

## Executive Board

21st October 2019

### Revised Carmarthenshire Local Development Plan 2018 - 2033

#### Draft Deposit

#### Recommendations / key decisions required:

- To consider and approve the content of the Draft Deposit Revised Local Development Plan 2018 – 2033 (and supporting documents) for formal public consultation.
- To grant officers delegated authority to make non-substantive typographical or factual amendments as necessary to improve the clarity and accuracy of the Draft Preferred Strategy.
- To approve the Draft Supplementary Planning Guidance in relation to the Burry Inlet and the Caeau Mynydd Mawr Special Area of Conservation for consultation concurrent with the Deposit LDP.

#### Reasons:

- To comply with the Council's statutory obligations in terms of the preparation and progression of a Revised Local Development Plan for Carmarthenshire, in accordance with statutory procedures.
- To respond and accord with the timetable for the preparation of the Revised LDP as set out within the approved Delivery Agreement.
- To ensure that the preparation and adoption of the Revised (replacement) LDP proceeds in a timely manner ahead of the expiration of the current LDP.

Relevant scrutiny committee to be consulted:- Community Scrutiny Committee: Scheduled 16<sup>th</sup> October 2019

Exec Board Decision Required YES 21<sup>st</sup> October

Council Decision Required YES 13<sup>th</sup> November

#### EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr Mair Stephens

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# EXECUTIVE SUMMARY

## Executive Board

21st October 2019

### Revised Carmarthenshire Local Development Plan 2018 – 2033

#### DRAFT DEPOSIT

## 1. BRIEF SUMMARY OF PURPOSE OF REPORT.

This Report follows the resolution of County Council on the 10th January 2018 to formally commence the preparation of a Revised (replacement) Local Development Plan (LDP), along with the Welsh Government's approval of the Delivery Agreement on the 28<sup>th</sup> June 2018, including its timetable for Plan preparation.

The preparation of the Draft Deposit Revised LDP represents an important milestone in the Council delivering on its statutory responsibilities to prepare an up-to-date Development Plan for the County (excl. the area within the Brecon Beacons National Park Authority).

This report sets out the Draft Deposit Revised LDP by identifying the Council's land use Vision, strategic objectives and strategic growth requirements for the County through to 2033 along with a detailed and comprehensive set of policies and provisions - including site specific allocations (including housing and employment as well as environmental and other spatial considerations).

Approval is sought for the publication of the Draft Deposit Revised LDP as part of a formal public consultation for a minimum statutory period of 6 weeks. It should be noted that the Delivery Agreement identifies December 2019 for the publication of the Draft Deposit Revised LDP.

It should be noted that the Draft Deposit Revised LDP, together with accompanying Draft Supplementary Planning Guidance as well as other supporting documents are emerging documents and will develop through the reporting process. This reflects the availability of evidence and timelines associated with the Plans preparation. This report does not include the proposals map and inset maps which are currently being developed. These will be provided as it progresses through the reporting process.

## 2. Background

The preparation of the Draft Deposit Revised LDP reflects the Council's statutory responsibilities to produce the Revised LDP under the Planning and Compulsory Purchase Act 2004 - setting out policies and proposals for future development and use of land for Carmarthenshire over the period to 2033. The Delivery Agreement, as approved by the Welsh Government (WG), identifies the timeline for the preparation and Adoption of the Plan by November/December 2021.

In determining the need to prepare a Revised LDP, Members will recall that a Review Report was prepared in relation to the current Adopted LDP. This Review Report identified the following considerations:

- The need to ensure that a Revised LDP is prepared and adopted before the expiration of the current LDP at the end of 2021.
- Indicated failures in the delivery of the LDP strategy, the settlement framework and the spatial distribution of growth - notably in respect of both the level and spatial distribution of growth, and the need to ensure that the strategy, particularly in terms of spatial distribution of growth and the performance of the tier 2 and 3 settlements, is realistic and deliverable.
- Failure to deliver a 5 year housing land supply, as required within Planning Policy Wales and Technical Advice Note 1.
- Need to ensure that the strategy and the identified growth requirements are robust, and that the spatial framework, distribution of growth and the allocated sites within the Plan are deliverable.
- To consider the implications of the 2014-based Local Authority Population and Household Projections and the variance in population change and household requirements.
- In addition, to consider contextual changes and changes in the form of legislation, national policy and a range of Plans and strategies and to the evidence base.

