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WEDNESDAY, 2 DECEMBER 2020

TO: ALL MEMBERS OF THE COUNTY COUNCIL

I HEREBY SUMMON YOU TO ATTEND A **VIRTUAL MEETING** OF THE **COUNTY COUNCIL** WHICH WILL BE HELD **AT 10.00 AM, ON WEDNESDAY, 9TH DECEMBER, 2020** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE

Democratic Officer:	Kevin Thomas
Telephone (direct line):	01267 224027
E-Mail:	kjthomas@carmarthenshire.gov.uk

NOTE:

If you require Welsh to English simultaneous translation during the meeting please telephone 0330 336 4321 Passcode: 77174084#
(For call charges contact your service provider)

Wendy Walters Prif Weithredwr, *Chief Executive*,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

AGENDA

1. APOLOGIES FOR ABSENCE
2. DECLARATIONS OF PERSONAL INTERESTS.
3. CHAIR'S ANNOUNCEMENTS.
4. TO APPROVE AND SIGN AS A CORRECT RECORD THE MINUTES OF THE COUNCIL MEETING HELD ON THE 11TH NOVEMBER 2020 5 - 8
5. TO CONSIDER THE RECOMMENDATIONS OF THE EXECUTIVE BOARD IN RESPECT OF THE FOLLOWING ITEMS
 - 5.1 LOCAL DEVELOPMENT ORDERS CARMARTHEN TOWN CENTRE AND AMMANFORD TOWN CENTRE 9 - 146
6. TO RECEIVE THE REPORT OF THE MEETING OF THE EXECUTIVE BOARD HELD ON THE FOLLOWING DATES
 - 6.1 2ND NOVEMBER 2020 147 - 150
 - 6.2 16TH NOVEMBER 2020 151 - 154
 - 6.3 23RD NOVEMBER 2020 155 - 156
7. TO CONSIDER THE FOLLOWING NOTICES OF MOTION:-
 - 7.1 NOTICE OF MOTION SUBMITTED BY COUNCILLOR LOUVAIN ROBERTS

Fireworks are used by people throughout the year, to mark different events.
While they can bring much enjoyment to some people, they can cause significant fear for other people also Animals.
Animals affected not only suffer Psychological distress but can also cause them to Self Harm.

I therefore call on CCC to require all Public Fireworks display within the Local Authority Boundaries to be Advertised in Advance of the Event, allowing Residents to take necessary precautions for their Animal and Venerable Peoples Welfare.

To actively promote a Public Awareness Campaign about the impact of Fireworks on Animal Welfare and Venerable people. Including the precautions that can be instigated to mitigate the Risks.

To write to Uk/ Welsh Government. Urging them to introduce Legislation to limit the Maximum noise levels of the fireworks to 90 dB of those Sold to the Public for Private Display.

To encourage Local Suppliers of Fireworks to Stock a "Quieter Version" of Fireworks used for Public Displays etc.

- 8. PUBLIC QUESTIONS (NONE RECEIVED).**
- 9. QUESTIONS BY MEMBERS (NONE RECEIVED)**
- 10. MINUTES FOR INFORMATION (AVAILABLE TO VIEW ON THE WEBSITE)**
 - 10 .1 PLANNING COMMITTEE - 5TH NOVEMBER 2020**
 - 10 .2 COMMUNITY AND REGENERATION SCRUTINY COMMITTEE - 13TH NOVEMBER 2020**
 - 10 .3 PLANNING COMMITTEE - 17TH NOVEMBER 2020**
 - 10 .4 SOCIAL CARE AND HEALTH SCRUTINY - 19TH NOVEMBER 2020**
 - 10 .5 ENVIRONMENTAL AND PUBLIC PROTECTION SCRUTINY - 24TH NOVEMBER 2020**

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WEDNESDAY, 11 NOVEMBER 2020

PRESENT: Councillor I.W. Davies (Chair);

Councillors:

S.M. Allen	L.R. Bowen	K.V. Broom	C.A. Campbell
J.M. Charles	D.M. Cundy	S.A. Curry	C.A. Davies
W.R.A. Davies	T.A.J. Davies	G. Davies	H.L. Davies
J.A. Davies	K.Davies	S.L. Davies	E. Dole
P.M. Edwards	D.C. Evans	H.A.L. Evans	W.T. Evans
A.L. Fox	S.J.G. Gilasbey	C.J. Harris	P. Hughes-Griffiths
A.D. Harries	T.M. Higgins	J.K. Howell	P.M. Hughes
A. James	J.D. James	R. James	D.M. Jenkins
G.H. John	C. Jones	B.W. Jones	D. Jones
G.R. Jones	A. Lenny	M.J.A. Lewis	K. Lloyd
K. Madge	S. Matthews	A.S.J. McPherson	E. Morgan
A.G. Morgan	D. Nicholas	B.D.J. Phillips	J.S. Phillips
D. Price	J.G. Prosser	E.M.J.G. Schiavone	H.B. Shepardson
L.M. Stephens	D. Thomas	E.G. Thomas	G.B. Thomas
G. Thomas	J. Tremlett	A.Vaughan Owen	D.T. Williams
D.E. Williams	J.E. Williams		

Also Present:

W. Walters, Chief Executive;
C. Moore, Director of Corporate Services;
J. Morgan, Director of Community Services;
G. Morgans, Director of Education & Children's Services;
R. Mullen, Director of Environment;
L.R. Jones, Head of Administration and Law;
P.R. Thomas, Assistant Chief Executive (People Management & Performance);
G. Jones, Digital Infrastructure Project Manager;
J. Hawker, Digital Support Officer;
G. Morgan, Democratic Services Manager;
E. Evans, Principal Democratic Services Officer;
M. Evans Thomas, Principal Democratic Services Officer;
E. Bryer, Democratic Services Officer;
R. Lloyd, Democratic Services Officer;
J. Owen, Democratic Services Officer;
K. Thomas, Democratic Services Officer;
S. Rees, Simultaneous Translator;
C.J. Warwick, Digital Support Engineer;
M.S. Davies, Democratic Services Officer.

Virtual Meeting; 10.00 am - 11.20 am

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J.S. Edmunds, L.D. Evans, H.I. Jones, T.J. Jones and B.A.L. Roberts.

2. DECLARATIONS OF PERSONAL INTERESTS

There were no declarations of personal interest.

3. CHAIR'S ANNOUNCEMENTS

- The Chair extended his sincere condolences on behalf of Elected Members and Senior Officers to Councillor Ann Davies and her family on the passing of her mother-in-law at the end of October;
- The Chair extended his sincere condolences on behalf of Elected Members and Senior Officers to the family of former Councillor Lynne Davies. Lynne had been a member of Carmarthenshire County Council until 1999, and had served the Penygroes ward;
- The Chair commented that he had had the pleasure of representing the Authority on Sunday at the Remembrance Day Service at Llanelli Town Hall. He added that these annual events were important for us to remember those who gave their lives in all conflicts, and although on a much smaller scale this year, it had been an honour to be there on behalf of the Council.
- The Chair reminded the Council of the aims of the White Ribbon Campaign, which this year would be recognised on 25th November 2020, and urged members to sign the ribbon to make the promise to “Never commit, excuse or remain silent about male violence against Women”. The Council would fly the White Ribbon flag at County Hall and Town Halls in Llanelli and Ammanford.
- The Chair extended his congratulations to Councillor Amanda Fox who had been awarded the Peter Rees Community Award in recognition of her efforts to help the community of Burry Port during the Covid 19 Pandemic;
- Councillor Dot Jones thanked the Fire Brigade, Ambulance Service, Police and the local community for their assistance following a recent lightning strike on a house in Tumble which had destroyed the inside of the property. Welsh Water and Western Power had also worked quickly to restore utilities which had been affected. She added that money raised locally as a result of the incident had been donated by the residents of the property to the local Fire and Ambulance station which had subsequently agreed to purchase a defibrillator for the locality. Cllr. Jones also thanked officers from the Council’s Housing section for their assistance.
- Councillor Emlyn Dole, on behalf of Councillor Liam Bowen, congratulated Jonny Clayton, a Council employee and resident of Pontyberem, on his recent success in winning the Darts World Cup;
- Councillor Mair Stephens asked Members if they could kindly support the annual Toybox appeal so that less fortunate children had the joy of opening presents on Christmas morning;
- The Chair wished a happy 100th birthday to Mrs. Nan Percival, Glan yr Ystrad, Ferryside;

- The Chair thereupon invited the Leader to address Council with an update on the Covid-19 position in the County. Councillor Dole stated that he welcomed the news that the rates of infection were slowly decreasing and that the Government had extended the furlough scheme to March 2021. Council was informed that in Carmarthenshire business support grants continued to be provided and to date 4086 payments had been made totalling over £46m. Also over 2000 applications had been received for the NDR Lockdown grant and £1.7m had been awarded. He added that whilst the recent news of the discovery of a potential vaccine was also welcomed he still urged caution however so that all the hard work and sacrifices over the last few weeks were not in vain. He paid tribute to the work of both Members and Council staff in helping to keep the residents of Carmarthenshire as safe as possible;
- The Chair advised that he would be calling on Council to hold a 2 minute silence at 11.00 am to remember those who had lost their lives in conflict.

4. COUNCIL MINUTES - 22ND OCTOBER 2020

RESOLVED that the minutes of the meeting of Council held on the 22ND October, 2020 be signed as a correct record subject to the inclusion of Councillor D.E. Williams' name in the list of attendees and the inclusion of Councillor P.M. Hughes' name under 'Apologies for absence'.

5. TO CONSIDER THE RECOMMENDATIONS OF THE EXECUTIVE BOARD IN RESPECT OF THE FOLLOWING ITEM:

5.1. DIGITAL INFRASTRUCTURE PROJECT, SWANSEA BAY CITY DEAL

Council was informed that the Executive Board, at its meeting held on the 19th October 2020 (minute 4 refers), had considered the proposed Business Case, and subsequent investment, for the Swansea Bay City Deal Digital Infrastructure Project for which Carmarthenshire County Council was the designated lead Authority. The Project would deliver the essential underlying Infrastructure required to support and underpin the region's broader Digital Strategy and help to ensure that the region was equipped with future-proofed Digital Infrastructure that will provide the transformative foundations for City Deal interventions and wider regional growth.

Members wholeheartedly supported the proposals outlined in the report and were advised that information on the current broadband situation within each of their wards could be obtained from officers if they wished.

UNANIMOUSLY RESOLVED that the following recommendations of the Executive Board be adopted:

- “4.1 that the proposed Business Case and subsequent investment in Digital Infrastructure across the Swansea Bay City Region be approved;**
4.2 that the project SRO (Senior Responsible Owner) be granted delegated powers to make minor amendments to the business case as necessary to obtain approval at local, regional, and national governance.”

[NOTE: At this point in the meeting, 11.00 am, Council observed a 2 minutes silence to remember those who had lost their lives in conflict.]

6. EXECUTIVE BOARD - 19TH OCTOBER 2020

UNANIMOUSLY RESOLVED that the report of the meeting of the Executive Board held on the 19th October 2020 be received.

7. PUBLIC QUESTIONS

The Chair advised that no public questions had been received.

8. QUESTIONS BY MEMBERS

The Chair advised that no questions from Members had been received.

9. CHANGES TO MEMBERSHIP OF COMMITTEES

In accordance with Corporate Procedure Rule CPR 2(2)(n) the following nominations had been received from the Labour Group and it was:

RESOLVED:-

9.1 that Councillor Suzy Curry be appointed to replace Councillor Fozia Akhtar on the Licensing Committee;

9.2 that Councillor Rob James be appointed to replace Councillor Suzy Curry on the Democratic Services Committee.

10. APPOINTMENT OF CHAIR OF THE DEMOCRATIC SERVICES COMMITTEE

As Cllr. Rob James had replaced Cllr. Suzy Curry on the Democratic Services Committee [Minute 9.1 above refers] Council was asked to consider appointing a new Chair for that Committee. In accordance with the requirement of the Constitution Leaders had been asked to submit their nominees. The only name put forward was Cllr Rob James.

RESOLVED that Councillor Rob James be appointed Chair of the Democratic Services Committee

11. MINUTES FOR INFORMATION

The Chair stated that the minutes outlined on the agenda 11.1 – 11.4 were available for information on the Council website.

CHAIR

DATE

COUNCIL 9TH DECEMBER 2020

Local Development Orders Carmarthen Town Centre and Ammanford Town Centre

Executive Board Recommendations:

- To consider the following report and scope of the proposed LDO and approve for consideration through the democratic reporting process.
- To prepare the LDOs for the respective towns including undertaking informal consultations as appropriate and to further report on their proposed scope, content and geographical extent.
- To approve the publication of the final LDO for public consultation for a minimum of 6 weeks.
- To provide officers with delegated authority to prepare evidence in support of the LDO.
- To grant officers delegated authority to make minor editorial and factual amendments.
- To amend the plan for the Carmarthen Town LDO to include the whole of Lammas Street, Carmarthen

Reasons:

- To set out the scope of LDOs and their potential use in relation to Carmarthen and Ammanford town centres.
- To reflect the corporate regeneration objectives, and the Covid-19 Recovery Plan.
- To ensure the issues of ongoing vitality and viability within the Town Centres are appropriately considered and to utilise the provisions of national Planning Policy in this regard.

Relevant scrutiny committee to be consulted – YES Community Scrutiny – date TBC

Exec Board Decision Required Yes

Council Decision Required Yes

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Councillor L Mair Stephens

Directorate
Environment

Designations:

Tel Nos. 01267 228659

Name of Head of Service:
Llinos Quelch

Head of Planning

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Report Author:
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Forward Planning Manager

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EXECUTIVE SUMMARY

Local Development Orders for Carmarthen Town Centre and Ammanford Town Centre (LDOs)

1. BRIEF SUMMARY OF PURPOSE OF REPORT

1.1 The report seeks to consider the potential role that LDOs may play as part of broader regeneration proposals within a town centre context particularly in relation to Carmarthen and Ammanford supporting the vibrant places initiative.

1.2 The report will seek to consider the potential role that LDOs may play a part in ensuring Carmarthenshire's Town Centres are resilient to the economic effects of COVID-19 with due regard to the Council's Corporate Recovery Plan and the WG Planning guidance 'Building better Places'.

2. Local Development Orders

What is an LDO?

2.1 A Local Development Order (LDO) is made by Local Planning Authority (LPA) and grants planning permission for the type of development specified within the LDO, and within a defined spatial area. It offers an LPA the opportunity 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 and should 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 their 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.

2.2 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.

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

2.4 Appendix 1 provides further information in respect of the Legislative and Policy Framework and outlines some of the core considerations and limitations in respect of an LDO.

LDO in a Retail Context

2.5 The Welsh Government in Building Better Places: The Planning System Delivering Resilient and Brighter Futures - Placemaking and the Covid-19 recovery clearly identified the impact of the Covid-19 lockdown on our retail and commercial centres. Town Centres largely

became deserted except for those people shopping for essential items with the comparison retail sector notably impacted. In this respect supermarkets and convenience retailers became the few shops still trading, all of this at a time when components of the retail sector and certain town centres were already struggling.

2.6 Building Better Places identifies that: “The economic consequences have meant that many retailers are struggling financially, and this will lead to higher vacancy rates in all of our commercial centres. Online competition to our town centre retailers was strong before the crisis; this situation will become more apparent as more retailers increase their online presence and more people have become used to doing the majority of their non-essential shopping online.”

2.7 There is a recognition that retail and commercial centres are hubs of social and economic activity and that their function extends beyond retail providing a focal point for a diverse range of services and cultural activities/functions. These functions are often equally important in supporting the needs of local communities.

2.8 The WG in recognising the central role of retail and commercial centres state that they “should become places where a variety of retail, employment, commercial, community, leisure, health and public sector uses come together in a hub of activity to make them viable as go-to destinations once more. Flexible, local co-working spaces could also be a crucial new element to increase space to work. Residential uses are also key to the vitality of centres, provided that they do not curtail the commercial activities which take place and soundscapes are considered.”

2.9 Indeed, as the challenges to respond to the impact of Covid-19 becomes clear and as town centres reshape themselves, this would suggest that traditional retailing uses will not be as prevalent and the demand for new retail space will lessen for the foreseeable future.

2.10 Consequently, the role of primary retail areas will need to be reviewed in light of Covid-19, and this must be realistic recognising that retail occupiers will return in the way prior to the pandemic. This will require a review and reassessment of policies emerging within the Revised LDP.

2.11 It is however noted that whilst the Revised LDP is under preparation any proposals will need to be considered against the provisions of the current adopted LDP. In this respect there is a clear need to understand and respond to the impacts of Covid-19 on the future of our town centres in advance of the adoption of the Revised LDP.

2.12 This report seeks to address this interim position through the consideration and designation of LDO's for Ammanford and Carmarthen Town Centres. LDOs can contribute to local economic development and regeneration, helping make places more attractive and competitive. In town centres, LDOs can help address the problem of vacant properties to achieve more viable and vibrant centres. They can specify what is or is not an acceptable development or use or impose limitations to exclude certain developments within a use class.

2.13 It should be noted that an LDO for Llanelli Town Centre was adopted in February 2019 and remains in operation.

2.14 An LDO can contribute to local economic development and regeneration, helping make places more attractive and competitive. They simplify the planning process by removing the need for planning applications, allowing developers to progress with more speed and certainty whilst reducing costs. In town centres, LDOs can help address the problem of vacant properties to achieve more viable and vibrant centres. They can specify what is or is not an acceptable development or use or impose limitations to exclude certain developments within a use class.

2.15 An LDO can facilitate changes of use replacing many minor planning applications which are routinely approved. LDOs can be particularly effective when combined with other regeneration proposals to bring about more comprehensive improvements to centres, including as part of environmental and infrastructure enhancements. In this regard, reference is made to the Town Centre Forums that are in place for both town centres.

2.16 Since the COVID-19 outbreak, businesses within Carmarthen and Ammanford town centres have struggled, with some businesses deciding to shut down. In formulating the 2 LDOs, due regard will be given to key evidence – notably town centre retail studies undertaken pre and post lockdown (looking at issues such as vacancy rates, uses etc).

3. Developing an LDO – Carmarthen and Ammanford Town Centre

3.1 Whilst the adopted LDP sets a strong policy direction for retail within Carmarthenshire, the challenges facing retail centres particularly as evidence through Covid-19 requires the planning process to adopt a flexible and responsive approach in ensuring our town centres are viable and vibrant.

