



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

STATEMENT OF OBJECTION

**PROPOSED ALLOCATION PrC3/h36
LAND AT BETWS COLLIERY, BETWS**

On behalf of
Evans Banks Planning Ltd

Our Ref: PrC3/h36/EBP
Representation No.: 5062
Representor ID: 4967
Date: September 2024
Prepared by: JDE

1.0	INTRODUCTION	3
2.0	THE PROPOSED ALLOCATION.....	4
2.1	THE SITE.....	4
2.2	PLANNING HISTORY.....	5
3.0	DEVELOPMENT CONSTRAINTS	6
3.1	PHYSICAL	6
3.2	DELIVERABILITY AND VIABILITY.....	7
4.0	TESTS OF SOUNDNESS	8

1.0 INTRODUCTION

1.1 This Statement has been prepared by Evans Banks Planning Ltd on behalf of its Clients as a continued objection to the proposed allocation of land at Betws Colliery, Betws (LDP Ref. No. PrC3/h36) 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 The contents of this Statement should also be read in conjunction with the originally made points of objection submitted at the Revised Deposit stage, which still stand.

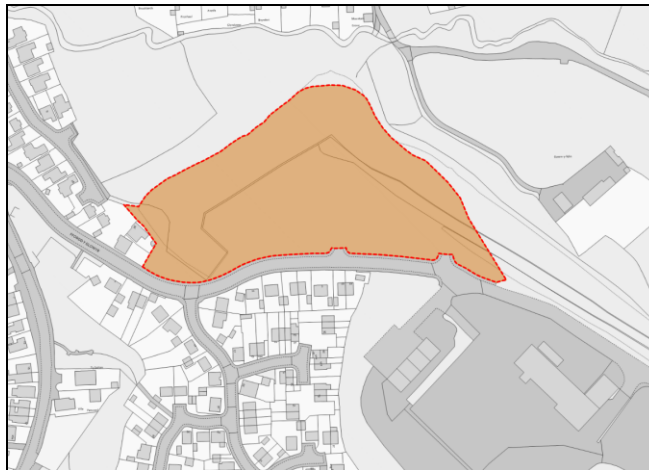
1.2 In addition to providing, where relevant, updated information since the originally made objection (particularly in view of recent changes to national planning policy), this Statement also seeks to address the following questions raised by the Inspector:

- 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.



Plan A



Photograph 1

2.1.2 As detailed in our original submissions, the site is brownfield in nature and is currently undeveloped, aside from the deposition of a small amount of various building materials, giving it an abandoned appearance. With the exception of these features, no significant development on the site appears to have occurred.

2.2 PLANNING HISTORY

2.2.1 Having reviewed the proposed allocation's planning history as set out on the Council's website, reserved matters approval for 66 residential units was granted 11th August 2011 (LPA Ref. No. E/24742) and a copy of this decision accompanies this submission.

2.2.2 As can be seen, the permission included several pre-commencement conditions including the provision of details of a SUDS scheme, potential ground contamination, a Method Statement for dealing with any contamination found, details of the method of pile foundations to be adopted, and foul and surface water drainage schemes. On reviewing the Council's records, none of these conditions appear to have been discharged and so the related consent has now lapsed. No further outline or full planning application for the site has since been submitted.

2.2.3 Therefore, despite the above and the allocation of the site for over 20 years, no new housing has been constructed on the land in question. Notwithstanding this, the site is proposed in the 2nd Deposit Revised LDP for the purposes of developing 66 residential units, with none expected to be affordable in nature.

3.0 DEVELOPMENT CONSTRAINTS

3.0.1 The original objection submitted at the Revised Deposit Stage of the LDP raising concerns over the deliverability of the proposed allocation during the Plan period, which remain. The proposed allocation has a long planning history for a significant number of residential units, but despite being allocated for such purposes for over 20 years, the site to date has failed to deliver a single home. The following therefore provides further doubt on the deliverability of the allocation during the Replacement Plan's lifetime.

3.1 PHYSICAL

3.1.1 As has been detailed in Section 2 of this Statement, the site is brownfield in nature having formed part of the former Betws Colliery site. Due to its brownfield nature and its known historic use, there are clearly concerns with regards to the site's ground conditions, risk of contamination and drainage qualities. It is evident that the Authority in its granting of the aforementioned reserved matters application held similar concerns, requiring that such concerns were satisfied before development was permitted to commence by virtue of a series of conditions.

3.1.2 In the absence of any information having been submitted to or approved by the Authority since the approval of the aforementioned reserved matters – or indeed published as part of the preparation of the Replacement LDP – it is impossible to establish that such concerns are possible to overcome and so ensure there are no physical obstacles to the delivery of the site.

3.1.3 As a result of the above there are significant concerns with regards to physical obstacles to the development of the site.

3.2 DELIVERABILITY AND VIABILITY

3.2.1 The above physical obstacles represent a significant threat to the deliverability of the site and so in turn also its viability. *Planning Policy Wales* (Edition 12) is quite clear on the matter of what is considered to be a deliverable site, providing the following definition at Paragraph 4.2.11:

“To be ‘deliverable’, sites must be free, or readily freed, from planning, physical and ownership constraints and be economically viable at the point in the trajectory when they are due to come forward for development, in order to support the creation of sustainable communities.”

3.2.2 No evidence has been presented by the LPA or other parties that the site does not face significant physical constraints and that such constraints do not prevent the site from being economically viable. In fact, with no development having taken place on the site for over 20 years, this evidence would in fact confirm that the site is not ‘free’ from such constraints.

3.2.3 The significant questions over the deliverability of the site therefore questions its ability of delivering any new residential units within the Plan period and in turn, its proposed inclusion for such purposes as part of the Replacement LDP.

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 allocation of PrC3/h36 (Land at Betws Colliery, Betws) 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?

4.1.2 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 again, fail to deliver any residential units during the Plan period.

4.1.3 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.