Reference is also made to the publication of the Pre-Deposit Preferred Strategy, which set out aspects such as: Issues; Vision, Strategic Objectives; Growth Options; Spatial Options and preferred strategic approach. The responses received as part of the consultation to the Pre-Deposit Preferred Strategy were reported to Council on the 15<sup>th</sup> May 2019 and have been considered and where appropriate incorporated in the preparation of the Draft Deposit Plan. Due consideration has also been given to any recommendations outlined as part of the Sustainability Appraisal – Strategic Environmental Assessment process.

### 3. Draft Deposit Revised LDP

The Draft Deposit Revised LDP is the Council's proposed statutory land use plan for its administrative area (excluding that area contained within the Brecon Beacons National Park) and covers the period 2018 – 2033. The preparation of the Plan is governed by defined statutory procedures with the process subject to a series of stages prior to its adoption. This process culminates in the Examination in Public (EIP) which will be presided over by an independent Planning Inspector appointed by the Welsh Ministers. Upon adoption the Revised LDP will supersede the current adopted LDP. It should be noted that the Inspector's recommendations are binding upon the Council.

The adopted Revised LDP will guide and control development. It will inform future infrastructure and investment programmes from both internal and external partners. It will provide the local policy basis to determine future planning applications. Where relevant, Supplementary Planning Guidance (SPG) will be prepared to elaborate on, and consolidate upon the policies and provisions of the Plan itself.

The Draft Deposit Revised Plan will be accompanied by a range of documents to support its



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[www.carmarthenshire.gov.wales](http://www.carmarthenshire.gov.wales)

preparation and the consultation. These include the Sustainability Appraisal/ Strategic Environmental Assessment, Habitat Regulations Assessment, the plan's evidence base, topic papers, an Initial Consultation Report, and Soundness Self-Assessment, as well as a range of other background documents.

The Draft Deposit Revised LDP consists of a number of key elements which reflect stages in its preparation. It has sought to build on the preparation of, and consultation responses to, the Draft Pre-Deposit Preferred Strategy. The recommendations of the Sustainability Appraisal – Strategic Environmental Assessment have also been responded to where appropriate. In this respect, engagement has, in accordance with the provisions of the Delivery Agreement, been an important aspect of the Strategy's preparation, with the contribution of technical consultees and other focused groups being instrumental in guiding the Draft Deposit Plan's content.

A key element of the Draft Deposit is founded on the need for the Plan to make appropriate provision for a sustainable and deliverable level of growth - reflecting the ambitions of the County and meeting the needs of its communities. This has been supported by a robust and updated evidence whilst seeking to deliver on key strategic influences including:

- The Council's Strategic Regeneration Plan 2015 – 2030 – Transformations;
- Swansea Bay City Deal – including Yr Egin and the Wellness and Life Science Village;
- The New Corporate Strategy 2018 – 2023;
- The Council's Well-being Objectives; and
- Recent Council resolutions – including the declaration of a Climate Emergency and the motion on Planning and the Welsh language;
- Rural Taskforce Report and recommendations;
- National planning policy and legislative agenda;
- Moving Forward in Carmarthenshire: the next 5-years.

The Draft Pre Deposit Preferred Strategy identified an overall population increase of 17,567 (9.4%). Providing for the delivery of 9,987 new homes across the Plan period. This places an important strategic emphasis on job creation and is central to the Council delivering on its affordable housing targets. This is a level that is notably below the current adopted LDP which makes provision for 15,197 homes.

The LDP seeks to promote and develop the economy across Carmarthenshire and the Draft Deposit Revised Plan identifies appropriate land allocations to support an ambitious Carmarthenshire which attracts investment and provides opportunities for those living and working in our communities.

The proposed growth levels would also seek to challenge and address current demographic patterns particularly the out-migration as evidenced in the 16-19 age group. It provides opportunities to balance the demographics of the County through the retention of, and in-migration of younger adults (including those returning) to the County, and address some of the issues which could be perceived from an aging population.

