

PLANNING STATEMENT

Burry Port Masterplan Sites

September, 2022



Summary

Proposal:

Section 73 Applications for the Variation of Condition 1 to extend the planning permissions for a further 5 years.

Location:

Burry Port Harbour, Masterplan Sites 4, 5/6 and Grillo

Date:

September, 2022

Project Reference:

S22.173

Client:

Carmarthenshire County Council

Product of:

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Contents

Section 1	
Introduction	4
Section 2	
Site Description and Context	5
Section 3	
Proposed Development	8
Section 4	
Planning Policy Context	10
Section 5	
Appraisal	19
Section 6	
Conclusion	26

Introduction

- 1.1 This Planning Statement has been prepared on behalf of Carmarthenshire County Council through their appointed contractors at WSP to accompany Section 73 applications relating to the Burry Port Harbour Development Framework area, specifically Sites 4, 5/6 & Grillo. The Section 73 applications seek to vary condition 1 of the relevant planning permissions, in order to extend the time limit for the submission of Reserved Matters for the above-mentioned sites by a further 5 years and the subsequent time period for the commencement of the developments
- 1.2 The details of the relevant outline planning permissions for each site are provided below:
 - Site 4: S/38105;
 - Site 5 & 6: S/38106; and,
 - Grillo: S/38251.
- 1.3 The above applications were approved in December 2019 to extend the time-limit of the outline permission for a further three years. Subsequently, Asbri Planning Limited have now been instructed by Carmarthenshire County to submit a number of applications seeking to vary the relevant planning condition to allow a further period of time for the submission of reserved matters.
- 1.4 The purpose of this Planning Statement is to provide a clear and logical document to outline the planning considerations and planning policies relevant to the proposal. The document also acts as a method of demonstrating the details of the planning application in a way that can be read both by professionals and the public.
- 1.5 This Planning Statement will act as a supporting document for the three separate planning applications and should be read in conjunction with all other elements of the applications.
- 1.6 In terms of the content of the Planning Statement, this chapter is followed by a brief description of the site and its features which includes a contextual analysis regarding the local character and surrounding land uses and review of planning history. Subsequently, Chapter 3 provides an outline of the proposed development. Following this, Chapter 4 then identifies the relevant national and local planning policies which provide the framework for appraising the proposed development. Meanwhile, Chapter 5 draws together the key points and conclusions from the supporting technical documents to demonstrate the overall appropriateness of the proposal in planning terms. Finally, Chapter 6 concludes why the proposal should be granted planning permission.

Site Description and Context

Location

- 2.1 The Burry Port Harbour Masterplan area sits to the south of Burry Port town centre. Historically the town was developed around industry associated with the harbour, which facilitated the movement of coal from the Gwendraeth Valley. Industrial activity in this area grew over the years, with the former Grillo Zinc Oxide works site located in the centre of the Masterplan area.
- 2.2 In terms of the wider area, the sites are surrounded generally by residential land use to the east and west, with the town centre located to the north. Burry Port Town Centre contains a number of services and facilities, including convenience stores, pubs/cafes, hotels, shops, pharmacy and a train station with the railway line running parallel to the Burry Port Harbour area.

Movement

- 2.3 The application sites can be accessed via the B4311 Burry Port Southern Distributor Road (SDR). The SDR was developed a number of years ago to facilitate and bring forward the regeneration of the Burry Port harbour area. The SDR reduces traffic flows on residential roads within the town thus opening up opportunities for environmental improvements.
- 2.4 The schemes also benefit from good access to the railway station at the centre of Burry Port, the Millennium Coastal Park and Burry Port Harbour. The local train station provides links to West Wales, Swansea and the wider rail network. The sites are strategically located adjacent to the Millennium Coastal Path which has provided strong sustainable links to Pembrey Country Park and Cefn Sidan Sands to the west and Llanelli to the east. The sites are therefore well positioned to maximise opportunities in terms of both public transport and active travel.

Site Features

- 2.5 Site 4 comprises an irregular shaped parcel of land with an area measuring approximately 1.21 hectares. The site is currently characterised by green space comprising of an open section of grassland and a section of scrub with areas of tipped silt, currently enclosed by post and wire fencing. The two sections are separated by a row of semi mature Scott Pines which intersect from the north to south-east corner of the site. The site is currently undeveloped with the exception of a small electrical sub-station located towards the eastern boundary of the site. Vehicular access into the site is currently achieved along the eastern boundary via a spur off the B4311. The site also benefits from excellent pedestrian and cycle connections,

including the Millennium Coastal Path and National Cycle Route, which interweaves along the southern boundary of the site.

