permission for 210 units. In accordance with Condition 1, a reserved matters application must be submitted before 02/11/2026. To date there has been no submission of a valid application. The trajectory proposes a delivery of 20 dwellings in 2025/26, however BDW question CCC's ability to deliver reserved matters applications, discharge of conditions and commencement without a development partner.
10. Uncertainty surrounds the delivery mechanism given the joint venture between CCC and Welsh Government and likely cost implications for the site's regeneration and lack of momentum towards delivery. No evidence supports the progression of a 'development brief' or appointment of developer in 2024, despite the landowner's delivery intentions for reserved matters approval in 2025.

g) Is the allocation of the site essential to ensure the soundness of the Plan?

11. BDW strongly object to the allocation of North Dock being within the RLDP. It is clear that there are fundamental questions which remain unanswered, with no progression in the past 20+ years since initial planning permission was granted rendering the site undeliverable within the Plan period. Substantial work is required to demonstrate the ability to deliver the required infrastructure to enable the scheme.
12. Identifying this site as a 'Key Sites' for the RDLP, further questions the soundness where reliance is continually placed upon the delivery of Council owned sites which have remained

undelivered allocations and had little traction for a considerable amount of time. Little justification is provided for its re-allocation in the absence of development brief and appointed developer, suggesting the site will continue to undergo further delays.

13. Therefore, the inclusion of Policy PrC2/h4 results in the RLDP being unsound as it fails Test 3 of CCC's Test of Soundness reflected in Section 64(2) of the 2004 Act and the Development

14. Plans Manual. The proposed allocation will not deliver, is unrealistic and inappropriate, and not founded on a robust and credible evidence base.

PrC2/h10 – Land adjacent to the Dell, Furnace

a) What is the current use of the allocated site?

15. Former Quarry.

b) What is the proposed use of the allocated site?

16. Residential development for 13 units.

c) What are the constraints affecting the site, and are these constraints significant obstacles to development within the Plan period?

17. The site is significantly constrained by the complicated access arrangements off the B4309, and substantial dense vegetation and tree cover including a number of TPOs along the frontage. The existing woodland is likely to be of high ecological value, requiring significant mitigation to offset any harm. Furthermore, the site does not benefit from reasonable access to green space, leisure and recreational facilities.

18. The site is further constrained within a Mineral Safeguarding area - Category 1 for High Specification Aggregate (Sandstone) where deposits underlie the site in addition to Scheduled Ancient Monument - Raby's Furnace.

19. DCWW assets are also understood to traverse the site, adding greater complexity to an already considerably constrained site. The culmination of these constraints and the required mitigation to make the access safe, protect and enhance the ecological value of the site and navigate development around existing utility infrastructure have the potential to make the development unviable and undeliverable.

d) In light of the constraints, and having regard to the need to provide affordable housing, is the allocation economically viable?

20. The allocation seeks 1.3 affordable units (10%). However, there is no clarity on how the 0.3 affordable unit will be provided.

e) Are the number of residential units proposed realistic and deliverable over the plan period?

21. The safeguarding of the existing dense and overgrown green infrastructure on site will likely impact the net developable area of the site and fall short of the 13 units proposed.

f) What are the mechanisms and timescales for delivering the site?

22. Whilst the landowner has demonstrated a strong commitment to bringing the site forward, its deliverability is questioned with no developer on board. Viability of the development is critical to the delivery of the site given the complexity of constraints due to its former use.
23. Delivery timescales forecast year 6-10 (2024-2028), however as the site is not developer-led and lack of current planning application, delivery within these timescales is highly unlikely given the technical constraints that need to be overcome in order for development here to be acceptable.

g) Is the allocation of the site essential to ensure the soundness of the Plan?

