

**CARMARTHENSHIRE
REVISED LOCAL DEVELOPMENT PLAN (2018-2033)
EXAMINATION**

SCHEDULE OF MATTERS, ISSUES AND QUESTIONS

Matter 6: Strong Connections – Climate Change, Renewable Energy, Transportation, Minerals and Waste

Issue: Does the Plan provide a framework for the management of climate change, renewable energy and low carbon development and of sustainable transport and accessibility that is soundly based, justified and consistent with the requirements of national policy?

Climate Change and Renewable Energy

1. Does Policy SP16 provide an appropriate framework for ensuring that development proposals respond to, and minimise the causes and effects of climate change?

Yes, as a strategic policy, it is considered that Policy SP16 will provide an appropriate framework. Whilst the ethos of the Plan is based on sustainability principles and all policies seek to ensure development is sustainable, this policy particularly seeks to support proposals that consider climate change. Policy SP16, along with the detailed policies that sit underneath it will ensure that development proposals are sensitive to the effects of climate change.

The Policy seeks to support development proposals if they respond, adapt, increase resilience and minimise the causes of climate change. The policy sets out criteria that seeks to ensure that proposals consider their impact on climate change through various mechanisms such as sustainable transport, flooding, energy consumption, climate responsive design solutions and protection and enhancement of Green and Blue Infrastructure.

2. Is the Renewable Energy Assessment robust, based on credible evidence and consistent with the requirements of national planning policy?

Based on the method set out in the Welsh Government's "Planning for Renewable and Low Carbon Energy – A Toolkit for Planners", the Renewable Energy Assessment (REA) (submission document CSD27) is based on credible evidence and is consistent with the requirement of national planning policy. In preparing the

REA, assumptions and data used in its preparation have been sought from established sources.

Several renewable energy technologies are considered within the REA: wind energy; biomass combined heat & power; incineration (energy from waste); anaerobic digestion; hydropower; solar PV farms; building integrated renewable. The potential for the utilisation of heat is also considered within the REA.

The REA calculates the current and future energy consumption and the potential contribution to be provided from renewable energy solutions. Local search areas are identified in the REA for solar energy, and these are reflected within the Revised LDP.

A large area of the County is designated in Future Wales: The National Plan, as a pre-assessed area for wind energy. The initial REA was written before the publication the draft “Future Wales: The National Plan 2040”, but was updated in order to inform the Second Deposit Revised LDP to take account of it’s content.

3. Does the Plan provide an appropriate balance between realising the area’s potential for renewable energy production and the protecting the landscape, natural and historic environment of the County?

In assessing the County’s potential for renewable energy, the Renewable Energy Assessment (REA) mapped constraints that included statutory designations (such as Special Protection Areas, Special Areas of Conservation etc.), and non-statutory designations (such as Ancient Woodlands, existing buildings, major transport infrastructure etc.). This constraint mapping exercise resulted in identified opportunities for renewable energy in appropriate locations. Local search areas have been identified for solar energy, but none were identified for wind. More detail of the mapping exercise can be found in the REA, submission document CSD27.

The specific wording of policies CCH1 & CCH2 seek to ensure that development does not have an unacceptable impact on visual amenity or landscape character.

4. Does Policy CCH1 provide an appropriate policy framework for realising Carmarthenshire’s potential for renewable energy generation within pre-assessed area and local search areas?

The Welsh Government have submitted comments in relation to Policy CCH1, part of which are set out below:

- *“Each of the LSAs has an installed capacity figure above 10MW, which is the threshold for Developments of National Significance (DNS) determined by Welsh Ministers. Policy CCH1 and its reasoned justification should be amended to explain that large scale energy developments (of 10MW+) are determined by Policy 18 in Future Wales: The National Plan 2040 and that these developments*

are acceptable within or outside the boundaries of the Local Search Areas. This will help to explain the development plan hierarchy and add clarity.

- *As all applications for DNS will be considered by Policy 18 in Future Wales: The National Plan 2040, it is not appropriate for policies in the Local Development Plan to prejudice the ability of large scale wind developments to come forward in the Pre-Assessed Areas. As such, the requirement in Policy CCH1 for development in the Pre-Assessed Areas to meet additional criteria as set out in the policy itself (criteria a-c) should be deleted”*

As a consequence of these comments, it is proposed to remove reference to pre-assessed areas within the Policy.

Whilst the above comments also refer to developments of 10MW and above in local search areas, there may be cases where solar energy developments within these areas may come forward as separate schemes of under 10MW. It is therefore considered that the policy as it stands provides an appropriate framework for such schemes. The reasoned justification to the policy would benefit from making reference to the fact that any developments of over 10MW within local search areas will be determined in accordance with Future Wales.

