

PLANNING APPRAISAL

Site 3 Burry Port Harbour

June 2026



Summary

Proposal

Proposed commercial site

Location

Site 3 Burry Port Harbour

Date

June 2026

Project Reference

S25.184

Client

Carmarthenshire County Council

Product of

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Executive Summary

Asbri Planning is appointed as planning agent to Carmarthenshire County Council to prepare this Planning Appraisal to evaluate this parcel of land for commercial use development.

The site is located within the development limits as defined by LDP Policy GP2 (Development Limits), where developments will be permitted. In addition, it is also noted that the site has been allocated for mixed use where focus is likely to be upon appropriate retail, commercial and tourism related uses under both the adopted LDP and the deposit RLDP. The site has previously benefitted from having outline planning permission for the provision of a Class A1 foodstore with associated servicing, parking and petrol filling station (PFS) granted in 2010. Reserved Matters was subsequently granted in 2012 for a Tesco foodstore without a PFS. Both permissions were assessed and granted permission against the former Adopted UDP. They were not implemented and the permissions have since expired. A separate, but associated planning application for the provision of an alternative vehicular access for the Neptune Buildings to facilitate a new foodstore development was also granted in 2010. This has also not been implemented and has since expired.

It is therefore considered that the principle of a commercial/leisure development on this site is acceptable and aligns with the Authority's aspirations for the regeneration of the wider Burry Port harbour area. Any new planning application on this site will be assessed against the current development plan which consists of both Future Wales and the Adopted LDP. Any retail related proposal similar to that previously proposed will need to be accompanied by an updated Retail Impact Assessment that addresses key retail planning policies in terms of need (qualitative and quantitative; sequential approach; and impact). It is noted that the site is within the defined Town Centre boundary in the current Adopted LDP, which assists in addressing the aforementioned retail tests, however it is located outside the defined town centre boundary in the deposit version of the RLDP. The revised LDP is expected to be adopted later in 2026 and therefore it is likely that any planning application on this site will be determined against the new LDP.

NRW has recently published new reports about the health of protected marine areas around Carmarthenshire. The current data indicates that the Carmarthen Bay and Estuaries Special Area of Conservation and Carmarthen Bay Special Protection Area is in unfavourable condition, with nutrient pollution, in the form of dissolved inorganic nitrogen, being the main reason for the decline. All applications are now being assessed against the new information to ascertain whether they are likely to have an adverse impact upon the SAC, particularly from additional wastewater entering the SAC. Reference should be drawn to Appendix 1 for further information on this matter. It is however noted that in its latest advice to LPA's for planning applications affecting nutrient sensitive Special Areas of Conservation, that developments intended to provide services, facilities, commercial sites or places of employment for a local population already served by residential connections to existing public or private sewers discharging within the SAC catchment, may be able to be screened out. Sufficient evidence in this regard will need to be submitted with any subsequent planning application.

Site Details

Site Address	Site 3 Burry Port Harbour Grid Reference: X (Easting): 244700, Y (Northing): 200678
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Background

The subject site is currently located within the Town Centre of Burry Port, West of Llanelli in the Adopted LDP however as aforementioned is shown to be positioned outside of the town centre boundary in the deposit version of the RLDP but remains within settlement limits. The site itself comprises of mainly grassland, trees and a small section of gravelled area. An access road serving Neptune Buildings runs across the site from an east to west direction. The Nant Dyfatty flows through the western part of the site in a southerly direction towards its outfall at East Dock. The site is located to the north of the B4311 Southern Distributor Road.

Site Location

Figure 1: Burry Port, Google Maps

Site Photographs



Figure 2: Site Photos

Site Description

The site is situated within Burry Port a town west of Llanelli. The site itself is to the south of the town just south east of Burry Port train station. Burry Port Marina is to the south of the site.

The site itself comprises an irregular shaped parcel of land measuring approximately 1.53 ha in area. It consists of grassland, shrubbery, trees, fence lines and a gravelled area. An access road serving the Netpune Buildings dissects the site in an east-west direction, whilst the Nant Dyfatty flows through the western part of the site in a southerly direction towards its outfall at East Dock.

The railway line and station are located to the north of the site. There is a footpath that runs along the east of the site towards an overpass across the train line to the centre of Burry Port and the train station itself. Plas Y Mor residential complex is located to the east of the site, and the B4311 southern distributor road to the south.

The trees that are located within the site are along the watercourse and the northern boundary between the site and the train line.

The site is generally level with levels across the site ranging from 6.5m AOD to the south to 7.5m AOD to the north.

The site forms one of a number of regeneration sites owned by Carmarthenshire County Council, or jointly owned with Welsh Government, in the Burry Port harbour area. The aspiration is that these sites collectively will comprehensively regenerate

	the harbour area. The Southern Distributor Road was built to bring forward and facilitate the delivery of these wider harbour regeneration sites.
Planning History	A review of Carmarthenshire County Council planning portal shows that the site is subject to the following planning applications since 2007: • S/21246 – Provision of alternative vehicular access to Neptune buildings, Burry Port – Full Granted, July 2010 • S/21247 – Change of Use for provision of Class A1 Food store with Associated Servicing, Parking and Petrol Filling Station – Outline Granted, November 2010 • S/26189 – Reserved Matters to outline Planning Permission S/21247 – Access, Appearance, Landscape, Layout and Scale – Reserved Matters Granted, July 2012 It is noted that planning application ref: S/21246 allowed a new access from the B4311 to the Neptune Building located to the west of the site. It is noted from the site visit and the online map that this has not been implemented and the permission has lapsed. Outline Planning permission ref: S/21247 and Reserved Matters Approval S/26189 in relation to an A1 foodstore have also lapsed as they have not been implemented. They are a relevant material consideration in some respects to any future application for a similar type of retail development on this site, however as explained in this appraisal a new application will be assessed on its own merits based on current circumstance and policy position.

Other Considerations

Context Analysis	In terms of the immediate surroundings of the site, to the east of the site is the Plas Y Mor residential home with the new Clos Y Bacca residential development beyond. Some commercial development lies to the south of Ashburnham Road on the opposite side of the road from Plas Y Mor. To the south of the site is a designated open space, separated by the B4311, with Burry Port Marina beyond. Located to the west are a small number of residential and commercial properties with the vehicular bridge over the train line into Burry Port beyond. To the North of the site is the railway line, train station and town of Burry Port.
Highways	In terms of Highways the site can be accessed off Ashburnham Rd from the eastern boundary which connects to the B4311 that serves as a southern distributor road from Burry Port Town Centre. The B4311 runs through the southern end of Burry Port and connects to the major road the A484. An extract from the approved Reserved Matters is shown below. As can be seen access to the new foodstore was approved along the eastern boundary. The separate access junction and road off the B4311 required to allow continued vehicular access to the Neptune Building can be seen to the western side of the image. This was approved under a separate planning permission (S/21246).

