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Eich cyf : Your ref LDP/FC/SPG/IRL  
Ein cyf : Our ref  
Dyddiad : Date **10 October 2013**

Dear Jon

**Carmarthenshire Local Development Plan  
- Consultation on Schedule of Focussed Changes**

Thank you for your letters of 30 July and 3 September and the related documentation you have provided. We note that the Schedule of Focussed Changes is accompanied by an SA Report Addendum 1 and an HRA which include consideration of the proposed changes (both July 2013).

The matter of whether a plan is considered 'sound' will be for the appointed Planning Inspector to determine. We have considered the proposed Focussed Changes in the light of the representations we made to the deposit plan on 18 August 2011 (RepNos:D6142-D6183&D6705) and in accordance with the consistency and coherence & effectiveness tests (principally in accordance with whether satisfactory regard has been given to national planning policy - test C2). We have also taken account of the important updates and other additions made to the evidence base, especially with regard to population and housing, housing deliverability, affordable housing, gypsy and travellers needs and minerals.

Unfortunately there is a lack of a clear audit trail between the Consultation Report Appendices Volume 3 Addendum (docCSD4), the focussed changes reasoning (in docCSD33) and the revised or new evidence base. In addition the 2013 revisions within updated evidenced base documents are not always made clear.

Our detailed response to the proposed focussed changes, at the **annex** to this letter, follows the lay-out in our response to the deposit plan, which provides clarification for the category hierarchy A-D which we use. We have also used the deposit representation reference numbers that you have provided in the LDP Consultation Report (submission doc: CSD4 Appendices Volume 3 Addendum; i.e. **WG Deposit Rep Nos: D6142-D6183&D6705**),



together with the related reference contained in the originating WG deposit letter. Two new representations are included, firstly to FCT58 and to FCT104; these have been included in the annex under responses to deposit reps D6163 and D6161 respectively.

Yours sincerely



**Mark Newey**

Head of Plans Branch

Planning Division

Department for Housing and Regeneration

***(enclosure – annex)***

## **Annex to WG letter (10 October 2013) in response to the Carmarthenshire LDP Schedule of Focussed Changes (i.e. FCTs in doc CSD33, FCMs in doc CSD34 and MECs in doc CSD35)**

N.B. Our response to the proposed focussed changes follows the lay-out in our response to the deposit plan, which clarifies the category hierarchy A-D we use; these are highlighted in grey. The deposit representation reference numbers provided in the LDP Consultation Report (submission doc: CSD4 Appendices Volume 3 Addendum; i.e. WG Deposit Rep Nos: D6142-D6183&D6705) are highlighted in green.

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**WG Deposit Response: Category A. Objection under soundness tests C2, CE2: Fundamental issues that we consider present a significant degree of risk for the authority if not addressed prior to submission stage, and may have implications for the plan's strategy:**

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### **WG Deposit Letter - Rep A.i. Deliverability of Strategy: Flood Risk (Highly Vulnerable Development, especially Housing Allocations):**

**WG Deposit Rep D6142 re WG Deposit Letter Rep A.i. Flood Risk (Highly Vulnerable Development, especially Housing Allocations)**

**FCs accredited to WG deposit rep in docs CSD33&34:**

- FCT11, FCT69, FCT94

- FCM/GA1/a, e, g; FCM/GA2/a, b, c, d, e, f, q, r, s, t, u, v, y, ab, ad, af, ag; FCM/GA3/a, b, d, e, f, h, k, u; FCM/T2/1/a, b, d, e, i; FCM/T2/2/a, b; FCM/T2/3/a, d, e; FCM/T2/5/a; FCM/T2/6/b, c, d, e, f, g; FCM/T3/3/a, b, f, g; FCM/T3/5/a; FCM/T3/8/c; FCM/T3/10/a, c; FCM/T3/11/b; FCM/SC13/a; FCM/SC18/a; FCM/SC20/c; FCM/SC21/a, b; FCM/SC31/a, c

**Comments:** In response to our deposit rep D6142, the Consultation Report Appendices Volume 3 Addendum (doc CSD4) advises that SFCA evidence is revised (SFCA – Annex 1 Flood Risk and Proposed Land Use Allocations, revised August 2013 - doc CSD112) and appropriate allocations in Zone C2 floodplain identified in the deposit plan have been amended or revised. It also advises that as a consequence additional areas are identified.

The revised SFCA evidence (doc CSD112) reviews the Deposit LDP allocations in the light of TAN15 and the revised DAMs 2013 & concludes at pages 19-23 that a number of sites be deleted or site areas amended. Given the concerns raised in our deposit rep (D6142) about the SFCA 2011 work and the inappropriate allocation of sites, we consider this review vital to ensure that sites within Zone C2 floodplain are not allocated for highly vulnerable development; we support the deletion of those sites. We also note that sites where allocations have been completed or where construction has commenced and no further permissions are required are excluded from the review (page 16).

The FCs include consequential changes to include additional areas to replace proposed sites now deleted. FCT116 & its App4 revises Deposit plan App3 Housing Land Allocations, whilst various FCMs revise the maps.

We also note the SA Report Addendum 1 for FCs, July 2013 (doc CSD18) (- this doesn't refer to flood risk reduction of amended allocations), and the SA Report, August 2013 (doc CSD16) (- its Chapters 8 & 9 refer to flood risk).