- 2.6 Site 5 comprises of a broadly rectangular shaped parcel of land with an area measuring approximately 1.17 hectares. The majority of the site is currently utilised as a storage yard for chandlery uses, which is enclosed by palisade fencing, and includes a boatyard workshop along the northern boundary. A portacabin and number of storage buildings lie along the western boundary and are utilised for the purpose of the Harbour Masters offices, whilst the HM Coastguard station lies in the north-west portion of the site and comprises of a nondescript building. The southern portion of the site comprises of a gated overnight car park wherein lies a pre-fabricated steel building which serves as a lifeboat storage facility. Meanwhile, the remaining southern portion of the site comprises of a grassed area with a cluster of mature trees in the south-east corner. As such there lies potential for ecological value within the site which will need to be investigated via appropriate ecological and species surveys. The northern boundary lies directly adjacent to the former Grillo Zinc Oxide works which is defined by a prominent stone wall boundary. The southern boundary comprises of an open frontage which overlooks the Loughor Estuary towards the Gower. The newly constructed Royal National Lifeboat Institution (RNLI) building bounds the western boundary.
- 2.7 Site 6 comprises of an irregular shaped parcel of land with an area measuring approximately 2.2 hectares. The site is largely bare ground comprising of areas of coarse rubble and scrubland with dense vegetation delineating along the southern and eastern boundaries. The western boundary is defined by steel fencing with concrete posts which adjoins the former Grillo site, whilst the northern boundary abuts the B4311 and comprises of timber posts with wire fencing. In terms of access, three separate vehicular entrances are located along the western boundary of site 5 and provide access into the boat storage yard, car park and HM Coastguard. Whilst there is currently no means of vehicular access into Site 6, general access can be gained along the southern boundary wherein lies the Wales coastal path and national cycle route 4 which delineates alongside both sites.
- 2.8 The Grillo Site extends to 4.55 hectares and comprises a parcel of previously developed land which has been subject to long-term industrial uses, formerly known as the Grillo Zinc Oxide Factory, which closed in 2006, and demolished thereafter. The land has remained vacant since. As existing the site comprises mostly bare ground and hardstanding, with rubble piles created from the demolition of buildings in 2006. The north of the site consists of scrub and woodland.

Planning History

2.9 A review of Carmarthenshire Council's online planning register reveals the following planning history to be of relevance:

Application Ref.	Description of Development	Decision
<i>S/30597</i>	<i>Commercial leisure development comprising of a mix of retail, hotel, pub/restaurant and residential uses.</i>	<i>Approved 25/11/2015</i>
<i>S/30598</i>	<i>Demolition of existing Harbour Masters Offices, HM Coastguard Station and ancillary storage buildings and construction of up to 134 no. residential units with associated infrastructure works.</i>	<i>Approved 25/11/2015</i>
<i>S/30678</i>	<i>Redevelopment of the site for up to 230 homes and up to 465sqm of retail and leisure floorspace (A1, A3 and D1 uses). Creation and alteration of existing vehicle and pedestrian accesses, landscaping, public open space, all services and infrastructure, demolition, remediation of the site and associated works.</i>	<i>Approved 27/01/2016</i>
<i>S/38105</i>	<i>Variation of Condition no.1 on S/30597 (Extension of Time)</i>	<i>Approved 19/12/2019</i>
<i>S/38106</i>	<i>Variation of Condition no.1 on S/30598 (Extension of Time)</i>	<i>Approved 19/12/2019</i>
<i>S/38251</i>	<i>Variation of Condition no.1 of S/30678 (to allow a further 3 years for the submission of reserved matters)</i>	<i>Approved 19/12/2019</i>

2.10 The above planning history can be considered positive. All three sites this statement relates to benefit from extant outline planning permission to deliver development on the Burry Port Masterplan Sites.

Proposals

3.1 The Section 73 applications this Planning Statement relates to seeks to vary condition 1 of the relevant planning permissions, in order to extend the time limit for the submission of Reserved Matters for the following Burry Port Masterplan sites by a further 5 years:

- Site 4: LPA Ref: S/38105;
- Site 5 & 6: LPA Ref: S/38106; and,
- Grillo: LPA Ref: S/38251.

3.2 An extension time limit for the commencement of development for the above-mentioned site by a further 5 years is sought, as the applicant considers the sites to represent viable forms of development.

3.3 The following provides a brief overview of the proposed developments at each site.

Site 4 (Commercial/Leisure)

Commercial leisure development comprising of a mix of retail, hotel, pub/restaurant and residential uses.

3.4 The proposed commercial leisure development in this instance seeks to achieve a complementary mix of uses which has been designed to create a distinct sense of place and promote Burry Port Harbour as a visitor destination. The development comprises the creation of a critical mass of commercial and leisure activities which will serve to enhance the existing area as well as the public realm and expansion of the marina.

