

Executive Board
30.11.20

Local Development Order – Cross Hands East

Purpose:

To consider the potential for a Local Development Order to be made within Cross Hands East.

Recommendations / key decisions required:

That the proposed Local Development Order be considered through the democratic reporting process.

Reasons:

- To support the corporate regeneration objective of promoting Cross Hands East as a strategic employment site.
- To ensure that that the planning process for development at Cross Hands East is stream lined utilising National Planning Policy.
- To support the vision of a sustainable employment site.

Relevant scrutiny committee to be consulted N/A

Exec Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:-

Cllr David Jenkins and Cllr Mair Stephens

Directorate

Name of Head of Service:

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EXECUTIVE SUMMARY

Local Development Order – Cross Hands East

What is an LDO?

An LDO is made by a Local Planning Authority (LPA) and grants planning permission for the type of development and within the spatial area specified within the LDO. It offers an LPA the opportunity, under particular circumstances, to streamline the planning process by removing the need for developers/applicants to make a planning application to the LPA. This can allow an LPA to act proactively in response to locally specific circumstances within their area. As stated above, it should relate to a geographical area, reflect the focused purpose of the LDO and the nature of its intended outcomes. An LDO may also be permanent or time limited depending on its objective, in this respect, a time limited LDO provides for increased flexibility in fast changing and developing areas allowing for easy revision and updating, or to deliver a set objective over a fixed timescale.

Certain types of development, as set out within the Town and Country Planning (General Permitted Development) Order 1995 (PDO), are already permitted without the need for planning permission. The PDO grants a general permission for various types of relatively small scale and normally non-contentious development without the need to make a planning application. LDOs can therefore be seen as an extension of permitted development but decided upon locally in response to specific local circumstances.

LPAs can revoke an LDO at any time. Where it is proposed to modify a Local Development Order, re-consultation may be required.

The Council has recently made an LDO covering Llanelli town centre that is proving successful and allows specified changes of use to take place without the applicant having to apply for planning permission. This is currently the only adopted LDO in the County.

Rationale for an LDO at Cross Hand East

Cross Hands East Strategic Employment Site is a regionally significant employment location in Carmarthenshire and an important part of the Cross Hands Growth Zone. The success of other sites across Carmarthenshire and the region mean that very few serviced plots are now available for development other than those in Cross hands. This site will therefore play a key role in the success of the economy of Carmarthenshire and West Wales. The site is well placed as a location that can be considered the gateway to West Wales along the A48 and to the north and south along the A476. The site is in planning terms strategically located within the Ammanford/Cross Hands Growth Areas and is identified for employment use both within the current adopted LDP as well as the emerging Revised LDP. It is recognised that it forms an important component of the Plan's strategic employment aspirations, with its delivery important in providing the growth and job creation objectives for the area. The site is managed via a Joint Venture between the County Council and Welsh Government that has facilitated implementation of Phase 2 infrastructure via ERDF funding.

The site, shown edged black on attached plan, has major potential to deliver economic benefit for the region due to its location and strategic transport links. The council's promotion of Cross Hands as a growth zone includes infrastructure development. The site will further benefit from the completion of a new link road to improve local highway infrastructure and

facilitate new development and growth. The new road, when fully completed, will be a catalyst to development and a Local Development Order (LDO) will help deliver the Council's intentions for the site and meet its Economic Development aspirations of increasing GDP in the County. The production of a LDO would be an integrated approach to regeneration which incorporates a proactive and enabling approach to the planning process. The site is also a key feature of the Swansea Bay City Region's strategy to create a strong network of 10 key interconnected centres to deliver the highest quality sites.

The Cross Hands East site is a significant opportunity to meet these needs, providing 19 acres of developable land, which would accommodate some 300,000sqft of modern business space. Development of this scale would create in the region of 1,000 new jobs. Demand for industrial and business space in Cross Hands and the County is high with occupancy rates in the Council's Industrial portfolio consistently over 90%. Vacancy periods are short and there are waiting lists for many estates, especially those in Cross Hands. Most of the 70 or so units in Cross Hands can be considered as starter workshops and few estates offer opportunities for expansion and growth. The site will give many companies an opportunity to expand and the site will draw interest from the County and beyond.

The proposed LDO as a mechanism to enable the delivery of the above and growth aspirations of the LDP will deliver structured, managed and branded approach to development of the site to deliver a consistent development approach and a coordinated landscaping theme, creating a high-quality environment that will enable businesses to flourish. The LDO would also reinforce the vision to create a sustainable industrial park that contributes positively to the Wellbeing of Future Generations Act. The site infrastructure provided to date has embraced the green infrastructure ethos through design, installation of a sustainable drainage system and ecological enhancement. Future development proposals within the plots created will be required to address their impact at the earliest stage through design and layout, use of materials and technology as well as adoption of operational features to maximise resource efficiency and reduce carbon emissions.

The Joint Venture is currently working with Welsh Government and the Active Building Centre (Swansea University) to develop self build mixed use proposals for the site's gateway plot (Plot 3). The proposed development would comprise buildings that adopt 'Active Building' principles in terms of their design and energy use to house a mix of offices, hybrid and light industrial activities. This will be the first commercial/industrial building in Wales to be developed via the Active Building principles and will be seeking to deliver carbon neutral or carbon positive outcomes. The lessons learned over the next 6-12 months will inform the future design framework for the site.