**Conclusions:** Our deposit representation D6142 is partially met. Our deposit representation D6142 required the deletion of allocations for highly vulnerable development in Zone C2 floodplain and the inclusion of new allocations to maintain the level of provision. We therefore support in principle the deletions and consequential changes, but point out that the submission documents do not include any listings that would clearly identify the changes made as a whole. The Council advises (in FC docs CSD33 & CSD34) that the FCMs (listed above) are in response to our deposit

objection D6142. The examination will need to:

- firstly, ensure that the proposed deletion of allocations and changes to site allocations do suitably exclude areas at risk from flooding;
- secondly, consider whether it was reasonable to exclude from the SFCA 2013 review (doc CSD112) allocations in Zone C2 which are included as commitments (e.g. GA2/h2 Former Stradey Park Llanelli is located in Zone C2); and,
- thirdly, that there is a consistent approach to amending affected settlement boundaries.

These comments also relate to our deposit rep D6155 below.

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**WG Deposit Letter - Rep A.ii. Deliverability of Strategy: Impact on European Habitats (SP14):**

**WG Deposit Rep D6143 re WG Deposit Letter Rep A.ii. European Habitats - a. Habitats: Caeau Mynydd Mawr SAC, Cross Hands**

*FCs accredited to WG deposit rep in docs CSD33&34: none*

**Comments:** We note from **FCT128** (amendment to LDP App5) that Draft SPG, including Draft SPG Caeau Mynydd Mawr SAC 2013 (doc **CSD39**), is now subject of consultation; it advises on the objective of the SPG (para 1.2) as “providing a strategic framework that will ensure that as development proceeds in the SPG area, appropriate land within the same area is managed as supporting habitat for the marsh fritillary butterfly”, on mitigation, and the priority for developer contributions in its area (para 2.30).

This draft SPG supports and provides important clarification for the Plan. We also note that Draft SPG Phasing 2013 (doc **CSD38**) (which provides a housing delivery phasing plan at its Appendix1) is being consulted upon; also that the LDP is now supported by new Topic Paper 14 Phasing & Housing Trajectory (doc **CSD88**) and new Infrastructure Background Paper 2013 (doc **CSD130**).

**Conclusion:** **Our deposit representation D6143 is maintained.** We continue to consider that the LDP examination must determine whether there is any breaching of the Habitats Regulations. We also note that no changes are proposed to the text of the LDP in response to our objection **D6143** to improve the clarity of the Plan in relation to the impacts of the LDP and SAC (doc **CSD4** Consultation Report Appendices Volume 3 Addendum).

**WG Deposit Rep D6144 re WG Deposit Letter Rep A.ii. European Habitats - b. Habitats: Carmarthen Bay and Estuaries European Marine Site (CBEEMS) / (incl Burry Inlet)**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT87*

**Comments:** We note that **FCT87** amends paras6.8.4&6.8.5. Minor point for editing - reference should be made to Natural Resources Wales in the last paragraph.

We note that this is supported by an HRA for Growth Area 2 (doc **CSD89** HRA Growth Area 2: Llanelli, Burry Port and Pembrey – Assessment of Potential Effects on the European Site Network, 2013) which concludes that, “It is considered that the combination of management commitments by the EA and DCWW through the RBMP, the group of stakeholders within the MOU, and CCC through policies inherent within the publication LDP are an appropriate safeguard to protecting the CBEEMS from the proposed site allocations within GA2. **Therefore no likely significant effects on the CBEEMS are anticipated from the GA2 site allocation alone or in-combination with any other known plans or projects.**” (page19).

We note **FCT128** (amendment to LDP App5) that Draft SPG, including doc **CSD38** Draft SPG Phasing 2013, which provides a housing delivery phasing plan at its Appendix1, is now subject of consultation.

We also note the new Topic Paper 14 Phasing & Housing Trajectory (doc **CSD88**) and new Infrastructure Background Paper 2013 (doc **CSD130**).

**Conclusions:** Our deposit representation D6144 is maintained. We consider that the examination should determine whether the Plan does provide the appropriate measures to ensure that water quality issues can be addressed.

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## **WG Deposit Letter - Rep A.iii. Deliverability of Strategy: Timing and Infrastructure:**

### **WG Deposit Rep D6145 re WG Deposit Letter Rep A.iii. Timing and Infrastructure - a. Supplementary Planning Guidance**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT128*

**Comments:** We note **FCT128** (amendment to LDP App5) and that key Draft SPG is now subject of consultation (including docs **CSD36** Planning Obligations 2013, **CSD37** Affordable Housing 2013, **CSD38** Phasing 2013, **CSD39** Caeau Mynydd Mawr SAC 2013, **CSD41** Welsh Language 2013). This should assist consideration of the soundness of the Plan.

**Conclusion:** Our deposit representation D6145 is maintained in that the Plan itself should provide clarity in relation to critical matters rather than relying on SPG; also that whilst the Appendix 5 table has been improved by **FCT128**, it still fails to make clear as to what stage in SPG preparation the dates refer.

### **WG Deposit Rep D6146 re WG Deposit Letter Rep A.iii. Timing and Infrastructure - b. Infrastructure Provision – CIL / planning obligations**

*FCs accredited to WG deposit rep in docs CSD33&34: none*

**Comments:** In response to our objection D6146, the Consultation Report Appendices Volume 3 Addendum (doc **CSD4**) advises that the Plan will be amended to reflect the preparation of SPG on Planning Obligations and Phasing; & that these SPG will consider prioritisation and CIL.