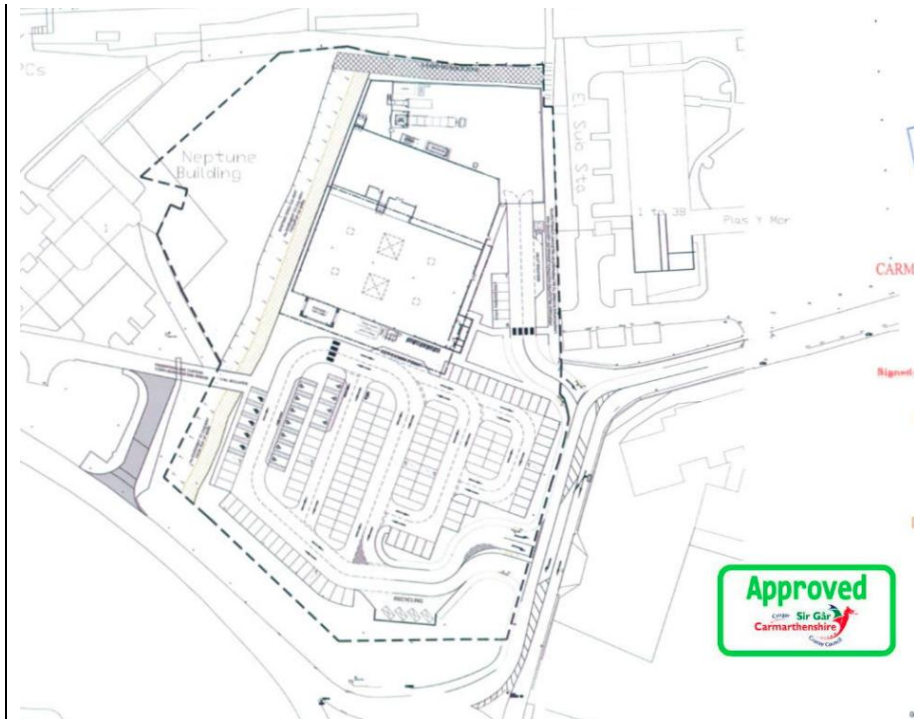


Figure 3: Approved Reserved Matters Layout (S/26189)

The Transport Assessment submitted and approved at Outline planning stage emphasised the sustainable nature of the application site in close proximity to the railway station and planned transport interchange, with well-connected pedestrian and cyclists routes. Exploring opportunities to improve connections to the town centre to the north was highlighted during the application process in order to improve linked trips. The site is adjacent to the southern distributor road, whilst as aforementioned a new access was proposed for Neptune Buildings under a separate application.

The TA was informed by capacity modelling of key junctions. This was considered by the Authority's Highways team who raised no objection to the outline or the subsequent reserved matters. There were planning conditions imposed in terms of a travel plan; road safety audits; and design of improved pedestrian linkages.

Ashburnham Road and neighbouring streets are well-lit by existing street lighting. National Cycle Route 4, which is a long-distance cycling route from London to Fishguard runs approx. 120m to the south of the site. It is considered such features could encourage travelling to the site via active travel methods.

With regards to public transport, Pembrey and Burry Port train station is located immediately north of the application site, which provides access towards West Wales and Cardiff. The closest bus stop is located approx. 100m to the west of the site which is serviced by bus route X11 towards Swansea, Llanelli & Carmarthen.

In light of the above, it is therefore considered that the site is located in a sustainable location.

Whilst the previous applications were informed by a Transport Assessment, due to the passage of time, any new retail/commercial development of a similar nature would need to be informed by a new assessment.

It is envisaged that similar highway related conditions will be attached to any future successful planning application on this site.

Condition 4 of previous outline application (ref: S/21247) required a scheme that provided detailed design of the proposed alterations to the public network in the vicinity of the site, including improvement to pedestrian linkages to be submitted for approval and subsequently carried out accordingly. Since the previous approvals a sustainable transport hub has been created to the west of the site. It is considered that there is scope to improve existing pedestrian linkages that connect the site with the main part of the town centre, and that these will need to be explored as part of any future proposal. This could involve making them more attractive and safer routes to use.

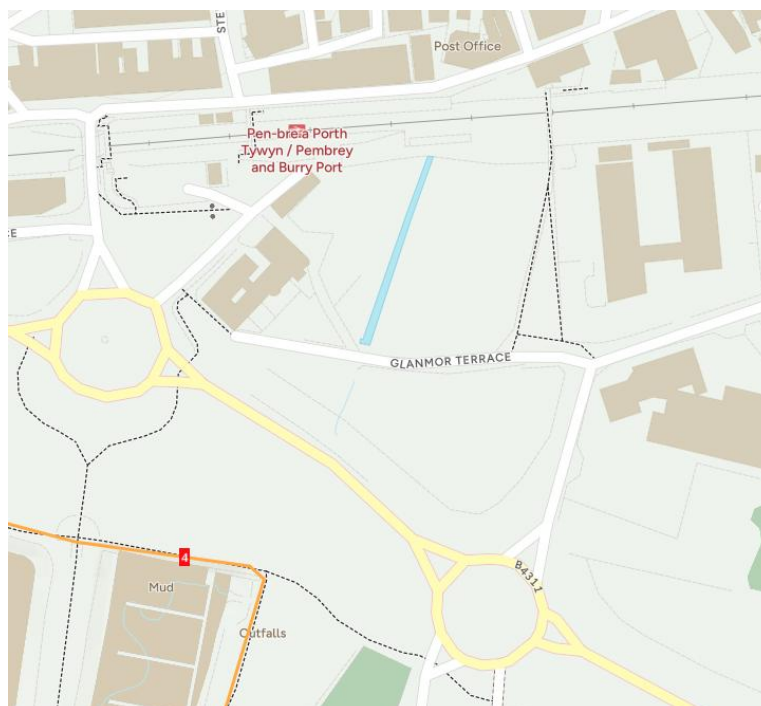


Figure 4: National Cycle Route Map (Source: Sustrans)

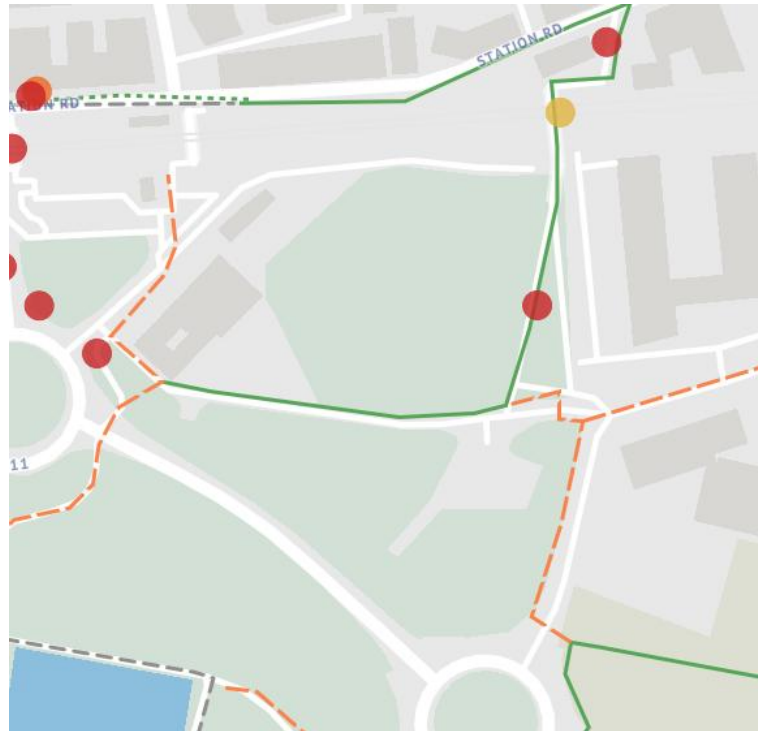


Figure 5: Active Travel Network Map (Source: Carmarthenshire County Council)