3.5 This Section 73 submission is accompanied by an indicative site plan which provides a conceptual layout for the proposed leisure development. As detailed on this plan, the proposal would entail the development of some 5,000m² of commercial leisure floor space comprising a number of buildings which could be scheduled as follows:

- A3 leisure uses such as café/bar/restaurant with flats above;
- Retail leisure use with flats above;
- Possible hotel with flats above; and,
- Possible public house with landlord's accommodation above.

3.6 It is envisaged that the proposed retail leisure building could be located in the north-west corner of the site and would comprise a small link extension connecting to the proposed A3 leisure building located immediately south. A hotel building could possibly be sited along the

western boundary of the site, with a public house building sited in the south-western corner of the site, and the remaining A3 leisure buildings delineating the southern boundary of the site.

- 3.7 The proposed buildings are detached and will vary in size with the majority comprising of rectangular footprints. The proposed public house occupies a prominent corner location and will comprise of an "L" shaped footprint designed to create an active frontage along the waterfront.
- 3.8 The proposal will also comprise of a new private car park in the centre of the development with spaces reserved for commercial/leisure units and flats, and will be accessed via a new dedicated vehicular entrance along the eastern boundary of the site. The number of parking spaces will be determined at reserved matters stage.

Site 5 & 6 (Residential)

Demolition of existing Harbour Masters Offices, HM Coastguard Station and ancillary storage buildings and construction of up to 134 no. residential units with associated infrastructure works.

- 3.9 The aim of this approved development is to draw upon small coastal town characteristics and would seek to replicate the design of neighbouring residential sites, particularly those seen in the nearby Chandler's Quay development to the south-west of the site, as well as dwellings along the green of Ashburnham Road. These dwellings are characterised by a typical maritime design shown by their varying render facades with restricted colour palette of pastel 'seaside' tones, plain gables and windows of a typically vertical emphasis.

Former Grillo Site (Residential)

Redevelopment of the site for up to 230 homes and up to 465sqm of retail and leisure floorspace (A1, A3 and D1 uses). Creation and alteration of existing vehicle and pedestrian accesses, landscaping, public open space, all services and infrastructure, demolition, remediation of the site and associated works.

- 3.10 The proposal seeks to redevelop the site into a vibrant, high quality, development incorporating a range of house types, sizes and tenures, ranging from 1-bedroom apartments to three-storey town houses. The proposal also incorporates a range and mix of uses to complement the activity of the harbor side area including small-scale retail and leisure premises. Overall, the development will be highly permeable and accessible, integrating with the surrounding highway, footpaths, cycle routes and areas of public open space, positively responding to the site and its harborside surrounding to deliver a vibrant development of major significance and importance to Burry Port.

Planning Policy Context

Introduction

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the purposes of this Planning Application comprises the following:
- National Development Framework: Future Wales – The National Plan 2040 (February, 2021);
 - Carmarthenshire Local Development Plan 2006 - 2021 (adopted 2014).
- 4.2 In addition to the Development Plan, the Planning Application has been informed by policy and guidance set out in the following:
- Planning Policy Wales Edition 11 (February, 2021), informed by The Well-Being of Future Generations (Wales) Act 2015, and supplemented by Technical Advice Notes;
 - Building Better Places: The Planning System Delivering Resilient and Brighter Futures (July, 2020);
 - Carmarthenshire Council Supplementary Planning Guidance.
- 4.3 This section of the Planning Statement provides an overview of the Development Plan context and planning policy framework of specific relevance to the determination of this application. For ease of reference, this overview is set out below at the national and local level.

National Level

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

- 4.4 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”. The Act sets out seven ‘well-being’ goals as follows:
- A prosperous Wales: An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work.

- A resilient Wales: A nation which maintains and enhances a biodiverse natural environment with healthy functioning ecosystems that support social, economic and ecological resilience and the capacity to adapt to change (for example climate change).
- A healthier Wales: A society in which people’s physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.
- A more equal Wales: A society that enables people to fulfil their potential no matter what their background or circumstances (including their socio-economic background and circumstances).
- A Wales of cohesive communities: Attractive, viable, safe and well-connected communities.
- A Wales of vibrant culture and thriving Welsh language: A society that promotes and protects culture, heritage and the Welsh language, and which encourages people to participate in the arts, and sports and recreation.
- A globally responsive Wales: A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.

4.5 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.

National Development Framework: Future Wales – The National Plan 2040

4.6 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 well-being of our communities. As stated above, the National Development Framework has Development Plan status.