3.2 In this respect it is essential that Carmarthen and Ammanford are able to respond positively to the changes arising from Covid-19. There is potential to review and develop an effective strategy to promote uses to complement the town centres. In this respect it should not be predicated on an abandonment of the town centres overall retail focus, but the consideration of a flexible approach to complement activities which support the centres vitality and viability. With the inevitable economic effects that accompany COVID-19, the adoption of LDOs for the two centres will streamline the planning process and encourage ongoing and new investment in the town centres.

Ammanford Retail Vacancy Rates

3.3.3 A Town Centre Retail Survey has been conducted for each defined town centre as part of ongoing LDP policy monitoring and to gain an understanding of the immediate post lockdown impact. This survey indicates that within the Retail Core, 64.2% of units are occupied by A1 retail (based on retail frontage). However, whilst this is a healthy indication of retail occupancy, it is accompanied by a 9.5% vacancy rate with a further 2.3% in non-retail use (A2 and A3).

3.4 The Retail Frontage, which represents the second-tier categorisation of retail streets reflects the greater flexibility attached to the scale of non-retail units within this area. This demonstrates a greater mix of use types with some 35.8% occupied by A1 retail with a 13.2%

vacancy rate, and 7.5% vacancy in non-retail (A2 and A3).

3.5 The remainder of the wider town centre designation within the LDP contains a lower proportion of A1 retail (25.3%) with non-retail spread across A2, A3 and other uses with a 4.23% vacancy rate.

3.6 The total vacancy rate for Ammanford Town currently sits at 11.9% Primary Retail Frontage, 20.8% Secondary Retail Frontage and 14.1% for the remainder of the wider town (excluding Frontage and Core). In total the vacancy rate for Ammanford Town Centre is 15.7% (including core & secondary retail, all use classes).

3.7 When comparing the pre lockdown data with the post lockdown data there has been an increase in vacancies in some areas. The primary retail frontage vacancies rate was at 4.7% pre lockdown but post lockdown it is at 11.9%, that is a 7.2 percentage point increase. This is a considerable increase in a relatively short amount of time. However, the Secondary Retail Frontage vacancy rates have improved over the lockdown period from 24.5% to 20.8%. Although this is a welcome and positive sign it is overshadowed by the fact that the overall vacancies percentage has increased over the lockdown period. The overall percentage for vacant retail building in Ammanford pre lockdown was 13.2%, this has now increased over the lockdown period to 15.7%. This a clear indicator of the effect COVID has had on Ammanford's Town Centre, it also highlights the need for appropriate intervention to ensure the town is resilient to any future and ongoing effects of Covid-19 and that it reflects to the changing pattern of activities within Town Centres in general.

Carmarthen Retail Vacancy Rates

3.8 The Town Centre Retail Survey for Carmarthen indicates that within the Retail Core 75.7% of units are occupied as A1 retail (based on retail frontage). However, whilst this is a healthy indication of retail occupancy, it is accompanied by a 12% vacancy rate with a further 5.4% in non-retail use (A2 and A3).

3.9 The Retail Frontage, which represents the second-tier categorisation of retail streets. reflects the greater flexibility attached to the scale of non-retail units within this area. This demonstrates a greater mix of use types with some 59% occupied by A1 retail with a 11% vacancy rate. And 4.7% vacancy in non-retail (A2 and A3).

3.10 The remainder of the wider town centre designation within the LDP contains a lower proportion of A1 retail (9.7%) with non-retail spread across A2, A3 and other uses with a 8% vacancy rate.

3.11 The total vacancy rate for Carmarthen Town Centre Primary Retail Frontage currently sits at 19.5%, 17.3% Secondary Retail Frontage and 11.9% for the remainder of the wider town (excluding Frontage and Core). In total the vacancy rate for Carmarthen Town Centre is 15.4% (including core & secondary retail, all use classes)

3.12 When comparing the pre lockdown data with the post lockdown data there has been an increase in vacancies in some areas. The primary retail frontage vacancies rate was at 12.3% pre lockdown but post lockdown it's at 19.5%, that is a 7.2 percentage point increase. This is

a considerable increase in a relatively short amount of time, and the trend continues. The Secondary Retail Frontage vacancy rates have also dropped over the lockdown period, before lockdown the vacancy rate was at 11.4% but post lockdown it is at 17.3%. Another considerable increase of 5.9 percentage points. The overall percentage for vacant retail units in Carmarthen pre lockdown was 11%, this has now increased over the lockdown period to 15.4%. This is a clear indicator of the effect COVID has had on Carmarthen's Town Centre, it also highlights the need for appropriate intervention to ensure the town is resilient to any future and ongoing effects of Covid-19 and that it reflects to the changing pattern of activities within Town Centres in general.

Note: The above figures will be subject to ongoing monitoring to reflect the impacts arising from Covid-19.

4. What will the LDO Permit and its Spatial Extent

4.1 The uses permitted through the draft LDOs, is set out in the appended Local Development Order's and Statements of Reasons. The proposed spatial extent of the town centres to which the Draft LDO's provisions will relate is also forms part of the appended documents to this report. Further details on the location of listed buildings and the extent of any Conservation Areas is also appended.

5. Lifetime of the LDO

5.1 It is proposed that the LDO operate for an initial period from its adoption to coincide with the anticipated adoption of the Revised LDP as outlined within the emerging Revised Delivery Agreement – August 2022. This period will however be subject to ongoing review and may be extended or reduced subject to the progression of the Revised LDP towards adoption.

5.2 Development that commences while the LDO is in effect may be completed and/or continued after its period of operation (subject to the conditions of the LDO). Once the LDO has expired, however, no new changes of use will be allowed under its terms without conventional planning permission. Reference should be had to the content of Appendix 1 in relation to the legislative framework in respect of revocation and revision and the potential for compensation should an LDO be withdrawn.

6. Operation of the LDO

6.1 The LDO will be subject to a 2-stage process (Certificate of Conformity and Commencement Notice Approval).

Where a 'development' is proposed which is within the LDO area and conforms with the schedule of approved use classes (as referenced above), a Certificate of Conformity will be issued by the Council. Applicants will be required to submit their proposals and pay the nominal fee of £90 to the LPA.

A change of use cannot commence however until a Commencement Notice Approval is released by the LPA. In this respect an applicant will need to satisfy any requirements as set out in those regulatory regimes that are outside of the planning system e.g. building regulations and any required pre-conditions as set out within the LDO.

A Commencement Notice Approval will not be issued where the necessary information to support the proposal has not been provided and/or where the required pre-conditions have not been met.

The processes utilised in operating the Llanelli Town Centre LDO includes a notification system whereby key consultees (e.g. Town/Rural Councils, Dwr Cymru or Natural Resources Wales) are informed of LDO proposals. This reflects that such bodies would ordinarily be notified/consulted through the planning application process.

6.3 Reference will be had to the current processes used in implementing the Llanelli Town Centre LDO and utilised as appropriate, including the measures for monitoring its implementation.

7. Next Steps

7.1 In drafting the LDOs it will be necessary to clearly establish their purpose, scope and extent linking into the regeneration and other objectives. They may differ in form given the differences between the two centres.

7.2 In progressing towards the adoption of the LDO, approval is sought to formally publish its provisions for a minimum formal 6-week public consultation. Representations received during this period will be reported to back to a future meeting of Full Council for consideration prior to its formal adoption and implementation.

7.3 This consultation will be accompanied by the publication of the appropriate evidence and any other supporting information.

7.4 Discussions, including input from local members and interested groups will be undertaken as part of their formulation. In this respect it will also be essential at an early stage to consult informally with communities, statutory consultees and other stakeholders, with the emphasis on the future of the area in a post COVID-19 world and beyond rather than the specific details of the LDOs.

DETAILED REPORT ATTACHED ?

No

IMPLICATIONS

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
YES	YES	YES	NONE	NONE	NONE	NONE

1. Policy, Crime & Disorder and Equalities

Reflects the provisions of National Planning Policy, and the evidential information set out within the report support, and where appropriate, will be utilised in the implementation of the LDO and will inform a review of the Local Development Plan. It also ensures alignment with the national Well-being Goals set out within the Well-being of Future Generations Act 2015.

National and local planning policies seek to promote the principles of sustainability and sustainable development by facilitating the creation of communities and local economies which are more sustainable.

The integration of sustainability and the evidential requirements in preparing the LDO ensures an iterative approach to policy making which ensures sustainability is at its heart and that it is reflective of the requirements emanating from the Wellbeing and Future Generations Act.

2. Legal

A Local Planning Authority may issue an LDO under section 61 (A, B, C and D) of the Town and Country Planning Act 1990, as inserted by section 40(1) of the Planning and Compulsory Purchase Act 2004 and amended by sections 188 and 238 and Schedule 13 of the Planning Act 2008. This power became effective in Wales on 30 April 2012. The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (DMPWO), sets out the procedural requirements for making LDOs, including preparation, notices, publicity, consultation, and adoption.

Guidance on the procedures relating to the use of LDOs is contained in Welsh Government Circular 003/2012: Guidance on using a Local Development Order.

3. Finance

Financial costs (including preparation of the LDO) will be covered through the financial provisions in place - including reserves. Established provisions are in place in relation to the gathering and apportionment of financial contributions from developer contributions. The impact on such contributions is unknown and can only be established once the extent of any LDO is understood.

The implication on planning fees through the removal of the need for planning permission is at this stage unknown. Whilst this is not expected to be significant it will be off-set by the economic and regeneration benefits accrued through the successful implementation of the LDO. Reference is made to the potential that Compensation may be payable should an LDO be subsequently withdrawn. The potential for this is subject to the provisions of statutory instruments.

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. Local Member(s)

Requirement for consultation as part of any LDO preparation.

2. Community / Town Council

Requirement for consultation as part of any LDO preparation.

3. Relevant Partners

Requirement for consultation as part of any LDO preparation.

4. Staff Side Representatives and other Organisations

Requirement for consultation as part of any LDO preparation.

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
Carmarthenshire Local Development Plan		http://www.carmarthenshire.gov.wales/home/residents/planning/policies-development-plans/local-development-plan/
Planning Policy Wales. Ed.10		https://gov.wales/sites/default/files/publications/2018-12/planning-policy-wales-edition-10.pdf
Technical Advice Note 4		https://gov.wales/sites/default/files/publications/2018-09/tan4-retail-commercial-development.pdf
Llanelli Town Centre Local Development Order		https://www.carmarthenshire.gov.wales/home/council-services/planning/llanelli-town-centre-local-development-order-ldo/#.X2xtpeSovIU

Appendix 1 - Local Development Orders

A1.1 The following report should be read in conjunction with the content of the main report. It sets out further detail in relation to the legislative framework underpinning an LDO and some specific limitations in their use. In addition in preparing an LDO consideration will be given to any potential implications arising from its designation. The following identifies some specific examples drawn from Welsh Government Good Practice.

Legislative and Policy Framework

A1.2 A Local Development Order (LDO) may be issued by an LPA may under section 61 (A, B, C and D) of the Town and Country Planning Act 1990, as inserted by section 40(1) of the Planning and Compulsory Purchase Act 2004 and amended by sections 188 and 238 and Schedule 13 of the Planning Act 2008. This power became effective in Wales on 30 April 2012.

A1.3 The Community Infrastructure Levy (CIL) Regulations 2010 state that permission granted by a LDO will constitute “planning permission” (regulation 5(3)(a)ii). As a consequence, an LDO may obviate the need to submit a planning application for a certain type of development, but it will not prevent a levy through CIL from being charged, when appropriate and where a CIL charge applies.

A1.4 It should be noted however that Section 106 planning obligations cannot be required under an LDO; however, this does not prevent section 106 agreements being offered by a developer. For example, if a condition attached to a Local Development Order requires mitigation of an impact from development then a section 106 agreement could be used to secure this.

A1.5 It should be noted that there are a number of limitations in implementing an LDO. In this respect Welsh Government Circular 003/2012 states that an LDO may not grant planning permission for development that would:

- a) Have a significant effect on a European Site or a European Offshore Marine Site (either alone or in combination with other projects) unless the development is connected to, or necessary for, the management of the site;
- b) Constitute “Schedule 1 development” or “Schedule 2 development” within the Town and Country Planning (Environmental Impact Assessment) Regulations 1999; or
- c) Affect a listed building.

A1.6 In respect of the above an LDO cannot consequently grant planning permission for development which is likely to have a significant effect on a European Site or European Offshore Marine Site (either alone or in combination with other plans and projects), and is not directly connected with or necessary to the management of the site.

Considerations associated with LDO's

A1.7 Welsh Government Good Practice prepared in relation LDO's identified a number of areas for Welsh local authorities to consider. Specific examples are as follows:

- Would an LDO lead to a loss of democratic control over development, undermining the role of elected members and local communities? In response WG Good Practice points to case studies undertaken which indicate that where an LDO is in place, Local Planning Authorities and communities still exercise democratic control over development. In this respect clear rules are required in advance as part of the LDO, as opposed to any case-by-case discretion.
- Is there a potential for an increase in workloads and would additional layers of complexity be added to the planning process? – WG Good Practice suggests that it may ultimately reduce workload in development management, cutting out routine work within the defined LDO area.

A1.8 Any LDOs will result in a reduced income from planning applications fees, as developers only need to submit a pre-notification, for which they pay the Council a token sum. However, will only be quantifiable once the LDO and its geographical extent is defined. Subject to its scope and extent the impact may be potentially minor in income terms (based on the potential number of applications likely to be received), however it should be recognised that there will none the less be an impact.

Link to Welsh Government Circular 003/2012:

<http://gov.wales/docs/desh/publications/120427ldoguidanceen.pdf>

AMMANFORD TOWN CENTRE
LOCAL DEVELOPMENT ORDER

Contents

- 1.0 Overview
- 2.0 Lifetime of the LDO
- 3.0 Permitted Uses
- 4.0 Conditions
- 5.0 Notes
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- 7.0 Planning contributions/Community Infrastructure Levy
- 8.0 Plan of the LDO Area (appended to this report to Executive Board)
- 9.0 Plan of Listed Buildings and Conservation Area (appended to this report to Executive Board)
- 10.0 Development Advice Maps (TANs) for LDO Area (appended to this report to Executive Board)
- 11.0 Key Contacts

1.0 Overview

1.1 A Local Planning Authority (LPA) may use a LDO to grant blanket planning permission for non-contentious, though not necessarily minor, forms of “development” / changes in use within a defined spatial area. Reference should also be made to the Statement of Reasons accompanying this LDO. It is advised that before submitting an application, interested parties liaise with Planning Services to scope out any potential issues and requirements and also confirm “validation” requirements. Reference is also made to the LDO Application Form in this respect.

1.2 The Permitted Uses are set out in Section 3. The Area is shown in Section 8 (for the purposes of the report to Executive Board – this is provided as an Appendix).

1.3 The LDO grants *conditional* planning permission for specified uses in ground and upper-floor units. It is envisaged that the LDO, in permitting a wide range of compatible uses, will help to increase occupancy levels and footfall in the town centre. The LDO does not grant approval for external works. Proposals cannot commence until a Commencement Notice Approval is issued by the Council, irrespective of whether a Certificate of Conformity has been issued. Listed Buildings are not applicable to the LDO. A Certificate of Conformity will last for 3 years and should the proposal not commence before the end of that period then it will lapse.

1.4 After eighteen months, the LDO will be considered a success if two or more of the following changes have occurred in the LDO area:

- Five or more vacant ground-floor units have been issued with Certificates of Conformity (source: Forward Planning) ;
- Annual footfall has increased within the LDO area (source: Council Regeneration Department footfall counters);
- The number of vacant ground-floor units has decreased within the LDO area (source: Forward Planning);
- Three or more upper floor vacant units have been issued with Certificates of Conformity– this includes flats and residential uses – use class C3 - (source: Forward Planning).

1.5 The LDO has been screened under the Environmental Impact Assessment Regulations, and it is considered that an Environmental Statement is not required. A Test of Likely Significant Effect (TLSE) for the purposes of the Habitats Regulations has concluded that the LDO will have no significant effect (alone or in combination) with a European Site or a European Offshore Marine Site. The LDO has also been screened as part of the Equalities Impact Assessment process.

1.6 The LDO does not require its own Sustainability Appraisal – Strategic Environmental Assessment (SA-SEA) because the LDO is deemed to be an elaboration upon the provisions of the Carmarthenshire Local Development Plan 2006 – 2021(Adopted December 2014). The LDP has already been subject to SA-SEA along with a Plan level Habitats Regulations Assessment.

2.0 Lifetime of the LDO

2.1 The LDO is active for a period of one and half years, or to coincide with the adoption of the Revised LDP from its adoption. This period will however be subject to ongoing review and may be extended or reduced in light of the success or failure of the LDO.

2.2 Development that commences while the LDO is in effect may be completed and/or continued after this eighteen month period. Once the LDO has expired, however, no new changes of use will be allowed under its terms without conventional planning permission. Towards the end of the eighteen month period, Carmarthenshire County Council will assess the impact of the LDO and decide whether to (i) renew the LDO with no revisions, (ii) renew the LDO with new terms and conditions or (iii) revoke the LDO.

3.0 Permitted Uses

3.1 The following table outlines the relevant use classes which will be permitted or otherwise through the LDO and within its defined spatial area.

Use Class	Ground Floors	Other Floors (Excluding basements)
A1 Shops	Yes	Yes
A2 Financial and Professional Services	Yes	Yes
A3 Food and Drink <i>Restaurants and Cafes</i>	Yes	Yes
A3 Food and Drink <i>Drinking establishments (but not night clubs)</i>	Yes	Yes
A3 Food and Drink <i>Hot food takeaways</i>	Yes	No
B1 Business (offices other than those within A2)	No	Yes
C1 Hotels, boarding houses and guest houses	No	Yes
C3 Dwellings (residential incl. flats)	No	Yes
D1 Non-residential institutions (Note - LDO excludes Law Courts, Church Halls and Libraries)	Yes	Yes
D2 Assembly and leisure buildings (Note LDO only permits gymnasiums and area for indoor sports or recreations - except for motor sports, or where firearms are used)	Yes	Yes
Other (specified sui) Launderettes and taxi businesses only	Yes	Yes

Further information in relation to the Use Class Order can be viewed through the following link:

https://www.planningportal.co.uk/wales/en/info/3/common_projects/6/change_of_use

4.0 Conditions

General

1. No change of use permitted by the LDO shall commence until an application for a Certificate of Conformity has been submitted to, and approved in writing by, the Local Planning Authority (LPA). In all circumstances, and irrespective of whether a Certificate of Conformity is issued, proposals cannot commence until a Commencement Notice Approval is issued by the Council.