Figure 6: Approved Reserved Matters Landscape Masterplan indicating public connection routes (S/26189)

Flood Risk

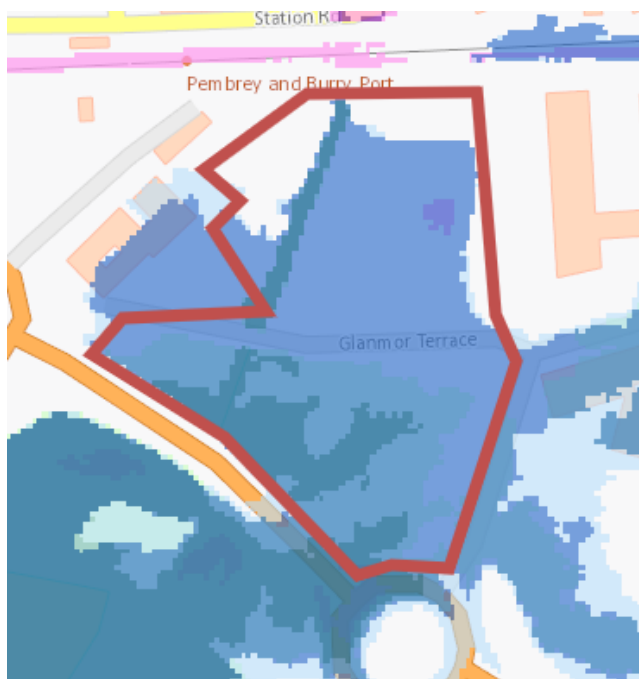


Figure 7: NRW Flood Map for Planning

On reviewing Natural Resources Wales Flood Map for Planning the site has significant flooding risk from Rivers Flood Zone 2 & 3 covering the majority of the site. The Southern area of the site and the Nant Dyfatty watercourse is also subject to flooding from the Sea Zones 2 & 3. As for Surface Water and Small Watercourses, an isolated area at the northeastern section of the site is located within Flood Zone 2. In light of the above, a detailed Flood Consequences Assessment (FCA) is required to support any future planning application.

The new Technical Advice Note 15 was adopted in March 2025 and any new planning application on this site will be assessed against this new Policy document. A commercial/retail development will represent less vulnerable development. Such a proposal on a greenfield site such as this will only be considered appropriate if essential to the Development Plan Strategy to regenerate an existing settlement or achieve key economic or environmental objectives. In this regard its allocated status in the current LDP is beneficial. The proposal must also be consistent with the acceptability considerations set out in Section 11 of TAN 15 and this will need to be evidenced as part of the FCA. NRW will be the key consultee in terms of considering the acceptability of flood risk.

A detailed Flood Consequences Assessment did accompany the previous outline planning application, however this is significantly out of date and a new FCA will be needed. The previous FCA found that the site was shown to be affected by fluvial flooding from the Nant Dyfatty in both 1% + Climate Change and 0.1 fluvial events combined with a Mean High Water Springs tide, during free flowing conditions and when a 50% blockage occurs at the culverts within the site. As such the FCA recommended the upgrading and long term maintenance of the culverts. Taking into consideration the recommended culvert upgrade works which was proposed as part of the application, the site was shown to be unaffected by flooding during all scenarios. The FCA also recommended the installation of a flap valve at East Dock and that the Finished Floor Level of the development was set at a minimum

of 6.32m AOD. Most of the site was already above this level. The Environment Agency at the time, now Natural Resources Wales raised no objection subject to conditions. Such conditions were imposed on the outline planning permission relating to the above FCA recommendations.

As such, and assuming that no work has been done to the culverts since the grant of planning permission in 2010/2012, upgrade works to the culvert and installation of a flap valve should be considered as part of any future application on site to reduce and improve matters from a flood risk perspective. This will need to be assessed within a new FCA.

In terms of tidal flood, the historic FCA indicated that site was not vulnerable to flooding from either the 0.5% or 0.1% tidal events. As aforementioned, the previous proposal included installation of a flap valve at the Relief Culvert outfall at East Dock, which can prevent tidal incursion through the culvert system to the open channel of the Nant Dyfatty through the site. In addition, it is anticipated that the proposed building slab levels will be set around 7.0m AOD, which is well above the 0.1% tidal level. The above was considered acceptable based on the relevant policies applicable at the time when the planning application was submitted. The ground level was secured by planning condition (Condition 13 of outline permission ref: S/21247 and Condition 7 of reserved matters approval ref: S/26189) to reduce the risk of flooding. A similar approach should be considered for any future planning applications.

However, as already noted, the flood model and the relevant planning policies have been updated since planning permission was previously granted. Further guidance should be sought against the most recent data and in accordance to the most updated policies.

Public Rights of Way



Figure 8: Public Rights of Way (Source: Carmarthenshire County Council)

Within Carmarthenshire County Council's Public Rights of Way Map there are no Public Rights of way within or bordering the site. The nearest designated path is a footpath (ref: 71/25/3) located to the southwest of the site.

Historic Environment

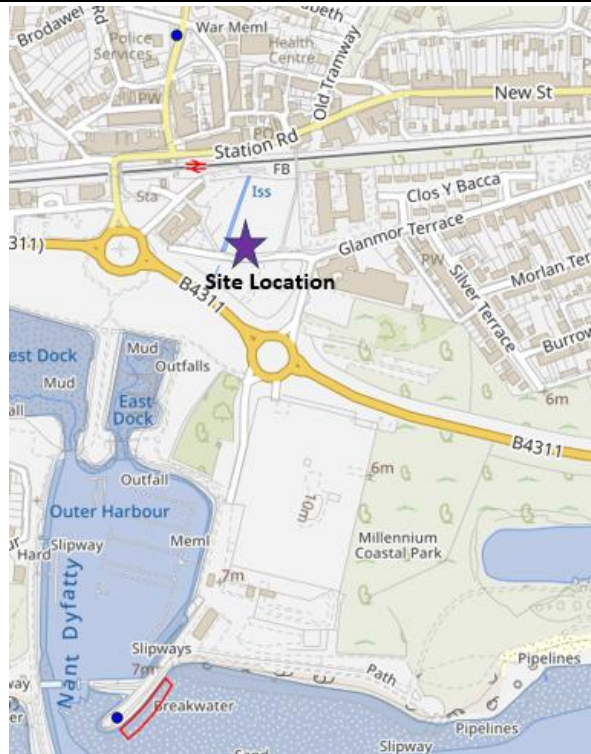


Figure 9: Listed Building Records (Source: Cadw)

Cadw's records map shows there are no listed buildings or scheduled monuments within the immediate vicinity that would be affected by any proposed development. The nearest listed building is a war memorial north of the site located within Burry Port.