The changing evidence base in relation to demographic change will continually be addressed as

part of the preparation of the Plan. The Draft Deposit Revised LDP will respond to any changes in evidence and consider the emerging growth provisions of the emerging National Development Framework as it progresses through the reporting process.

The Spatial approach to the distribution of land represents a Balanced Community and Sustainable Growth Strategy, a revision to the approach in the current LDP and one which seeks to address the issues highlighted in the Review Report, as well as reflecting the feedback in the formulation of the preferred strategy. The revised spatial hierarchy and the distribution of growth will therefore be expressed through the settlement framework as grouped under respective clusters which seek to characterise areas across the County. These are identified within the Draft Deposit Plan.

Key themes and policy areas set out within the revised LDP includes:

- Provide for the requirement of 9,887 new homes;
- To maximise affordable housing delivery providing for XXXXX new homes (*Report on Affordable Homes Viability scheduled 3rd October*);
- Provide for XX ha of employment land (*Report scheduled 27<sup>th</sup> September*);
- Defined levels of development viability;
- Identify levels of developer contributions (s106) and key priority areas;
- Recognise the economic opportunities to sustain and enhance rural economies;
- Support regeneration and strategic ambitions for the County and region;
- Promote a settlement framework which supports cohesion between settlements and communities;
- Reflect the linguistic needs of the County and its communities and their cultural characteristics;
- Distribute development in accordance with the settlement hierarchy, reflecting the principles of sustainability and the functional attributes of settlements;
- Respect and enhance the rich and diverse environmental qualities of the County;
- To reflect the need for new homes in rural areas;
- Reflect matters of infrastructural capacity – notably within the Llanelli Waste Water Treatment Works catchment;
- Contribute towards the achievement of the statutory Conservation Objectives of the Caeau Mynydd Mawr Special Area of Conservation;
- Contribute to the delivery of physical and social regeneration opportunities;
- Create diverse and cohesive developments and communities;
- Reflect the diversity across the County, and within its settlements and communities;
- Focus retail change in established centres whilst providing opportunities which will assist in achieving viable, self-supporting settlements and sustainable communities;
- Define search areas for the siting of wind and solar renewable energy developments;
- Recognise the contribution of ‘previously developed land’;
- To provide opportunities to grow the County’s visitor economy;
- Protect and enhance the natural, historic and built conservation qualities of Carmarthenshire; and,
- Contribute to an integrated transport network both within the County and region.

The Draft Deposit in taking forward the above, its evidence base and its contextual influences

includes a number of new policy areas or an additional focus on aspects around:

- Placemaking and Well-being of future generations
- Green Infrastructure
- Climate Change and Sustainable Development
- Welsh language
- Flood avoidance
- Reserve Regeneration Sites
- Rural Planning Policy.

#### 4. Deposit LDP Structure

The Draft Deposit Revised LDP consists of a written statement and a proposals map detailing its policies and proposals on a geographical base. Its structure and format is broadly as follows:

- **Introduction:** General background information regarding the Carmarthenshire LDP including outlining the role of the Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) and Habitats Regulations Assessment (HRA) in the plan-making process.
- **Policy Context:** Sets out the LDP's alignment with, and regard to, National, Regional and Local policy context.
- **Key Issues and Drivers:** Outlines issues identified in relation to the LDP.
- **Vision and Objectives:** Presents the LDP's Vision and accompanying Objectives conveying the sort of place that it is envisaged Carmarthenshire should become. It is the role of the Objectives to set the context for the delivery of the vision.
- **Strategy and Strategic Policies:** Outlines the LDP's strategic direction, growth requirements which together with the spatial and settlement framework and the strategic policies provides the context for detailed, specific policies.
- **Specific Policies:** Detailed policies dealing with specific policy areas and providing general development management policies against which all development proposals within the County will be assessed. These policies set out residential, employment and other land use allocations, areas designated for specific protection, and policies (including criteria policies) guiding the use of land and development within the Plan area. They form a firm basis for the rational and consistent consideration of planning applications and appeals. Policies are aligned to the strategic policies and include a reasoned justification.
- **Implementation and Monitoring:** Identifies and incorporates key targets, details the Plan's performance and measures how it will be monitored.
- **Proposals Map on a Geographical Base** - The Proposals Map together with

inset maps of specific settlements or development areas identify policies and proposals on a geographical base.

