

Carmarthenshire Revised Local Development Plan 2018-2033

PrC2/h23 Dafen East Gateway

Statement of Common Ground
between Carmarthenshire County Council and
Persimmon Homes West Wales

April 2024

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1. Purpose of this Statement of Common Ground

1.1 This Statement of Common Ground (SoCG) has been prepared by Carmarthenshire County Council (CCC) in collaboration with Persimmon Homes (West Wales) Ltd. The SoCG has been prepared to inform the Examination of the Revised LDP in respect of the Dafen East Gateway housing allocation (reference PrC2/h23). This statement will set out matters agreed and not agreed between the parties and will include the most up to date information available that is relevant to the site's development.

1.2 The content of this SoCG is for LDP preparation use only and should not be used to prejudge the requirements in relation to any future planning application(s).

2. The Site

2.1 The site is located in the eastern gateway into Llanelli directly to the south-east of the A4138 road which links the town to the M4.

2.2 The site comprises an irregular shaped area of greenfield land 5.47 hectares in area. It is fenced into several field parcels with a strong hedgerow boundary to the east with pockets of woodland separating the site from the wider countryside to the south and east. The parcels are mainly used for the grazing of horses. To the north-east of the site are rural buildings used for stabling and a saddlery. These are accessed via the A4138 roundabout via which the site is proposed to be accessed. The northern arm of the roundabout serves Dafen Park employment area via the Felinfoel link road.

2.3 The landform slopes up gently from the A4138. High voltage power lines cross the site. A pylon near the central part of the site also redirects a further set of transmission lines to the west, roughly parallel with the A4138.

2.4 Land uses in the surrounding area are mainly industrial in nature, with Dyfed Steel and J&A Construction occupying land to the west, on the opposite site of the A4138. Industrial buildings lie directly to the south-west of the site, beyond which is Dafen Trade Park and further allocated housing land at Cwm y Nant.

3. The planning status of the site

3.1 The site is currently allocated within the adopted LDP for residential development under reference GA2/h27. This is for an indicative number of 150 dwellings.

3.2 A planning application (reference PL/04082) submitted in June 2022 for 145 dwellings was refused in February 2024. The reasons for refusal consisted of:

- 62no. dwellings falling within Noise Exposure Category C identified in Table 1 of TAN11. The TAN advises that residential development falling within Noise Exposure Category C should not normally be granted.

- The combined noise levels from road traffic and the neighbouring industrial development at Dyfed Steel Ltd immediately to the west of the site would adversely impact upon living conditions of the future occupants of these dwellings within the development.
- The impacts of noise and disturbance arising from the neighbouring development at Dyfed Steels Ltd immediately to the west of the site, and the potential noise and disturbance from the industrial and commercial development immediately to the south of the site which includes Class B1, B2 and B8 industrial units located immediately to the south of the apartments proposed in the southernmost part of the application site (plots 137-145) cannot be adequately controlled to safeguard the living conditions of the occupants of the development. The development would be harmful to the living conditions of the future occupants by way of noise and disturbance and, as a result, the development is likely to lead to pressure to place unreasonable restrictions upon these nearby industrial and commercial uses due to noise complaints from future residents.
- The applicant has failed to provide a bat survey of all the existing trees within the site identified as having bat roost potential to enable the Local Planning Authority to assess whether there are bats present and the likely impact upon their conservation status
- Failed to enter into an agreement under S106 to secure a financial contribution towards the provision and improvement of education facilities in local schools and the provision of affordable housing as part of the development.

4. Financial viability affecting the commencement of development

4.1 It is considered that the necessary planning policy obligations of the refused application were to be met through the planning application submission. Its inclusion as a reason for refusal was merely because all parties were awaiting the conclusion of the noise impact assessment. It is agreed that the following planning obligations would be secured from the development.

4.2 The development would include:

- 20% proportion of affordable housing,
- contributions towards education consistent with the terms set out within the Planning Obligations SPG, and,
- the construction of Open Space Provision within the site.

5. Site ownership and access constraints affecting site assessment or the commencement of development

5.1 Persimmon Homes do not own the land, however they are currently under contract with the landowner of the site.

5.2 It is considered that there are no direct constraints in regard to obtaining access to the site, with the potential to access immediately from the A4138.

6. Infrastructure provision necessary to support / enable the development

6.1 Consultation with statutory consultees and local bodies have taken place as part of planning application PL/04082. The following responses were received from statutory consultees. Other consultation responses can be found on the planning application which is on the Council website.