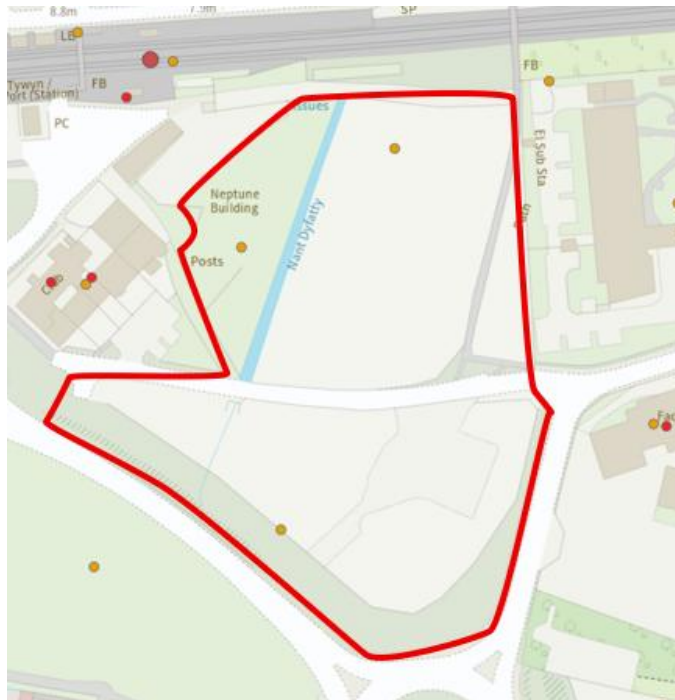


Figure 10: Historic Wales Map

A review of Historic Wales Map shows that the site has a number of Heneb features within and around the site boundary. The historic features within the boundary are a Scouts Hall, Engineering Works, and Engine Shed. There is also a number of historical assets to the west and east of the site. However, it is noted that no buildings or structures are currently located within the site boundary based on the site visit.

An Archaeology Assessment was previously submitted to support the outline application ref: S/21247, which largely echoes the findings of the above that there are no listed buildings, schedule monuments, registered parks, gardens and battlefields within or near to the application site. The report also acknowledges that the site appears to have been part of the Tywyn Bach dune area until the development of the port in mid-19th century. Over 2.5m of windblown sand has been identified below the turf line in an evaluation to the south of the site. There are also no records of earlier than post-medieval date within a 1km radius of the site. The report was considered acceptable and in accordance to the relevant planning policies, with Cadw raising no objection.

In terms of any future planning submission, based on the findings above and the fact that there are no historic buildings currently located on site, it is therefore envisaged that the referenced historic assets will not represent a constraint to development.

Heneb, the Authority's Archaeological Advisors may recommend the imposition of an archaeological watching brief condition.

Coal Mining

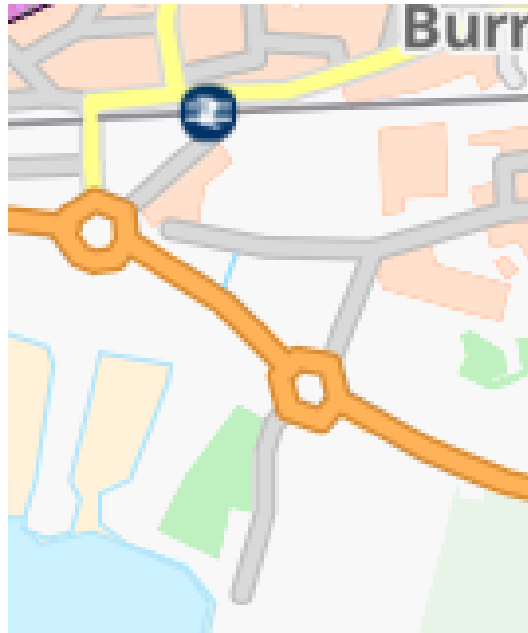


Figure 11: Coal Mining Risk (Source: Mining Remediation Authority)

Reviewing the Coal Mining Authority map, there are no immediate high-risk areas that would affect the development within or around the site boundary.

The previous applications echoes the above and no coal mining risk assessment was submitted to support the applications. The Coal Authority previously raised no objection.

Green Infrastructure



Figure 12: Green Infrastructure Map (Source: Carmarthenshire County Council)

As shown in the Green Infrastructure Map above, the site currently possesses limited green infrastructure, with isolated urban trees located at the western section of the site. A Green Infrastructure Statement will be needed with any subsequent planning application informed by appropriate baseline ecology and arboricultural information. A net benefit for biodiversity will need to be proven. Replacement planting for trees removed to facilitate development will be needed.

Ecology	Reviewing Carmarthenshire County Council's LDP Map there are no Ecological Protected areas overlapping the site. The previous outline permission S/21247 was supported by an ecological assessment, which acknowledged that the site is located within close proximity to the Carmarthen Bay SAC. The site itself is not designated under any statutory or non-statutory nature conservation designations. The majority of the site was covered by semi-improved grassland, with some small areas of particularly species-rich grassland recorded. A small area of rough grassland was noted. Other habitat features on the site include some small areas of scrub, trees and a small ditch, the Nant Dyffaty, which runs north-east to south-west within the western part of the site. The data search returned several records of locally to nationally important plant species known to occur within the Burry Port area. Whilst, none of these were recorded during the Phase I survey, a recommendation has been made to carry more in-depth vegetation surveys at an appropriate time of the year to fully evaluate the botanical value of the site. Potential for reptiles was also noted at the time of survey and a recommendation for a reptile survey is also made. Relevant consultees did not raise any objection on ecological grounds subject to the imposition of a number of conditions relating to appropriate watercourse buffer; eradication of Japanese Knotweed; appropriate landscaping planting and landscape ecological management plan; and reptile clearance and mitigation strategy. It should be noted that the previous ecological work undertaken is now significantly outdated and therefore new surveys based on current site conditions and in accordance with current policies and guidance will need to be undertaken.
Landscape Designations	It is noted that in the LDP map that there is recreation/open space to the south of the site. Whilst parts of Burry Port are within the Taf and Tywi Landscape of Outstanding Historic Interest it was considered at previous outline and reserved matters planning stages that the development of this site would not adversely affect this wider designation.
Agricultural Land Classification	<i>Figure 13: Predictive Agricultural Land Classification (Source: Data Map Wales)</i> A review of the ALC map shows the majority of the site to be classed as 3b with urban classification surrounding to the north and further 3b land to the south. The