Reason: To ensure that proposed changes of use comply with the terms of the Local Development Order.

2. With reference to Planning Policy Wales Technical Advice Note 15 (TAN15): Development and Flood Risk (or any document that updates or replaces it during the course of the LDO), no change in use to highly vulnerable development (as defined in TAN 15) is permitted in any ground-floor unit located in Development Advice Map Zone C2.

Reason: To accord with the provisions of national planning policy in the form of TAN 15.

3. Reference is made to the provisions of TAN 15 in this respect the LDO area is not located within Flood Zones C1 or C2 as defined on the DAMs. Reference is also made to Note 11 set out within Section 5 of this LDO.

Reason: To ensure that no development permitted by the LDO has unacceptable flooding consequences.

Removal of permitted-development rights

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order), no development within Schedule 2, Part 40, Classes A, B, C, D, E, F, G, H or I may be carried out at any dwelling house (as defined in Welsh Statutory Instrument 2009 2193(W.185)) created under the LDO without the prior written permission of the LPA.

Reason: To ensure that a satisfactory form of development takes place.

Residential Proposals

5. No conversion scheme implemented under the terms of the LDO, whether in isolation or in combination with another scheme (regardless of ownership), may create an inappropriate concentration of single bedroom units.

Reason: To allow the opportunity for the creation of suitable mix of unit sizes and tenure mix within a living town centre environment.

Units of multiple occupation

6. No conversion scheme implemented under the terms of the LDO, whether in isolation or in combination with another scheme (regardless of ownership), will be considered appropriate where it results in the creation of a unit of multiple occupation (i.e C4 use for small HMO or sui generis for large HMO).

Reason: To allow the opportunity for the creation of suitable mix of unit sizes and tenure mix within a living town centre environment.

Licensable Activity

7. Where applicable, non-planning related requirements must be satisfied prior to commencement of change of use. Reference is made to Condition 1 of this LDO and the requirement to attain Commencement Notice Approval from the Council. The contractor/developer will need to ensure that licensing approval is sought prior to any works commencing on site. Contact Tel: 01267 234567, email publicprotection@carmarthenshire.gov.uk

Reason: To ensure compliance with legislative provisions.

Street Scene

8. Existing ground-floor windows and shop fronts must not be obscured, either internally or externally, by paint, whitewash, film, curtains or any other opaque material.

Reason: To maintain the commercial character and appearance of the Town Centre.

Public Amenity

9. Where required and requested; a detailed Risk Assessment (the scope of which must be agreed with the Homes and Safer Communities team (HSC)) should be submitted to, and approved by the HSC prior to the Local Planning Authority (LPA) issuing a commencement notice approval. The Risk Assessment should assess/predict the likely impact of the proposed development as a whole on the

existing commercial and residential properties within the area and/or predict the likely impact of existing commercial and residential properties on the proposed development. Where necessary the risk assessment shall identify the required mitigation in the form of a Management Plan. The change of use shall thereafter be carried out in accordance with any approved Management Plan.

Reason: In the interests of protecting the amenity of people using the surrounding area.

Building Regulations

10. Non planning related requirements must be satisfied prior to commencement of change of use. The contractor/developer will need to ensure that Local Authority Building Control (LABC) approval is sought prior to any works commencing on site. Contact Tel: 01267 246044 email building.control@carmarthenshire.gov.uk. Reference is made to Condition 1 of this LDO and the requirement to attain Commencement Notice Approval from the Council.

Reason: To ensure compliance with legislative provisions.

Lettings Policy

11. Where appropriate, residential uses permitted by the LDO will be required to adhere to requirements in relation to any County Council Lettings Policy. Advice should be sought from the relevant department.

Reason: To allow the opportunity for the creation of suitable mix of unit sizes and tenure mix within a living town centre environment.

Other Regulatory Regimes

12. Non planning related requirements must be satisfied prior to commencement of change of use. Reference is made to Condition 1 of this LDO and the requirement to attain Commencement Notice Approval from the Council.

Reason: To protect the amenities of persons in neighbouring properties.

Drainage Strategy

13 No change of use shall commence where it will result in the hydraulic overload of the public sewerage system. Where required and requested; a drainage strategy should be submitted to, and approved by, Dwr Cymru Welsh Water.

Reason: To enable the implementation of the LDO drainage strategy

Assessment of Assets

14. No change of use shall commence where it will result in the compromising of the integrity of any public sewer and/or water main assets within and/or adjacent to the site. Where required and requested; an assessment should be submitted to, and approved by, Dwr Cymru Welsh Water which clarifies any impact and where necessary any mitigation.

Reason: To support the implementation of the LDO Drainage Strategy

5.0 Notes

1. The LDO is active for a period of one and half years, or to coincide with the adoption of the Revised LDP from its adoption. This period will however be subject to ongoing review and may be extended or reduced in light of the success or failure of the LDO.

2 Development that commences while the LDO is in effect may be completed and/or continued after this eighteen month period. Once the LDO has expired, however, no new changes of use will be allowed under its terms without conventional planning permission. Towards the end of the eighteen month period, Carmarthenshire County Council will assess the impact of the LDO and decide whether to (i) renew the LDO with no revisions, (ii) renew the LDO with new terms and conditions or (iii) revoke the LDO.

3. The LDO does not grant planning permission for any “development” (as defined in Part III, Section 55 of the Town and Country Planning Act 1990) except the changes of use described in section 3.

4. In order to alleviate the impact of development on local services and facilities, Community Infrastructure Levy and/or voluntary contributions may be sought in accordance with current Council procedures.

5. The LDO does not remove any requirement for advertisement or listed-building consent.

6. The LDO does not remove any requirement for consent under non-planning regulations, such as those relating to licensing, environmental health and building control.

7. The LDO applies only to the area indicated on the LDO plan (see section 8 appended to this report for Executive Board).
8. Occupiers of dwellings created under the terms of the LDO will not be entitled to council parking permits.
9. The LDO has been screened under the Environmental Impact Assessment Regulations, and it is considered that an Environmental Statement is not required (this will be confirmed post Executive Board).
10. The TAN 15 Development Advice Map may be viewed on the Natural Resources Wales website. Reference is also made to the Plan set out in Section 10 (appended to the Executive Board report).
11. An Advisory note in relation to Flood Risk management may be appended to Certificates of Conformity.
12. An Advisory note in relation to Ecology may be appended to Certificates of Conformity.
13. Based on the number of existing units within the Project site, it is unlikely that more than 180 residential conversions could be physically delivered. Should a figure of 100 Commencement Notice Approvals for residential units be reached within the eighteen month period lifetime, then a moratorium will be placed on the LDO and it will be reviewed with the outcomes reported to full Council. Such a review will be informed by the input of the notification stakeholders (including NRW and DCWW).
14. An Advisory note in relation to the Built Historic Environment may be appended to Certificates of Conformity.

6.0 Compliance

Carmarthenshire County Council will monitor changes of use within the Town centre and, when appropriate, may take enforcement action against unauthorised development, including any uses that operate in breach of the conditions.

7.0 Planning contributions/Community Infrastructure Levy

In order to alleviate the impact of development on local services and facilities, Community Infrastructure Levy and/or voluntary contributions may be sought in accordance with current Council procedures.

8.0 Plan of the LDO Area (see Appendix)

9.0 Plan of listed buildings and Conservation Area (see Appendix)

10.0 Development Advice Maps (TANs) for LDO Area

To be inserted

Notes

- i) The above Plan is based on the Development Advice Maps (DAMs) October 2020.

- ii) The DAMs are reviewed periodically and therefore may change during the three-year lifetime of the LDO. Reference should be made to Natural Resources Wales' website in this regard.

11.0 Key Contacts

1 Development Management (planning applications) – Llandeilo Office – TBC
planning@cararthenshire.gov.uk

2 Forward Planning – 01267 228818 forward.planning@cararthenshire.gov.uk

3 Public Protection 01267 234567 publicprotection@cararthenshire.gov.uk

4 Building Control 01267 246044 building.control@cararthenshire.gov.uk

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Draft Local Development Order – Ammanford Town Centre

Executive Board – 2 November 2020

Schedule of Appendices

Plan 1 – Draft Local Development Order Area

Plan 2 – Listed Buildings

Plan 3 – Development Advice Map – Flood Risk.

Amannford Town Centre Draft Local Development Order

Cyngor Sir Caerfyrddin,
Gwasanaethau Cynllunio, Adran Amgylched
3 Heol Spilman, Caerfyrddin, SA31 1LE



Carmarthenshire County Council
Planning Services, Environment Department
3 Spilman Street, Carmarthen, SA31 1LE

Compiled by on 23 October 2020

Scale 1:2500



Listed Buildings

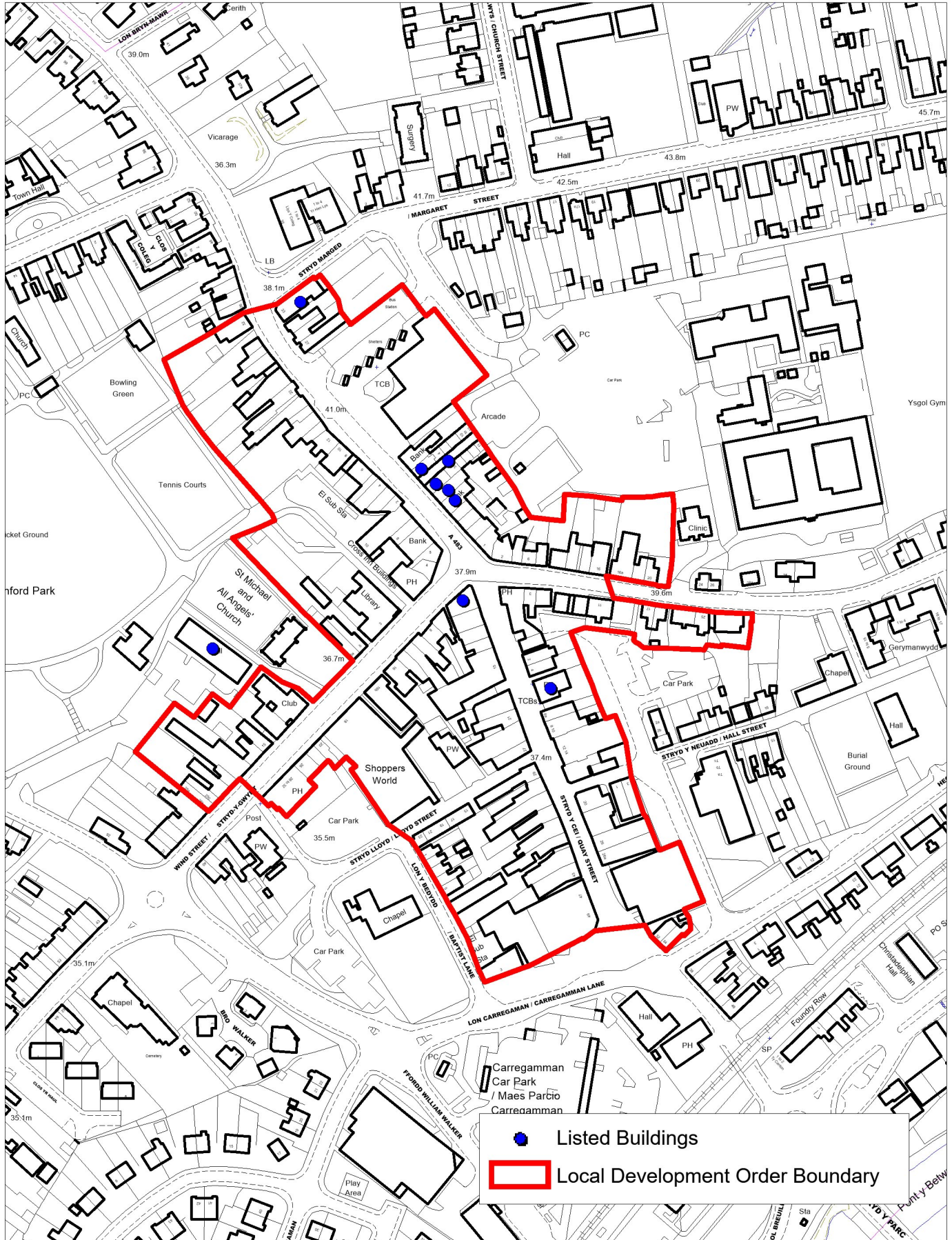
Cyngor Sir Caerfyrddin,
Gwasanaethau Cynllunio, Adran Amgylchedd
3 Heol Spilman, Caerfyrddin, SA31 1LE



Carmarthenshire County Council
Planning Services, Environment Department
3 Spilman Street, Carmarthen, SA31 1LE

Compiled by on 23 October 2020

Scale 1:2500



Development Advice Map Flood Risk

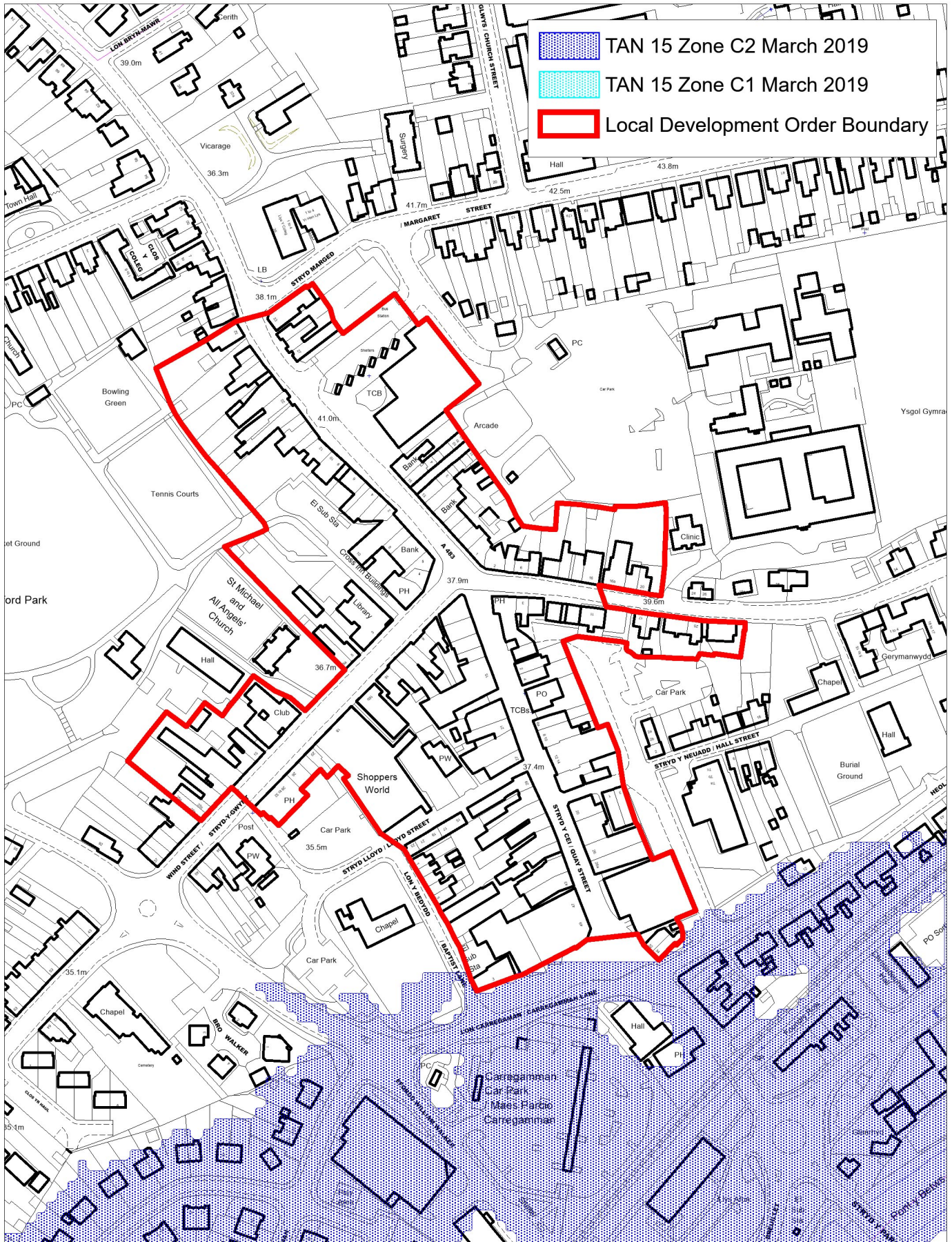
Cyngor Sir Caerfyrddin,
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Carmarthenshire County Council
Planning Services, Environment Department
3 Spilman Street, Carmarthen, SA31 1LE

Compiled by on 23 October 2020

Scale 1:2500



LOCAL DEVELOPMENT ORDER: AMMANFORD TOWN CENTRE

STATEMENT OF REASONS

CONTENTS

- 1.0 Legislation and Policy
- 2.0 Overview
- 3.0 Justification for the creation of the Ammanford Town Centre LDO
- 4.0 Lifetime of the LDO
- 5.0 Permitted Uses (**refer to the LDO itself**)
- 6.0 Policy context and expected impact
- 7.0 Conditions (**refer to the LDO itself**)
- 8.0 Notes (**refer to the LDO itself**)
- 9.0 Compliance
- 10.0 Results and Monitoring
- 11.0 Planning contributions/Community Infrastructure Levy
- 12.0 Risk Assessment
- 13.0 Plan of the LDO Area (**see appendix**)
- 14.0 Plan of Listed Buildings and Conservation Area (**see appendix**)
- 15.0 Development Advice Maps (TANs) for LDO Area (**see appendix**)
- 16.0 Key Contacts (**refer to the LDO itself**)

ANNEX

Notification Procedure

1.0 Legislation and policy

1.1 Local Planning Authorities may issue a Local Development Order (LDO) under section 61 (A, B, C and D) of the Town and Country Planning Act 1990, as inserted by section 40(1) of the Planning and Compulsory Purchase Act 2004 and amended by sections 188 and 238 and Schedule 13 of the Planning Act 2008. This power became effective in Wales on 30 April 2012.