Preference will be given to the following key sectors that the Welsh Government has identified as having growth potential and are seen as being strategically important to the competitiveness of Carmarthenshire and Wales:

1. Advanced manufacturing
2. Creative Sector
3. Food and Food Agri-technology
4. Energy Sector
5. Financial and Professional

This reinforcement of the current and proposed planning policy is required to facilitate investment in Cross Hands East to enable 'footloose' occupier requirements, that often specify a need for occupation within a short timescale, to be accommodated within Carmarthenshire. An LDO approach, under a permissive planning regime in this location, linked to broader strategic planning and regeneration initiatives would allow development to satisfy appropriate occupier requirements, without the need for planning permission. This would further enhance and promote the location as a strategic opportunity that could be delivered to satisfy requirements. This approach accords with Arup's Two County Study (Sept 2019) - produced to support the production of the Revised LDP - providing a basis on which to plan future provision of strategic land and premises for economic activity across Carmarthenshire and Pembrokeshire. The study identifies Cross Hands as a larger than local strategic employment site and also recognises that opportunities are potentially being missed as a result of the time taken to gain necessary permissions for development, Arup suggest that "In recognising the demands of some key employees in the area and in an effort to increase the attractiveness of sites for investment, further work / analysis should be undertaken in relation to the potential role of LDO's in locations where the end use of the site is known". In this regard the provisions of the Revised LDP support such a proactive approach as a mechanism to drive delivery.

Evidential Requirements to support an LDO

Highways – Further clarity may be needed to address any concerns around capacity at the roundabout and to establish any requirements around active travel.

Ecology – The Caeau Mynydd Mawr contribution will need to be confirmed. It should, however, be noted that this may have already been accounted for as part of the original permission and delivery of site infrastructure.

Potential for Section 7 Habitat – There would be a requirement to understand the potential impact and address any mitigation requirements that may arise. This would require further evidence gathering to inform what, if anything, would be required.

Dŵr Cymru/Welsh Water – Identify any capacity issues that may exist. Whilst there are at present no issues being raised this would need to be considered as part of any infrastructure assessment. Any infrastructure assessment would also need to consider land management issues around flood risk, drainage and utilities.

Design Parameters – To ensure that development reflects the Council's ambitions in terms of quality, appearance and scale but also incorporate Green Infrastructure as a basic and fundamental starting point.

Financial Implications

It is estimated that that the cost of all necessary supporting studies and evidence gathering would be in the region of £50,000.

In addition, if the proposal for an LDO at Cross Hands East was adopted then this would result in a loss of Planning Application fee income for the Authority. The estimated floorspace that could be developed at Cross Hands East, on a phased basis, is 300,000 sq.ft. (27,870 sq.m.) Based on a current cost of £380 per 75sqm this should work out around £141,000 in planning fees over a provisional 15-year delivery period for the whole site. It should be noted

that there is a current consultation ongoing in relation to increasing the planning application fees – therefore this figure is likely to rise by circa 20%.

The Process

The procedural requirements for preparing a LDO are set out in the Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended). Article 27 of the Order sets out the requirements for formal consultation on the draft LDO along with a statement of the authority's reasons for making the order, which should outline a description of the developments which the order would permit and a plan or statement identifying the land to which the order would relate.

Approval is therefore sought for officers to develop and produce a Draft LDO for Cross Hands East through the production, collation and consideration of additional evidence, as set out above; to produce a draft LDO; and, to undertake a formal public consultations (6 weeks) as set out in legislation, as well as additional informal consultations to inform and guide its preparation.

The adoption of a LDO would augment, but also where appropriate supersede aspects of current local planning policy as set out in the adopted LDP.

The Draft LDO and its statement of reasons along with the responses received as part of the public consultation, and any proposed amendments will be reported to Council for its consideration and determination and resolution to adopt. Following resolution the documentation will be presented to the Welsh Ministers for their approval to adopt the LDO.

Recommendation

It is recommended that Council officers are authorised to:

1. Commission necessary evidence as appropriate to support the proposed LDO;
2. Prepare a draft LDO for Cross Hands East and its Statement of Reasons;
3. Formally subject the draft LDO to the statutory consultation process; and
4. Report back through the democratic process in order that Council can consider whether approval should be sought from The Welsh Government, in accordance with established provisions, to adopt the LDO.

DETAILED REPORT ATTACHED ?

NO

3. Finance

Financial costs (including preparation of the LDO) will be covered by the Cross Hands Joint Venture.

If the proposal for an LDO at Cross Hands East was adopted, then this would result in a loss of Planning Application fee income for the Authority. The loss of income is estimated to be in the region of £141,000 over a provisional 15-year delivery period for the whole site. It should be noted that there is a current consultation ongoing in relation to increasing the planning application fees – therefore this figure is likely to rise by circa 20%.

This loss of income will be offset by the economic and regeneration benefits accrued through the successful implementation of the LDO in terms of job creation and increased business rates income that the Council will indirectly receive from the Welsh Government.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Jason Jones

Head of Regeneration

1. Scrutiny Committee

Subject to Executive Board endorsement of the report recommendations, relevant Committee will be consulted at the next stage of the process once the draft LDO has been the subject of consultation.

2. Local Member(s)

Local Members have been consulted. Members are Cllr E Dole, Cllr D Jones, Cllr D Price, cllr A Scourfield, Cllr D Thomas.

3. Community / Town Council

Will be consulted as part of any future formal consultation on the draft LDO.

4. Relevant Partners

Will be consulted as part of any future formal consultation on the draft LDO. Additional informal consultations may be undertaken to inform the preparation of the draft LDO as appropriate.

5. Staff Side Representatives and other Organisations

Informal consultations may be undertaken to inform the preparation of the draft LDO as appropriate.

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE

Title of Document	File Ref No.	Locations that the papers are available for public inspection