	site does not possess any BMV agricultural land and therefore an agricultural land classification is not required to support any future application.
Drainage & Engineering	All new developments of more than 1 dwelling house or where construction area is 100m² or more are required to submit a Sustainable Drainage System (SuDS) application demonstrating compliance with the statutory SuDS standards for the design. Construction, operation and maintenance of surface water drainage system serving new developments. It is noted that the drainage strategy for foul and surface water will need to be developed with regards to Schedule 3 of the Flood and water Management Act 2010 and will therefore require a separate consent from the Council's SAB Authority. A drainage statement is required to support any future planning application. A Drainage Statement was submitted with the previous application which indicated that foul water was to drain to the mains sewer whilst surface water was to be discharged separately to the culverted watercourse of the Nant Dyfatty. Dwr Cymru/Welsh Water raised no objection at the time. In terms of surface water, as aforementioned since the previous applications the SAB process is now in place, and therefore an updated Drainage strategy is needed that explores the following hierarchy:- • Priority Level 1: Collection for use • Priority Level 2: Infiltration to Ground • Priority Level 3: Discharge to surface water body (which was originally proposed) • Priority Level 4: Discharge to a surface water sewer, highway drain or other drainage system • Priority Level 5: Discharge to a combined sewer It is also recommended that a Dwr Cymru Welsh Water search is undertaken to ascertain the location of any foul assets within the vicinity and whether there is capacity in the Waste Water treatment Works (WwTW) The Drainage Statement will also need to evidence compliance with the CBEEMS Memorandum of Understanding by removing surface water out of the public sewerage system to create betterment. In terms of the Marine SAC issue, the Drainage Statement will need to prove nutrient neutrality. In this regard reference should be drawn to the NRW's Advice to planning authorities for planning applications affecting nutrient sensitive Special Areas of Conservation which can be viewed at the following link:- https://naturalresources.wales/guidance-and-advice/business-sectors/planning-and-development/advice-for-planning-authorities/advice-to-planning-authorities-for-planning-applications-affecting-phosphorus-sensitive-special-areas-of-conservation/?lang=en . Please see Appendix 1 for further information on the Marine SAC issue also
Site Investigation	Given the industrial history of the area, there is a need to investigate the potential risks of contamination. The previous outline permission (ref: S21247) was supported by a site investigation report, where only minor potentially contaminative land-uses, either past or present were identified by the report which concluded that no formal remediation of the made ground is necessary. Localised hydrocarbon contamination may be encountered due to the previous nature of the use of the site. As such, chemical testing of soil samples was taken across the site. It was recommended that made ground is either removed or beneath 300mm of imported

	capping materials to provide suitable growing material for landscaped areas. Thereafter it will be necessary to ensure that all soft landscaped areas incorporate a 600mm capping layer of clean topsoil and subsoil materials in order to protect vegetation, site users and maintenance workers. The contamination test results are within soil guideline values for commercial end use. It is envisaged that a similar approach is needed to inform any new planning application on this site. The previous SI information was considered in detail by statutory consultees, and the then EAW, now NRW raised no objection subject to standard contaminated land and groundwater risk conditions. Ground gas risk was identified as a consideration however could potentially be addressed through appropriate gas protection measures as part of detailed design. Standard contamination conditions are envisaged to be attached to any future decision notice similar to the previous application (ref: S/21247). These conditions also related to a Construction Environmental Management Plan and Pollution Prevention Plan to avoid any adverse environmental impacts to sensitive sites during construction activities. There were also conditions that prevented piling or surface water infiltration to ground; scheme for underground tanks for the PFS; and petrol/oil interceptors.
Air Quality	The site does not reside within an Air Quality Management Area. However, it is noted that an Air Quality Assessment was submitted as part of the outline application ref: S/21247. The previous Air Quality Assessment was assessed by the Local Authority's Environmental Health Team who raised no objections. It is expected that any future planning application of a similar scale would need to be accompanied by an updated Air Quality Assessment.
Noise	The site itself is not subject to any noise constraints. However, given that the nature of the proposal, which may generate a significant amount of traffic and therefore noise, it is envisaged that a noise impact assessment will be required to inform any future planning application. A NIA did accompany the original outline application in 2010. The Authority's Environmental Health Officers raised no objection subject to conditions. These conditions included a noise management plan during construction phase, and noise reduction measures during the operational phase as there are a number of sensitive noise receptors nearby including Plas Y Mor.
Welsh Language	The site is not within a Welsh Language Sensitive Area as defined in the LDP.
Phosphate	Phosphates would not be a consideration in relation to this site, however as aforementioned the requirements of the CBEEMS MoU and the Marine SAC issues are.
Other Matters	The site is within the ownership of Carmarthenshire County Council. In relation to the Marine Special Area of Conservation (SACs), NRW have provided an update regarding interim planning advice on 25 July 2025. This guidance impacts developments in the catchments of several Marine SACs. Their most recent correspondence states that nutrient-sensitive features in the Pembrokeshire Marine SAC, Carmarthen Bay and Estuaries SAC, and Cemlyn Bay SAC are in unfavourable condition due to pollution from Dissolved Inorganic Nitrogen.

The specific water bodies identified as failing both chemical and biological indicators are:

- Milford Haven Inner (Pembrokeshire Marine SAC)
- Inlet Inner (Carmarthen Burry Bay and Estuaries SAC)
- Cemlyn Lagoon (Cemlyn Bay SAC)

Concerns have already been raised directly with both NRW and the Welsh Government, reiterating the severe impact this will have on affordable housing and economic development delivery. NRW are encouraging LPAs to continue consenting so long as we can evidence of nutrient neutrality and potential mitigation methods can be provided. In this regard, the aforementioned guidance to LPA's for planning applications affecting nutrient sensitive Special Areas of Conservation is relevant.

The Marine SAC issue will affect any future application on this site. Please refer to Appendix 1 for more detailed information in this regard.

Planning Policy

National Planning Policy

The Well-Being of Future Generations (Wales) Act 2015

The Well-Being of Future Generations (Wales) Act 2015 (which came into force on 1st April 2016) requires "public bodies to do things in pursuit of the economic, social, environmental and cultural well-being of Wales in a way that accords with the sustainable development principle". Within the Act, sustainable development is defined as follows: "the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals".

The Act sets out that when making decisions, public bodies need to take into account the impact they could have on people living in Wales in the future and must apply the sustainable development principle in all decisions.

Future Wales: The National Plan 2040

The National Development Framework: Future Wales – the National Plan 2040 was published on 24th February 2021. 'Future Wales' sets out the Welsh Government's strategy for addressing key national priorities through the planning system, including sustaining and developing a vibrant economy; achieving decarbonisation and climate-resilience; developing strong ecosystems; and improving the health and wellbeing of our communities. The National Development Framework has Development Plan status.