## 5. Supporting Documents

The publication of the Draft Deposit Revised LDP will be accompanied by a suite of evidential and other documents. Key amongst these is the Initial Sustainability Appraisal (SA) which incorporates the Strategic Environmental Assessment (SEA). The SA is required by Section 62 (6a) of the Planning Compulsory Purchase Act 2004, while the SEA is a requirement of the SEA Directive 2001/42/EC1. An SEA is a mandatory requirement for plans/programmes. A copy of the SA will be appended to this report as it progresses through the reporting process with the final version available at County Council.

The SA is an integral part of the preparation of the Revised LDP, evaluating and testing its content throughout its preparatory process, in particular the Initial SA:

- Tests the Revised LDP objectives against the Sustainability Framework.
- Predicts and evaluates the effects of the LDP options in terms of both growth and spatial distribution, as well as the strategic policies that will be put in place to implement them.
- Considers ways of mitigating adverse effects and maximising beneficial effects.
- Proposes measures to monitor the significant effects of implementing the LDP.

A further key document is the Habitat Regulations Assessment Screening (HRA) Report. This will be available for reporting at Full Council. The HRA screening report considers the content of the Draft Preferred Strategy and as such is being finalised as the Preferred Strategy progresses through the reporting process.

Both of the above will also be available for public consultation.

## 6. Supplementary Planning Guidance

As part of the preparation and implementation of the Revised LDP a series of Supplementary Planning Guidance (SPG) documents will be prepared and adopted. SPG is produced to provide further detail on certain policies and proposals contained within the LDP. They help ensure certain policies and proposals are better understood and applied more effectively.

In this respect two initial SPG have been produced to accompany the publication of the Draft Deposit Revised LDP. It reflects the strategic importance of both policy areas in enabling appropriate development to take place and are as follows:

**Caeaeu Mynydd Mawr SAC SPG** – Reflects an updated iteration of the existing SPG and the latest updated evidence. It should be noted the implementation of the SPG and its requirements arise directly from the provisions of the Habitat Regulations. Failure to implement its provisions would prevent development within its spatial area from being delivered and would thus undermine the Council's strategic regeneration ambitions.

**Burry Inlet SPG** – This SPG reflects the progress on implementing a policy of surface water removal from the combined system feeding into the Llanelli Waste Water Treatment Works. The SPG will upon adoption replace the current Memorandum of Understanding and will

maintain the betterment requirement currently operating.

SPG do not have the same status as adopted development plan policies, however, the Government advises that they may be taken into account as a material consideration in determining planning applications. Within the context of the Revised LDP, the SPGs seek to consolidate and elaborate upon the policies and provisions of the Plan itself as the plan making process proceeds. A list of further SPG will be set out within the Appendices of the Deposit LDP along with projected dates for publications. These presented before Council as and where appropriate.

## 7. Preparatory Considerations

Whilst the LDP plays a key role in shaping decision making and the location and nature of developments within the County, it is prepared and operated within the national framework set through legislation and by Planning Policy Wales and accompanying Technical Advice Notes. In this respect the Plan must have regard to National Planning Policy and legislation including the Well-being and Future Generations Act 2015, Planning (Wales) Act 2015 and the Environment (Wales) Act 2016.

The process for the preparation of the LDP is set within statutory regulations, with further procedural guidance contained within the LDP Manual as prepared by the Welsh Government. The preparation and content of the LDP at the EIP will be assessed against three tests of soundness set out in national policy, namely:

1. Does the plan fit?
2. Is the plan appropriate?
3. Will the plan deliver?

Failure of the Revised LDP to comply with the 3 tests of soundness will result in it not being adopted. The full content of the tests of soundness are appended to this report.

It should also be noted that the Inspector's findings following the EIP is binding on the Authority.

Due regard will also need to be had to the emerging National Development Framework for Wales and the requirements for LDPs to conform to its content.