- a) **Is the policy consistent with the requirements of national planning policy? And should its reasoned justification be amended to include an explanation of the requirements of Future Wales?**

See answer above to question 4.

- b) **Are the requirements in relation to ‘large-scale wind farms’ necessary?**

In response to comments received from the Welsh Government, as discussed in question 4, it is proposed to remove reference to “large-scale wind farms”.

- c) **Should the local search areas for solar be listed in the policy?**

The local search areas are currently set out in the reasoned justification for the policy. The Welsh Government have submitted the following comment:

“Identify in Policy CCH1 the three LSAs for solar and the contribution from each area. “

The areas can be added to the policy if deemed necessary.

- d) **How will the impact of development on BMV land and high carbon soils within local search areas be assessed?**

In identifying the local search areas, the Renewable Energy Assessment (submission document CSD 27) sieved out land of Agricultural Grades 1, 2 and 3a and only land of Agricultural Grades 3b, 4 and 5 have been considered for use for solar PV farms. Areas identified as “thick peat” have also been excluded from the site selection process.

5. Is the target for energy generation contained in Tables 9 and 10 appropriate or should it be more ambitious?

Tables 9 & 10 have been taken from the Renewable Energy Assessment (REA) (submission document CSD 27) and the target is considered to be appropriate and realistic. Section 11.3 of the REA details the calculations and assumptions that have generated these targets. The tables detail the realistic renewable energy contributions that could be made towards meeting a proportion of total demand for energy in the County by 2033 based on a logical rationale.

6. Does Policy CCH2 provide an appropriate mechanism for managing renewable energy development outside pre-assessed areas and local search areas? And how will the impact of development on BMV land and high carbon soils be assessed?

Policy CCH2 applies to all renewable and low carbon energy developments that require planning permission and it is considered that it provides an appropriate mechanism for managing renewable energy development. The aim of the policy is to encourage renewable energy developments and for them to be sited in appropriate locations. The policy sets a number of criteria that developments must accord with to ensure that such developments are appropriate.

BMV land and high carbon soils has not been considered as part of the policy, and if it is considered to be an important factor for renewable energy developments then this could be added to the policy.

7. Are the requirements of CCH3 based on robust evidence and consistent with the requirements of national planning policy?

Yes, the requirements of Policy CCH3 are based on robust evidence and are consistent with national planning policy.

The policy aligns with the overarching goals set out in Planning Policy Wales (PPW), which advocates for a transition to low or zero-emission road transport as part of a broader sustainable development agenda. Policy CCH3 supports this by mandating the installation of electric vehicle (EV) charging points in new residential and non-

residential developments, reflecting the national emphasis on decarbonizing transport, particularly in rural areas.

The policy takes into account the specific characteristics of Carmarthenshire, particularly its largely rural nature, which presents unique challenges for sustainable transport. The requirements, such as providing EV charging points in homes with dedicated parking spaces and ensuring that 10% of parking spaces in non-residential developments are equipped with charging points, are practical measures that respond to these challenges. The inclusion of provisions for rapid charging points where the local electricity network can support them also reflects a consideration of existing infrastructure capabilities.

The policy also acknowledges the ongoing development of the electricity grid and allows for flexibility where current or projected capacity is insufficient to meet the demands of the policy. This approach shows an understanding of the evolving nature of EV infrastructure and ensures that the policy remains realistic and adaptable, which further supports its robustness.

8. Is Policy CCH4 necessary and does it provide a clear and consistent framework for the management of water quality and the protection of water resources in the County?

Yes. In accordance with The Conservation of Habitats and Species Regulations 2017 (as amended), key elements of this policy have been included within the plan with the intention of avoiding effects on specific European site(s) whose qualifying features may otherwise be affected by the plan being implemented.

Throughout the plan making process, CCH4 has been strengthened in consultation with NRW and was developed in line with version 3 of their advice for planning authorities for planning applications affecting phosphorous sensitive river Special Areas of Conservation. Reference is made to the Council's response in relation to Hearing Session 1 and the Inspector's question 4 and 20.

The reliance placed on this policy (which is, in effect, an embedded mitigation measure) is a legitimate course of action for upholding the plan's soundness in line with the conditions set out within the HRA for avoiding adverse effects to the integrity of the national site network.

Additionally, CCH4 aligns with PPW's emphasis on recognising the environmental qualities of places through the protection of water resources and encouraging its efficient use, in addition to the implementation of nature-based solutions through Green and Blue Infrastructure provision as encouraged within paragraph 6.6.6. It is proposed that this policy will be supported by Supplementary Planning Guidance which is proposed to be adopted concurrent with the Plan.