1.2 The Community Infrastructure Levy Regulations 2010 state that permission granted by a LDO will constitute “planning permission” (regulation 5(3)(a)ii). As a consequence, an LDO may obviate the need to submit a planning application for a certain type of development, but it will not prevent a levy from being charged, when appropriate, under any prospective Community Infrastructure Levy (CIL) charging schedule. It should be noted that at the time of writing no CIL charge is in place within Carmarthenshire.

1.3 Welsh Government Circular 003/2012 states that an LDO may not grant planning permission for development that would:

- a) Have a significant effect on a European Site or a European Offshore Marine Site (either alone or in combination with other projects) unless the development is connected to, or necessary for, the management of the site;
- b) Constitute “Schedule 1 development” or “Schedule 2 development” within the Town and Country Planning (Environmental Impact Assessment) Regulations 1999; or
- c) Affect a listed building.

1.4 In relation to point b) above, reference is made to the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. These supersede the 1999 and 2016 Regulations and specifically make provision for Local Development Orders to grant planning permission for Schedule 2 EIA development in certain circumstances. In this respect the Schedule 2 EIA screening thresholds for 'Urban Development Projects' increased from 0.5ha to:

- 1ha if the development does not include housing; or
- The construction of over 150 new houses; or

An overall development area exceeding 5h

1.5 The LDO will be screened under the Environmental Impact Assessment Regulations, to consider whether an Environmental Statement is not required. A Test of Likely Significant Effect (TLSE) for the purposes of the Habitats Regulations will also be undertaken ahead of adoption. The LDO has also been screened as part of the Equalities Impact Assessment process.

1.6 The LDO does not require its own Sustainability Appraisal – Strategic Environmental Assessment (SA-SEA) because the LDO is deemed to be an elaboration upon the provisions of the Carmarthenshire Local Development Plan 2006 — 2021(Adopted December 2014). The LDP has already been subject to SA-SEA along with a Plan level Habitats Regulations Assessment.

2.0 Overview

2.1 A Local Planning Authority (LPA) may use a LDO to grant blanket planning permission for non-contentious, though not necessarily minor, forms of “development” / changes in use within a defined spatial area. It is advised that before submitting an application, interested parties liaise with Planning Services to scope out any potential issues and requirements and also confirm “validation” requirements. Reference is also made to the LDO Application Form in this respect.

2.2 The Ammanford LDO area is shown on the map in Section 13.

2.3 The LDO grants *conditional* planning permission for specified uses in ground and upper-floor units. It is envisaged that the LDO, in permitting a wide range of compatible uses, will help to increase occupancy levels and footfall in the town centre. The LDO does not grant approval for external works. Proposals cannot commence until a Commencement Notice Approval is issued by the Council, irrespective of whether a Certificate of Conformity has been issued. Listed Buildings are not applicable to the LDO. A Certificate of Conformity will last for 3 years and should the proposal not commence before the end of that period then it will lapse.

2.4 The LDO permits only certain changes of use (as listed in Section 5) within the area identified on the Plan in Section 13).

2.5 In order to protect the living conditions of existing and future residents in the town centre, every applicant must ensure that they satisfy the pertinent provisions within the relevant legislation. For example, building regulations and environmental health & public protection. For reference, a list of key contacts is provided in Section 16.

2.6 At the end of its period, the LDO will be considered a success if two or more of the following changes have occurred in the LDO area:

- Five or more vacant ground-floor units have been issued with Certificates of Conformity (source: Forward Planning);
- Annual footfall has increased within the LDO area (source: Council Regeneration Department footfall counters);
- The number of vacant ground-floor units has decreased within the LDO area (source: Forward Planning);
- Three or more upper floor vacant units have been issued with Certificates of Conformity this includes flats and residential uses – use class C3 - (source: Forward Planning).

3.0 Justification for the creation of the Ammanford Town Centre LDO

3.1 Where a retail centre is demonstrating signs of decline, national planning policy makes provision for that decline to be managed and/or for action to be taken to regenerate a centre. In such circumstances an LDO may (as part of a collective approach) contribute to local economic development and regeneration, helping make places more attractive and more competitive, helping in incentivising development and reducing vacancy rates. The impact associated with the Covid-19 pandemic and the economic impact is particularly relevant in this regard and there is clear evidence that Ammanford town centre faces challenges arising from what are unprecedented circumstances. Whilst this may not impact wholly across the wider town centre, there are areas where implications on the retail sector will be more prevalent and raise specific issues in relation to prospective long-term vacancies.

3.2 The Welsh Government in Building Better Places: The Planning System Delivering Resilient and Brighter Futures - Placemaking and the Covid-19 recovery clearly identified the impact of the Covid-19 lockdown on our retail and commercial centres. The impact on footfall in town centre across Wales has witnessed them experiencing declining visitors, except for those people shopping for essential items with the comparison retail sector notably impacted. In this respect during the lock down months supermarkets and convenience retailers became the few shops still trading. All of this was at a time when components of the retail sector and certain town centres were already experiencing difficulties.

3.3 Building Better Places identifies that: “The economic consequences have meant that many retailers are struggling financially, and this will lead to higher vacancy rates in all of our commercial centres. Online competition to our town centre retailers was strong before the crisis; this situation will become more apparent as more retailers increase

their online presence and more people have become used to doing the majority of their non-essential shopping online.”

3.4 There is a recognition that retail and commercial centres are hubs of social and economic activity and that their function extends beyond retail providing a focal point for a diverse range of services and cultural activities/functions. These functions are often equally important in supporting the needs of local communities.

3.5 The WG in recognising the central role of retail and commercial centres state that they “should become places where a variety of retail, employment, commercial, community, leisure, health and public sector uses come together in a hub of activity to make them viable as go-to destinations once more. Flexible, local co-working spaces could also be a crucial new element to increase space to work. Residential uses are also key to the vitality of centres, provided that they do not curtail the commercial activities which take place and soundscapes are considered.” In this respect it is recognised that residential particularly on upper floors provides an added dynamic in creating ‘living’ town centres.

3.6 Indeed, as the challenges to respond to the impact of Covid-19 becomes clear and as town centres reshape themselves, this would suggest that traditional retailing uses will not be as prevalent and the demand for new retail space will lessen for the foreseeable future.

3.7 Consequently, the WG identify that the role of primary retail areas will need to be reviewed in light of Covid-19, and this must be realistic recognising that retail occupiers will not return in the way prior to the pandemic. This will require a review and reassessment of future planning policies.

3.8 Reference is drawn to the ongoing monitoring in relation to the implementation of the Revised LDP in the form of the Annual Monitoring Reports. In this respect specific regard should be had to the Carmarthenshire Town Centre Retail Audit and the recently published 2020 update.

3.9 The Town Centre Retail Audit 2020 update conducted as part of ongoing LDP policy monitoring indicates that within the Retail Core, 64.2% of units are occupied by A1 retail (based on retail frontage). However, whilst this is a healthy indication of retail occupancy, it is accompanied by a 9.5% retail vacancy rate with a further 2.3% in non-retail use (A2 and A3).

3.10 The Retail Frontage, which represents the second-tier categorisation of retail streets reflects the greater flexibility attached to the scale of non-retail units within this area. This demonstrates a greater mix of use types with some 35.8% occupied by A1 retail with a 13.2% vacancy rate, and 7.5% vacancy in non-retail (A2 and A3).

3.11 The remainder of the wider town centre designation within the LDP contains a lower proportion of A1 retail (25.3%) with non-retail spread across A2, A3 and other uses with a 4.23% vacancy rate.

3.12 The total vacancy rate for Ammanford Town currently sits at 11.9% Primary Retail Frontage, 20.8% Secondary Retail Frontage and 14.1% for the remainder of the wider town (excluding Frontage and Core). In total the vacancy rate for Ammanford Town Centre is 15.7% (including core & secondary retail, all use classes).

3.13 When comparing the pre lockdown data with the post lockdown data there has been a clear increase in vacancies in some areas. The primary retail frontage vacancies rate was at 4.7% pre lockdown but post lockdown it is at 11.9%, representing an

increase of 7.2 percentage points. This is a considerable increase in a relatively short period of time and reflects the specific challenges within the retail sector.

3.14 However, the Secondary Retail Frontage vacancy rates have improved over the lockdown period from 24.5% to 20.8%. Although this is a welcome and positive sign it is overshadowed by the overall increase in vacancy over the lockdown period.

3.15 The overall percentage for vacant retail building in Ammanford pre lockdown was 13.2%, this has now increased over the lockdown period to 15.7%. This a clear indicator of the effect COVID has had on Ammanford's Town Centre. It also highlights the need for appropriate intervention to ensure the town is resilient to any future and ongoing effects of Covid-19 and that it reflects the changing pattern of activities within Town Centres as mirrored in National Planning policy.

3.16 National Planning Policy reflects that in some circumstances where there has been an over emphasis on A1 uses these may undermine a centre's prospects, with potential consequences such as higher vacancy rates. In such circumstances the role of uses other than A1 (retail) in increasing diversity and reducing vacancy may be considered. This may be achieved through a rationalising of boundaries, allowing appropriate changes of use whilst focusing A1 (retail) uses in a more concentrated area.

3.17 In this context an LDO can facilitate changes of use, alterations, extensions etc, replacing many minor planning applications which are routinely approved. LDOs can be particularly effective when combined with other regeneration proposals to bring about more comprehensive improvements to centres, including as part of environmental and infrastructure enhancements. To this end, the LDO can be seen as part of a wider package of policy interventions in the Town Centre which the County Council is undertaking in partnership under the auspices of the Task Force.

3.18 Whilst the LDP sets a strong policy direction for retail within a Carmarthenshire, the challenges facing Ammanford in light of Covid – 19 and in advance of the adoption of the Revised LDP requires specific consideration. The opportunities exist to co-ordinate with and develop upon the established work being undertaken by the ‘Task Force’ and the broader regeneration proposals – both of which are seeking to address matters surrounding the decline of the town centre and its environs, presents an opportune time evaluate options. There is potential to review and develop an effective strategy to promote uses to complement the town centre and out of town retail offer. In this respect it should not be predicated on an abandonment of the town centres overall retail focus, but the consideration of a flexible approach to complement activities which support the centres vitality and viability. The platform for engagement, together with a direct policy intervention.

3.19 For the time being, developers who wish to change the use of a town centre unit must operate within the legislative and policy parameters. This means that most changes of use, no matter how desirable, require planning permission. The practice of allowing a valuable unit to remain empty for up to eight weeks while a planning application is processed is inimical to economic growth particularly within the context of the challenges being faced through Covid-19. By creating a more permissive planning regime in the town centre, the LDO will seek to promote a living town centre environment.

3.20 In scoping and drafting this LDO it was considered necessary to clearly establish its purpose, scope and extent linking into the regeneration and other objectives.

4.0 Lifetime of the LDO

4.1 The LDO is active for a period of one and half years, or to coincide with the adoption of the Revised LDP from its adoption. This period will however be subject to ongoing review and may be extended or reduced in light of the success or failure of the LDO.

4.2 Development that commences while the LDO is in effect may be completed and/or continued after this period. Once the LDO has expired, however, no new changes of use will be allowed under its terms without conventional planning permission. Towards the end of the life of the LDO period, Carmarthenshire County Council will assess the impact of the LDO and decide whether to (i) renew the LDO with no revisions, (ii) renew the LDO with new terms and conditions or (iii) revoke the LDO.

5.0 Permitted Uses

Please refer to the LDO itself – section 3

6.0 Policy context and expected impact

6.1 The relevant Development Plan for Ammanford is the Carmarthenshire LDP. To the extent that development plan policies are material to an application for planning permission, the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 37(6) : Planning and Compulsory Purchase Act 2004).

6.1.1 Given that proposals will be permitted under this LDO without the need for planning permission, it is important to note the LDO's overall linkages and compliance with the LDP. This also confirms that an SA-SEA on the LDO is not required (see paragraph 1.5). This Section reviews the LDO against the 14 LDP Strategic Objectives (SO) and those LDP Strategic Policies (SP) of relevance. There is also commentary provided in relation to relevant Area Wide (AW) policies.

LDP - Strategic Objectives

6.1.2 *SO1: To protect and enhance the diverse character, distinctiveness, safety and vibrancy of the County's communities by ensuring sympathetic, sustainable, and high-quality standards of design.*

Expected impact of LDO: The LDO will be consistent with efforts to promote a vibrant, safer and diverse town centre which acts as a catalyst to the wider regeneration of the area.

6.1.3 *SO2: To ensure that the principles of spatial sustainability are upheld by:*

(a) enabling development in locations which minimise the need to travel and contribute towards sustainable communities and economies and respecting environmental limits, and

(b) to wherever possible encourage new development on previously developed land which has been suitably remediated.

Expected impact of LDO: By concentrating developmental opportunities within the town centre, which is accessible to pedestrians and users of public transport, the LDO will be consistent with efforts to promote sustainable development.

6.1.4 SO3: To make provision for an appropriate mix of quality homes; access to which will be based around the principles of sustainable socio-economic development and equality of opportunities.

Expected impact of LDO: By providing opportunities for upper floor conversion to residential, the LDO will be consistent with efforts to provide a range and mix of homes across the area as well as promoting vibrant and living town centres.

6.1.5 SO4: To ensure that the natural, built and historic environment is safeguarded and enhanced, and that habitats and species are protected.

Expected impact of LDO: The LDO does not permit any building operations; therefore, it will have no impact on the appearance of the built environment or the natural environment. Anyone wishing to make alterations to a listed building would still require the relevant consent.

6.1.6 SO5: To make a significant contribution towards tackling the cause and adapting to the effect of climate change by promoting the efficient use and safeguarding of resources.

Expected impact of LDO: By focusing commercial uses in the town centre, which is accessible to pedestrians and users of public transport, the LDO will be consistent with efforts to promote sustainable development. It will promote the appropriate use and/or re use of existing buildings (including but not exclusively vacant buildings).

6.1.7 SO6: *To assist in widening and promoting education and skills training opportunities for all.*

Expected impact of LDO: A more permissive planning regime in the town centre may provide opportunities for additional facilities.

6.1.8 SO7: *To assist in protecting and enhancing the Welsh Language and the County's unique cultural identity, assets and social fabric.*

Expected impact of LDO: A more permissive planning regime in the town centre may well generate additional opportunities and facilities for promoting the County's special characteristics.

6.1.9 SO8: *To assist with widening and promoting opportunities to access community, leisure and recreational facilities as well as the countryside.*

Expected impact of LDO: A more permissive planning regime in the town centre may well generate additional opportunities and facilities.

6.1.10 SO9: *To ensure that the principles of equal opportunities and social inclusion are upheld by promoting access to a high quality and diverse mix of public services, healthcare, shops, leisure facilities and work opportunities.*

Expected impact of LDO: The LDO is designed to encourage a mix of appropriate and complementary town centre uses. This would seek to encourage social and/or physical inclusion.

6.1.11 SO10: *To contribute to the delivery of an integrated and sustainable transport system that is accessible to all.*

Expected impact of LDO: By concentrating developmental opportunities within the town centre, which is accessible to pedestrians and users of public transport, the LDO will be consistent with efforts to promote sustainable development.

6.1.12 SO11: *To encourage investment & innovation (both rural and urban) by:*

(a) making an adequate provision of land to meet identified need; and,

(b) making provision for the business and employment developmental needs of indigenous /new employers, particularly in terms of hard & soft infrastructural requirements (including telecommunications/ICT); and,

(c) making provision for the infrastructural requirements associated with the delivery of new homes particularly in terms of hard & soft infrastructural requirements (including foul and surface water); and,

(d) adhering to the principles of sustainable development and social inclusion in terms of the location of new development.

Expected impact of LDO: The LDO is designed to encourage a mix of appropriate and complementary town centre uses. It is considered that a more permissive planning regime will provide opportunities to increase employment opportunities.

6.1.13 SO12: *To promote and develop sustainable & high quality all year round tourism related initiatives.*

Expected impact of LDO: The LDO is designed to encourage a mix of appropriate and complementary town centre uses. It is considered that a more permissive planning regime will provide opportunities to increase visitor economy related opportunities.

6.1.14 SO13: *To assist with the development and management of safe and vibrant places & spaces across the County.*

Expected impact of LDO: The LDO will be consistent with efforts to promote a vibrant, safer and diverse living town centre which acts as a catalyst to the wider regeneration of the area.

6.1.15 SO14: *To assist with the delivery and management of mixed & sustainable communities by:*

(a) promoting safe, vibrant and socially interactive places; and,

(b) promoting the utilisation of local services and produce whenever possible.

Expected impact of LDO: The LDO will be consistent with efforts to promote a vibrant, safer and diverse living town centre which acts as a catalyst to the wider regeneration of the area.

LDP – Selected/Relevant Strategic Policies

6.1.16 SP1: *Sustainable Places and Spaces*

Expected impact of LDO: The LDO will be consistent with efforts to promote a vibrant, safer and diverse town centre which acts as a catalyst to the wider regeneration of the area. By concentrating upon town centre appropriate uses, which are accessible to pedestrians and users of public transport, the LDO will be consistent with efforts to promote sustainable development.

6.1.17 SP2: *Climate Change*

Expected impact of LDO: The LDO will promote the re use of existing buildings (including but not exclusively vacant buildings). In relation to flood risk, the LDO area is not impacted upon by Flood Zones C1 or C2 as identified on the Development Advice Map.

6.1.18 *SP3: Sustainable Distribution- Settlement Framework*

Expected impact of LDO: The local and regional importance of Ammanford within the LDP is recognised given its classification as a Growth Area. The LDO will be consistent with this classification in seeking to facilitate a vibrant town centre.

6.1.19 *SP5: Housing*

Expected impact of LDO: By providing opportunities for upper floor conversion to residential, the LDO will be consistent with efforts to provide a range and mix of homes across the area. The LDO will not create any new buildings, but it will encourage appropriate conversions in the town centre, thus contributing to the housing supply.

6.1.20 *SP6: Affordable Housing*

Expected impact of LDO: By providing opportunities for upper floor conversion to residential, the LDO will be consistent with efforts to provide a range and mix of homes across the area, including affordable housing.