4.7 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 Page 52 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.*

- 4.8 Policy 1 (Where Wales Will Grow) of Future Wales supports the sustainable growth of National Growth Areas in Wales with specific focus centred on infrastructure, employment and growth. The site is within the Swansea Bay and Llanelli National Growth Area and therefore aligns with this Policy.
- 4.9 Further to above, Policy 2 (Shaping Urban Growth and Regeneration) advocates the growth and regeneration of towns and cities to ensure they positively contribute towards building sustainable places which support active and healthy lives, with development integrated with green infrastructure. The Policy states that to "create activity throughout the day and enable people to walk and cycle, rather than being reliant on travelling by car, places should have a rich mix of residential, commercial and community uses within close proximity to each other" (Page 66).
- 4.10 Policy 7 (Delivering Affordable Homes) states that the provision of affordable homes is a key focus for housing delivery up until 2024. It is estimated that on average 7,400 additional homes will be required annually, of which over a fifth of the overall target will be needed in South West Wales. The housing need estimates also indicate that the provision of affordable homes should become a key focus for housing delivery. It is estimated that over the next five years, approximately 3,500 affordable homes will be required annually.
- 4.11 Policy 28 (National Growth Areas - Swansea Bay and Llanelli) of Future Wales is also of relevance, as it states that Swansea Bay and Llanelli will be the main focus for growth and investment in the South West region.

The Policy supports the sustainable growth with a specific focus centred on infrastructure, employment and housing.

Transport

- 4.12 Future Wales identifies that transport in Wales is currently dominated by the car and that “our reliance on travelling by car is limiting the opportunity for physical activity and social contact to be built into people’s everyday lives and is exacerbating air and noise pollution, particularly along major routes and at busy destinations...This has an adverse impact on people’s health and well-being, contributing to life-limiting illnesses associated with physical inactivity, loneliness and isolation” (page 85).
- 4.13 The importance of the implementation of policies which require development to be directed towards sustainable locations and designed to make it possible for everyone to make sustainable and healthy travel choices is highlighted in Future Wales, and it is stated that planning authorities will be required “to refuse planning permission for car-dependent developments which would otherwise encourage car use and undermine sustainable travel” (page 85).

Planning Policy Wales Edition 11

- 4.14 Planning Policy Wales (PPW) Edition 11 was published on 24th February 2021. 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.
- 4.15 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”.*
- 4.16 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”.*
- 4.17 Further to above, PPW places an emphasis on the redevelopment of previously developed land in preference to greenfield sites. Paragraph 3.55 states *“Previously developed land should, wherever possible, be used in preference to greenfield sites where it is suitable for development. In settlements, such land should generally be considered suitable for appropriate development where its re-use will promote sustainability principles and any constraints can be overcome.”*

Placemaking

- 4.18 In accordance with the National Development Framework, placemaking is also at the heart of PPW – Paragraph 2.1 for example states that *“Everyone engaged with or operating within the planning system in Wales must embrace the concept of placemaking in both plan making and development management decisions in order to achieve the creation of sustainable places and improve the well-being of communities”*.
- 4.19 It is summarised succinctly at Paragraph 2.3 that *“The planning system should create sustainable places which are attractive, sociable, accessible, active, secure, welcoming, healthy and friendly. Development proposals should create the conditions to bring people together, making them want to live, work and play in areas with a sense of place and well-being, creating prosperity for all”*.
- 4.20 Placemaking is defined at Page 14 of PPW as follows: *“Placemaking is a holistic approach to the planning and design of development and spaces, focused on positive outcomes. It draws upon an area’s potential to create high quality development and public spaces that promote people’s prosperity, health, happiness, and well-being in the widest sense. Placemaking considers the context, function and relationships between a development site and its wider surroundings”*.
- 4.21 A set of ‘national sustainable placemaking outcomes’ are outlined within PPW, which it advises should be used to inform the assessment of development proposals. The national outcomes are defined as follows:
- *Creating and Sustaining Communities*
 - *Enables the Welsh language to thrive*
 - *Appropriate development densities*
 - *Homes and jobs to meet society’s needs*
 - *A mix of uses*
 - *Offers cultural experiences*
 - *Community based facilities and services*
 - *Making Best Use of Resources*
 - *Makes best use of natural resources*
 - *Prevents waste*
 - *Prioritises the use of previously developed land and exist-ing buildings*
 - *Unlocks potential and regenerates*
 - *High quality and built to last*
 - *Maximising Environmental Protection and Limiting Environmental Impact*

