

Statement of Common Ground between Carmarthenshire County Council “The Local Planning Authority” and Swallow Investments Ltd “The Landowner”.

Site Address: Land at Tirychen Farm, Dyffryn Road, Ammanford
Planning Reference(s)/Local Plan Reference(s): Second Revised Deposit LDP Reference: PrC3/h4 Outline Planning Permission Reference: E/38686 S73 Application Reference: PL/06556
Date: 23/04/2024

Purpose of this Statement of Common Ground

This Statement of Common Ground (SoCG) has been prepared by the Local Planning Authority and the Landowner to confirm the deliverability of housing allocation ref. PrC3/h4 within the Second Deposit Revised LDP on land at Tirychen Farm, Dyffryn Road, Ammanford. Housing allocation ref. PrC3/h4 is shown shaded in brown on the plan in **Appendix 1** of this SoCG.

This SoCG addresses the following deliverability indicators:

1. The planning status of the site.
Progress made with the submission of application(s) required to be granted before the site’s development consented under outline permission ref. E/38686 may lawfully commence.
2. Progress made with the site assessment work required for application(s) and/or before the site’s development consented under outline permission ref. E/38686 may lawfully commence.
3. Relevant information about financial viability affecting the commencement and delivery of the site’s development.
4. Relevant information about site ownership and access constraints affecting site assessment or the commencement and delivery of the site’s development.
5. Relevant information about infrastructure provision necessary to support/enable the commencement and delivery of the site’s development.
6. The Landowner’s delivery intentions and expected delivery and build-out rates.

For the purposes of this SoCG, Carmarthenshire County Council is “the Local Planning Authority” and Swallow Investments Ltd is “the Landowner”.

In the interests of clarity, this SoCG relates solely to housing allocation ref. PrC3/h4 as currently proposed by the Second Deposit Revised LDP (for 150 dwellings and as shown shaded in brown on the plan in **Appendix 1**) and does not relate to the Landowner’s Duly Made representations to the Second Deposit Revised LDP.

1. The Planning Status of the Site

- 1.1 This site of 7.10 hectares is allocated in the Second Deposit Revised LDP under ref. PrC3/h4 for 150 dwellings. The site is owned by Swallow Investments Ltd and currently benefits from an extant outline permission ref. E/38686 for 289 dwellings, with means of access, layout and scale approved in detail at the outline stage.
- 1.2 Outline permission ref. E/38686 was granted on 8 October 2019, as a renewal via a S73 Application, of outline permission ref. E/21663 granted on 10 October 2014.

2. Progress Made with the Submission of Application(s) Required to be Granted Before the Site's Development May Lawfully Commence.

- 2.1 Outline permission ref. E/38686 is extant until 8 October 2023; and on 8 September 2023, the Landowner submitted another S73 Application to vary certain conditions attached to outline permission ref. E/38686, which if granted, will have the effect of generating a fresh outline permission for the site's development, *inter alia* with a requirement to submit an application for approval of Reserved Matters for Phase 1 of the site's development within one year. This S73 application was validated by the Local Planning Authority on 28 September 2023 and given ref. PL/06556.

3. Progress Made with the Site Assessment Work Required for Application(s) and/or Before the Site's Development May Lawfully Commence

- 3.1 Site inspections and survey work have been carried out in connection with outline permissions ref. E/21663 and E/38686; and condition 3 of outline permission ref. E/38686 lists the following plans and other documents approved as part of the same:
- a) 09-012/01B - Location Plan
 - b) 09-012/04B - Proposed Land Allocation
 - c) 09-012/05F - Planning Layout
 - d) 09-012/502C - Road Setting Out Plan
 - e) 09-012/511-1C - Tracking Diagrams for Refuse Vehicle Sheet 1 of 2
 - f) 09-012/511-2C - Tracking Diagrams for Refuse Vehicle Sheet 1 of 2
 - g) 09-012/PP01C - Phasing Plan
 - h) 002-0102-B - Proposed Dyffryn Road Access
 - i) Transport Assessment & Travel Plan (20 August 2009)
 - j) Planning, Design and Access Statement (August 2009)
 - k) SPD17000-03A - Tree Protection Plan
 - l) Arboricultural Implications Assessment ref. SPD17000AIA rev. A
 - m) Arboricultural Method Statement ref. SPD17000AMS rev. A
 - n) Tree Report ref. SPD17000TR rev. B
 - o) Woodland Management Plan ref. SPD17000WM
 - p) Woodland Report ref. SPD17000WR rev. A
 - q) Extended Phase 1 Habitat Survey and Desk Study rev. A
 - r) Mitigation Strategy ref. SPD17000MitStrat rev. A
 - s) Landscape and Visual Impact Assessment ref. SPD17000L&V rev. B
 - t) SPD17000 10a - Landscape Masterplan
 - u) Flood Consequence Assessment ref. R/09092/001
 - v) Welsh Language Impact Assessment (September 2009)
- 3.2 Copies of the plans and documents listed above are available to view on the Local Planning Authority's website.