6.1.21 *SP8: Retail*

Expected impact of LDO: The LDO will be consistent with the aim of protecting and enhancing the role of Ammanford as a principal centre. It is hoped that a more permissive planning regime will help ensure its continued attractiveness as a destination with a strong retail offer.

6.1.22 *SP9: Transportation*

Expected impact of LDO: By concentrating commercial uses in the town centre, which is accessible to pedestrians and users of public transport, the LDO will be consistent with efforts to promote sustainable development.

6.1.23 *SP13: Protection and Enhancement of the Built and Historic Environment*

Expected impact of LDO: The LDO does not permit any building operations; therefore, it will have no impact on the appearance of the built environment. Anyone wishing to make alterations to a listed building would still require the relevant consent.

6.1.24 *SP14: Protection and Enhancement of the Natural Environment*

Expected impact of LDO: The LDO does not permit any building operations; therefore, it will have no impact. In relation to the Habitats Regulations, the LDO has been subject to Test of Likely Significant Effect.

6.1.25 *SP15: Tourism and the Visitor Economy*

Expected impact of LDO: The LDO will be consistent with the aim of protecting and enhancing the role of Ammanford in the tourism hierarchy. It is hoped that a more permissive planning regime will help provide opportunities in relation to the visitor economy.

6.1.26 *SP16: Community Facilities*

Expected impact of LDO: A more permissive planning regime in the town centre may provide opportunities as part of a living town centre environment.

6.1.27 *SP17: Infrastructure*

Expected impact of LDO: The LDO does not permit any building operations; therefore, it will have no impact. In relation to supply and treatment of water, the LDO is accompanied by appropriate evidence.

LDP –Relevant Area Wide Policies

6.1.28 GP1: Sustainability and High-Quality Design

Expected impact of LDO: The LDO does not permit any building operations; therefore, it will have no impact on the appearance of the built environment. A more permissive planning regime can however assist in countering instances of vacant units and dead spaces with a view to enabling a more vibrant street scene with active frontages.

6.1.29 GP3: Planning Obligations

Expected impact of LDO: Permitted uses will not be required to make financial contributions through current planning obligation provisions. Developments may however make a voluntary contribution as appropriate. However, any future implementation of a CIL charging regime may result in a requirement for contributions to be sought.

6.1.30 GP4: Infrastructure and New Development

Expected impact of LDO: The LDO does not permit any building operations; therefore, it will have no impact. In relation to supply and treatment of water, the LDO is accompanied by appropriate evidence.

6.1.31 RT1: Retailing Hierarchy

Expected impact of LDO: The LDO will be consistent with the aim of protecting and enhancing the role of Ammanford as a principal centre. It is recognised within this statement of reasons and as supported by evidence that Ammanford Town Centre

currently exhibits signs of decline as a result of Covid-19. It is considered at this point that the Town Centre requires specific consideration and policy intervention to address this decline and to meet the Welsh Government response in relation to the future of town centres. It is hoped that a more permissive planning regime will help ensure its continued attractiveness as a destination with a strong retail offer.

6.1.32 RT2: Principal Centres (Growth Areas): Primary Retail Frontage

Expected impact of LDO: The policy is intended to resist any further over-concentration of non-retail (non-A1) uses in the Primary Retail Frontages. The Primary Retail Frontage confirms that the principle function should be retail. The policy also states that proposals involving the change of use and / or re-development of a ground floor frontage to residential are not considered compatible with a 'town centre' location. Reference is however made to Section 3 of this Statement of Reasons (Policy Justification). Furthermore, paragraph 6.4.3 of the LDP written statement states that: *"Whilst shopping will be expected to continue as the principal activity in town centres, it is only one of the factors which contribute to their wellbeing. It is evident that retail policies cannot be divorced from the broader functions of the larger towns as centres for other services and facilities, including food and drink establishments (cafes, restaurants, public houses, etc.) and commercial leisure developments. A diversity of uses in town centres assists in promoting their continued viability and, particularly with regard to leisure uses, contributes to the vitality of a successful evening economy"*. This is particularly pertinent in respect of Ammanford Town Centre with the challenges currently being exhibited. Paragraph 6.4.19 of the LDP written statement outlines that: *"As part of the monitoring and review process, the Council will undertake an annual survey of uses within the identified town centres including the Primary Retail Frontages. The survey will not only look at the nature of occupants but also the levels of vacancy which may occur. The survey together with future updates of the retail study will inform policy updates and supplementary guidance*

emerging from any changes in town centre conditions.” In this respect, the 2020 Carmarthenshire Town Centre Audit highlights the challenges in relation to vacancy etc particularly in relation to the September 2020 update, being exhibited within certain parts of the Town Centre. The introduction of the LDO will mean that the potential conflict between the LPA and a proponent of non-A1 use within Ammanford Town Centre will be removed, subject to the proposal meeting the requirements of the LDO. It should be noted that the LDO does not permit changes of use of ground floor units to residential. It is also recognised that the designation of the LDO reflects the emphasis within Planning Policy Wales on the future of town centres.

6.1.33 RT3: Principal Centres (Growth Areas): Secondary Retail Frontage

Expected impact of LDO: Whilst the policy recognises the importance of a strong retail element and seeks to control the extent of non-retail uses to protect the general retail character of central streets and maintain continuity of shopping frontages, it does also acknowledge the contribution that a complementary retail, leisure and business offer can make in increasing the overall attractiveness of the town centre. The introduction of the LDO will mean that the requirement to provide a policy justification and/or challenging the LPA’s position within the planning application process will not be required as the process would be streamlined and simplified.

6.1.34 RT4: Principal Centres (Growth Areas): Town Centre Zone

Expected impact of LDO: The policy creates opportunities for the introduction of beneficial economic commercial uses to properties which may otherwise become rundown or vacant. It permits the change of use or redevelopment of shops to other appropriate town centre uses within these areas. In this regard, it demonstrates synergy to the objectives of the LDO within the context of Ammanford Town Centre. It should be noted that the LDO does not impact upon those areas covered by this policy.

6.1.35 EP1: Water Quality and Resources, EP2: Pollution and EP3: Sustainable Drainage

6.1.35.1 Expected impact of LDO: The LDO does not permit any building operations; therefore, it will have no impact. In relation to supply and treatment of water, the LDO is supported by appropriate evidence. For the purposes of the Habitats Regulations, a Test of Likely Significant Effect (TLSE) has been undertaken by the Local Planning Authority.

6.1.35.2 In relation to surface water, those units within the LDO Area are already linked to the sewer/surface water system.

6.1.35.3 Reference should be made to the Procedural Notification process which will ensure that relevant parties (e.g. Natural Resources Wales and Dwr Cymru Welsh Water) are informed of certificates of conformity issued.

7.0 Conditions

Please refer to the LDO itself – section 4

8.0 Notes

Refer to the LDO itself – section 5

9.0 Compliance

Refer to the LDO itself – section 6.

10.0 Results and monitoring

In addition to reviewing applications for Certificates of Conformity, Carmarthenshire County Council will monitor vacancy levels in ground-floor units and footfall. The findings of such research will be presented in annual monitoring reports as part of the statutory LDP Monitoring Process. Consideration is also being given to introducing a periodic monitoring regime within the Town Centre.

11.0 Planning contributions/Community Infrastructure Levy

In order to alleviate the impact of development on local services and facilities, Community Infrastructure Levy and/or voluntary contributions may be sought in accordance with current Council procedures.

12.0 Risk Assessment

The below sets out some of the key issues that are considered to be worthy of review:

- Democratic control and the role of Elected Members and the Community;
- Officer workload, particularly in terms of monitoring and compliance;
- How would bodies that are ordinarily be notified/consulted through the planning application process be engaged?;
- Loss of Planning application fees;
- Planning Obligations;
- Legal and Financial matters arising from any future LDO revocation;
- Residential amenity;
- The integrity of the historic environment;
- Parking;
- Regulatory matters;
- Flood Risk.

12.1 It is considered that the LDO may ultimately reduce workload in development management, cutting out routine work within the defined LDO area. Furthermore, in relation to monitoring, there are established mechanisms available and a data capture system has been set up by the Data Management Officer within Planning Services.

12.2 A notification system whereby key consultees (e.g. Town/Rural Councils, Dwr Cymru or Natural Resources Wales) are informed of LDO proposals has been established by the Ammanford Town Centre Draft Local Development Order:

Council. This reflects the fact that such bodies would ordinarily be notified/consulted through the planning application process.

12.3 Any LDOs will result in a reduced income from planning applications fees, as developers only need to submit a pre-notification, for which they pay the Council a nominal fee for administrative purposes. It is considered however that the scope and extent of the impact would be potentially minor in income terms (based on the potential number of applications likely to be received). Whilst not quantifiable the impact in income terms will be negated through regeneration benefits within the town centre.

12.4 It should be noted that as part of the democratic reporting process, the Council has been afforded the opportunity to review a range of pertinent considerations, particularly in terms of resource and legal implications.

12.5 An LDO may be revoked or revised at any time by the LPA on its own initiative. The Welsh Government also has reserve powers to direct an LPA to revoke an LDO or prepare a revision of it. Where an LPA revokes an LDO the authority must:-

- Publish on their website a statement that the LDO has been revoked
- Give notice of the revocation by local advertisement. This is a requirement to publish the notice in as many newspapers as necessary to secure that the press coverage (taken as a whole) extends to the whole of the area to which the LDO relates, and
- Give written notice of the revocation to every person whom the authority consulted before the making of the order.

12.6 Section 189 of the Planning Act 2008 amends Sections 107 and 108 of Town and Country Planning Act 1990, which provide for compensation where a development order or local development order is withdrawn. In summary, where planning permission granted by a LDO is withdrawn, there will be no entitlement to compensation where notice of the withdrawal is published not less than 12 months or more than the prescribed period (24 months) before the withdrawal takes effect.

12.7 If development is started before the notice is published, compensation will be available unless the order in question contains provision permitting the completion of development. The reform may therefore offer LPAs reassurance, through providing additional flexibility when considering the revision or withdrawal of LDO permissions, although the Welsh Government considers that an LPA would only rarely need to do this where the merits and effect of an LDO have been properly considered during its preparation.

12.8 Residential amenity is an important consideration because there are already people residing within the LDO area. There are separate legislative frameworks that seek to can control various threats to residential amenity, including noise and odour.

12.9 In relation to parking, the Town Centre is well served by public transport and pedestrian networks; therefore, it is considered unlikely that the LDO will substantially increase demand for off- and on-street parking. Occupants of new dwellings will not be entitled to parking permits.

12.10 The LDO does not allow developers to display advertisements on, or make external alterations to, any building in the town centre. In order to ensure the continuing protection of the built heritage, development which would affect a listed building is also excluded from the scope of LDOs.

12.11 In relation to flooding, the LDO area is not impacted upon by C1 or C2 flood zones, consequently there are no impacts in relation to Highly Vulnerable Developments (HVD). HVD includes all residential premises (use classes C1 and C3), public buildings (often use class D1) and, in some cases, leisure-related businesses (use class D2).

12.12 In regulatory terms, the LDO has been screened under the Environmental Impact Assessment Regulations, and it is considered that an Environmental Statement is not required. A Test of Likely Significant Effect (TLSE) for the purposes of the Habitats Regulations has concluded that the LDO will have no significant effect (alone or in combination) with a European Site or a European Offshore Marine Site. The LDO has also been screened as part of the Equalities Impact Assessment process. The LDO does not require its own Sustainability Appraisal – Strategic Environmental Assessment (SA-SEA) because the LDO is deemed to be an elaboration upon the provisions of the Carmarthenshire Local Development Plan 2006 — 2021 (Adopted December 2014). The LDP has already been subject to SA-SEA along with a Plan level Habitats Regulations Assessment.

13.0 Plan of the LDO Area

As per appendix to this report

14.0 Plan of Listed Buildings and Conservation Area

As per appendix to this report

15.0 Development Advice Maps (TANs) – for LDO Area

As per appendix to this report

Notes

i) The above plan is based on the Development Advice Maps (DAMs) October 2020.

ii) The DAMs are reviewed periodically and therefore may change during the lifetime of the LDO. Reference should be made to Natural Resources Wales' website in this regard.

16.0 Key Contacts

Refer to section 11 of the LDO

ANNEX

Notification Procedure

The LDO process is subject to a notification procedure where key stakeholders are advised of applications. This ensures that “mitigation” is built into the LDO process given the strong emphasis on collaboration / engagement and monitoring.

Those notification stakeholders can include:

- Ammanford Town Council;
- Elected Members for Ammanford Ward;
- Ammanford Chamber of Trade;
- Natural Resources Wales;
- Dwr Cymru Welsh Water;
- Western Power National grid (plant protection);
- Wales and West Utilities;
- Development Management (Planning) Carmarthenshire County Council;
- Licensing Carmarthenshire County Council;
- Building Regulations Carmarthenshire County Council;
- Environmental Health Carmarthenshire County Council.
- Highways & Planning Liaison Officer – Carmarthenshire County Council.

CARMARTHEN TOWN CENTRE

LOCAL DEVELOPMENT ORDER

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1.0 Overview

1.1 A Local Planning Authority (LPA) may use an LDO to grant blanket planning permission for non-contentious, though not necessarily minor, forms of “development” / changes in use within a defined spatial area. Reference should also be made to the Statement of Reasons accompanying this LDO. It is advised that before submitting an application, interested parties liaise with Planning Services to scope out any potential issues and requirements and also confirm “validation” requirements. Reference is also made to the LDO Application Form in this respect.

1.2 The Permitted Uses are set out in Section 3. The Area is shown in Section 8. (for the purposes of the report to Executive Board – this is provided as an Appendix).

1.3 The LDO grants *conditional* planning permission for specified uses in ground and upper-floor units. It is envisaged that the LDO, in permitting a wide range of compatible uses, will help to increase occupancy levels and footfall in the town centre. The LDO does not grant approval for external works. Proposals cannot commence until a Commencement Notice Approval is issued by the Council, irrespective of whether a Certificate of Conformity has been issued. Listed Buildings are not applicable to the LDO. A Certificate of Conformity will last for 3 years and should the proposal not commence before the end of that period then it will lapse.

1.4 After eighteen months, the LDO will be considered a success if two or more of the following changes have occurred in the LDO area:

- Five or more vacant ground-floor units have been issued with Certificates of Conformity (source: Forward Planning) ;
- Annual footfall has increased within the LDO area (source: Council Regeneration Department footfall counters);
- The number of vacant ground-floor units has decreased within the LDO area (source: Forward Planning);
- Three or more upper floor vacant units have been issued with Certificates of Conformity– this includes flats and residential uses – use class C3 - (source: Forward Planning).

1.5 The LDO has been screened under the Environmental Impact Assessment Regulations, and it is considered that an Environmental Statement is not required. A Test of Likely Significant Effect (TLSE) for the purposes of the Habitats Regulations has concluded that the LDO will have no significant effect (alone or in combination) with a European Site or a European Offshore Marine Site. The LDO has also been screened as part of the Equalities Impact Assessment process.

1.6 The LDO does not require its own Sustainability Appraisal – Strategic Environmental Assessment (SA-SEA) because the LDO is deemed to be an elaboration upon the provisions of the Carmarthenshire Local Development Plan 2006 – 2021(Adopted December 2014). The LDP has already been subject to SA-SEA along with a Plan level Habitats Regulations Assessment.

2.0 Lifetime of the LDO

2.1 The LDO is active for a period of one and half years, or to coincide with the adoption of the Revised LDP from its adoption. This period will however be subject to ongoing review and may be extended or reduced in light of the success or failure of the LDO.

2.2 Development that commences while the LDO is in effect may be completed and/or continued after this eighteen month period. Once the LDO has expired, however, no new changes of use will be allowed under its terms without conventional planning permission. Towards the end of the eighteen month period, Carmarthenshire County Council will assess the impact of the LDO and decide whether to (i) renew the LDO with no revisions, (ii) renew the LDO with new terms and conditions or (iii) revoke the LDO.

3.0 Permitted Uses

3.1 The following table outlines the relevant use classes which will be permitted or otherwise through the LDO and within its defined spatial area.

Use Class	Ground Floor	Other Floors (Excluding basements)
A1 Shops	Yes	Yes
A2 Financial and Professional Services	Yes	Yes
A3 Food and Drink <i>Restaurants and Cafes</i>	Yes	Yes
A3 Food and Drink <i>Drinking establishments (but not night clubs)</i>	Yes	Yes
A3 Food and Drink <i>Hot food takeaways</i>	Yes	No
B1 Business (offices other than those within A2)	No	Yes
C1 Hotels, boarding houses and guest houses	No	Yes
C3 Dwellings (residential incl. flats)	No	Yes
D1 Non-residential institutions (Note - LDO excludes Law Courts, Church Halls and Libraries)	Yes	Yes
D2 Assembly and leisure buildings (Note LDO only permits gymnasiums and area for indoor sports or recreations - except for motor sports, or where firearms are used)	Yes	Yes
Other (specified sui) Launderettes and taxi businesses only	Yes	Yes

Further information in relation to the Use Class Order can be viewed through the following link:

https://www.planningportal.co.uk/wales/en/info/3/common_projects/6/change_of_use

4.0 Conditions

General

1. No change of use permitted by the LDO shall commence until an application for a Certificate of Conformity has been submitted to, and approved in writing by, the Local Planning Authority (LPA). In all circumstances, and irrespective of whether a Certificate of Conformity is issued, proposals cannot commence until a Commencement Notice Approval is issued by the Council.

Reason: To ensure that proposed changes of use comply with the terms of the Local Development Order.

2. With reference to Planning Policy Wales Technical Advice Note 15 (TAN15): Development and Flood Risk (or any document that updates or replaces it during the course of the LDO), no change in use to highly vulnerable development (as defined in TAN 15) is permitted in any ground-floor unit located in Development Advice Map Zone C2.

Reason: To accord with the provisions of national planning policy in the form of TAN 15.

3. Reference is made to the provisions of TAN 15 in this respect the LDO area is not located within Flood Zones C1 or C2 as defined on the DAMs. Reference is also made to Note 11 set out within Section 5 of this LDO.

Reason: To ensure that no development permitted by the LDO has unacceptable flooding consequences.