- *Resilient biodiversity and ecosystems*
 - *Distinctive and special landscapes*
 - *Integrated green infrastructure*
 - *Appropriate soundscapes*
 - *Reduces environmental risks*
 - *Manages water resources naturally*
 - *Clean air*
 - *Reduces overall pollution*
 - *Resilient to climate change*
 - *Distinctive and special historic environments*
- *Growing Our Economy in a Sustainable Manner*
 - *Fosters economic activity*
 - *Enables easy communication*
 - *Generates its own renewable energy*
 - *Vibrant and dynamic*
 - *Adaptive to change*
 - *Embraces smart and innovative technology*
- *Facilitating Accessible and Healthy Environments*
 - *Accessible and high-quality green space*
 - *Accessible by means of active travel and public transport*
 - *Not car dependent*
 - *Minimises the need to travel*
 - *Provides equality of access*
 - *Feels safe and inclusive*
 - *Supports a diverse population*
 - *Good connections*
 - *Convenient access to goods and services*

4.22 It is highlighted at Paragraph 2.20 that “Not every development or policy proposal will be able to demonstrate they can meet all of these outcomes, neither can it necessarily be proved at the application or policy stage that an attribute of a proposal will necessarily lead to a specific outcome. However, this does not mean that they should not be considered in the development management process to see if a proposal can be improved or enhanced to promote wider well-being”.

4.23 The implications of COVID are highlighted in PPW 11 with Paragraph 2.22 stating for example that “We must ensure that a post-Covid world has people’s well-being at its heart. Planning Policy Wales leads the way in this respect and contains the principles and policies needed for us to recover from this situation in a positive manner”.

Good Design

4.24 The importance of good design in development proposals is highlighted at Paragraph 3.3 of PPW where it is stated that “Good

design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area”.

- 4.25 It is highlighted that good design promotes environmental sustainability and contributes to the achievement of the well-being goals - Paragraph 3.7 states for example that *“Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution”.*
- 4.26 The importance of good design in term of ensuring high environmental quality is set out at Paragraph 3.8: *“Landscape and green infrastructure considerations are an integral part of the design process. Integrating green infrastructure is not limited to focusing on landscape and ecology, rather, consideration should be given to all features of the natural environment and how these function together to contribute toward the quality of places”.*

Green Infrastructure

- 4.27 The importance of green infrastructure is highlighted throughout PPW. It is summarised at Paragraph 6.2.5 that *“The quality of the built environment should be enhanced by integrating green infrastructure into development through appropriate site selection and use of creative design. With careful planning and design, green infrastructure can embed the benefits of biodiversity and ecosystem services into new development and places”.*

Technical Advice Notes

- 4.28 The following Technical Advice Notes (TANs) are of relevance to the development proposal:
- TAN 2: Planning & Affordable Housing (2006);
 - TAN 4: Retail and Commercial Development (2016);
 - TAN 5: Nature Conservation & Planning (2009);
 - TAN 11: Noise (1997);
 - TAN 12: Design (2016);
 - TAN 13: Tourism (1997)
 - TAN 14: Coastal Planning (1998);
 - TAN 15: Development and Flood Risk (2004)

- TAN 16: Sport, Recreation & Open Space (2009);
- TAN 18: Transport (2007);
- TAN 20: Planning and the Welsh Language (2017);
- TAN 21: Waste (2014);
- TAN 23: Economic Development (2014);
- TAN 24: The Historic Environment (2017).

Local Level

Carmarthenshire Council Local Development Plan 2006-2021

4.29 The Carmarthenshire Council Local Development Plan (LDP) was adopted in 2014 and is the prevailing development plan for the County.

4.30 The following LDP policies are considered relevant in the context of the Burry Port Harbour Masterplan Sites:

Policy Reference	Relating to...
<i>Strategic Policies</i>	
SP1	Sustainable Places & Spaces
SP2	Climate Change
SP3	Sustainable Distribution – Settlement Framework
SP8	Retail
SP9	Transportation
SP13	Protection and Enhancement of the Built and Historic Environment
SP14	Protection and Enhancement of the Natural Environment
SP15	Tourism and the Visitor Economy
SP17	Infrastructure
<i>General Policies</i>	
GP1	Sustainability & High-Quality Design
GP2	Development Limits
GP3	Planning Obligations
GP4	Infrastructure & New Development
<i>Specific Policies</i>	
H2	Housing within Development Limits
AH1	Affordable Housing
<i>Transport Policies</i>	
TR2	Location of Development - Transport Considerations
TR3	Highways in Developments - Design Considerations
TR4	Cycling & Walking

Ecological & Environmental Policies

EQ4	Biodiversity
EQ5	Corridors, Networks & Features of Distinctiveness
EP1	Water Quality & Resources

Supplementary Planning Guidance

4.31 The following Supplementary Planning Guidance (SPG) adopted by Carmarthenshire Council are of relevance to the Burry Port Harbour Masterplan Sites:

- Affordable Housing;
- Planning Obligations;
- Nature Conservation & Biodiversity;
- Placemaking & Design;
- Leisure and Open Space; and,
- Archaeology & New Development.