It should be noted that if the Draft Revised LDP were not to be approved at the meeting of County Council on the 13<sup>th</sup> November 2019 then this may result in:

- Undue delays and slippage with the timetable. In respect reference is made to the Minister's letter setting the expectations on the timescales for the preparation of the Plan.
- The risk that the County will be left with no Plan at the end of 2021 (when the current LDP expires) resulting in vulnerability to speculative developments non-controlled.
- Requirements to update evidence with resultant cost implications.

## 8. Next Steps

Following the Council's deliberations, the Draft Deposit Revised LDP (including SPGs) and the SA and HRA will be published for formal public consultation with copies of the documentation available on the Council's website and at locations as appropriate across the County. Supporting evidence and background documents will also be published as appropriate.

The Draft Deposit Revised LDP and its supporting documents will be published for public consultation in December 2019. Any representations received along with the Draft Deposit LDP will be reported back to Council for consideration ahead of the LDP's submission to the Welsh Government for EIP.

All consultation responses will along with the evidence and Plan documents be forwarded for consideration by the Inspector as part of the EIP.

The Revised LDP is scheduled for submission to the Welsh Government in August 2020 (Key Stage 5 of the LDP preparatory process), with the Examination (Key Stage 6) scheduled to commence in October 2020. In this respect the Delivery Agreement identifies the timing of both Key Stage 5 and 6 as indicative. Consequently a revised Delivery Agreement will be prepared in accordance with regulatory requirements to ensure the timetable remains up-to-date. This will be reported in due course.

It should be noted that whilst the revised LDP is being prepared, the current adopted Plan remains extant and will continue to provide the planning policy framework by which planning applications will be determined.

**Note:** The content of the Plan including the availability of site based information will be continually supplemented through to the reporting to full Council. This reflects the tight preparatory timetable associated with the Plan's development, the iterative nature of the process and that evidence and information is continually being gathered which may inform its content.

DETAILED REPORT ATTACHED ?	YES
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## IMPLICATIONS

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I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: L Quelch

Head of Planning

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>YES</b>	<b>NONE</b>	<b>YES</b>	<b>YES</b>

### 1. Policy, Crime & Disorder and Equalities

The Draft Deposit LDP identifies and develops on the links and requirements necessary to ensure the Plan, and the processes in its preparation are compatible with Carmarthenshire County Council's well-being objectives. It also ensures alignment with the national Well-being Goals set out within the Well-being of Future Generations Act 2015. Through its land use planning policies, the Revised LDP will seek to promote the principles of sustainability and sustainable development by facilitating the creation of communities and local economies which are more sustainable, cohesive and provide access to local services and facilities and reducing the need to travel.

The integration of sustainability as part of the preparation of the LDP is reflected in the undertaking of a Sustainability Appraisal and Strategic Environmental Assessment reflecting national and international legislative requirements. The formulation of the Revised LDP will closely consider matters of sustainability and will be prepared with the outcomes of the Plan measured in light of the Sustainability Appraisal indicators. This iterative approach ensures sustainability is at the heart of the Plan and that it is reflective of the requirements emanating from the Wellbeing and Future Generations Act 2015 and the emerging Carmarthenshire Well-being Plan.

The LDP will have full regard to the national legislative provisions and will relate and have regard to the Carmarthenshire Well-being Plan. The will be assessed against the National and local Well-being Objectives. The Revised LDP will ensure the requirements emanating from the Act are fully and appropriately considered with the Plan, reflective of its duties.

## 2. Legal

The preparation of the Revised LDP reflects the provisions of the Planning and Compulsory Purchase Act 2004, the requirements of the Planning (Wales) Act 2015 and secondary legislation in the form of the Local Development Plan (Regulations) Wales (As amended) 2015.

The preparation of the LDP will also have appropriate regard to other sources of primary and secondary legislation including the Environment (Wales) Act and the Well-being of Future Generations Act 2015.

The preparation of the Deposit LDP is in accordance with the 2004 Planning and Compulsory Purchase Act. It is also in line with national regulations and guidance in relation to its scope and content.

Reference is made to the emerging National Development Framework which sets out a high level spatial strategy for Wales. The Revised LDP will be required to comply with its provisions. The NDF is scheduled for adoption in September 2020.