- 3.3 It was agreed with the Local Planning Authority that the following documents approved as part of outline permission ref. E/38686 should be updated to form part of S73 Application ref. PL/06556:
- a) Transport Assessment & Travel Plan
 - b) Preliminary Ecological Appraisal and associated Mitigation Strategy
 - c) Flood Consequences Assessment and Outline Surface Water Drainage Strategy and associated plans
- 3.4 These documents have been updated and submitted with S73 Application ref. PL/06556. It should be noted that updating the Outline Surface Water Drainage Strategy approved as part of outline permission ref. E/38686 has necessitated revisions to the Planning Layout ref. 09-012/05F approved as part of outline permission ref. E/38686, to incorporate a surface water drainage attenuation basin. This has in turn reduced the site's housing yield from 289 dwellings to 281 dwellings. Accordingly, S73 Application ref. PL/06556 also includes the following additional revised plans:
- a) Planning Layout ref. 09-012-02 Rev. G
 - b) Phasing Plan ref. 09-012-PP01 Rev. D
 - c) Road Setting Out Plan ref. 502C
 - d) Two Tracking Sheets ref. 511-1D and 511-2D
- 3.5 Copies of the plans and documents listed above are available to view on the Local Planning Authority's website as part of S73 Application ref. PL/06556. It should be noted that the updated Transport Assessment & Travel Plan submitted with S73 Application ref. PL/06556 has been prepared on the basis of the site's development with 281 dwellings.
- 3.6 In addition to the Landowner's work carried out in respect of the above planning applications, the Landowner's commitment to deliver the site's development is also evidenced by Duly Made representations made by the Landowner to the Second Deposit Revised LDP, promoting additional adjacent land as an enlargement of housing allocation ref. PrC3/h4.
- 3.7 The Landowner's Duly Made representations include the following supporting documents/studies covering housing allocation ref. PrC3/h4 and the additional adjacent land:
- Written representations set out in a letter dated 20 March 2023
 - Original 2018 Candidate Sites Register location plan ref. CA0326 and SR/004/012
 - Site Location Plan ref. 09-012/01 REV B
 - Planning Layout ref. 09-012/05 REV E
 - Landscape Masterplan ref. SP17000 10A

4. Relevant Information about Financial Viability Affecting the Commencement and Delivery of the Site's Development.

- 4.1 The Landowner has confirmed in a letter dated 8 September 2023 submitted with S73 Application ref. PL/06556 that the site's development will deliver all that is required by the S106 Agreement linked to outline permission ref. E/21663, as varied by a Deed of Variation linked to outline permission ref. E/38686. This will be achieved by a Deed

of Variation linking a fresh outline permission generated by S73 Application ref. PL/06556 to the Deed of Variation linked to outline permission ref. E/38686, which in turn links to the S106 Agreement linked to outline permission ref. E/21663.

- 4.2 Further updates to this SoCG will be provided as S73 Application ref. PL/06556 progresses to determination.

5. **Relevant Information about Site Ownership and Access Constraints Affecting Site Assessment or the Commencement and Delivery of the Site's Development.**

Ownership

- 5.1 Swallow Investments Ltd own the site's freehold, which is free from any legal or other encumbrances/restrictions that would prevent or delay the commencement and delivery of the site's development.

Access

- 5.2 The site's development will be served by a principal priority junction access off Dyffryn Road; and a secondary pedestrian/cycle/emergency access off Newtown Close. There are no legal or other encumbrances/restrictions that would prevent or delay the development and use of these accesses.

Accessibility

- 5.3 The full complement of community and town-based services and facilities lie in close proximity to the site, in the Town of Ammanford. The site's outline permission ref. E/38686 provides for lengths of new pavement on both sides of Dyffryn Road, which will deliver the first continuous pedestrian link along Dyffryn Road between Ammanford town centre and the Village of Saron to the west.
- 5.4 The site's outline permission ref. E/38686 also provides for a new bus stop facility on Dyffryn Road, outside the application site; and it should also be noted that the Landowner gifted land to the Local Planning Authority on 18 March 2019 to facilitate the recent construction of a new pedestrian footbridge across the Nant Y Ci Stream, to link with the existing pavement along Dyffryn Road to the west of the site.
- 5.5 The site's outline permission ref. E/38686 incorporates a comprehensive network of pedestrian routes through the site's development, to maximise its connections to and its integration with the surrounding area. This network of pedestrian routes will also encourage walking and cycling within the development and to nearby community and town-based services and facilities in Ammanford and Saron, thereby reducing the use of the private car.
- 5.6 The site's development as approved by outline permission ref. E/38686 also incorporates a comprehensive network of pedestrian routes throughout the adjacent area of woodland also owned by Swallow Investments Ltd. This network of 'woodland walks' will greatly increase public access to and enjoyment of the woodland.

6. Relevant Information about the Infrastructure Provision Necessary to Support/Enable Commencement and Delivery of the Site's Development.