Future Wales sets out its overarching ambitions based on the national planning principles and national sustainable placemaking outcomes set out in Planning Policy Wales by means of 11 Outcomes. As set out on Pages 54-56 of Future Wales, the 11 Outcomes are collectively a statement of where the Welsh Government aspire Wales to be in 20 years' time, as follows:

A Wales where people live:

1. *...and work in connected, inclusive and healthy places*
2. *...in vibrant rural places with access to homes, jobs and services*

3. *...in distinctive regions that tackle health and socio-economic inequality through sustainable growth*
4. *...in places with a thriving Welsh Language*
5. *...and work in towns and cities which are a focus and springboard for sustainable growth*
6. *...in places where prosperity, innovation and culture are promoted*
7. *...in places where travel is sustainable*
8. *...in places with world-class digital infrastructure*
9. *...in places that sustainably manage their natural resources and reduce pollution*
10. *...in places with biodiverse, resilient and connected ecosystems*
11. *...in places which are decarbonised and climate-resilient*

Planning Policy Wales Edition 12

Planning Policy Wales (PPW) Edition 12 was published in February 2024. The primary objective of PPW is to ensure that the planning system contributes towards the delivery of sustainable development and improves the social, economic, environmental and cultural well-being of Wales, as required by the Planning (Wales) Act 2015, the Well-being of Future Generations (Wales) Act 2015.

Sustainable Development is defined at Page 7 of PPW as follows: “the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals”.

Paragraph 1.18 sets out that “Legislation secures a presumption in favour of sustainable development in accordance with the development plan unless material considerations indicate otherwise to ensure that social, economic, cultural and environmental issues are balanced and integrated”.

Section 4.3 of Planning Policy Wales relates to retail and commercial development and refers to the well-established retail tests. These relate to need (quantitative and qualitative); sequential assessment; and sets out the requirements for retail impact assessments. Technical Advice Note 4 ‘Retail and Commercial Development’ provides further information in this respect.

**Local
Development
Plan Status**

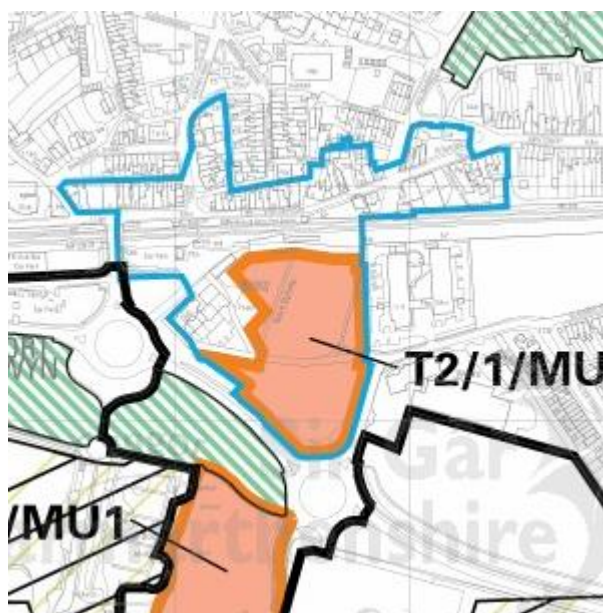


Figure 14: Adopted LDP Map (Source: Carmarthenshire County Council)

In reviewing the LDP map, the site is located within Development Limits (GP2) and located within the Town Centre (RT5, RT6). The site itself is also designated as a Mixed Use (EMP5) allocation (ref: T2/1/MU1), which the focus is likely to be on developing suitable retail provision along with appropriate commercial/tourism related uses.

**Development
Plan – Key
Policies**

Policy Reference	Relating To
Strategic Policies	
SP1	Sustainable Places and Spaces
SP2	Climate Change
SP3	Sustainable Distribution – Settlement Framework
SP4	Strategic Sites
SP7	Employment – Land Allocations
SP8	Retail
SP9	Transportation
SP17	Infrastructure
General Policies	
GP1	Sustainability and High-Quality Design
GP2	Development Limits
GP3	Planning Obligations
GP4	Infrastructure and New Development
Economy and Employment	
EMP1	New Employment Proposals
Retailing	
RT1	Retailing Hierarchy
RT5	Town Centres (Service Centres)
RT6	Town Centres (Service Centres) – Convenience Stores
Transport and Accessibility	
TR2	Location of Development – Transport Considerations
TR4	Cycling and Walking
Environmental Qualities – Natural Environment	

EQ4	Biodiversity
EQ5	Corridors, Networks and Features of Distinctiveness
Environmental Protection	
EP1	Water Quality and Resources
EP2	Pollution
EP3	Sustainable Drainage
Recreation and Leisure	
REC1	Protection of Open Space
REC2	Open Space Provision and New Developments

SPG

In reviewing Carmarthenshire Council's website, the following Supplementary Planning Guidance (SPGs) are considered relevant for the proposal;

- Planning Obligations
- Archaeology and Development
- Leisure and Open Space Requirement for New Development
- Nature Conservation and Biodiversity
- Placemaking & Design

Emerging LDP/SPG new policy

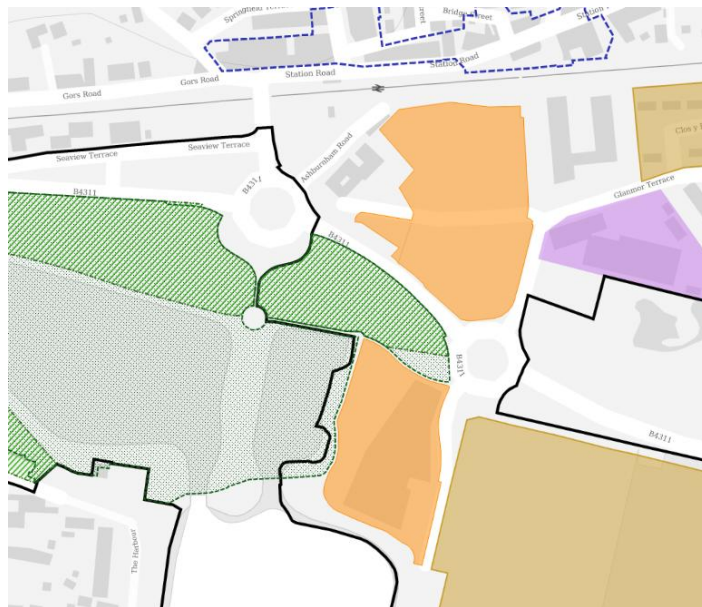


Figure 15: Revised Deposit LDP Map (Source: Carmarthenshire County Council)

Within the revised LDP the site remains a mixed use allocated area within development limits with the aforementioned open space still to the south of the site. The site is now not shown to be within the town centre boundary within the revised map. The site remains as a mixed-use designation with focus on appropriate retail provision along with commercial / tourism related use with no residential allowance provided (ref: Burry Port Waterfront SeC4/MU1).

Planning Appraisal

Appraisal

Principle of Development

The site is located within the development limit as defined by LDP Policy GP2 (Development Limits), where developments will be permitted. In addition, it is also noted that the site has been allocated for mixed use with a focus on retail provision, along with appropriate commercial/tourism related uses (ref: T2/1/MU1). At present

the site is within the defined town centre boundary as defined in the current Adopted LDP, which assists further in justifying retail and commercial uses, however it is noted that the deposit RLDP shows it outside the town centre boundary.

Whilst the above is positive and identifies the potential for a retail/commercial development, possibly consisting of a foodstore, it will need to be evidenced that any specific planning proposal of this nature accords with current policy provisions, and an updated Retail Impact Assessment will be a key report in this respect.