We note **FCT128** (amendment to LDP App5) and that key Draft SPG is now subject of consultation (including docs **CSD36** Planning Obligations 2013, **CSD38** Phasing 2013). We also note the new Topic Paper 14 Phasing and Housing Trajectory 2013 (doc **CSD88**) and the new Infrastructure Background Paper 2013 (doc **CSD130**). The additional evidence in CSD130 provides a 'high level' appraisal of the infrastructure needs of allocated sites prepared through engaging key bodies (para4.1); whilst doc CSD88 provides a housing trajectory (section 5) and phased schedule which considers key constraints and considerations for the allocations including sewerage / infrastructure, biodiversity / nature conservation / landscape, flood risk and Welsh Language (section 6 & App1). We consider these additions to the evidence base to be a key component in evidencing deliverability that were not available at the deposit stage; they will assist consideration of the soundness of the Plan.

Whilst this evidence and the availability of key draft SPG improves clarity generally, it has not been made clear in response to our deposit rep whether the Plan itself provides sufficient clarity in relation to critical matters rather than relying on SPG.

With regard to CIL, there does not appear to have been any clarification, either in the Plan nor in the supporting documentation. The new Infrastructure Background Paper 2013 Doc **CSD130** includes a reference at the second paragraph of section 5.

**Conclusion:** Our deposit representation D6146 is maintained.

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## **WG Deposit Letter - Rep A.iv. Monitoring Framework:**

### **WG Deposit Rep D6147 re WG Deposit Letter Rep A.iv. Monitoring Framework**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT111withApp2*

**Comment:** Whilst FCT111 (LDP Ch7) does provide improvements to the proposed monitoring framework, we suggest that it is for the examination to consider the content.

**Conclusion:** Our deposit rep D6147 is maintained. It is for the examination to consider the content of the Monitoring Framework.

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## **WG Deposit Response: Category B. Objections under soundness tests C2, CE1, and CE2: Matters where it appears that the deposit plan has not satisfactorily translated national policy down to the local level and there may be tensions within the plan:**

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## **WG Deposit Letter - Rep B.i. Scale and Location of Growth: Spatial Framework and Settlement Strategy:**

### **WG Deposit Rep D6148 re WG Deposit Letter Rep B.i. Spatial Framework and Settlement Strategy - a. Scale of Allocations based on Role and Function of Settlements**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT69, FCT116withApp4  
- FCM/T2/5/b; FCM/T2/6/b, c, d, e, f, g*

**Comments:** In response to our objection D6148, the Consultation Report Appendices Volume 3 Addendum (doc CSD4) advises that the Plan will be amended in part. We note revised Topic Paper 3 Strategic Spatial Options and Settlement Hierarchy (doc CSD 77) (its revisions appear to relate to revised scorings for settlements in 2012, as identified at page 88). We note FCT116 amends LDP Appendix 3 Housing Land Allocations to distinguish between committed and non-committed allocations which will assist clarity; whilst we support this, we note that no respective changes are made to the Proposals Maps. We do note that a number of changes are proposed to the maps (FCMs), including changes to allocations with resultant changes to settlement boundaries.

**Conclusion:** Our deposit rep D6148 is partially met. The examination will need to determine whether the role and function of settlements is suitably reflected in the scale of respective housing, employment and mixed-use land allocations.

### **WG Deposit Rep D6149 re WG Deposit Letter Rep B.i. Spatial Framework and Settlement Strategy - b. White Land**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT20withApp1, FCT43, FCT114  
- FCM/GA1/c, d, f; FCM/GA2/j, m, n, ah, ai, aj; FCM/GA3/c, g, h, m, n, o, p, q, r, w, aa; FCM/T2/1/i, j, n; FCM/T2/2/g, h, l; FCM/T2/3/f; FCM/T2/4/c; FCM/T2/6/a; FCM/T3/4/a; FCM/T3/8/b, c, d, e, f, g; FCM/SC28/a, b*

**Comments:** We note the amended glossary definition of 'white land' (FCT114). We note that a number of changes are proposed to the maps (FCMs), including changes to allocations with resultant changes to settlement boundaries.

We support insertion of a new Appendix 11 Small Sites Allowance to the LDP under **FCT20** (&relatedApp1) which provides spatial spread and numerical contribution of small housing sites. However, there appears to be a discrepancy in the totals for small sites given of 1450 in **FCT20** (for para 5.9.41) and 1381 in the Appendix. We consider the reduced small site flexibility (from 15% to 5%) to be preferable (**FCT20** re. para 5.9.41).

**Conclusion:** Our deposit rep D6149 is **partially met**. We consider that the examination should include consideration of the appropriateness of the spatial framework and settlement strategy, including white land.

These comments also relate to our deposit rep D6154 below.

### **WG Deposit Rep D6150 re WG Deposit Letter Rep **B.i.** Spatial Framework and Settlement Strategy - c. Smaller Settlements**

*FCs accredited to WG deposit rep in docs CSD33&34: none*

**Comments:** We note the Response in the Consultation Report Appendices Volume 3 Addendum (**CSD4**), which refers to Revised Topic Paper 9 Development Limits 2013 (**CSD83**), Revised Topic Paper 3 Strategic Spatial Options & Settlement Hierarchy 2013 (**CSD77**) and policy AH3 AH-Minor Settlements in the Open Countryside.