Natural Resource Wales – No objection to the development as submitted within the planning application. Pre-commencement conditions would be needed detailing the long-term management of the habitats on the site. The consultation response is provided in Appendix 2

Dwr Cymru Welsh Water - No objection to the development and requested that that the Conditions and Advisory Notes (Appendix 2 below) should be included within any consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

Memorandum of Understanding - The surface water betterment that was proposed in planning application PL/04082 is noted and a condition requiring the submission of a detailed scheme prior to the commencement of the development would be imposed upon any permission granted with the scheme needing to be implemented prior to the occupation of the units.

Highways and Transport – Suitable conditions relating to Active Travel provision to be included within any detailed planning application.

7. Matters of Disagreement

7.1 The refusal of planning application PL/04082 in February 2024 has significantly affected the potential for the site to be developed in its current form, with the reasons for refusal set out above. However, the principle of development is accepted through its current allocation within the adopted LDP. The developer will be required to overcome issues highlighted within the reasons for refusal, with any new information to be presented at the Revised LDP examination.

8. The landowner's delivery intentions and trajectory

	2025-26	2026-27	2027-28	2028-29
Anticipated Completions	10	50	50	35

8.1 The housing trajectory above is consistent with the 145 no. dwellings considered as part of planning application PL/04082.

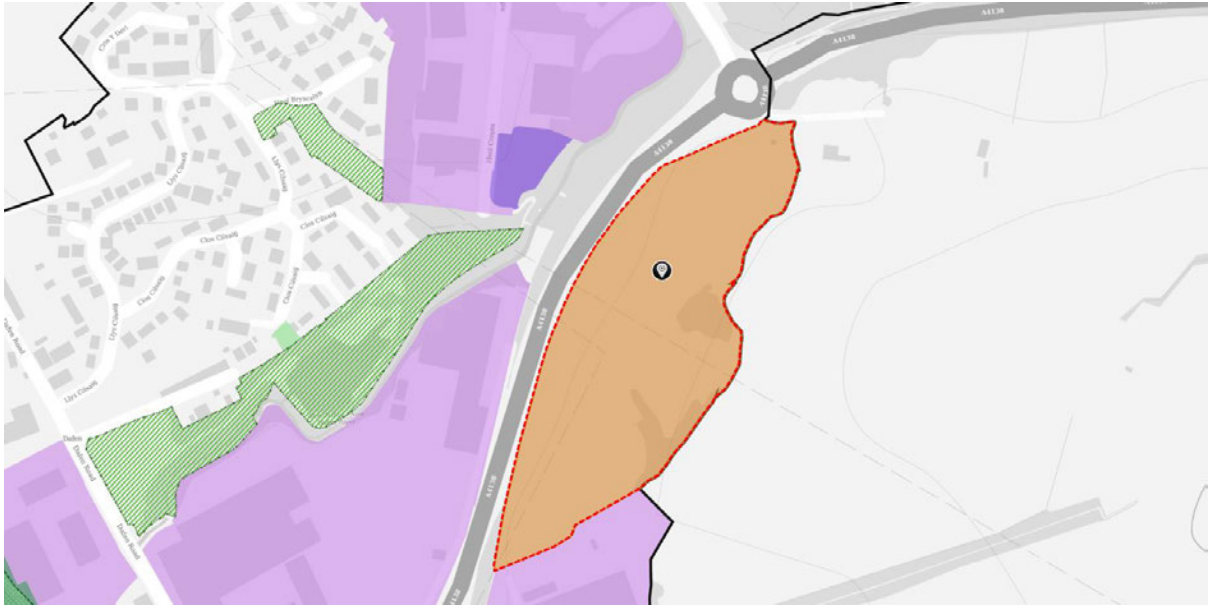
9. Signatories to the Statement of Common Ground

9.1 Carmarthenshire County Council (“The Local Planning Authority”) and Persimmon Homes consider that the allocation is sustainable, viable and deliverable.

Signed on behalf of The Local Planning Authority	<i>Ian R Llewelyn</i>
Name	Ian Llewelyn
Position	Strategic Policy and Placemaking Manager
Date	10/05/2024

Signed on behalf of The Landowner	██████████
Name	Kate Harrison
Position	Strategic Planning Manager at Persimmon Homes West Wales
Date	29.04.2024

Appendix 1 Location Plan



Appendix 2

Consultation Responses from NRW, DCWW & Highways in respect of Planning Application PL/04802

Ein cyf/Our ref: CAS-236107-Q9F7
Eich cyf/Your ref: PL/04082

Carmarthenshire County Council
Civic Offices
Crescent Road
Llandeilo
SA19 6HW

Dyddiad/Date: 02 November 2023

Annwyl Syr/Madam/Dear Sir/Madam,

**BWRIAD / PROPOSAL: RESIDENTIAL DEVELOPMENT OF 150 DWELLINGS
ALONG WITH ASSOCIATED LANDSCAPING AND
INFRASTRUCTURE**

LLEOLIAD / LOCATION: LAND EAST OF DAFEN, LLANELLI, SA14 8NG

Thank you for consulting Cyfoeth Naturiol Cymru (CNC)/Natural Resources Wales (NRW) about the above, which we received on 18 September 2023.