24. BDW object to the allocation of this site within the RLDP. Serious concerns are raised surrounding deliverability noting the complex access arrangements and overgrown condition of the site. BDW consider the site to be unviable and undeliverable within the Plan period. Substantial evidence is required to demonstrate the viability of the site to address the highly constrained former quarry site. Without this, BDW consider the proposed allocation be removed from the RLDP.
25. The inclusion of Policy PrC2/h10 further contributes to the RLDP being unsound, failing Test 3 of CCC's own Test of Soundness as reflected in Section 64(2) of the 2004 Act and the Development Plans Manual. BDW consider the proposed development cannot be supported by the relevant infrastructure due to strong concerns around the scheme's viability and deliverability. The proposed allocation will not deliver and it not realistic or appropriate and is not founded on a robust and credible evidence base.

PrC2/h22 - Cwm y Nant, Dafen**a) What is the current use of the allocated site?**

26. Agricultural land.

b) What is the proposed use of the allocated site?

27. Residential development for 202 units.

c) What are the constraints affecting the site, and are these constraints significant obstacles to development within the Plan period?

28. The Outline planning permission approved access off Nant Y Gro which currently serves the Dafen Trade Park. The western edge of the site is constrained by existing ditch borders which may have implications on foul water drainage and flooding. The Coal Authority identify the site within a 'Development High Risk Area' and the site is located within a Mineral Safeguarding area. Additionally, a number of trees on site are of high value and 25% of the land is classified as Grade 2 Agricultural Land.

d) In light of the constraints, and having regard to the need to provide affordable housing, is the allocation economically viable?

29. The allocation proposes 20% affordable housing totalling 40.4 affordable units, however the masterplan which supported the Outline planning permission approved in August 2021 was not subject to a S106. Additionally, there is no certainty provided on how the 0.4 units will be delivered.

e) Are the number of residential units proposed realistic and deliverable over the plan period?

30. BDW consider the number of residential units to be unrealistic and undeliverable noting the prolonged period of stagnation where the site has not been brought forward for development. BDW ultimately consider the site should not be allocated and be removed from the trajectory due to the lack of progress made towards securing reserved matters approval.

f) What are the mechanisms and timescales for delivering the site?

31. Outline Planning Permission was granted 29/07/21 for construction 202 units. An application to vary condition 1 of the outline to allow a further 5 years for the submission of reserved matters was validated on 12th August 2024 and remains undetermined.
32. Parcels of land within the site are Council owned and the Outline planning permission and subsequent Section 73 application have been submitted by CCC. BDW question the mechanism for developing the site, given no evidence is presented within the planning application or site assessment that there is a developer on board. This casts uncertainty over the delivery mechanisms available and the subsequent timescales proposed between years 6 -10 and 11-15 of the RLDP.
33. Given the rationale for submitting an extension of time to the outline planning permission and lack of forthcoming reserved matters applications, the delivery within years 6-10 of the RLDP (2024-2028) is highly improbable. The likely lag times to be incurred before the development could be built out would ultimately push back the completion of the 202 units further into the plan period to allow sufficient time for an application to be prepared, determined and appropriate conditions discharged before works can begin on site. Furthermore, the site already forms an allocation for 280 dwellings within the current LDP and has not progressed beyond the outline stage with no sufficient justification for its continued inclusion as an allocation and little evidence of future delivery. The lack of progression since the site was first allocated in 2014 and drop in number of units proposed under the allocation raises significant concerns for its inclusion within the RLDP and contribution to the trajectory.
34. For these reasons BDW consider this allocation should be discounted and instead other sites within and around Llanelli's Growth Area that are of a similar scale and are developer backed should instead be allocated. Prioritising additional sites such as Land off Heol y Mynydd that can provide a similar scale of delivery would ensure a greater level of certainty for the RLDP's trajectory.

g) Is the allocation of the site essential to ensure the soundness of the Plan?