**Conclusion:** Our deposit rep D6150 is **withdrawn**.

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### **WG Deposit Letter - Rep **B.ii.** Scale and Location of Growth: Housing:**

#### **WG Deposit Rep D6151 re WG Deposit Letter Rep **B.ii.** – Scale and Location of Growth: Housing**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT5*

**Comments:** **FCT5** is proposed to be a response to our Deposit rep D6151. This was actually the introduction to our representation which the Council has split into D6152-6157.

We note that **FCT20-23** amend policy SP5 Housing and its supporting text; provision continues to be made for the Deposit LDP requirement of 15,197 units by now providing a framework for 16,240 units (uplift of 1,043 units; 7%), 13,260 of which are identified allocations. (Equivalent figures in the Deposit plan provision was 16,324, with uplift of 1,127; 8%, 13,340 allocated.)

**FCT5** proposes a new paragraph after LDP para 5.4.8 referring to the 2011 Census. The meaning of this paragraph is not clear; neither does it provide any clarification of the implications of the emerging 2011 Census information for the Plan.

**Conclusion:** Our deposit rep D6151 is **maintained**. The examination should explore the scale and location of growth, including housing growth. As a contribution to this, the Council should be in a position to understand the implications of the emerging 2011-based data for its plan and to articulate how it is influencing the direction of travel for the proposed level of housing provision.

#### **WG Deposit Rep D6152 re WG Deposit Letter Rep **B.ii.** – Housing - a. deliverability & build rates**

*FCs accredited to WG deposit rep in docs CSD33&34: none*

**Comments:** No FCs are proposed with regard to this matter of past build rates and deliverability.

The required build rate to deliver 15,197 dwellings (policy SP5 requirement for plan period 2006-21) is 1,013pa; however, this annual completion rate would need to increase further given that, according to the JHLAS 2012 (doc **CSD131**), build rates since 2008 continue to be well below this figure (2008 - 647, 2009 – 263; 2010 – 300; 2011 – 563; 2012 – 276). Appendix 4 of the JHLAS 2012 (doc **CSD131**) advises that housing completions over the 5 year period 01/04/07 to 31/03/12 average 410pa.

With regard to deliverability generally, see our comments in relation to new evidence base at rep D6146 above.

**Conclusion:** Our deposit rep D6152 is maintained.

**WG Deposit Rep D6153 re WG Deposit Letter Rep B.ii. – Housing - b. spatial spread of allocations / commitments, & windfalls / small sites**

**FCs accredited to WG deposit rep in docs CSD33&34:**  
- FCT19, FCT116withApp4

**Comments:** We note **FCT19** and **FCT116** amend Table 2 under LDP para 5.9.37 and Appendix 3 Housing Land Allocations to distinguish between committed and non-commitment allocations which will assist clarity; whilst we support this, we note that no respective changes are made to the Proposals Maps.

We support insertion of a new Appendix 11 Small Sites Allowance to the LDP (referenced from LDP para 5.9.41) under **FCT20&App1** which provides spatial spread and numerical contribution of small housing sites.

There remains no clarification, however, concerning spatial spread of windfalls (5 or more dwellings).

**Conclusion:** Our deposit rep D6153 is partially met.

**WG Deposit Rep D6154 re WG Deposit Letter Rep B.ii. – Housing - c. white land**

**FCs accredited to WG deposit rep in docs CSD33&34:** none

**Comments:** Scale of white land – see comments under D6149 above.

**Conclusion:** Our deposit rep D6154 is partially met. We consider that the examination should include the consider the appropriateness of the spatial framework and settlement strategy, including white land.

**WG Deposit Rep D6155 re WG Deposit Letter Rep B.ii. – Housing - d. concerns contained in reps at Ai & Bi**

**FCs accredited to WG deposit rep in docs CSD33&34:** none

**Comments & Conclusion:** Relates to matters covered by D6142 and D6148to6150 – see respective comments & conclusions above. Our deposit rep D6155 is partially met.

**WG Deposit Rep D6156 re WG Deposit Letter Rep B.ii. – Housing - e. BBNP**

**FCs accredited to WG deposit rep in docs CSD33&34:**  
- FCT1, FCT17  
- FCM/GA2/w, x



**Comments:** Although some changes are proposed to the text (by **FCT1 & FCT17**), sufficient clarity has not been provided; the Inspector's Report for the BBNP LDP will provide the basis for a redraft to provide clarity.

**Conclusion:** Our deposit rep D6156 is partially met.

#### WG Deposit Rep D6157 re WG Deposit Letter Rep B.ii. – Housing - f. layout

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT54*

**Comments:** **FCT54** deletes the second part of policy H1 and proposes supporting text; (the precise location of the text is not made clear).