Noting the reference to version 4 of the NRW guidance and the move from phosphate pollution towards nutrients, the Revised LDP may benefit from small amendments to the wording of CCH4. Consequently, it is suggested that to ensure it is consistent with this guidance the policy should be changed to reflect 'nutrients' as opposed to phosphates. Any amendments will be set out within the Matters Arising Changes.

9. Are the requirements of Policy CCH5 locally distinct or do they replicate the requirements of national planning policy?

The Policy is included to provide guidance in respect of development and flood risk. Given the severity of the issue and the challenges it presents a specific policy has been included within the plan to assist in the determination of planning applications in a manner which reduces the risk of flooding to new development. However, if it is considered that the Policy replicates national policy and is unnecessary then the matter can be considered further during the Examination.

It is also acknowledged that the national guidance in respect of flooding is likely to change upon the adoption of the new TAN15 and so the policy may require amending in any case to ensure its compliance with national policy.

10. Do Policies CCH6 and CCH7 provide an appropriate mechanism for the management of renewable and low carbon energy in new development and forest, woodland and tree planting? And are the requirements of the policies clearly expressed?

Both policies are considered to provide appropriate mechanisms for the intention of the policy, and both are clearly expressed.

Policy CCH6 is a key policy in assisting the Council address the climate emergency. Aimed primarily at large scale major developments, the policy seeks to ensure that such schemes incorporate and give consideration to renewable and low carbon energy. Supplementary Planning Guidance will be produced to further enhance the detail and requirements of the policy.

Policy CCH7 seeks to support the Welsh Government's target of increasing woodland cover. The policy provides support to proposals which create and protect new woodland, forests, tree belts and corridors. In response to comments received from NRW, consideration could be given to the inclusion of flood risk management within the policy and the need to ensure that tree planting occurs on appropriate sites.

Sustainable Transportation and Accessibility

11. Does Policy SP17 provide a clear and consistent framework for the integration and co-ordination of sustainable transport measures and land use planning? and are the requirements of Policy TRA2 clearly expressed and consistent with national planning policy?

Yes, Policy SP17 provides a clear and consistent framework. It aligns with national policy by emphasising the integration of sustainable transport measures into land use planning. The policy supports reducing reliance on private cars, enhancing public transport, and promoting active travel (walking and cycling). This approach reflects the principles of the Active Travel (Wales) Act 2013, which seeks to make walking and cycling the preferred options for shorter journeys. By focusing on accessibility and connectivity within settlements and incorporating modern solutions such as Policy CCH3 Electric Vehicle Charging Points, Policy SP17 ensures that transport planning is well-integrated with land use development, promoting sustainable communities and reducing environmental impact.

Yes, Policy TRA2 is clearly expressed and is consistent with national policy. The policy aligns with the Active Travel (Wales) Act 2013 by focusing on enhancing walking and cycling infrastructure. It mandates the inclusion of safe, attractive routes and essential facilities like secure cycle parking in new developments, which is consistent with the national standards outlined in the Active Travel Act guidance. The policy also emphasises the importance of integrating active travel infrastructure early in the development process, ensuring that walking and cycling are practical and appealing choices from the start. By promoting the connection of new developments to existing active travel networks and contributing to their expansion, Policy TRA2 supports national goals of creating well-connected, accessible environments for active travel.

a) How will the provision of car parking be managed?

The Plan does not include a policy specifically relating to car parking. Policy guidance set out in Planning Policy Wales and Technical Advice Note 18: Transport (TAN18) sets out national policy guidance. However, if it is considered that additional guidance would be beneficial for determining planning applications then a policy could be incorporated into the Revised LDP and supplemented by additional parking standards in the form of SPG.

Minerals and Waste

12. Do Policies SP18, MR1, MR2 and MR3 provide an appropriate framework for the management of minerals resources in the County?

The minerals policies within the Plan have been written to accord with national policy, namely Planning Policy Wales (PPW) and the Minerals Technical Advice Notes (MTANs) - MTAN1: Aggregates and MTAN2: Coal.

Policy SP18: Mineral Resources is the strategic policy for minerals within the Plan and includes all of the main elements of minerals planning within an all-embracing policy. Three further policies deal with more specific topics areas. Policy MR1 Minerals Proposals contains robust criteria against which new minerals proposals will be assessed; Policy MR2 Buffer Zones has the dual role of safeguarding mineral sites from other forms of development, whilst also protecting sensitive forms of development from the potential negative impacts of quarry operations. Finally in accordance with PPW12, Policy MR3 Mineral Safeguarding Areas provides the framework for the protection of aggregate resources identified on the BGS Aggregate Safeguarding Map for South West Wales – which has been reproduced on the LDP Constraints Map.