We have no objection to the proposed development as submitted and provide the following advice.

European Protected Species

Dormouse

The applicant intend to extend the area of suitable habitat for dormouse by at least 0.3ha. Overall, there will be a gain of 0.27ha of dormouse habitat, which we welcome.

A dormice licence is required and there are aspects of the dormouse working method statement which we would want to amend at the licensing stage.

We agree with your ecologist that a pre-commencement Landscape and Ecological Management Plan (LEMP) condition detailing the long-term management of the habitats on site is secured on any planning permission.

Pollution Prevention

We have reviewed the Construction Environmental Management Plan (CEMP), produced by Persimmon, Form No: 003 PEP, dated 29.6.23. The pollution prevention practices/mitigation measures and response procedure to incidents are in line with GPP 5 guidance.

Due to the proximity of the proposed development to the Afon Dafen, it is essential that the developer adheres to the CEMP throughout the construction process and update it if necessary, ensuring no pollutants enter the local watercourse. Their attenuation basins, settlement tanks and other mitigation measures should be monitored and maintained to make sure they are operating as designed and preventing a pathway for pollutants to enter the local watercourse.

Other Matters

Our comments above only relate specifically to matters included on our checklist, *Development Planning Advisory Service: Consultation Topics* (September 2018), which is published on our [website](#). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests.

We advise the applicant that, in addition to planning permission, it is their responsibility to ensure they secure all other permits/consents/licences relevant to their development. Please refer to our [website](#) for further details.

If you have any queries on the above, please do not hesitate to contact us.

Yn gywir / Yours faithfully

Lisa Jones

Gynghorydd - Cynllunio Datblygu / Advisor - Development Planning

Ffôn/Phone: 0300 065 3264

E-bost/E-mail: swplanning@cyfoethnaturiolcymru.gov.uk

Croesewir gohebiaeth yn Gymraeg a byddwn yn ymateb yn Gymraeg, heb i hynny arwain at oedi. / Correspondence in Welsh is welcomed, and we will respond in Welsh without it leading to a delay.

Carmarthenshire County Council
7-8 Spilman Street
Carmarthen
Carmarthenshire
SA31 1JY

Date: 12/09/2023
Our Ref: PLA0075106
Your Ref: PL/04082

Dear Sir/Madam

Grid Ref: SN532012 253381 201475

Site: Land East of Dafen, Llanelli, Carmarthenshire

Development: Residential Development of 150 dwellings along with associated landscaping and infrastructure

We refer to your planning consultation relating to the above site, and we can provide the following comments in respect to the proposed development.

We would request that if you are minded to grant Planning Consent for the above development that the **Conditions and Advisory Notes** listed below are included within the consent to ensure no detriment to existing residents or the environment and to Dwr Cymru Welsh Water's assets.

SEWERAGE

Conditions

No building shall be occupied until the drainage system for the site has been completed in accordance with the approved details. Thereafter no further surface water and/or land drainage shall be allowed to connect directly or indirectly with the public sewerage system.

Reason: To prevent hydraulic overloading of the public sewerage system, to protect the health and safety of existing residents and ensure no pollution of or detriment to the environment

Advisory Notes

The applicant may need to apply to Dwr Cymru / Welsh Water for any connection to the public sewer under S106 of the Water Industry Act 1991. If the connection to the public sewer network is either via a lateral drain (i.e. a drain which extends beyond the connecting property boundary) or via a new sewer (i.e. serves more than one property), it is now a mandatory requirement to first enter into a Section 104 Adoption Agreement (Water Industry Act 1991). The design of the sewers and lateral drains must also conform to the Welsh Ministers Standards for Gravity Foul Sewers and Lateral Drains, and conform with the publication "Sewers for Adoption"- 7th Edition. Further information can be obtained via the Developer Services pages of www.dwrcymru.com

The applicant is also advised that some public sewers and lateral drains may not be recorded on our maps of public sewers because they were originally privately owned and were transferred into public ownership by nature of the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011. The presence of such assets may affect the proposal. In order to assist us in dealing with the proposal the applicant may contact Dwr Cymru Welsh Water on 0800 085 3968 to establish the location and status of the apparatus. Under the Water Industry Act 1991 Dwr Cymru Welsh Water has rights of access to its apparatus at all times.