Appraisal

Overview

- 5.1 As stated above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise. This section of the Planning Statement aims to identify the main issues of relevance to the determination of the Planning Application, and assess the scheme against the Development Plan.
- 5.2 The key material considerations of relevance in the determination of the application are as follows:
- The Principle of Development;
 - Other Material Considerations.

Principle of Development

- 5.3 It is important to note that the principle of the proposed developments has already been established by the granting of the various outline planning permissions.

Site 4 (S/30597)

Commercial leisure development comprising of a mix of retail, hotel, pub/restaurant and residential uses.

Site 5 & 6 (S/30598)

Demolition of existing harbour masters offices, HM Coastguard Station and ancillary storage buildings and construction of up to 134 no. residential units with associated infrastructure works.

Former Grillo Works (S/30678)

Redevelopment of the site for up to 230 homes and up to 465sqm of retail and leisure floorspace (A1, A3 and D1 uses). Creation and alteration of existing vehicle and pedestrian accesses, landscaping, public open space, all services and infrastructure, demolition, remediation of the site and associated works.

- 5.4 It is considered that there have been no material changes in circumstance since the previous Section 73 applications were approved.
- 5.5 As aforementioned, the re-development of these sites will result in the sustainable re-use of previously developed land in part of the National Growth Area of Swansea Bay and Llanelli as identified in Future Wales, the National Development Plan.

- 5.6 The proposals will build on the significant investment already made in the Burry Port harbour area, resulting in the comprehensive regeneration of area as envisaged in the Burry Port Masterplan.
- 5.7 Some of the sites due to their industrial legacies have contamination issues as would be expected. The proposals will positively address such matters and reduce the current pollution risk to controlled waters by undertaking appropriate remediation.
- 5.8 In addition to the above important material planning considerations the sites delivery will provide for positive community benefits including affordable housing and job creation.
- 5.9 In addition, the sites have been subject to candidate site submissions on behalf of Carmarthenshire County Council as part of the revised LDP process. It is therefore considered the principle of developing the sites for the purposes outline is firmly established.

Other Material Considerations

- 5.10 This planning application has been submitted under Section 73 of the Town and County Planning Act for the extension of time limits associated with the prevailing planning permissions. No alterations are proposed in terms of land use or scale of development. Notwithstanding, as outlined in the accompanying covering letter, the application is supported by an updated Bat Report, Drainage Strategy, Ecological Appraisal, Flood Consequence Assessment, Transport Assessment and Reptile Survey. Furthermore, this planning statement has also been updated to reflect the current local and national policy context. The below table sets out a list of reports, highlighting whether each document has been updated or remains unchanged.

Site 4	
Unchanged Reports	Updated Reports
<ul style="list-style-type: none"> • Ground Investigation and Remediation Strategy; • Heritage Desk Based Assessment; • Noise Impact Assessment; • Visual Assessment. 	<ul style="list-style-type: none"> • Bat Report; • Reptile Survey; • Ecological Appraisal; • Drainage Strategy; • Flood Consequences Assessment; • Transport Assessment Addendum.

Site 5/6	
Unchanged Reports	Updated Reports
<ul style="list-style-type: none"> • Ground Investigation and Remediation Strategy; 	<ul style="list-style-type: none"> • Bat Report; • Reptile Survey;

<ul style="list-style-type: none"> • Heritage Desk Based Assessment; • Noise Impact Assessment; • Visual Assessment. 	<ul style="list-style-type: none"> • Ecological Appraisal; • Drainage Strategy; • Flood Consequences Assessment; • Transport Assessment Addendum.
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Grillo	
Unchanged Reports	Updated Reports
<ul style="list-style-type: none"> • Air Quality Assessment; • Design and Access Statement; • Economic Profile; • Ground Conditions; • Heritage Desk Based Assessment; • Noise Assessment; • Visual Assessment; • Welsh Language Linguistic Statement. 	<ul style="list-style-type: none"> • Drainage Strategy; • Bat Report; • Reptile Survey; • Ecological Appraisal; • Flood Consequences Assessment; • Transport Assessment Addendum.

Drainage

5.11 With regard to surface water drainage, each site will adhere to the following strategy:

- **Site 4** - surface water will discharge directly into the harbour via an existing outfall, or flows will be connected into the proposed surface water system which will serve the Grillo site and be directed to the estuary via the proposed new sewer constructed as part of the enabling works.
- **Sites 5 & 6** - this site will utilise the proposed new sewer which will be constructed as part of the enabling works, discharging into the estuary.
- **Grillo Site** - all flows drained from the site are to be drained via a carrier network before being discharged into the Loughor Estuary (Burry Inlet).

5.12 The proposed discharge rates for all sites have been calculated based on a 40% allowance for climate change as per the current guidance.