It is considered that these four policies represent a sufficiently robust and appropriate framework to cover all aspects of the management of minerals resources in the County.

13. Should Policy MR2 be amended include a list of all mineral sites with extant planning permission and their respective buffer zones?

A list of all mineral sites with extant planning permission is set out in Appendix 4, and the sites (with associated buffer zones) are identified on the LDP Proposals Maps. However, it is acknowledged that these facts are not set out in Policy MR2. In the interests of clarity, reference could be added to Policy MR2 setting out where the list of mineral sites and their associated buffer zones can be viewed in the Plan.

14. Should Appendix 4 – Active and Inactive Mineral Sites be amended to explain the likelihood of sites being reactivated and worked during the Plan period?

Appendix 4 lists all the Minerals sites in the County with extant planning permission, and differentiates as to whether these are active/inactive or dormant.

The likelihood of Inactive sites being reactivated is considered as part of the Review of Old Minerals Permissions (ROMP) process. ROMP Review dates are set out within the SWRAWP Reports. If it is deemed necessary, these review dates can be added to Appendix 4 as an additional column alongside the active/inactive sites.

In respect of Dormant sites, the likelihood of them being reactivated is an iterative process that is periodically reviewed by the Minerals & Waste Planning Team. At the time of writing the Authority has authorisation to serve Prohibition Orders on 5 Dormant sites. The process has been delayed by potential interest in one of the sites, but Orders may be served in the near future.

15. Does Policy SP19 provide a clear and consistent framework for sustainable waste management? And how and where will land be allocated for waste management facilities?

Policy SP19 has been written in accordance with national and regional policy on waste, namely PPW12, TAN 21: Waste; the Collections, Infrastructure and Markets Sector Plan; the national strategy *Towards Zero Waste* (the national waste strategy in Wales), and the annual Waste Planning Monitoring Reports for the Mid & SW Wales region. As well as setting out a number of criteria establishing the framework which will facilitate the sustainable management of waste, the Policy also makes provision to ensure that waste operations will not have significant adverse effects upon public health, transport and the environment, and that they are compatible with neighbouring uses.

There is no longer the requirement to make provision for waste management capacity based on land take (as set out in the now superseded Regional Waste Plan, 2008). Nevertheless, TAN 21 does stress that the locational requirements of waste installations should be considered when preparing LDPs.

Waste facilities generally fall into two types of categories – ‘in-building’ and ‘open’. TAN 21 stresses that advances in technology mean that many modern in-building facilities externally appear similar to any other industrial building and internally contain industrial processes that may be no different to other modern industrial activities in terms of their operation or impact. Consequently, many general employment sites are likely to be suitable locations for waste facilities. Policy SP19 acknowledges this fact, and the supporting text notes the suitability of general employment (B2 uses) for potential future ‘in-building’ waste facilities.

The Policy also acknowledges that B2 employment sites are not suitable for ‘open air’ waste operations such as landfill sites and open windrow composting. In regard to landfill, Policy SP19 should be read in conjunction with Policy WM2 Landfill Proposals. The Policy acknowledges that currently there is no requirement for further landfill developments (at the local or regional level), however, it does provide

the future opportunity for such facilities should the need arise – it also notes the currently mothballed landfill at Nantycaws as a potential future candidate. As for the other main type of open-air facility – namely open windrow composting, there is an operational facility at the Nantycaws waste site, and Policy SP7 also notes the potential for such facilities as farm diversification schemes.

16. Should Policy PSD5 make reference to a ‘natural materials management plan’?

The Circular Economy is a key principle within Planning Policy Wales. Choices about the use of material resources should be based on making the most appropriate and sustainable use of finite resources and promoting the principles of a circular economy. It is considered that the submission of a natural materials management plan through Policy PSD5 will be an appropriate method to facilitate these requirements.

Under current waste legislation, excavated soil arisings (generated during construction) are considered waste unless it has been demonstrated there is no requirement, or intention to discard. The production of a natural material management plan, allows a developer to avoid the requirement for an environmental permit or an exemption from the waste management licensing regulations through prioritising reuse and recycling of these materials over disposal.

The need to submit a natural material management plan is referenced in Para.5.12.4 of PPW12. We note that PPW refers to material rather than ‘materials’, and so in the interests of clarity the policy wording can be changed to reflect the PPW wording.

A typo is noted in para.11.311 of Policy PSD5, where reference is made to the natural resources management plan. This needs to be changed to natural material management plan.