**Conclusion:** Our deposit rep D6157 is met.

#### WG Deposit Letter - Rep B.iii. Scale and Location of Growth: Affordable Housing:

WG Deposit Rep D6158 re WG Deposit Letter Rep B.ii. – Affordable Housing - a. Delivery of the AH Target

*FCs accredited to WG deposit rep in docs CSD33&34: none*

**Comments:** The level of housing and affordable housing provision in the LDP should take account of the up to date evidence base. We note that the evidence base now includes the JHLAS 2012 (doc **CSD131**), and that this has informed the AHVS Update Report 2013 (**CSD132**); both of which inform Revised Topic Paper 4 Affordable Housing 2013 (**CSD78**). Para2.12 & Table 1 of doc **CSD78** update past completions to include data for 2010-2012 from the JHLAS 2012 (doc**CSD131**). Our comments at rep D6152 refer to completion rates for housing over the last 5 years from the JHLAS 2012 (doc**CSD131**); implications are that the backlog for AH will have increased.

We note that consequential changes are made to the Plan by:

- **FCT26** which amends the policy SP6 Affordable Housing for a reduced total provision of 2,915 (from 2,954), and **FCT24&25** amends its justification at paras5.9.46&50; **FCT61-62** amend policy AH1 Affordable Housing & its justification at para 6.2.46; and **FCT63-64** propose other changes to the AH section.

Contributions to the AH target from commitments is now clarified in Topic Paper 4 (**CSD78** – section 11 – i.e. 557 of the 2196 on plan allocations are committed).

We note new Draft SPG on Affordable Housing 2013 (doc **CSD37**) and Phasing 2013 (doc **CSD38**).

We note that doc **CSD132** considers impact on affordable housing viability of estimated costs of **fire sprinklers and Part L** of the Building Regulations (paras5.10-17). We would point out that the Welsh Minister for Housing & Regeneration issued a **Written Statement on Housing Supply: 'Stimulating Home Building in Wales' (17th July 2013)** (available at following link: <http://wales.gov.uk/about/cabinet/cabinetstatements/2013/homebuilding/?lang=en>)

Our comments in this respect are that:

- i). The Ministerial Statement makes clear that expectations are that Part L will have a close to cost neutral effect on building costs. Based upon the domestic fire safety requirements costs outlined in the Consultation Regulatory Impact assessment, an average cost of £3,100 can be used for a domestic property. This total cost is less than the rough figure that we have been using at earlier LDP examinations of £7,300 for Part L increases & sprinklers when looking at the financial viability of development.
- ii). Whilst the AHVA 2013 (doc CSD132) refers to a figure of £7,275 at para5.14, we don't consider that it is necessary to re-run the viability work.

iii). Given that the Ministerial Statement provides an interim step towards meeting legal obligations for all new buildings to be built to zero carbon (and nearly zero energy) by 2021, it will be important for the Council to monitor any significant change to requirements which could have a consequential impact on viability.

Planning Policy Wales paragraph 9.2.16 states that, 'in principle all new market housing may contribute to meeting the need for affordable housing'.

**Conclusion:** Our deposit rep D6158 is maintained. We consider that the examination should consider the AH target and its deliverability.

### **WG Deposit Rep D6159 re WG Deposit Letter Rep B.ii. – Affordable Housing - b. Thresholds**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT62*

**Comments:** Revised Topic Paper 4 Affordable Housing 2013 (CSD78), supported by the AHVS Update Report 2013 (CSD132), provides the evidence for proposed changes that seek to maximise AH contributions based upon viability, including through introducing a higher target of 30% in the more viable sub-market areas: FCT24 amends para 5.9.46; FCT61 amends policy AH1 Affordable Housing & FCT62 the justification at para 6.2.46. We also note new Draft SPG Affordable Housing 2013 (doc CSD37).

**Conclusion:** Our deposit rep D6159 is met.

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### **WG Deposit Letter - Rep B.iv. Scale and Location of Development: Employment :**

#### **WG Deposit Rep D6160 re WG Deposit Letter Rep B.iv. Employment (SP7 & EMP1)**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT27, FCT28, FCT29, FCT33, FCT124withApp5  
- FCM/GA2/z, aa; FCM/GA3/i, j, l, s, t; FCM/T2/1/k, m; FCM/T2/2/c, d, e; FCM/T2/3/d, e; FCM/T3/3/e;  
FCM/T3/10/b; FCM/T3/11/a; FCM/SC20/b; FCM/SC21/b, c*

**Comments:** We note FCT29,28,29,33&124.

FCT29 amends policy SP7 Employment Land Allocations by making a reduced provision of 174.05ha rather than 266.50ha, based upon the new Employment Land Update Paper 2013 (doc CSD120) referenced from FCT28. Para 7.6 of doc CSD120 advises that it is not anticipated that all of the 174ha will be committed or developed by the end of the plan period and refers to 'an element of aspirational land' being required.

The examination will need to consider what the appropriate level and location of 'aspirational employment land'.

**Conclusion:** Our deposit rep D6160 is maintained.

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### **WG Deposit Letter - Rep B.v. Minerals Safeguarding :**

#### **WG Deposit Rep D6161 re WG Deposit Letter Rep B.v. Minerals Safeguarding - a. Minerals: Buffer Zones (Safeguarding)**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT104*

**Comments:** FCT30, FCT101, FCT 104 & FCT106 amend LDP para 5.9.92, policy MPP2, paras 6.11.21 & 6.11.28 by deleting reference to buffer zones in respect of minerals safeguarding areas

around settlements with consequential amendments to the proposals map. (We note that text at 6.11.21 is replaced by reference to proposed SPG on mineral safeguarding; and at 6.11.28 by reference to MTAN2 guidance.) We note the Revised Topic Paper 7 Minerals 2013 (doc **CSD81**).