## 3. Finance

Financial costs to date are covered through the financial provisions in place - including growth items and reserves as required. Should the Planning Division Budget not be in a position to provide further funding necessary to meet the statutory requirements to review and prepare a development plan then an application will be made for a further growth bid for future years.

The Delivery Agreement, in making reference to such matters, outlines the Council's commitment to prepare and adopt an up-to-date LDP in accordance with the Council's statutory duty.

## 4. ICT

Requirements in relation to ICT will seek to utilise existing resources.

## 6. Physical Assets

Reference is made to the potential inclusion or otherwise of Council owned sites and properties. The preparation of the Revised LDP will impact on Council land and property holdings and values through their inclusion or otherwise for potential development purposes. This will have implications on potential disposal and land valuations and consequently capital receipts.

## 7. Staffing Implications

Provision will be required for a Programme Officer for the Examination into the LDP (scheduled 2020/21).

# CONSULTATIONS

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

Signed: L Quelch

Head of Planning

**(Please specify the outcomes of consultations undertaken where they arise against the following headings)**

## **1. Scrutiny Committee**

Scheduled 16<sup>th</sup> October 2019 – Community Scrutiny

## **2. Local Member(s)**

The content of the Draft Deposit LDP, its supporting documents and the proposed SPG will be subject to full public consultation. Members will be engaged throughout the Plan making process.

## **3. Community / Town Council**

The content of the Draft Deposit LDP, its supporting documents and the proposed SPG will be subject to full public consultation. Town/Community Councils(s) are a specific consultee at statutory stages throughout the Plan making process.

## **4. Relevant Partners**

The content of the Draft Deposit LDP, its supporting documents and the proposed SPG will be subject to full public consultation. Contributions have and continue will be sought throughout the revision process. A range of partners are identified as specific and general consultees throughout the Plan making process.

## **5. Staff Side Representatives and other Organisations**

The content of the Draft Deposit LDP, its supporting documents and the proposed SPG will be subject to full public consultation. Internal contributions have and continue will be sought throughout the Plan making process.

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

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

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Adopted Carmarthenshire Local Development Plan		<a href="http://www.carmarthenshire.gov.wales/home/residents/planning/policies-development-plans/local-development-plan/">http://www.carmarthenshire.gov.wales/home/residents/planning/policies-development-plans/local-development-plan/</a>
Annual Monitoring Reports		<a href="https://www.carmarthenshire.gov.wales/home/council-services/planning/planning-policy/annual-monitoring-report-amr/#.XW2KZ-hKjIU">https://www.carmarthenshire.gov.wales/home/council-services/planning/planning-policy/annual-monitoring-report-amr/#.XW2KZ-hKjIU</a>
LDP Review Report		<a href="http://www.carmarthenshire.gov.wales/media/1213042/ldp-review-report-english-version.pdf">http://www.carmarthenshire.gov.wales/media/1213042/ldp-review-report-english-version.pdf</a>
Delivery Agreement		<a href="https://www.carmarthenshire.gov.wales/media/1215059/delivery-agreement-agreed-by-welsh-government.pdf">https://www.carmarthenshire.gov.wales/media/1215059/delivery-agreement-agreed-by-welsh-government.pdf</a>
Pre-Deposit Preferred Strategy		<a href="https://www.carmarthenshire.gov.wales/home/council-services/planning/local-development-plan-2018-2033/preferred-strategy-pre-deposit-public-consultation/#.XW2JhuhKjIU">https://www.carmarthenshire.gov.wales/home/council-services/planning/local-development-plan-2018-2033/preferred-strategy-pre-deposit-public-consultation/#.XW2JhuhKjIU</a>
Sustainability Appraisal and Habitats Regulations Assessment		<a href="https://www.carmarthenshire.gov.wales/home/council-services/planning/local-development-plan-2018-2033/sustainability-appraisal-and-habitats-regulations-assessment/#.XW2J7uhKjIU">https://www.carmarthenshire.gov.wales/home/council-services/planning/local-development-plan-2018-2033/sustainability-appraisal-and-habitats-regulations-assessment/#.XW2J7uhKjIU</a>