Removal of permitted-development rights

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking or re-enacting that Order), no development within Schedule 2, Part 40, Classes A, B, C, D, E, F, G, H or I may be carried out at any dwelling house (as defined in Welsh Statutory Instrument 2009 2193(W.185)) created under the LDO without the prior written permission of the LPA.

Reason: To ensure that a satisfactory form of development takes place.

Residential Proposals

5. No conversion scheme implemented under the terms of the LDO, whether in isolation or in combination with another scheme (regardless of ownership), may create an inappropriate concentration of single bedroom units.

Reason: To allow the opportunity for the creation of suitable mix of unit sizes and tenure mix within a living town centre environment.

Units of multiple occupation

6. No conversion scheme implemented under the terms of the LDO, whether in isolation or in combination with another scheme (regardless of ownership), will be considered appropriate where it results in the creation of a unit of multiple occupation (i.e C4 use for small HMO or sui generis for large HMO).

Reason: To allow the opportunity for the creation of suitable mix of unit sizes and tenure mix within a living town centre environment.

Licensable Activity

7. Where applicable, non-planning related requirements must be satisfied prior to commencement of change of use. Reference is made to Condition 1 of this LDO and the requirement to attain Commencement Notice Approval from the Council. The contractor/developer will need to ensure that licensing approval is sought prior to any works commencing on site. Contact Tel: 01267 234567, email publicprotection@carmarthenshire.gov.uk

Reason: To ensure compliance with legislative provisions.

Street Scene

8. Existing ground-floor windows and shop fronts must not be obscured, either internally or externally, by paint, whitewash, film, curtains or any other opaque material.

Reason: To maintain the commercial character and appearance of the Town Centre.

Public Amenity

9. Where required and requested; a detailed Risk Assessment (the scope of which must be agreed with the Homes and Safer Communities team (HSC)) should be submitted to, and approved by the HSC prior to the Local Planning Authority (LPA) issuing a commencement notice approval. The Risk Assessment should assess/predict the likely impact of the proposed development as a whole on the existing commercial and residential properties within the area and/or predict the likely impact of existing commercial and residential properties on the proposed development. Where necessary the risk assessment shall identify the required

mitigation in the form of a Management Plan. The change of use shall thereafter be carried out in accordance with any approved Management Plan.

Reason: In the interests of protecting the amenity of people using the surrounding area.

Building Regulations

10. Non planning related requirements must be satisfied prior to commencement of change of use. The contractor/developer will need to ensure that Local Authority Building Control (LABC) approval is sought prior to any works commencing on site. Contact Tel: 01267 246044 email building.control@carmarthenshire.gov.uk. Reference is made to Condition 1 of this LDO and the requirement to attain Commencement Notice Approval from the Council.

Reason: To ensure compliance with legislative provisions.

Lettings Policy

11. Where appropriate, residential uses permitted by the LDO will be required to adhere to requirements in relation to any County Council Lettings Policy. Advice should be sought from the relevant department.

Reason: To allow the opportunity for the creation of suitable mix of unit sizes and tenure mix within a living town centre environment.

Other Regulatory Regimes

12. Non planning related requirements must be satisfied prior to commencement of change of use. Reference is made to Condition 1 of this LDO and the requirement to attain Commencement Notice Approval from the Council.

Reason: To protect the amenities of persons in neighbouring properties.

Drainage Strategy

13 No change of use shall commence where it will result in the hydraulic overload of the public sewerage system. Where required and requested; a drainage strategy should be submitted to, and approved by, Dwr Cymru Welsh Water.

Reason: To enable the implementation of the LDO drainage strategy

Assessment of Assets

14. No change of use shall commence where it will result in the compromising of the integrity of any public sewer and/or water main assets within and/or adjacent to the site. Where required and requested; an assessment should be submitted to, and approved by, Dwr Cymru Welsh Water which clarifies any impact and where necessary any mitigation.

Reason: To support the implementation of the LDO Drainage Strategy

5.0 Notes

1. The LDO is active for a period of one and half years, or to coincide with the adoption of the Revised LDP from its adoption. This period will however be subject to ongoing review and may be extended or reduced in light of the success or failure of the LDO.

2 Development that commences while the LDO is in effect may be completed and/or continued after this eighteen month period. Once the LDO has expired, however, no new changes of use will be allowed under its terms without conventional planning permission. Towards the end of the eighteen month period, Carmarthenshire County Council will assess the impact of the LDO and decide whether to (i) renew the LDO with no revisions, (ii) renew the LDO with new terms and conditions or (iii) revoke the LDO.

3. The LDO does not grant planning permission for any “development” (as defined in Part III, Section 55 of the Town and Country Planning Act 1990) except the changes of use described in section 3.

4. In order to alleviate the impact of development on local services and facilities, Community Infrastructure Levy and/or voluntary contributions may be sought in accordance with current Council procedures.

5. The LDO does not remove any requirement for advertisement or listed-building consent.

6. The LDO does not remove any requirement for consent under non-planning regulations, such as those relating to licensing, environmental health and building control.

7. The LDO applies only to the area indicated on the LDO plan (see section 8 appended to this report for Executive Board).
8. Occupiers of dwellings created under the terms of the LDO will not be entitled to council parking permits.
9. The LDO has been screened under the Environmental Impact Assessment Regulations, and it is considered that an Environmental Statement is not required. (this will be confirmed post Executive Board).
10. The TAN 15 Development Advice Map may be viewed on the Natural Resources Wales website. Reference is also made to the Plan set out in Section 10 (appended to the Executive Board report)
11. An Advisory note in relation to Flood Risk management may be appended to Certificates of Conformity.
12. An Advisory note in relation to Ecology may be appended to Certificates of Conformity.
13. Based on the number of existing units within the Project site, it is unlikely that more than 180 residential conversions could be physically delivered. Should a figure of 100 Commencement Notice Approvals for residential units be reached within the eighteen month period lifetime, then a moratorium will be placed on the LDO and it will be reviewed with the outcomes reported to full Council. Such a review will be informed by the input of the notification stakeholders (including NRW and DCWW).
14. An Advisory note in relation to the Built Historic Environment may be appended to Certificates of Conformity.

6.0 Compliance

Carmarthenshire County Council will monitor changes of use within the Town centre and, when appropriate, may take enforcement action against unauthorised development, including any uses that operate in breach of the conditions.

7.0 Planning contributions/Community Infrastructure Levy

In order to alleviate the impact of development on local services and facilities, Community Infrastructure Levy and/or voluntary contributions may be sought in accordance with current Council procedures.

8.0 Plan of the LDO Area (see Appendix)

9.0 Plan of listed buildings and Conservation Area (see Appendix)

10.0 Development Advice Maps (TANs) for LDO Area (see Appendix)

Notes

- i) The above Plan is based on the Development Advice Maps (DAMs) October 2020.
- ii) The DAMs are reviewed periodically and therefore may change during the lifetime of the LDO. Reference should be made to Natural Resources Wales' website in this regard.

11.0 Key Contacts

1 Development Management (planning applications) – Llandeilo Office – **TBC**
planning@cararthenshire.gov.uk

2 Forward Planning – 01267 228818 forward.planning@cararthenshire.gov.uk

3 Public Protection 01267 234567 publicprotection@cararthenshire.gov.uk

4 Building Control 01267 246044 building.control@cararthenshire.gov.uk

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Carmarthen Town Centre Local Development Order

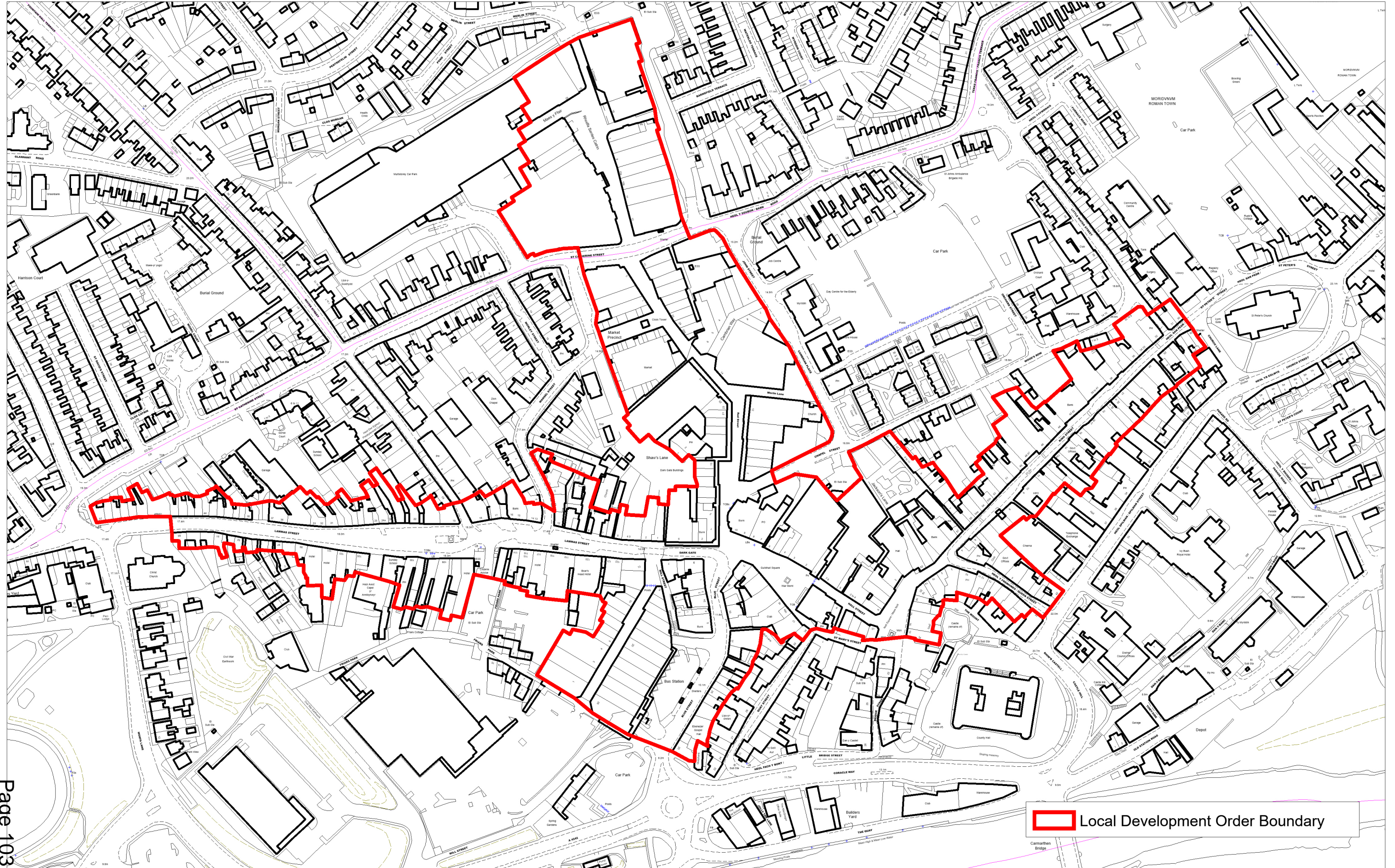
Compiled by on 3 November 2020

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Cyngor Sir Caerfyrddin
Gwasanaethau Cynllunio
Adran Amgylchedd
3 Heol Spilman
Caerfyrddin
SA31 1LE

Carmarthenshire County Council
Planning Services
Environment Department
3 Spilman Street
Carmarthen
SA31 1LE



Listed Buildings and Conservation Areas

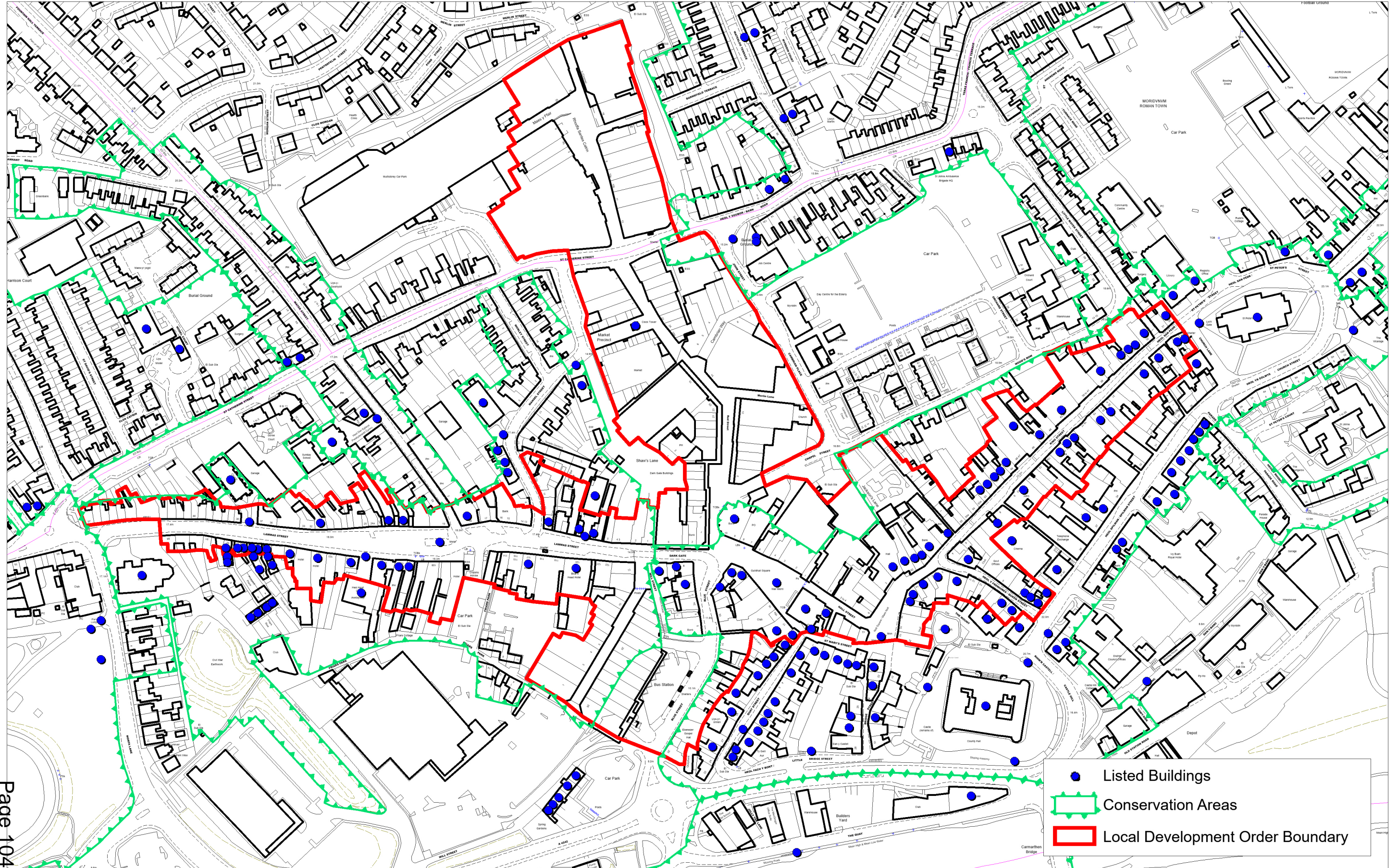
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SA31 1LE

Carmarthenshire County Council
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Environment Department
3 Spilman Street
Carmarthen
SA31 1LE



Development Advice Map Flood Risk

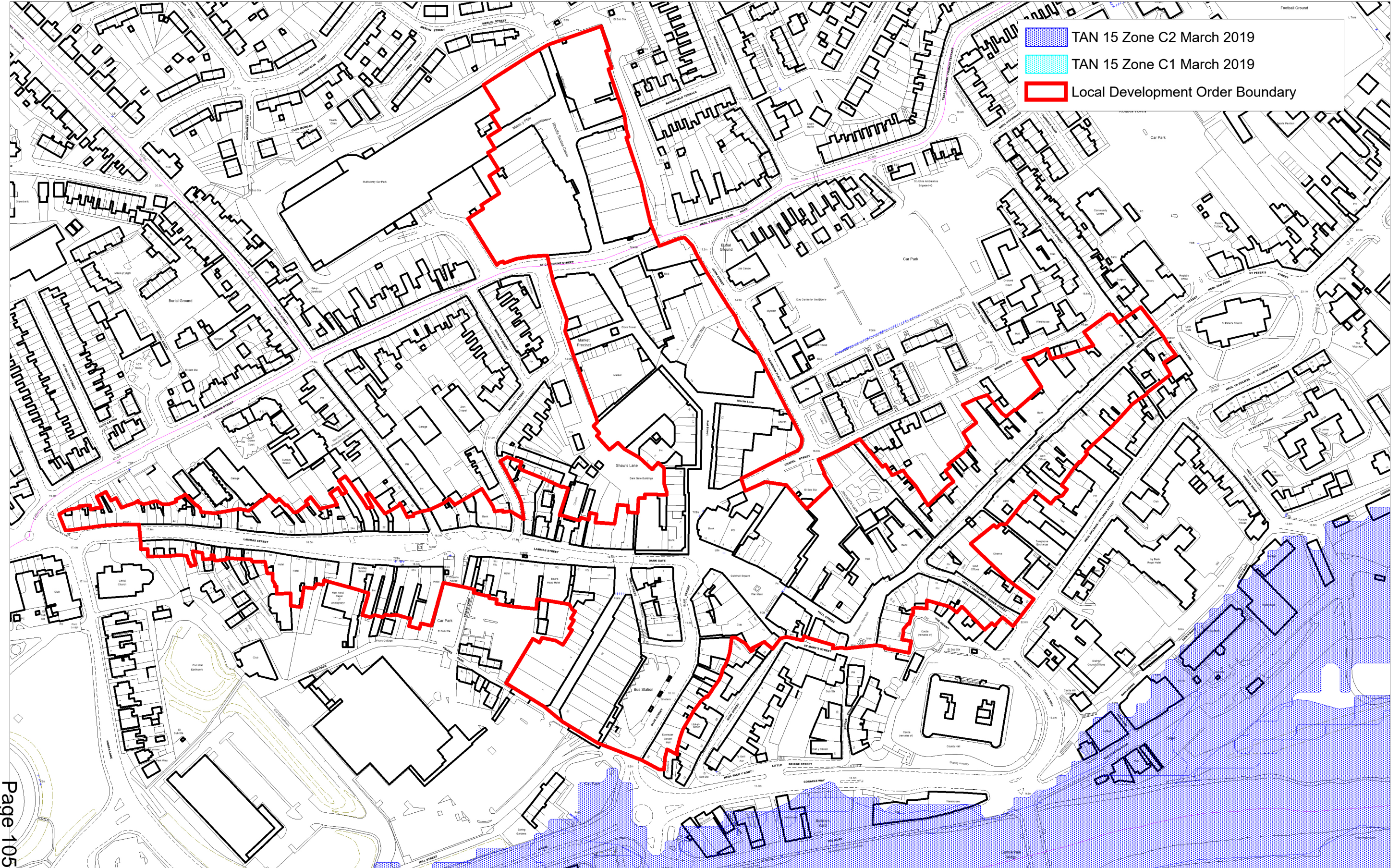
Compiled by on 3 November 2020

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Cyngor Sir Caerfyrddin
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SA31 1LE

Carmarthenshire County Council
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Environment Department
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Carmarthen
SA31 1LE



- TAN 15 Zone C2 March 2019
- TAN 15 Zone C1 March 2019
- Local Development Order Boundary

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Carmarthen Town Centre

**Draft Local Development Order (for
Reporting)**

Statement of Reasons

LOCAL DEVELOPMENT ORDER: CARMARTHEN TOWN CENTRE

STATEMENT OF REASONS

CONTENTS

- 1.0 Legislation and Policy
- 2.0 Overview
- 3.0 Justification for the creation of the Carmarthen Town Centre LDO
- 4.0 Lifetime of the LDO
- 5.0 Permitted Uses (**refer to the LDO itself**)
- 6.0 Policy context and expected impact
- 7.0 Conditions (**refer to the LDO itself**)
- 8.0 Notes (**refer to the LDO itself**)
- 9.0 Compliance
- 10.0 Results and Monitoring
- 11.0 Planning contributions/Community Infrastructure Levy
- 12.0 Risk Assessment
- 13.0 Plan of the LDO Area (**see appendix**)
- 14.0 Plan of Listed Buildings and Conservation Area (**see appendix**)
- 15.0 Development Advice Maps (TANs) for LDO Area (**see appendix**)
- 16.0 Key Contacts (**refer to the LDO itself**)

ANNEX

Notification Procedure

1.0 Legislation and policy

1.1 Local Planning Authorities may issue a Local Development Order (LDO) under section 61 (A, B, C and D) of the Town and Country Planning Act 1990, as inserted by section 40(1) of the Planning and Compulsory Purchase Act 2004 and amended by sections 188 and 238 and Schedule 13 of the Planning Act 2008. This power became effective in Wales on 30 April 2012.