The plan must provide certainty about where coal working will not be acceptable in the plan period accordance with MPPW para15 & MTAN2 Coal para26-31.

(+see our related response regarding Deposit Rep D6170 - C.i.b. Minerals: Buffer Zones policy MPP2)

**Conclusion:** Our deposit rep D6161 is met.

**FC104 – new representation** amends LDP para 6.11.21 by deleting reference to buffer zones around the safeguarded mineral resource (as well as around settlements – this latter point is addressed in our response relating to Deposit rep D6161). Text is replaced by reference to proposed SPG on mineral safeguarding.

With regard to **aggregates safeguarding**, we note the amendments at para 6.2.7 of Revised Topic Paper 7 (doc **CSD81**) concerning the British Geological Survey's Aggregates Safeguarding Map of Wales, and would point out that aggregate safeguarding areas on the **proposals map** should be in line with the BGS Map. The Welsh Government issued a letter to Chief Planning Officers on 14 November 2012 which stated “Along with the Minerals Resource Map, the Aggregate Safeguarding Map of Wales provides a key evidence base for Local Development Plan preparation, enabling plan strategies to fully recognise the importance of mineral resources and to avoid their unnecessary sterilisation. The availability of all Wales mapping provides an opportunity to secure a consistent, strategic and longer term approach to resource protection through Local Development Plans.” The Aggregates Safeguarding Map of Wales has extended the aggregate safeguarding areas beyond the mapped mineral resource to include a ‘safeguarding margin’. Information on ‘safeguarding margins’ is included in the BGS Commissioned Report – a link to the report can be found on the following webpage. <http://www.bgs.ac.uk/mineralsuk/planning/resource.html>.

The Plan should also clarify if this extended safeguarded area leads to a **mismatch** in any aggregates safeguarding areas on the proposals maps of adjoining adopted LDPs.

For the avoidance of doubt we would point out that, with regard to **coal safeguarding**, a safeguarding margin around safeguarded resources is not a requirement in national policy; we do not consider this concept suitable for mapping.

**WG Deposit Rep D6162** re WG Deposit Letter **Rep B.v. Minerals Safeguarding - b. Minerals: Coal Safeguarding (SP10 & MPP3)**

**FCs accredited to WG deposit rep in docs CSD33&34:**  
- FCT30, FCT105, FCT106, FCT107

**Comments:** **FCT30** and **FCT105** delete reference to the three coal resource zones (LDP para5.9.92 & 6.11.27) and advises that tertiary resource zones will be removed from the Proposals Map and the remaining primary and secondary areas will not be differentiated. We note the Revised Topic Paper 7 Minerals 2013 (doc **CSD81**).

**Conclusion:** Our deposit rep D6162 is met.

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**WG Deposit Letter - Rep B.vi. Gypsy and Traveller Sites :**

**WG Deposit Rep D6163** re WG Deposit Letter **Rep B.vi. Policy H7 Gypsy and Traveller Sites - a. Transit sites/pitches**

**FCs accredited to WG deposit rep in docs CSD33&34:** none

**Comments:** No clarification is provided in the Plan.

We note proposed changes to the Gypsy & Traveller section of the plan: **FCT57-60**. We also note Revised Topic Paper 11 Gypsy & Traveller Accommodation 2013 (doc **CSD85**) and the Call for Gypsy & Traveller Sites 2013 (docs **CSD25to32**).

**Conclusion:** Our deposit rep D6163 is maintained.

**FC58 – new representation** The Plan and its evidence base need to be clear about the need for pitches and sites and how this need is to be addressed. The Revised Topic paper 4 (doc **CSD85**) contains updated information using July 2012 & January 2013 bi-annual caravan counts (section 5) advising that there is a low but increasing percentage of caravans on unauthorised sites; and that there could be some cause by caravans passing through (para5.2). The evidence now clarifies that the LA owned site at Penbryn Llanelli has a capacity of 15 pitches rather than 30, and that all were occupied at the Jan2013 count (paras5.4&5.5). Whilst it is stated that displaced travellers are being housed in bricks and mortar (para 5.5), it also states that 11 displaced Welsh Gypsies are awaiting a new site (paras 6.2&6.3). A call for a new site in the Llanelli area has resulted in consultation on submitted sites in summer 2013 (paras 6.4&6.5). However doc **CSD32** Report of Consultation – Site Allocation Reps (Call for Gypsy & Traveller Sites) concludes that none of the 3 sites proposed are suitable.

**FC58** advises a replacement to part of the justification for policy H7 at **LDP para 6.2.37**; it would appear that this should rather be a replacement to para6.2.36 (further editing point – reference in FC58 should be to Welsh Government not Welsh Assembly Government). It advises that there are no further pitches available at Penbryn. The FCs fail to provide further clarification concerning the need for a new site that is now outlined in the Revised Topic Paper 4 (doc **CSD85**) nor any reference to the target requirement of 12-15 new pitches by 2016 contained in the monitoring framework (**FCT111**); the last sentence of **LDP para 6.2.37** requires consequential amendment.

**WG Deposit Rep D6164** re WG Deposit Letter Rep **B.vi. Policy H7 Gypsy and Traveller Sites - b. Policy Criteria**

*FCs accredited to WG deposit rep in docs CSD33&34:*

*- FCT57, FCT60*

**Comments:**

- i) H7 criterion a: **FCT60** inserts text at para 6.2.40 providing suitable clarification in relation to policy H7 criterion a.
- ii) H7 criterion b: no changes are proposed.
- iii) H7 criterion c: **FCT57** suitably amends the criterion.