The site has also previously benefitted from planning permissions granted in relation to food store and petrol station. In this regard, the principle of developing the site as commercial/retail use was previously considered to be acceptable. The previous outline was accompanied by a detailed Retail Impact Assessment, which was scrutinised in detail by external consultants on behalf of the LPA. As aforementioned, an updated Retail Impact Assessment will be needed addressing the retail tests outlined in both national and local planning policy.

In terms of need, as the site is currently within the town centre boundary, this does not strictly have to be proven. However both quantitative and qualitative need was assessed in the previous RIA, and as aforementioned when the RLDP is adopted it is likely that the site will be outside of the town centre boundary where need will have to be proven.

It was previously evidenced that there was a quantitative and qualitative need for a foodstore of between 1250-1700sqm (net). Providing such a store in Burry Port would provide an opportunity for residents to do their bulk shopping in the town, as the existing offer primarily related to top-up shopping. Therefore there were potential positive benefits in terms of promoting more sustainable shopping patterns. Since the previous applications, the Co-op have built a new store in Burry Port, and this will need to be considered in the updated RIA. The latest position in terms of need is outlined in the Retail Study Update produced by NLP on behalf of the Authority in 2023. This is available to view on the Authority's Planning website as it was produced as an evidence document to inform the RLDP.

In terms of the sequential approach, the site was within the town centre boundary. This remains to be the case in the current Adopted LDP, however as aforementioned when the RLDP is adopted the site is likely to be considered as edge of centre as it will lie outside, albeit adjacent to the defined town centre boundary.

The previous RIA indicated that the main impact of the previously approved store would be on stores outside of Burry Port by clawing back trade. It was evidenced that there would only be 4% impact on local stores in Burry Port. As the site at the time was within the town centre boundary, then it was opined that this was a matter of competition. The Co-op store in Burry Port at that time was trading well above benchmark. The foodstore approved at the time would positively retain local regenerated convenience expenditure. The LPA was also mindful of the significant population growth projected in Burry Port by developing the residential elements of the harbour regeneration sites, which would also increase spending capacity to support retail.

There were planning conditions imposed on the previous outline planning permission that restricted the maximum floorspace (both gross and net), and specified the maximum percentage split between convenience and comparison goods. There was also a condition that required the retail to be brought forward prior to the PFS.

As aforementioned, the retail justification will be needed as part of any subsequent application on this site. The LPA did previously receive objections from some town centre traders, the Chamber of Trade and consultants on behalf of the Co-op. It is expected that any future application for retail on the site will be subject to the same level of scrutiny.

In light of the above, it is considered that the principle of a commercial/retail development on this site is acceptable, subject to the submission of detailed justification addressing the standard retail tests, and evidencing that it would not adversely affect the vitality and viability of the town centre.

Highway Consideration

The site is located in a sustainable location within close proximity to public transport services and benefits from vehicular and pedestrian access opportunities. An updated Transport Assessment will be needed, reflecting current traffic conditions, policy requirements, and travel patterns. Emphasis should be placed upon active travel connectivity, pedestrian accessibility, parking provision, servicing arrangements, and compliance with current highway design standards

Since the original approvals were granted, the legislative, policy and design framework has evolved considerably. This includes the introduction of the Active Travel (Wales) Act 2013, the CSS Wales Parking Standards (2014), and the introduction of CCC's Highways Design Guide (2018), which is understood to be currently under technical review. Whilst these are not envisaged to present barriers to future development of the site, they will need to be fully considered and addressed as part of any future planning application to ensure compliance with current standards, guidance and policy objectives.

To assist in understanding the potential transportation implications of any future proposals, it is understood that CCC Highways are currently undertaking a high-level review of traffic models held by the authority. This exercise will help inform an initial understanding of the potential impact of development proposals on the surrounding highway network, particularly in the context of recent and original transport interventions in the wider area.

The design of the scheme should ensure that it can allow safe access for various types of vehicles (including emergency vehicles and deliveries) and for cyclists and pedestrians. In addition, the site also benefits from well-lit footpath along Ashburnham Road and neighbouring streets which can encourage people travelling to the site via Active Travel Methods. Opportunities to improve existing connections with the town centre to the north to encourage linked trips will need to be explored. Whilst the site has excellent sustainability credentials, any future proposal will need to demonstrate how it integrates with and supports current transport and active

travel objectives, whilst providing suitable access arrangements for all users and mitigating any identified impacts upon the local highway network.

In terms of parking, sufficient parking spaces will need to be provided in accordance to the CSS Wales Parking Standards. For retail/commercial use, the level of parking required will depend on floorspace proposed.

With regards to the aforementioned alternative vehicular access previously proposed and approved for the Neptune Buildings. The principle of providing such a separate access was considered acceptable at the time, recognising the operational benefits of segregating vehicular movements associated with the Neptune Buildings from those associated with the retail development. Should a similar access arrangement be proposed as part of any future application, then the Local Highway Authority will consider this on its merits, subject to a review of the proposed design against current standards, highway safety considerations, traffic conditions, and wider transport impacts.

Ecology

A Preliminary Ecological Appraisal will be required to review the ecological value that the site currently possesses. The site visit showed that some areas, especially along the watercourse might possess some ecological value. In accordance with LDP Policy EQ4 (Biodiversity) and Chapter 6 of Planning Policy Wales Edition 12, any proposal should not lead to a detrimental impact on the ecological value of the site and further ecological enhancement features will be required on site to achieve a net benefit for biodiversity. This usually comprises of a comprehensive landscaping scheme and the installation of bat boxes and bird boxes.

It should be noted that the PEA submitted with the previous application is significantly out of date. A new PEA should be conducted to support the application and properly determine the ecological features of the site (including INNS), along with any additional surveys recommended. In terms of the latter, and depending upon what further surveys are deemed necessary, these may be seasonal.

It is understood that there is currently an active Badger sett on site. Information provided by CCC Ecology indicates that a Badger sett was identified in 2024 with a number of entrances. In 2024 sett entrances were identified along the RH bank of the Dyfatty. In June 2026 the vegetation along the bank was quite high and so the sett entrances were harder to identify however some pathways appeared to be going into the area of the brambles. It is not known what type of sett it is (main or outlier), this would have to be surveyed by an experienced ecological surveyor. There were mammal paths through the site although they did not appear well used at this time and you could see where one went under the fence towards the railway, to the west of the railway footbridge. No latrines were identified nor sett entrances in the middle of the grassland on this occasion. A further Badger Survey will be required to establish the nature of the badger use of the site.

Green Infrastructure and Biodiversity Enhancement

Following the publication of Planning Policy Edition 12 in February 2024, the latest version imposes a duty on competent authorities to conserve and enhance

biodiversity, and introduces a requirement for all planning applications to be accompanied by a green infrastructure statement.