35. BDW firmly object to the allocation of PrC2/h22 - Cwm y Nant, Dafen within the RLDP. BDW have strong reservations surrounding the delivery mechanism for the development of the site, where little progress has been made since it was first allocated. A number of questions are raised around the uncertainty of the site's future without an active developer on board particularly given the significant decline in momentum towards its delivery over the past decade. Critical concerns remain surrounding timescales for delivery where no justification for the site's continued allocation is provided.
36. To this end, it is evident that the site is not considered to be deliverable within the Plan period and should not be allocated within the RLDP. Including Policy PrC2/h22 as an allocation further contributes to the failure of the RLDP against Test 3 of CCC's own Test of Soundness as per Section 64(2) of the 2004 Act and the Development Plans Manual. BDW strongly consider the proposed allocation will not deliver and it not realistic or appropriate and is not founded on a robust and credible evidence base.

PrC2/h23 - Dafen East Gateway**a) What is the current use of the allocated site?**

37. Agricultural land.

b) What is the proposed use of the allocated site?

38. Residential development for 150 units.

c) What are the constraints affecting the site, and are these constraints significant obstacles to development within the Plan period?

39. This site is heavily constrained by noise impacts with numerous notable noise generating sources located immediately adjacent to the site. In particular the noise and air quality impacts from development located so close to the A4138 could considerably hinder the site's development within the plan period as demonstrated in the recent refused planning application. Furthermore, the adjacent industrial development and Dyfed Steel works contribute to the background noise levels which are considered to be very high and unsuitable for residential development.
40. The western edge of the site would fall within Noise Category C and in line with TAN 11, planning permission should not normally be granted in these locations.
41. Further constraints include existing electricity pylons that cross the site, it is located within a Mineral Safeguarding area and contains areas of high-quality agricultural land (Subgrade 3a).

d) In light of the constraints, and having regard to the need to provide affordable housing, is the allocation economically viable?

42. The planning history for the site indicates potential viability concerns where the applicant failed to enter into a S106 agreement and therefore not secured a financial contribution towards the provision of affordable housing as part of the development. This questions the viability of the scheme where this was not previously secured.

e) Are the number of residential units proposed realistic and deliverable over the plan period?

43. Planning permission was initially sought for 160 units, however this was later reduced to 145 and subsequently refused on 13/02/24 on the ground of noise impacts on future residents, failure to provide bat survey of existing trees and failure to enter a S106 agreement. BDW raise concerns surrounding the unacceptable noise exposure (Category C), combined noise impacts from the A4138 road traffic and neighbouring industrial development (Dyfed Steel) in addition to poor natural ventilation due noise mitigation factors. Significant mitigation measures will be required to overcome each of these factors and the potential impact on the scheme's design would likely see the total number of units reduced. BDW consider maintaining the same number of allocated 150 units for this site to be unrealistic given the previous reasons for refusal.

f) What are the mechanisms and timescales for delivering the site?

44. The planning history of the site casts doubts on the timescales for delivering the site. It appears that a re-design of the scheme and reduction in total units is required to overcome the substantial noise constraints which will require detailed assessment to ensure that the living conditions of future residents is acceptable.

g) Is the allocation of the site essential to ensure the soundness of the Plan?

45. The site forms an existing allocation being rolled into the next plan period where it has failed to be brought forward within the current local plan. BDW share significant concerns surrounding the deliverability of this site along with the other Dafen Gateway site and firmly object to their allocation within the RLDP. The planning history of the site demonstrates it is highly constrained and unable to deliver the proposed allocation for 150 units. BDW have serious doubts whether the site can accommodate the full allocation and do not consider it realistic as the site has been determined unsuitable for residential development. It evident that substantial work is required to re-design the scheme to demonstrate the site's ability to deliver the proposed units.
46. To this end, it is evident that the site is not considered to be deliverable within the Plan period and should not be allocated within the RLDP. Including Policy PrC2/h22 as an allocation further contributes to the failure of the RLDP against Test 3 of CCC's own Test of
47. Soundness as per Section 64(2) of the 2004 Act and the Development Plans Manual. BDW strongly consider the proposed allocation will not deliver and it not realistic or appropriate and is not founded on robust evidence.

SeC8/h2 - Cae Linda**a) What is the current use of the allocated site?**

48. Green field.

b) What is the proposed use of the allocated site?