The planning permission hereby granted does not extend any rights to carry out any works to the public sewerage or water supply systems without first having obtained the necessary permissions required by the Water Industries Act 1991. Any alterations to existing premises resulting in the creation of additional premises or merging of existing premises must also be constructed so that each is separately connected to the Company's water main and can be separately metered. Please contact our new connections team on 0800 917 2652 for further information on water & sewerage connections.

In accordance with Planning Policy Wales (Edition 11) and Technical Advice Note 12 (Design), the applicant is advised to take a sustainable approach in considering water supply in new development proposals, including utilising approaches that improve water efficiency and reduce water consumption. We would recommend that the applicant liaises with the relevant Local Authority Building Control department to discuss their water efficiency requirements.

SEWERAGE TREATMENT

No problems are envisaged with the Waste Water Treatment Works for the treatment of domestic discharges from this site.



WATER SUPPLY

Capacity is currently available in the water supply system to accommodate the development. We reserve the right however to reassess our position as part of the formal application for the provision of new water mains under Section 41 and Section 51 of the Water Industry Act (1991) to ensure there is sufficient capacity available to serve the development without causing detriment to existing customers' supply as demands upon our water systems change continually.

Our response is based on the information provided by your application. Should the proposal alter during the course of the application process we kindly request that we are re-consulted and reserve the right to make new representation.

If you have any queries please contact the undersigned on 0800 917 2652 or via email at developer.services@dwrwymru.com

Please quote our reference number in all communications and correspondence.

Yours faithfully,

Clare Powell
Development Planning Officer
Developer Services



Welsh Water is owned by Glas Cymru – a 'not-for-profit' company.
Mae Dŵr Cymru yn eiddo i Glas Cymru – cwmni 'nid-er-elw'.

We welcome correspondence in
Welsh and English

Dŵr Cymru Cyf, a limited company registered in
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Rydym yn croesawu gohebiaeth yn y
Gymraeg neu yn Saesneg

Dŵr Cymru Cyf, cwmni cyfyngedig wedi'i gofrestru yng
Nghymru rhif 2366777. Swyddfa gofrestredig: Heol Pentwyn
Nelson, Treharris, Morgannwg Ganol CF46 6LY.

Land East of Dafen Active Travel



Morgan, Geraint <Geraint.Morgan@atkinsrealis.com>

To Paul Roberts
Cc Aaron Z Evans

Reply Reply All Forward

Thu 07/12/2023 09:21

Hi Paul

We have discussed delivery of the offsite Active Travel Improvements for the Land East of Dafen development with Tom Evans. He doesn't see any problems with CCC's DLO delivering a widening scheme of the Share Use Path alongside the A4138 and for this to be covered by a commuted sum. However, obtaining costs now is going to be challenging due to their current workload.

It was therefore suggested that we request a condition to address this requirement. Could we therefore include a condition similar to that used for Cwm Y Nant and would this retain the option of it actually being designed and delivered by the DLO?

I've copied the associated note and condition we used below:

Note included within Cwm Y Nant Highways Response

A suitable condition which requires a holistic scheme for Active Travel provision (both within the site and connecting to surrounding routes) would ensure the development is Active Travel compliant and would provide an element of certainty under the relevant tests. Highways Planning Liaison recommend that the following elements form part of the Active Travel Scheme for the site in order to maximise opportunities for travel by active modes:

- *A shared path link from Gorsfach connecting to the main body of the development site and to Nant-y-Gro.*
- *Greenways (or similarly appropriate designs) to be provided on site should the tree avenues currently proposed (as shown in the indicative site masterplan) form part of the final site layout.*
- *A shared path link from the proposed attenuation pond / play area to the A4138 cycle route.*
- *Provision of footways / shared use path along the north site of Nant-y-Gro; connecting the site to the Dafen Roundabout underpass thus linking with the Llanelli Strategic Cycle Network.*

Condition

As part of any reserved matters application an Active Travel Improvement Plan to support the development herewith approved shall be submitted to and approved in writing by the local planning authority. The approved works shall subsequently be implemented in full prior to the beneficial occupation of the development.

In terms of adapting the condition for the Land East of Dafen development, if the applicant does come back with the connectivity / accessibility alterations (which we've already requested) we can simply specify SUP widening along the site frontage extending as far as the A4138 underpass. This would deliver significant benefits from a safety and accessibility perspective. Without a two-way SUP at this location active travellers will be required to double back on themselves when travelling to/from site due to the A4138 SUP being one-way (i.e southbound route alongside the southbound carriageway and northbound route alongside the northbound carriageway).

Please could you let me know your thoughts on the above.

Kind Regards

Geraint Morgan (He/him/his) MTCP

Principal Consultant

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