1.2 The Community Infrastructure Levy Regulations 2010 state that permission granted by a LDO will constitute “planning permission” (regulation 5(3)(a)ii). As a consequence, an LDO may obviate the need to submit a planning application for a certain type of development, but it will not prevent a levy from being charged, when appropriate, under any prospective Community Infrastructure Levy (CIL) charging schedule. It should be noted that at the time of writing no CIL charge is in place within Carmarthenshire.

1.3 Welsh Government Circular 003/2012 states that an LDO may not grant planning permission for development that would:

- a) Have a significant effect on a European Site or a European Offshore Marine Site (either alone or in combination with other projects) unless the development is connected to, or necessary for, the management of the site;
- b) Constitute “Schedule 1 development” or “Schedule 2 development” within the Town and Country Planning (Environmental Impact Assessment) Regulations 1999; or
- c) Affect a listed building.

1.4 In relation to point b) above, reference is made to the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. These supersede the 1999 and 2016 Regulations and specifically make provision for Local Development Orders to grant planning permission for Schedule 2 EIA development in certain circumstances. In this respect the Schedule 2 EIA screening thresholds for 'Urban Development Projects' increased from 0.5ha to:

- 1ha if the development does not include housing; or
- The construction of over 150 new houses; or
- An overall development area exceeding 5ha.

1.5 The LDO will be screened under the Environmental Impact Assessment Regulations, to consider whether an Environmental Statement is not required. A Test of Likely Significant Effect (TLSE) for the purposes of the Habitats Regulations will also be undertaken ahead of adoption. The LDO has also been screened as part of the Equalities Impact Assessment process.

1.6 The LDO does not require its own Sustainability Appraisal – Strategic Environmental Assessment (SA-SEA) because the LDO is deemed to be an elaboration upon the provisions of the Carmarthenshire Local Development Plan 2006 — 2021(Adopted December 2014). The LDP has already been subject to SA-SEA along with a Plan level Habitats Regulations Assessment.

2.0 Overview

2.1 A Local Planning Authority (LPA) may use a LDO to grant blanket planning permission for non-contentious, though not necessarily minor, forms of “development” / changes in use within a defined spatial area. It is advised that before submitting an application, interested parties liaise with Planning Services to scope out any potential issues and requirements and also confirm “validation” requirements. Reference is also made to the LDO Application Form in this respect.

2.2 The Carmarthen LDO area is shown on the map in Section 13 (as an appendix for Executive Board).

2.3 The LDO grants *conditional* planning permission for specified uses in ground and upper-floor units. It is envisaged that the LDO, in permitting a wide range of compatible uses, will help to increase occupancy levels and footfall in the town centre. The LDO does not grant approval for external works. Proposals cannot commence until a Commencement Notice Approval is issued by the Council, irrespective of whether a Certificate of Conformity has been issued. Listed Buildings are not applicable to the LDO. A Certificate of Conformity will last for 3 years and should the proposal not commence before the end of that period then it will lapse.

2.4 The LDO permits only certain changes of use (as listed in the LDO) within the area identified on the Plan - provided as an appendix for Executive Board).

2.5 In order to protect the living conditions of existing and future residents in the town centre, every applicant must ensure that they satisfy the pertinent provisions within the relevant legislation. For example, building regulations and environmental health & public protection. For reference, a list of key contacts is provided in the LDO.

2.6 At the end of its period, the LDO will be considered a success if two or more of the following changes have occurred in the LDO area:

- Five or more vacant ground-floor units have been issued with Certificates of Conformity (source: Forward Planning);
- Annual footfall has increased within the LDO area (source: Council Regeneration Department footfall counters);
- The number of vacant ground-floor units has decreased within the LDO area (source: Forward Planning);
- Three or more upper floor vacant units have been issued with Certificates of Conformity this includes flats and residential uses – use class C3 - (source: Forward Planning).

3.0 Justification for the creation of the Carmarthen Town Centre LDO

3.1 Where a retail centre is demonstrating signs of decline, national planning policy makes provision for that decline to be managed and/or for action to be taken to regenerate a centre. In such circumstances an LDO may (as part of a collective approach) contribute to local economic development and regeneration, helping make places more attractive and more competitive, helping in incentivising development and reducing vacancy rates. The impact associated with the Covid-19 pandemic and the economic impact is particularly relevant in this regard and there is clear evidence that Carmarthen town centre faces challenges arising from what are unprecedented circumstances. Whilst this may not impact wholly across the wider town centre, there are areas where implications on the retail sector will be more prevalent and raise specific issues in relation to prospective long-term vacancies.

3.2 The Welsh Government in Building Better Places: The Planning System Delivering Resilient and Brighter Futures - Placemaking and the Covid-19 recovery clearly identified the impact of the Covid-19 lockdown on our retail and commercial centres. The impact on footfall in town centre across Wales has witnessed them experiencing declining visitors, except for those people shopping for essential items with the comparison retail sector notably impacted. In this respect during the lock down months supermarkets and convenience retailers became the few shops still trading. All of this was at a time when components of the retail sector and certain town centres were already experiencing difficulties.

3.3 Building Better Places identifies that: "The economic consequences have meant that many retailers are struggling financially, and this will lead to higher vacancy rates in all of our commercial centres. Online competition to our town centre retailers was strong before the crisis; this situation will become more apparent as more retailers increase

their online presence and more people have become used to doing the majority of their non-essential shopping online.”

3.4 There is a recognition that retail and commercial centres are hubs of social and economic activity and that their function extends beyond retail providing a focal point for a diverse range of services and cultural activities/functions. These functions are often equally important in supporting the needs of local communities.

3.5 The WG in recognising the central role of retail and commercial centres state that they “should become places where a variety of retail, employment, commercial, community, leisure, health and public sector uses come together in a hub of activity to make them viable as go-to destinations once more. Flexible, local co-working spaces could also be a crucial new element to increase space to work. Residential uses are also key to the vitality of centres, provided that they do not curtail the commercial activities which take place and soundscapes are considered.” In this respect it is recognised that residential particularly on upper floors provides an added dynamic in creating ‘living’ town centres.

3.6 Indeed, as the challenges to respond to the impact of Covid-19 becomes clear and as town centres reshape themselves, this would suggest that traditional retailing uses will not be as prevalent and the demand for new retail space will lessen for the foreseeable future.

3.7 Consequently, the WG identify that the role of primary retail areas will need to be reviewed in light of Covid-19, and this must be realistic recognising that retail occupiers will not return in the way prior to the pandemic. This will require a review and reassessment of future planning policies.

3.8 Reference is drawn to the ongoing monitoring in relation to the implementation of the Revised LDP in the form of the Annual Monitoring Reports. In this respect specific regard should be had to the Carmarthenshire Town Centre Retail Audit and the recently published 2020 update.

3.9 The Town Centre Retail Audit 2020 update conducted as part of ongoing LDP policy monitoring indicates that within the Retail Core 75.7% of units are occupied as A1 retail (based on retail frontage). However, whilst this is a healthy indication of retail occupancy, it is accompanied by a 12% retail vacancy rate with a further 5.4% in non-retail use (A2 and A3).

3.10 The Retail Frontage, which represents the second-tier categorisation of retail streets reflects the greater flexibility attached to the scale of non-retail units within this area. This demonstrates a greater mix of use types with some 59% occupied by A1 retail with a 11% vacancy rate, and 4.7% vacancy in non-retail (A2 and A3).

3.11 The remainder of the wider town centre designation within the LDP contains a lower proportion of A1 retail (9.7%) with non-retail spread across A2, A3 and other uses with an 8% vacancy rate.

3.12 The total vacancy rate for Carmarthen Town Centre currently sits at 19.5% Primary Retail Frontage, 17.3% Secondary Retail Frontage and 11.9% for the wider town (excluding Frontage and Core). In total the vacancy rate for Carmarthen Town Centre is 15.4% (including core & secondary retail, all use classes)

3.13 When comparing the pre lockdown data with the post lockdown data there has been a clear increase in vacancies in some areas. The primary retail frontage vacancies rate was at 12.3% pre lockdown but is at 19.5% post lockdown representing

an increase of 7.2% percentage points. This is a considerable increase in a relatively short amount of time and reflects the specific challenges within the retail sector.

3.14 The Secondary Retail Frontage vacancy rates have also increased over the lockdown period. Pre-lockdown the vacancy rate was at 11.4% however, post lockdown this has increased to 17.3%. A rise of 5.9 percentage points.

3.15 The overall percentage for vacant retail units in Carmarthen pre lockdown was 11%, this has now increased over the lockdown period to 15.4%. This is a clear indicator of the effect COVID has had on Carmarthen's Town Centre. It also highlights the need for appropriate intervention to ensure the town is resilient to any future and ongoing effects of Covid-19 and that it reflects to the changing pattern of activities within Town Centres within Town Centres as mirrored in National Planning policy.

3.16 National Planning Policy reflects that in some circumstances where there has been an over emphasis on A1 uses these may undermine a centre's prospects, with potential consequences such as higher vacancy rates. In such circumstances the role of uses other than A1 (retail) in increasing diversity and reducing vacancy may be considered. This may be achieved through a rationalising of boundaries, allowing appropriate changes of use whilst focusing A1 (retail) uses in a more concentrated area.

3.17 In this context an LDO can facilitate changes of use, alterations, extensions etc, replacing many minor planning applications which are routinely approved. LDOs can be particularly effective when combined with other regeneration proposals to bring about more comprehensive improvements to centres, including as part of environmental and infrastructure enhancements. To this end, the LDO can be seen as part of a wider package of policy interventions in the Town. Reference is also made to the work being undertaken through the town forum.

3.18 Whilst the LDP sets a strong policy direction for retail within a Carmarthenshire, the challenges facing Carmarthen in light of Covid – 19 and in advance of the adoption of the Revised LDP requires specific consideration. The opportunities exist to co-ordinate with and develop upon the work being undertaken through the town forum and the broader regeneration proposals which are seeking to address matters surrounding the challenges faced by our town centres and its environs, presents an opportune time evaluate options. There is potential to review and develop an effective strategy to promote uses to complement the town centre and out of town retail offer. In this respect it should not be predicated on an abandonment of the town centres overall retail focus, but the consideration of a flexible approach to complement activities which support the centres vitality and viability. The platform for engagement, together with a direct policy intervention, is also confirmed by the establishment of the Carmarthen Business Improvement District (BID).

3.19 For the time being, developers who wish to change the use of a town centre unit must operate within the legislative and policy parameters. This means that most changes of use, no matter how desirable, require planning permission. The practice of allowing a valuable unit to remain empty for up to eight weeks while a planning application is processed is inimical to economic growth particularly within the context of the challenges being faced through Covid-19. By creating a more permissive planning regime in the town centre, the LDO will seek to promote a living town centre environment.

3.20 In scoping and drafting this LDO it was considered necessary to clearly establish its purpose, scope and extent linking into the regeneration and other objectives.

4.0 Lifetime of the LDO

4.1 The LDO is active for a period of one and half years, or to coincide with the adoption of the Revised LDP from its adoption. This period will however be subject to ongoing review and may be extended or reduced in light of the success or failure of the LDO.

4.2 Development that commences while the LDO is in effect may be completed and/or continued after this period. Once the LDO has expired, however, no new changes of use will be allowed under its terms without conventional planning permission. Towards the end of the life of the LDO, Carmarthenshire County Council will assess the impact of the LDO and decide whether to (i) renew the LDO with no revisions, (ii) renew the LDO with new terms and conditions or (iii) revoke the LDO.

5.0 Permitted Uses

Please refer to the LDO itself – section 3

6.0 Policy context and expected impact

6.1 The relevant Development Plan for Carmarthen is the Carmarthenshire LDP. To the extent that development plan policies are material to an application for planning permission, the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (Section 37(6) : Planning and Compulsory Purchase Act 2004).

6.1.1 Given that proposals will be permitted under this LDO without the need for planning permission, it is important to note the LDO's overall linkages and compliance with the LDP. This also confirms that a SA-SEA on the LDO is not required (see paragraph 1.5). This Section reviews the LDO against the 14 LDP Strategic Objectives (SO) and those LDP Strategic Policies (SP) of relevance. There is also commentary provided in relation to relevant Area Wide (AW) policies.

LDP - Strategic Objectives

6.1.2 *SO1: To protect and enhance the diverse character, distinctiveness, safety and vibrancy of the County's communities by ensuring sympathetic, sustainable, and high quality standards of design.*

Expected impact of LDO: The LDO will be consistent with efforts to promote a vibrant, safer and diverse town centre which acts as a catalyst to the wider regeneration of the area.

6.1.3 *SO2: To ensure that the principles of spatial sustainability are upheld by:*

(a) enabling development in locations which minimise the need to travel and contribute towards sustainable communities and economies and respecting environmental limits, and

(b) to wherever possible encourage new development on previously developed land which has been suitably remediated.

Expected impact of LDO: By concentrating developmental opportunities within the town centre, which is accessible to pedestrians and users of public transport, the LDO will be consistent with efforts to promote sustainable development.

6.1.4 SO3: To make provision for an appropriate mix of quality homes; access to which will be based around the principles of sustainable socio-economic development and equality of opportunities.

Expected impact of LDO: By providing opportunities for upper floor conversion to residential, the LDO will be consistent with efforts to provide a range and mix of homes across the area as well as promoting vibrant and living town centres.

6.1.5 SO4: To ensure that the natural, built and historic environment is safeguarded and enhanced, and that habitats and species are protected.

Expected impact of LDO: The LDO does not permit any building operations; therefore, it will have no impact on the appearance of the built environment or the natural environment. Anyone wishing to make alterations to a listed building would still require the relevant consent.

6.1.6 SO5: To make a significant contribution towards tackling the cause and adapting to the effect of climate change by promoting the efficient use and safeguarding of resources.

Expected impact of LDO: By focusing commercial uses in the town centre, which is accessible to pedestrians and users of public transport, the LDO will be consistent with efforts to promote sustainable development. It will promote the appropriate use and/or re use of existing buildings (including but not exclusively vacant buildings).

6.1.7 SO6: *To assist in widening and promoting education and skills training opportunities for all.*

Expected impact of LDO: A more permissive planning regime in the town centre may provide opportunities for additional facilities.

6.1.8 SO7: *To assist in protecting and enhancing the Welsh Language and the County's unique cultural identity, assets and social fabric.*

Expected impact of LDO: A more permissive planning regime in the town centre may well generate additional opportunities and facilities for promoting the County's special characteristics.

6.1.9 SO8: *To assist with widening and promoting opportunities to access community, leisure and recreational facilities as well as the countryside.*

Expected impact of LDO: A more permissive planning regime in the town centre may well generate additional opportunities and facilities.

6.1.10 SO9: *To ensure that the principles of equal opportunities and social inclusion are upheld by promoting access to a high quality and diverse mix of public services, healthcare, shops, leisure facilities and work opportunities.*

Expected impact of LDO: The LDO is designed to encourage a mix of appropriate and complementary town centre uses. This would seek to encourage social and/or physical inclusion.

6.1.11 SO10: *To contribute to the delivery of an integrated and sustainable transport system that is accessible to all.*

Expected impact of LDO: By concentrating developmental opportunities within the town centre, which is accessible to pedestrians and users of public transport, the LDO will be consistent with efforts to promote sustainable development.

6.1.12 SO11: *To encourage investment & innovation (both rural and urban) by:*

(a) making an adequate provision of land to meet identified need; and,

(b) making provision for the business and employment developmental needs of indigenous /new employers, particularly in terms of hard & soft infrastructural requirements (including telecommunications/ICT); and,

(c) making provision for the infrastructural requirements associated with the delivery of new homes particularly in terms of hard & soft infrastructural requirements (including foul and surface water); and,

(d) adhering to the principles of sustainable development and social inclusion in terms of the location of new development.