Paragraph 6.2.12 of PPW 12 states that: *"A green infrastructure statement should be submitted with all planning applications. This will be proportionate to the scale and nature of the development proposed and will describe how green infrastructure has been incorporated into the proposal. In the case of minor development this will be a short description and should not be an onerous requirement for applicants.*

The green infrastructure statement will be an effective way of demonstrating positive multi-functional outcomes which are appropriate to the site in question and must be used for demonstrating how the step-wise approach (Paragraph 6.4.15) has been applied". Within the Green Infrastructure Statement (GIS), it should outline how the proposals will follow the Step-Wise Approach, which helps ensure that proposals avoid damage to biodiversity.

The redevelopment of the site will inevitably result in the loss of existing green infrastructure and this will need to be robustly addressed in any GIS with appropriate compensation, mitigation and enhancement provided.

Impact on visual and residential amenity

Detailed consideration will need to be given to matters relating to scale, design, layout and relationship to existing development including adjacent residential uses. There will be an expectation for high quality design aligned with the regeneration aspirations for the Burry Port harbour area.

Impact on Historic Asset

As shown on the Cadw Map and Historic Wales Map, there are no listed buildings located within close proximity to the application site but a number of Heneb records were found within and around the site boundary. Key consultees concerned with the historic environment did not raise any concerns in relation to the previous applications, and it is considered that this matter does not pose a significant constraint.

Design

As aforementioned there will be an expectation for a high-quality designed scheme that aligns with the regeneration aspirations for the area and is appropriate for the coastal harbour town of Burry Port.

The following matters, whilst not exhaustive, are considered to be important considerations in this regard:-

- The relationship between any retail foodstore with the town centre to the north with the proposal set back within the site as previously approved
- Maximising opportunities for active travel and improving connections between the site and surrounding infrastructure / town centre
- Ensuring means of access for all
- The relationship and scale of any retail foodstore with existing immediate residential and other well-established uses to ensure that there is no adverse impact in terms of amenity

- Elevational and roof design interest that is appropriate to its character context
- A palette of materials appropriate to its context
- Maximising opportunities for active glazed elevations to elevations open to public view
- Sustainable and energy efficient design
- A comprehensive landscaping and green infrastructure scheme
- High quality boundary treatment measures
- Maximising natural surveillance and achieving a safe and attractive layout

Flooding and Drainage

It is noted that the site is located within Flood Zone 2 & 3 (River and Sea). A flood consequences assessment (FCA) will therefore be required to support any further planning application. In accordance to the new TAN15, development will be allowed if essential to the Development Plan Strategy to regenerate an existing settlement or achieve key economic or environment potential. Given that the site is allocated for mixed use consisting of retail/commercial uses to support the tourism at the Burry Port Area, the proposed commercial use is likely to be acceptable to the LPA subject to the flood risk on site being acceptable and manageable evidenced within an updated FCA.

It is noted that an FCA was submitted to support the previous applications (ref: S/21247 & S/26189) with a recommendation on culvert upgrade work, installation of a flap valve at East Dock and minimum floor levels. It is likely that similar approach should be considered as part of any future application. However, it should be noted that the flood data and the policies have changed throughout the years. An updated FCA is therefore required in accordance to the most recent data and policies, which will determine whether the previous proposed work will be sufficient.

Regulations adopted on the 7th January 2019, requires all new developments of more than 1 dwelling house or where construction area is 100m² or mor to submit a Sustainable Drainage Systems (SuDS) application demonstrating compliance with the Statutory SuDS standards for the design, construction, operation and maintenance of surface water drainage systems serving new developments. It is noted that the drainage strategy for foul and surface water will be developed with regard to Schedule of the Flood and Water Management Act 2010 and will therefore require a separate drainage consent from the Council's SAB Authority.

It is noted that a Drainage Statement was submitted with the previous outline permission, however as aforementioned an updated Drainage Statement based on current SAB requirements will be needed.

Marine SAC

NRW has recently published new reports about the health of protected marine areas around Carmarthenshire - Natural Resources Wales / Condition assessments for Welsh European marine sites (EMS). Of particular relevance to Carmarthenshire, is the condition assessment for the Carmarthen Bay and Estuaries Special Area of Conservation and Carmarthen Bay Special Protection Area, both of which include the entire Carmarthenshire coastline along with sections of the Pembrokeshire and Swansea coastlines. The current data indicates that the SAC is in unfavourable

condition, with nutrient pollution, in the form of dissolved inorganic nitrogen, as being the main reason for the decline.

Following publication of the data and having regard to the responsibility imposed on Local Planning Authorities under the Habitats Regulations as a competent authority, all applications are now being assessed against the new information to ascertain whether they are likely to have an adverse impact upon the SAC, particularly from additional wastewater entering the SAC.

The Marine SAC issue is relevant to the consideration of any planning application on this site. The Drainage Statement will need to evidence nutrient neutrality. As a proposed retail foodstore on this site will provide a commercial/retail offer for a local population already served by residential foul connections in the affected area, whilst future staff are also likely to be local, it is considered that a case could be made that the development is unlikely to increase nutrient levels within the SAC, and thus could be screened out. This approach was recently adopted by the LPA for a retail foodstore in Ammanford. Please see Appendix 1 for further information on the Marine SAC

CONCLUSION

Conclusion

In summary, it is considered that there is are scope and potential to develop the site for commercial use, including retail as the site is located within the Burry Port Town Centre Boundary in current LDP and allocated for retail and commercial use under both adopted and deposit LDPs. Development of the site on a retail/commercial premises is considered to be acceptable, subject to compliance with all other development management requirements and planning policies. A Retail Impact Assessment will be a key piece of evidence.

The site has previously benefited from having outline and reserved matters approval for the provision of Class A1 Food store with Associated Servicing, Parking and Petrol Filling Station (ref: S/21247 & S/21689). Whilst this further confirms that the principle was considered acceptable, the permissions have lapsed and any new application will be assessed on its own merits against current planning policies. New supporting documents will be required to support any future applications.

In relation to the Marine SAC issue, a suggested approach to this has been outlined in the above appraisal, and evidence will need to be provided within a detailed Drainage Statement.

LIST OF SUPPORTING DOCUMENTS

It is envisaged that the following will need to accompany any future planning application for a retail foodstore on this site. It is recommended that the exact scope is confirmed during pre-application discussions with the LPA.

Plans

- Location Plan
- Existing site plan
- Proposed Site Plan
- Proposed Floor Plans

- Proposed Elevations
- Roof Plan
- Proposed Building Sections
- External structures
- External Lighting Plan
- Topographical Survey
- Engineering Plan
- Ecological Enhancement Plan
- Landscaping Plan

Reports

- Planning Application Form
- Planning Statement
- Design and Access Statement
- Pre-application Consultation (PAC) Report
- Drainage Strategy / Scheme
- Flood Consequence Assessment
- Phase 1 Preliminary Ecological Appraisal (PEA) and any other required ecological surveys
- Lighting Strategy
- Transport Assessment / Transport Statement
- Travel Plan
- Green Infrastructure Statement
- Tree Survey
- Tree Constraints Plan
- Arboricultural Impact Assessment
- Arboricultural Method Statement
- Ground Conditions Report
- Noise Assessment
- Air Quality Assessment
- Archaeological Report
- Retail Impact Assessment

Other