5.13 With regard to foul water drainage, all the sites will connect to the proposed foul sewer constructed as part of the enabling works, which will discharge into a newly constructed pumping station to the south of Site 6 to pump the foul flows via a rising main to the existing sewer network between manholes SN45002503 and SN45002601.

5.14 It must be noted that Carmarthenshire County Council entered into the Memorandum of Understanding (MoU) in 2011, which sets out an approach to improve and safeguard the environmental quality of the CBEEMS when taking decisions on development and regeneration schemes. The MoU includes a commitment on the part of the Local Planning Authority to manage a Register which records the increased foul sewage discharges (emanating from new developments) and also the amount of surface water to be removed from the combined sewerage network as part of development proposals. In this regard, the strategy for the development sites was agreed under the original outline approvals, as a commitment was agreed by the developers to remove surface water from the combined system. It was agreed that this strategy will achieve betterment in the system as defined in the MOU, in turn achieving benefits in terms of hydraulic loading and a reduction in the frequency of existing discharge events into the estuary.

Flooding

5.15 An updated Flood Consequences Assessment has been undertaken by WSP for Sites 4, 5, 6 and Grillo. Findings of the report suggest that the risk of flooding from non-tidal sources is generally low, however the risk of flooding from sea over the lifetime of the development is potentially significant.

5.16 The FCA adopts a precautionary approach and makes a series of recommendations to manage and mitigate flood risk. Subject to these being given suitable consideration, then the FCA concludes that the level of risk to the proposed development is considered satisfactory.

5.17 To conclude, given the various site's proximity to the coastal frontage, the expected effects of climate change and the resultant flood levels, mitigative design is required, specifically land raising. As the sites are located in TAN15 Development Advice Map Zone A and the proposals do not increase flooding elsewhere unacceptably, then subject to access and egress being satisfactory to the local authority and the implementation of a suitable drainage strategy, the level of flood risk and consequence may be considered as suitable for the proposed development.

Ecology

5.18 Updated Ecological Appraisals have been provided by WSP, one covers sites 4, 5 and 6, the other covers the Grillo site. Both reports should be read in conjunction with the previous PEAs and surveys undertaken by Waterman EED Ltd in 2014/2015, and EcoVigour in 2018/2019.

5.19 Sites 4, 5 and 6 comprises calcareous grassland and scattered scrub, other habitats include scattered trees, buildings, areas of bare ground

and hard standing. The habitats found onsite have potential to support protected species including, bats, badger, hazel dormouse, birds, reptiles, amphibians and invertebrates. Based on above, the following surveys and mitigation measures have been recommended:

- Bat survey;
- Reptile survey;
- Invasive non-native species (INNS) management plan, to prevent the spread on INNS throughout the site;
- Implementation of an Ecology Management Plan including precautionary methods of working, and a CEMP from the construction phase through the operation of the Proposed Development comprising, to minimise any negative impact on various habitats.

5.20 The former Grillo Zinc Oxide site comprises areas of bare ground, hard standing, scattered scrub and mixed woodland plantation. The habitats found onsite have potential to support species including badger, hazel dormouse, birds, reptiles, amphibians and invertebrates. Based on above, the following surveys and mitigation measures have been recommended:

- Reptile survey;
- Invasive non-native species (INNS) management plan, to prevent the spread on INNS throughout the site; and,
- Implementation of an Ecology Management Plan including precautionary methods of working, and a CEMP from the construction phase through the operation of the Proposed Development comprising, to minimise any negative impact on various habitats.

5.21 Ecological enhancements for all sites have been recommended, such as the retention/creation of habitats through native species planting and bird and bat box installation to increase the value of the Site for biodiversity.

Bats

5.23 Previous ecological surveys for the site identified the Lifeboat Station and Coastguard Station as supporting common pipistrelle *Pipistrellus pipistrellus* day roosts.

5.24 On this basis, dusk emergence surveys took place of the Lifeboat Station (B1) and Coastguard Station (B2) and between June and July 2022. No bats were recorded emerging from, or returning to, a roost within the Coastguard Station (B2) and Lifeboat Station (B1) during the 2022 surveys.

- 5.25 The surveys concluded that bat roosts are likely currently absent from the Coastguard Station (B2) and Lifeboat Station (B1). The definitive absence of roosting bats is very difficult to prove; and both the Coastguard Station (B2) and Lifeboat Station (B1) were identified as supporting common pipistrelle day roosts in 2018. Further surveys in 2020 were undertaken of the Lifeboat Station (B1) which concluded that bats were absent at the time of surveys with planning permission subsequently granted for the conversion of the Lifeboat Station (B1) to marina offices and facilities (ref: PL/01188). Conversion work was ongoing during the period of the 2022 bat surveys.
- 5.26 With the lack of roosting evidence found during surveys in 2022 and recent conversion works, it was therefore concluded that bat roosts were likely absent from the Lifeboat Station (B1) but the Coastguard Station (B2) is likely utilised on an infrequent basis as a day roost or as a transitional roost by common pipistrelle bats. It is considered extremely unlikely that maternity roosts or other roosts of high conservation status are currently present.
- 5.27 Notwithstanding the above, in terms of mitigation, an NRW development licence must be obtained before any works are undertaken on the Coastguard Station (B2).