**Conclusion:** Our deposit rep D6164 is partially met. (i.e. it is met with regard to policy H7 criteria a and c, and it is maintained with regard to policy H7 criterion b.)

**WG Deposit Rep D6165** re WG Deposit Letter Rep **B.vi. Policy H7 Gypsy and Traveller Sites - c. Definition**

*FCs accredited to WG deposit rep in docs CSD33&34:*

*- FCT59*

**Comments:** **FCT59** amends LDP para 6.2.38.

**Conclusion:** Our deposit rep D6165 is met.

## **WG Deposit Letter - Rep B.vii. Welsh Language :**

**WG Deposit Rep D6166** re WG Deposit Letter **Rep B.vii. Welsh Language - a. Deposit LDP Strategy**

*FCs accredited to WG deposit rep in docs CSD33&34: none*

**Comments:** The new TAN 20 Planning and the Welsh Language (October 2013) was issued on 9 October and cancels TAN 20 The Welsh Language – Unitary Development Plan and Planning Control (June 2000).

We note new Topic Paper 13 The Welsh Language 2013 (doc **CSD87**), which provides supporting clarification, and Draft SPG Welsh Language 2013 (doc **CSD41**).

**FCT4** amends Chapter 4 Strategic Objective S07 to include protecting and enhancing the Welsh Language.

**Conclusion:** Our deposit rep D6166 is met.

**WG Deposit Rep D6167** re WG Deposit Letter **Rep B.vii. Welsh Language - b. Policy SP18 Welsh Language**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT40*

**Comments:** TAN 20 Planning and the Welsh Language (October 2013) cancels TAN 20 The Welsh Language – Unitary Development Plan and Planning Control (June 2000).

Policy **SP18 Welsh Language** and its supporting text at **para5.9.143** are amended by **FCT40 & FCT41**, and the justification for policy GP5 Phasing has been amended at **para6.1.26** by **FCT52**.

We note new Topic Paper 13 The Welsh Language 2013 (doc **CSD87**) and Draft SPG Welsh Language 2013 (doc **CSD41**). The draft SPG (para6.6) now clarifies that applications for new development on windfall sites or on allocated sites if not in accordance with LDP policies will require a linguistic statement for small scale development, or a linguistic impact assessment for larger scale developments.

We consider the proposed revised policy position on linguistic assessments to be an improvement on the deposit plan situation. The new TAN 20 (2013) does not prevent a policy approach that would require linguistic assessments where an application is for development that is a departure from the development plan. However, we consider that windfall development that accords with the development plan should not require an additional assessment.

We also point out that para 8.2 of the Draft SPG appears to undermine clarity with regard to when a linguistic impact assessment would be required.

The LDP itself needs to provide a brief clarification concerning the requirement for linguistic statements and linguistic impact assessment rather than simply referring to SPG at para5.9.143.

With regard to phasing we note that Draft SPG Welsh Language (doc **CSD41**) requires phasing for housing allocations in settlements with over 60% Welsh speakers (para 10.3 & App1); and we note Draft SPG Phasing 2013 **CSD38** and new Topic Paper 14 Phasing & Housing Trajectories 2013 **CSD88**.

**Conclusion:** Our deposit rep D6167 is maintained.

**WG Deposit Rep D6168 re WG Deposit Letter Rep B.vii. Welsh Language - c. Monitoring**

*FCs accredited to WG deposit rep in docs CSD33&34: none*

**Comments:** Whilst FCT111 does provide improvements to the proposed monitoring framework, we suggest that it is for the examination to consider the content.

**Conclusion:** Our deposit rep D6168 is **maintained**. We suggest that it is for the examination to consider the content of the monitoring framework.

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**WG Deposit Response: Category C.** In relation to soundness tests CE2, CE3, CE4: whilst not considered to be fundamental to the soundness of the LDP, we consider there to be a lack of certainty or clarity on the following matters which we consider we can usefully draw to your attention to enable you to consider how it might be better demonstrated:

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**WG Deposit Letter - Rep C.i. Minerals:**

**WG Deposit Rep D6169 re WG Deposit Letter Rep C.i. Minerals - a. Landbank – Hard rock apportionment**

*FCs accredited to WG deposit rep in docs CSD33&34: none  
- FCT98, FCT99*

**Comments:** FCT98 & FCT99 amend LDP paras 6.11.9 & 6.11.11 which partially meets our deposit rep.

However, we note that the Plan is silent about the information in para 11.2 of the Revised Topic Paper 4 Minerals 2013 (doc CSD85) that there have been no discussions with BBNPA or PCNPA with regard to apportionment and sharing of reserves.

**Conclusion:** Our deposit rep D6169 is **partially met**.

**WG Deposit Rep D6170 re WG Deposit Letter Rep C.i. Minerals - b. Buffer Zones Policy MPP2**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT101, FCT102*

**Comments:** FCT101 & FCT102 amend policy MPP2 and para6.11.17. (+ see our related response regarding Deposit Rep D6161- B.v.a. Minerals Buffer Zones (safeguarding))

**Conclusion:** Our deposit rep D6170 is **met**.

**WG Deposit Rep D6171 re WG Deposit Letter Rep C.i. Minerals - c. Policy MPP6**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT100, FCT109*

**Comments:** FCT100 & FCT109 delete policy MPP6 Unconventional Gas Exploration and Extraction and insert text under policy MPP1 after para6.11.15.