49. Residential development for 45 units.

c) What are the constraints affecting the site, and are these constraints significant obstacles to development within the Plan period?

50. The site is located 4km from the Carmarthen Bay and Estuaries Special Area of Conservation which presents the potential for the site to be hydrologically linked to the SAC. The historic land use of the site for mining, presents the potential for land contamination issues that require appropriate assessment for a mine gas risk and Coal Mine Gas Emissions assessment. Intrusive investigation is required to establish the level of constraint on the site noting the sensitive controlled waters located on site.

51. The site is also constrained by the presence of existing Section 7 habitats (marshy grassland) which is of principal importance to the conservation of biodiversity in Wales under the Environment (Wales) Act 2016. The site is also moderately suitable for protected species such as reptiles.

d) In light of the constraints, and having regard to the need to provide affordable housing, is the allocation economically viable?

52. The site allocation intends for 5.4 units to be affordable (12%), however there is significant uncertainty around how the 0.4 units will be delivered. Furthermore, the recent planning application saw the applicant fail to enter into a Section 106 agreement to secure the provision of 20% affordable housing (9 units).

e) Are the number of residential units proposed realistic and deliverable over the plan period?

53. Planning permission was sought for 44 units in July 2024, however this refused on 11/09/24 for four key reasons relating to ecology, design, overdevelopment and harm to amenity, and failure to enter into a S106 agreement. The failures of the application can be summarised as:

- Failure to provide a Green Infrastructure Statement;
- Not enhance and maintain existing marshy grassland;
- Failure to provide appropriate reptile survey;
- Failure to provide adequate tree survey;
- Poor layout and design that is dominated by car parking;
- Absence green infrastructure and landscape proposals;
- Failure to provide sufficient information on ground levels and natural material management plan;

- Overbearing and oppressive retaining/crib lock wall harming outlook from adjacent properties;
- Overdevelopment and unduly cramped form with small rear gardens constraining outlook resulting in an uncomfortable and unattractive amenity area; and
- Failure to enter a Section 106 agreement to secure financial contributions.

54. Noting the delivery of the allocation is proposed to take place throughout the whole Plan period, from year 1 through to 15, BDW share serious concerns for the site's future development given the recent refused planning application. A number of key technical documents were not submitted as part of the application which will be required in order for an application to be approved. It is likely that the outcome of the required design revisions and mitigation measures recommended by these outstanding reports will see a reduction in the number of units proposed on site. The reasons for refusal support this where the latest design was considered overdevelopment and cramped, therefore indicating the number of units proposed in the allocation is unrealistic.

f) What are the mechanisms and timescales for delivering the site?

55. The recent planning history of the site places strong doubts on the timescales for delivering the site where a significant re-design and reduction in the scale of proposal are required. Further time-consuming technical reports are also required to support a future re-submission of planning application.

g) Is the allocation of the site essential to ensure the soundness of the Plan?

56. The site forms another existing allocation being carried forward into the next plan period where it has failed to be delivered within the current local plan. BDW re-iterate their concerns surrounding the deliverability of this site along with other existing allocations being rolled forward and firmly object to their allocation within the RLDP.

57. The planning history demonstrates the site is considerably constrained and unable to deliver the proposed allocation for 45 units. BDW do not consider the site can accommodate the full allocation and there consider it unrealistic for the site to remain within the RLDP's trajectory given the delays experienced and lack of planning permission to be achieved to secure its delivery. Notwithstanding, the site evidently requires a significant amount of work to re-design the scheme to demonstrate the site's suitability for residential development at the capacity proposed.

58. BDW consider the site to be undeliverable within the Plan period and should not be allocated within the RLDP. Including Cae Linda as an allocation adds to the failure of Test 3, where the RLDP is considered unsound as per Section 64(2) of the 2004 Act and the Development Plans Manual. BDW strongly consider the proposed allocation will not deliver and it not realistic or appropriate and is not founded on robust evidence.