Reptiles

- 5.28 Further to above, Reptile Surveys were also been completed between June and September 2022, as recommended by the PEA. The surveys confirmed the presence of low populations of common lizard and slow worm within areas of unmanaged grassland in Site 4, and a low population of slow worms and a good population of common lizards in Site 6. No reptiles were found at the former Grillo Site.
- 5.29 In terms of mitigation it has been concluded at this stage, an area within the adjacent Millennium Coastal Park (MCP) of approximately 3.3ha, located adjacent to the eastern boundary of Site 6, is considered to be a suitable receptor site for reptiles, with large areas of rough unmanaged grassland similar to habitat found on the BPHRS. The area identified is illustrated at the plan included at Appendix A. This area was surveyed for presence/likely absence of reptiles and the results indicate that a 'low' population of slow-worm and a 'good' population of common lizard exist within this area of the MCP.
- 5.30 Following translocation, monitoring and management of the MCP will be required to ensure that the reptile population persists. This translocation scheme would be devised to reduce the chances of reptile mortality during site clearance.

- 5.31 In the longer term, the receptor site would be managed to provide habitat for reptiles during the operational phase of the Proposed Development. Maintenance would include a 'reptile friendly' cutting regime, and maintenance of long sward levels during summer months. This would be secured by a habitat management plan. Habitat management and enhancement measures would be designed to reduce predation by domestic cats.
- 5.32 A series of enhancement measures have also been proposed, which would enhance the value of the sites for reptiles and other wildlife.

Transport

- 5.33 A Transport Assessment Addendum was completed by WSP in support of the Section 73 applications, in order to review and provide an update on the relevant planning policy, accessibility, highway safety, trip generation and impacts of the scheme on the local highway network.
- 5.34 The local highway network has been modelled using a higher trip rate than that provided using the industry standard TRICS database. The modelled network was demonstrated to operate satisfactorily up to a future year of 2028. The modelling results also indicated that the existing local highway network had sufficient capacity to accommodate the increased demand generated by the development in the Burry Port area, with minimal increases in queue lengths and journey times across the network. The assessment as carried out in the previous TA is therefore still considered to provide a robust and worst-case assessment. It is concluded that the local highway network will continue to operate satisfactorily up to a future year 2028 scenario and that it can safely accommodate the proposed redevelopment of the Sites 4, 5/6 and Grillo in addition to development traffic from committed developments in the area.

Conclusion

- 6.1 Asbri Planning have been instructed by WSP on behalf of Carmarthenshire County Council to submit a number of Section 73 applications relating to the Burry Port Harbour Development Framework area, specifically Sites 4, 5/6 and Grillo. The Section 73 applications seek to vary condition 1 of the relevant planning permissions, in order to extend the time limit for the submission of Reserved Matters for the above-mentioned sites by a further 5 years.
- 6.2 The principle of these developments are fundamentally established within the context of local planning policy framework, insofar as the application sites benefit from extant permissions. In addition, the sites are either located within or directly adjacent to development limits and there are important material considerations to consider in the overall planning balance as outlined in this statement. There have been no material changes in circumstance since the previous Section 73 permissions were granted. In this respect it is considered that the principle of development is clearly established and candidate site submissions have recently been submitted with a view of them being included within the forthcoming LDP Review to reflect the fact that they benefit from extant planning permissions.
- 6.3 The various applications are supported by a number of updated technical reports, including a Bat Survey, Reptile Survey, Ecological Appraisal, Flood Consequence Assessment, Drainage Strategy and Transport Assessment Addendum, all published by WSP. A number of previously submitted reports which did not require updating have also been re-submitted for completeness. Details of these reports have been outlined within this Planning Statement, which demonstrate that all other material considerations, including transportation, drainage, flooding, the impact on ecology, has been properly considered and that there are no overriding technical constraints to the future development of the sites.
- 6.4 It is concluded that the proposed developments accord with relevant national and local planning policy and guidance and there are no other material considerations which outweigh this fact. As such on balance it is considered that the proposed developments are acceptable and it is respectfully requested that Carmarthenshire County Council consider this application favourably and resolve to grant the extension of time to the planning permissions for a further 5 years.