**Conclusion:** Our deposit rep D6171 is **met**.

**WG Deposit Rep D6172 re WG Deposit Letter Rep C.i. Minerals - d. Policy MPP5**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT108*

**Comments:** FCT108 deletes policy MPP5 Inactive Mineral Sites, deletes part of the text at para 6.11.32, relocates the remainder to para 6.11.8, and relocates paras 6.11.33 and 6.11.34 to follow para 6.11.13.

**Conclusion:** Our deposit rep D6172 is met.

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**WG Deposit Letter - Rep C.ii. Renewable Energy - Policy RE1 Large Scale Wind Power:**

**WG Deposit Rep D6173 re WG Deposit Letter Rep C.ii. Renewable Energy - Policy RE1 - Criterion a**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT82*

**Comments:** FCT82 amends policy RE1 criterion a.

**Conclusion:** Our deposit rep D6173 is met.

**WG Deposit Rep D6174 re WG Deposit Letter Rep C.ii. Renewable Energy - Policy RE1 - Paragraphs 6.7.2 and 5.9.97**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT31, FCT82*

**Comments:** FCT31 & FCT82 amend para 5.9.97 and policy RE1 justification para 6.7.2 to comply with the maximum capacity of 132MW.

**Conclusion:** Our deposit rep D6174 is met.

**WG Deposit Rep D6175 re WG Deposit Letter Rep C.ii. Renewable Energy - Policy RE1 - Criterion h**

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT82*

**Comments:** FCT82 amends policy RE1 criterion h.

**Conclusion:** Our deposit rep D6175 is met.

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**WG Deposit Letter - Rep C.iii. Water and Environmental Capacity - Policy EP1 :**

**WG Deposit Rep D6176 re WG Deposit Letter Rep C.iii. Water and Environmental Capacity - Policy EP1**

*FCs accredited to WG deposit rep in docs CSD33&34: none*

**Comments:** No clarification is provided in the Consultation Report (CSD4).

**Conclusion:** Our deposit rep D6176 is maintained.

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**WG Deposit Response: Category D. Matters relating to clarity of the plan generally which we consider may be of assistance to your authority and to the Inspector in considering suitable changes.**

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**WG Deposit Letter - Rep D. General Matters:**

**WG Deposit Rep D6177** re WG Deposit Letter Rep D. General - a. Policy cross reference

*FCs accredited to WG deposit rep in docs CSD33&34: none*

**Comments:** No clarification is provided in the Consultation Report (CSD4).

**Conclusion:** Our deposit rep D6177 is maintained.

**WG Deposit Rep D6178** re WG Deposit Letter Rep D. General - b. Lengthy policies

*FCs accredited to WG deposit rep in docs CSD33&34: none*

**Comments:** No clarification is provided in the Consultation Report (CSD4).

**Conclusion:** Our deposit rep D6178 is maintained.

**WG Deposit Rep D6179** re WG Deposit Letter Rep D. General - c. Policy SP4

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT15*

**Comments:** FCT15 amends policy SP4 Strategic Sites to include a suitable summary table of strategic sites.

**Conclusion:** Our deposit rep D6179 is met.

**WG Deposit Rep D6180** re WG Deposit Letter Rep D. General - d. Policy SP12

*FCs accredited to WG deposit rep in docs CSD33&34:  
- FCT34*

**Comments:** FCT34 amends policy SP12 Waste Management criterion b to reflect the waste hierarchy.

**Conclusion:** Our deposit rep D6180 is met.

**WG Deposit Rep D6181** re WG Deposit Letter Rep D. General - e. Policy SP14

*FCs accredited to WG deposit rep in docs CSD33&34: none*

**Comments:** No clarification is provided in the Consultation Report (CSD4).



**Conclusion:** Our deposit rep D6181 is **maintained**.

**WG Deposit Rep D6705** re WG Deposit Letter Rep **D. General - f. Policy EP2**

*FCs accredited to WG deposit rep in docs CSD33&34:*  
*- FCT90*

**Comments:** **FCT90** advises that it amends policy EP2 Pollution by deleting criterion a and amending criterion b. We consider there is a typo error here – surely its intention is to amend criterion a, not amend criterion b. Assuming this is correct then the revised wording for criterion a would meet our deposit rep.

**Conclusion:** Our deposit rep D6705 is **met** (based on above assumption).

**WG Deposit Rep D6182** re WG Deposit Letter Rep **D. General - g. Policy EP5**

*FCs accredited to WG deposit rep in docs CSD33&34:*  
*- FCT93*

**Comments:** **FCT93** amends policy EP5 Coastal Development criterion d; this is an improvement.

**Conclusion:** Our deposit rep D6182 is **met**.

**WG Deposit Rep D6183** re WG Deposit Letter Rep **D. General - h. Text**

*FCs accredited to WG deposit rep in docs CSD33&34:*  
*- MEC60*

**Comments:** We note the intention of **MEC60**, but consider this needs further consideration for adoption version.

**Conclusion:** Our deposit rep D6183 is **maintained**.

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END