- 6.1 As set out above, on 8 September 2023, the Landowner submitted a S73 Application to vary certain conditions attached to outline permission ref. E/38686, which if granted will have the effect of generating a fresh outline permission for the site's development, *inter alia* with a requirement to submit an application for approval of Reserved Matters for Phase 1 of the site's development within one year. This S73 application was validated by the Local Planning Authority on 28 September 2023 and given ref. PL/06556; and is clear evidence of the Landowner's intention to deliver the site's development.
- 6.2 The Landowner has informed the Local Planning Authority that negotiations are at an advanced stage with a developer who will purchase the site and deliver its development for 281 dwellings, in accordance with the terms of a fresh outline permission for the site's development generated by S73 Application ref. PL/06556.

Natural Resources Wales (NRW)

- 6.3 A representation was received from Natural Resources Wales (NRW) in respect of the site's housing allocation ref. PrC3/h4 in the Second Deposit Revised LDP, in which the need for further ecological assessments was acknowledged, as follows:

"...The site has secured outline permission and there are several ecological requirements attached. The final design of the site will have to be guided by the ecological sensitivities of the site.

The site is heavily wooded and borders an ancient woodland in which Dormice have been recorded. Grassland on the site may also be utilised by Marsh Fritillary. The site appears to provide important connectivity into the wider landscape...If present any dormice habitat would need to be mitigated for, which could make development challenging. Possible Marsh Fritillary habitat..."

- 6.4 The matters contained within NRW's representation are not new, and were adequately addressed by the terms of the original outline permission ref. E/38686. The matters have been re-addressed for the S73 Application ref. PL/06556.

Dwr Cymru Welsh Water (DCWW)

- 6.5 DCWW's representation in respect of the Second Deposit Revised LDP acknowledges that the site is committed through an extant planning permission, and consequently objections to the site's housing allocation ref. PrC3/h4 were not raised.

Carmarthenshire Highways and Transport Department

- 6.6 Matters pertaining to highways and transport have been addressed by the terms of outline permission ref. E/38686. The matters have been re-addressed for the S73 Application ref. PL/06556.

Impact on the Community/Welsh Language

- 6.7 The site's allocation and development will provide a range and choice of house sizes, types and tenures (including affordable housing); and will not have any significant adverse impact upon the Welsh language or any local communities.

7. The Landowner's Delivery Intentions and Anticipated Start and Build-out Rates

- 7.1 The table below reproduces the Second Deposit Revised LDP's Housing Trajectory for the site's housing allocation ref. PrC3/h4:

Timescale (Years)	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32
Number of Dwellings Completed	10	20	20	30	30	30	10

- 7.2 Based on the information set out in this SoCG, the Landowner's clear commitment as evidenced by S73 Application ref. PL/06556 and in light of the Landowner's representations to the Second Deposit Revised LDP, it can be confirmed that the site will be developed within the timescales set out above.
- 7.3 Further updates to this SoCG will be provided as S73 Application ref. PL/06556 progresses to determination.

8. Deliverability Assessment

- 8.1 Based on the information contained in this SoCG, it is considered that there is clear evidence that the site's housing allocation ref. PrC3/h4 is deliverable within the timescales set out in the Second Deposit Revised LDP's Housing Trajectory.
- 8.2 The site's housing allocation ref. PrC3/h4 has been subject to full consideration through the Local Planning Authority's site assessment methodology; and a detailed site pro forma has been prepared. The allocation is considered sound and deliverable; provides for some of Ammanford's housing needs; is supported by a robust evidence base; and has been formulated with regard to and in a manner consistent with the Second Deposit Revised LDP's Sustainability Appraisal.
- 8.3 Housing allocation ref. PrC3/h4 is therefore commended to the Inspector.

9. Matters of Disagreement

- 9.1 The Landowner refers to the 289 dwellings granted by outline permission ref. E/38686, revised to 281 dwellings units under the new S73 Application ref. PL/06556. Whilst it is the Landowner's intention to pursue the site's development for 281 dwellings, it should be noted that the Local Planning Authority has reduced the site's proposed allocation in the Second Deposit Revised LDP to 150 dwellings due to lack of delivery to date. Consequently, the figure of 281 dwellings is not within the remit of this SoCG.
- 9.2 The Landowner also refers to 'Duly Made' representations they have submitted to the Second Deposit Revised LDP, in which *inter alia* the case is made for the yield of housing allocation ref. PrC3/h4 as currently proposed by the Second Deposit Revised LDP at least to be revised upwards to 289 dwellings, in addition to the case being made

for housing allocation ref. PrC3/h4 to be enlarged to include additional adjacent land, consistent with a yield of circa 330 dwellings. To reiterate, and in the interests of clarity, this SoCG relates solely to housing allocation ref. PrC3/h4 as currently proposed by the Second Deposit Revised LDP (for 150 dwellings and as shown shaded in brown on the plan in **Appendix 1**) and does not relate to the Landowner's Duly Made representations to the Second Deposit Revised LDP.

Signed on behalf of The Local Planning Authority	
Name	Ian R. Llewelyn
Position	Strategic Policy and Placemaking Manager
Date	23/04/2024
Signed on behalf of The Landowner	
Name	Matthew Utting, BSc (Hons), DipTP, MRTPI
Position	Director, MatPlan Limited
Date	5 March 2024