Expected impact of LDO: The LDO is designed to encourage a mix of appropriate and complementary town centre uses. It is considered that a more permissive planning regime will provide opportunities to increase employment opportunities.

6.1.13 SO12: *To promote and develop sustainable & high quality all year-round tourism related initiatives.*

Expected impact of LDO: The LDO is designed to encourage a mix of appropriate and complementary town centre uses. It is considered that a more permissive planning regime will provide opportunities to increase visitor economy related opportunities.

6.1.14 SO13: *To assist with the development and management of safe and vibrant places & spaces across the County.*

Expected impact of LDO: The LDO will be consistent with efforts to promote a vibrant, safer and diverse living town centre which acts as a catalyst to the wider regeneration of the area.

6.1.15 SO14: *To assist with the delivery and management of mixed & sustainable communities by:*

(a) promoting safe, vibrant and socially interactive places; and,

(b) promoting the utilisation of local services and produce whenever possible.

Expected impact of LDO: The LDO will be consistent with efforts to promote a vibrant, safer and diverse living town centre which acts as a catalyst to the wider regeneration of the area.

LDP – Selected/Relevant Strategic Policies

6.1.16 SP1: *Sustainable Places and Spaces*

Expected impact of LDO: The LDO will be consistent with efforts to promote a vibrant, safer and diverse town centre which acts as a catalyst to the wider regeneration of the area. By concentrating upon town centre appropriate uses, which are accessible to pedestrians and users of public transport, the LDO will be consistent with efforts to promote sustainable development.

6.1.17 SP2: *Climate Change*

Expected impact of LDO: The LDO will promote the re use of existing buildings (including but not exclusively vacant buildings). In relation to flood risk, the LDO area is not impacted

upon by Flood Zones C1 or C2 as identified on the Development Advice Map Zone C2. No Highly Vulnerable Development is permitted on the ground floors by the LDO.

6.1.18 SP3: Sustainable Distribution- Settlement Framework

Expected impact of LDO: The local and regional importance of Carmarthen within the LDP is recognised given its classification as a Growth Area. The LDO will be consistent with this classification in seeking to facilitate a vibrant town centre.

6.1.19 SP5: Housing

Expected impact of LDO: By providing opportunities for upper floor conversion to residential, the LDO will be consistent with efforts to provide a range and mix of homes across the area. The LDO will not create any new buildings, but it will encourage appropriate conversions in the town centre, thus contributing to the housing supply.

6.1.20 SP6: Affordable Housing

Expected impact of LDO: By providing opportunities for upper floor conversion to residential, the LDO will be consistent with efforts to provide a range and mix of homes across the area, including affordable housing.

6.1.21 SP8: Retail

Expected impact of LDO: The LDO will be consistent with the aim of protecting and enhancing the role of Carmarthen as a principal centre. It is hoped that a more permissive planning regime will help ensure its continued attractiveness as a destination with a strong retail offer.

6.1.22 SP9: *Transportation*

Expected impact of LDO: By concentrating commercial uses in the town centre, which is accessible to pedestrians and users of public transport, the LDO will be consistent with efforts to promote sustainable development.

6.1.23 SP13: *Protection and Enhancement of the Built and Historic Environment*

Expected impact of LDO: The LDO does not permit any building operations; therefore, it will have no impact on the appearance of the built environment. Anyone wishing to make alterations to a listed building would still require the relevant consent.

6.1.24 SP14: *Protection and Enhancement of the Natural Environment*

Expected impact of LDO: The LDO does not permit any building operations; therefore, it will have no impact. In relation to the Habitats Regulations, the LDO has been subject to Test of Likely Significant Effect.

6.1.25 SP15: *Tourism and the Visitor Economy*

Expected impact of LDO: The LDO will be consistent with the aim of protecting and enhancing the role of Carmarthen in the tourism hierarchy. It is hoped that a more permissive planning regime will help provide opportunities in relation to the visitor economy.

6.1.26 SP16: *Community Facilities*

Expected impact of LDO: A more permissive planning regime in the town centre may provide opportunities as part of a living town centre environment.

6.1.27 SP17: Infrastructure

Expected impact of LDO: The LDO does not permit any building operations; therefore, it will have no impact. In relation to supply and treatment of water, the LDO is accompanied by appropriate evidence.

LDP –Relevant Area Wide Policies

6.1.28 GP1: Sustainability and High-Quality Design

Expected impact of LDO: The LDO does not permit any building operations; therefore, it will have no impact on the appearance of the built environment. A more permissive planning regime can however assist in countering instances of vacant units and dead spaces with a view to enabling a more vibrant street scene with active frontages.

6.1.29 GP3: Planning Obligations

Expected impact of LDO: Permitted uses will not be required to make financial contributions through current planning obligation provisions. Developments may however make a voluntary contribution as appropriate. However, any future implementation of a CIL charging regime may result in a requirement for contributions to be sought.

6.1.30 GP4: Infrastructure and New Development

Expected impact of LDO: The LDO does not permit any building operations; therefore, it will have no impact. In relation to supply and treatment of water, the LDO is accompanied by appropriate evidence.

6.1.31 RT1: Retailing Hierarchy

Expected impact of LDO: The LDO will be consistent with the aim of protecting and enhancing the role of Carmarthen as a principal centre. It is recognised within this statement of reasons and as supported by evidence that Carmarthen Town Centre currently exhibits signs of decline as a result of Covid-19. It is considered at this point that the Town Centre requires specific consideration and policy intervention to address this decline and to meet the Welsh Government response in relation to the future of town centres. It is hoped that a more permissive planning regime will help ensure its continued attractiveness as a destination with a strong retail offer.

6.1.32 RT2: Principal Centres (Growth Areas): Primary Retail Frontage

Expected impact of LDO: The policy is intended to resist any further over-concentration of non-retail (non A1) uses in the Primary Retail Frontages. The Primary Retail Frontage confirms that the principle function should be retail. The policy also states that proposals involving the change of use and / or re-development of a ground floor frontage to residential are not considered compatible with a 'town centre' location. Reference is however made to Section 3 of this Statement of Reasons (Policy Justification). Furthermore, paragraph 6.4.3 of the LDP written statement states that: *"Whilst shopping will be expected to continue as the principal activity in town centres, it is only one of the factors which contribute to their wellbeing. It is evident that retail policies cannot be divorced from the broader functions of the larger towns as centres for other services and facilities, including food and drink establishments (cafes, restaurants, public houses, etc.) and commercial leisure developments. A diversity of uses in town centres assists in promoting their continued viability and, particularly with regard to leisure uses, contributes to the vitality of a successful evening economy"*. This is particularly pertinent in respect of Carmarthen Town Centre with the challenges currently being exhibited. Paragraph 6.4.19 of the LDP written statement outlines that: *"As part of the monitoring and review process, the Council will undertake an annual survey of uses within the identified town*

centres including the Primary Retail Frontages. The survey will not only look at the nature of occupants but also the levels of vacancy which may occur. The survey together with future updates of the retail study will inform policy updates and supplementary guidance emerging from any changes in town centre conditions.” In this respect, the 2020 Carmarthenshire Town Centre Audit highlights the challenges in relation to vacancy etc particularly in relation to the September 2020 update, being exhibited within certain parts of the Town Centre. The introduction of the LDO will mean that the potential conflict between the LPA and a proponent of non-A1 use within Carmarthen Town Centre will be removed, subject to the proposal meeting the requirements of the LDO. It should be noted that the LDO does not permit changes of use of ground floor units to residential. It is also recognised that the designation of the LDO reflects the emphasis within Planning Policy Wales on the future of town centres.

6.1.33 RT3: Principal Centres (Growth Areas): Secondary Retail Frontage

Expected impact of LDO: Whilst the policy recognises the importance of a strong retail element and seeks to control the extent of non-retail uses to protect the general retail character of central streets and maintain continuity of shopping frontages, it does also acknowledge the contribution that a complementary retail, leisure and business offer can make in increasing the overall attractiveness of the town centre. The introduction of the LDO will mean that the requirement to provide a policy justification and/or challenging the LPA’s position within the planning application process will not be required as the process would be streamlined and simplified.

6.1.34 RT4: Principal Centres (Growth Areas): Town Centre Zone

Expected impact of LDO: The policy creates opportunities for the introduction of beneficial economic commercial uses to properties which may otherwise become rundown or vacant. It permits the change of use or redevelopment of shops to other appropriate town

centre uses within these areas. In this regard, it demonstrates synergy to the objectives of the LDO within the context of Carmarthen Town Centre. It should be noted that the LDO does not impact upon those areas covered by this policy.

6.1.35 EP1: Water Quality and Resources, EP2: Pollution and EP3: Sustainable Drainage

6.1.35.1 Expected impact of LDO: The LDO does not permit any building operations; therefore, it will have no impact. In relation to supply and treatment of water, the LDO is supported by appropriate evidence

6.1.35.2 In relation to surface water, those units within the LDO Area are already linked to the sewer/surface water system.

6.1.35.3 Reference should be made to the Procedural Notification process which will ensure that relevant parties (e.g. Natural Resources Wales and Dwr Cymru Welsh Water) are informed of certificates of conformity issued.

7.0 Conditions

Please refer to the LDO itself – section 4

8.0 Notes

Refer to the LDO itself – section 5

9.0 Compliance

Refer to the LDO itself – section 6.

10.0 Results and monitoring

10.1 In addition to reviewing applications for Certificates of Conformity, Carmarthenshire County Council will monitor vacancy levels in ground-floor units and footfall. The findings of such research will be presented in annual monitoring reports as part of the statutory LDP Monitoring Process. Consideration is also being given to introducing a periodic monitoring regime within the Town Centre.

11.0 Planning contributions/Community Infrastructure Levy

11.1 In order to alleviate the impact of development on local services and facilities, Community Infrastructure Levy and/or voluntary contributions may be sought in accordance with current Council procedures.

12.0 Risk Assessment

12.1 The below sets out some of the key issues that are considered to be worthy of review:

- Democratic control and the role of Elected Members and the Community;
- Officer workload, particularly in terms of monitoring and compliance;
- How would bodies that are ordinarily be notified/consulted through the planning application process be engaged?;
- Loss of Planning application fees;
- Planning Obligations;
- Legal and Financial matters arising from any future LDO revocation;
- Residential amenity;
- The integrity of the historic environment;
- Parking;
- Regulatory matters;
- Flood Risk.

12.2 It is considered that the LDO may ultimately reduce workload in development management, cutting out routine work within the defined LDO area. Furthermore, in relation to monitoring, there are established mechanisms available and a data capture system has been set up by the Data Management Officer within Planning Services.

12.3 A notification system whereby key consultees (e.g. Town/Rural Councils, Dwr Cymru or Natural Resources Wales) are informed of LDO proposals has been established by the Council. This reflects the fact that such bodies would ordinarily be notified/consulted through the planning application process.

12.4 Any LDOs will result in a reduced income from planning applications fees, as developers only need to submit a pre-notification, for which they pay the Council a nominal fee for administrative purposes. It is considered however that the scope and extent of the impact would be potentially minor in income terms (based on the potential number of applications likely to be received). Whilst not quantifiable the impact in income terms will be negated through regeneration benefits within the town centre.

12.5 It should be noted that as part of the democratic reporting process, the Council has been afforded the opportunity to review a range of pertinent considerations, particularly in terms of resource and legal implications.

12.6 An LDO may be revoked or revised at any time by the LPA on its own initiative. The Welsh Government also has reserve powers to direct an LPA to revoke an LDO or prepare a revision of it. Where an LPA revokes an LDO the authority must:-

- Publish on their website a statement that the LDO has been revoked
- Give notice of the revocation by local advertisement. This is a requirement to publish the notice in as many newspapers as necessary to secure that the press coverage (taken as a whole) extends to the whole of the area to which the LDO relates, and
- Give written notice of the revocation to every person whom the authority consulted before the making of the order.

12.7 Section 189 of the Planning Act 2008 amends Sections 107 and 108 of Town and Country Planning Act 1990, which provide for compensation where a development order

or local development order is withdrawn. In summary, where planning permission granted by a LDO is withdrawn, there will be no entitlement to compensation where notice of the withdrawal is published not less than 12 months or more than the prescribed period (24 months) before the withdrawal takes effect.

12.8 If development is started before the notice is published, compensation will be available unless the order in question contains provision permitting the completion of development. The reform may therefore offer LPAs reassurance, through providing additional flexibility when considering the revision or withdrawal of LDO permissions, although the Welsh Government considers that an LPA would only rarely need to do this where the merits and effect of an LDO have been properly considered during its preparation.

12.9 Residential amenity is an important consideration because there are already people residing within the LDO area. There are separate legislative frameworks that seek to can control various threats to residential amenity, including noise and odour.

12.10 In relation to parking, the Town Centre is well served by public transport and pedestrian networks; therefore, it is considered unlikely that the LDO will substantially increase demand for off- and on-street parking. Occupants of new dwellings will not be entitled to parking permits.

12.11 The LDO does not allow developers to display advertisements on, or make external alterations to, any building in the town centre. In order to ensure the continuing protection of the built heritage, development which would affect a listed building is also excluded from the scope of LDOs. In view of this, it is felt that the LDO will preserve the special character and appearance of listed buildings and the Conservation Area.

12.12 In relation to flooding, the LDO area is not impacted upon by C1 or C2 flood zones, consequently there are no impacts in relation to Highly Vulnerable Developments (HVD). HVD includes all residential premises (use classes C1 and C3), public buildings (often use class D1) and, in some cases, leisure-related businesses (use class D2).

12.13 In regulatory terms, the LDO has been screened under the Environmental Impact Assessment Regulations, and it is considered that an Environmental Statement is not required. A Test of Likely Significant Effect (TLSE) for the purposes of the Habitats Regulations has concluded that the LDO will have no significant effect (alone or in combination) with a European Site or a European Offshore Marine Site. The LDO has also been screened as part of the Equalities Impact Assessment process. The LDO does not require its own Sustainability Appraisal – Strategic Environmental Assessment (SA-SEA) because the LDO is deemed to be an elaboration upon the provisions of the Carmarthenshire Local Development Plan 2006 — 2021 (Adopted December 2014). The LDP has already been subject to SA-SEA along with a Plan level Habitats Regulations Assessment.

13.0 Plan of the LDO Area

As per appendix to this report

14.0 Plan of Listed Buildings and Conservation Area

As per appendix to this report

15.0 Development Advice Maps (TANs) – for LDO Area

As per appendix to this report

Notes

i) The above plan is based on the Development Advice Maps (DAMs) October 2020.

ii) The DAMs are reviewed periodically and therefore may change during the lifetime of the LDO. Reference should be made to Natural Resources Wales' website in this regard.

16.0 Key Contacts

Refer to section 11 of the LDO.

ANNEX

Notification Procedure

The LDO process is subject to a notification procedure where key stakeholders are advised of applications. This ensures that “mitigation” is built into the LDO process given the strong emphasis on collaboration / engagement and monitoring.

Those notification stakeholders can include:

- Carmarthen Town Council;
- Elected Members for Carmarthen Wards;
- Carmarthen Business Improvement District;
- Natural Resources Wales;
- Dwr Cymru Welsh Water;
- Western Power National grid (plant protection);
- Wales and West Utilities;
- Development Management (Planning) Carmarthenshire County Council;
- Licensing Carmarthenshire County Council;
- Building Regulations Carmarthenshire County Council;
- Environmental Health Carmarthenshire County Council.
- Highways & Planning Liaison Officer – Carmarthenshire County Council.

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EXECUTIVE BOARD

Monday, 2 November 2020

PRESENT: Councillor E. Dole (Chair)

Councillors:

C.A. Campbell, G. Davies, H.A.L. Evans, L.D. Evans, P.M. Hughes, P. Hughes-Griffiths, D.M. Jenkins, L.M. Stephens and J. Tremlett

Also in attendance:

Councillor D.M. Cundy

The following Officers were in attendance:

W. Walters, Chief Executive

J. Morgan, Director of Community Services

C. Moore, Director of Corporate Services

G. Morgans, Director of Education & Children's Services

R. Mullen, Director of Environment

L.R. Jones, Head of Administration and Law

P.R. Thomas, Assistant Chief Executive (People Management & Performance)

G. Morgan, Head of Democratic Services

I.R. Llewelyn, Forward Planning Manager

S. Rees, Simultaneous Translator

L. Jenkins, Executive Board Support Officer

M. Evans Thomas, Principal Democratic Services Officer

M.S. Davies, Democratic Services Officer

E. Bryer, Democratic Services Officer

R. Lloyd, Democratic Services Officer

K. Thomas, Democratic Services Officer

Virtual Meeting - . - 10.00 - 10.20 am

1. APOLOGIES FOR ABSENCE.

There were no apologies for absence.

2. DECLARATIONS OF PERSONAL INTEREST.

There were no declarations of personal interests.

3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE EXECUTIVE BOARD HELD ON THE 19TH OCTOBER 2020

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Executive Board held on the 19th October, 2020 be signed as a correct record.

4. PUBLIC QUESTIONS ON NOTICE

The Chair advised that no public questions had been received.

5. QUESTIONS ON NOTICE BY MEMBERS

The Chair advised that no questions on notice had been submitted by members.

6. LOCAL DEVELOPMENT ORDERS CARMARTHEN TOWN CENTRE AND AMMANFORD TOWN CENTRE

The Executive Board considered a report on proposals to introduce Local Development Orders (LDO's) for Carmarthen Town Centre and Ammanford Town Centre. The report detailed the potential role LDO's could play as part of broader regeneration proposals within a Town Centre context, particularly in relation to Carmarthen and Ammanford in both supporting the Vibrant Places Initiative and ensuring they were resilient to the economic effects of COVID-19. The proposals also had due regard to the Council's Corporate Recovery Plan and the Welsh Government's Planning Guidance – 'Building Better Places'.

It was noted that a LDO provided a Local Planning Authority with an opportunity to streamline the planning process by removing the need for developers/applicants to make a planning application to the Authority and for development proposals to be submitted as an LDO application, thereby allowing an authority to act proactively in response to locally specific circumstances within its geographical area.

Reference was made to the proposal for the inclusion of the lower part of Lammas Street Carmarthen within the Carmarthen Town Centre LDO. A view was expressed that the whole of that street should be included within the draft proposal and a recommendation to that effect be made to Council.

UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL:-

- 6.1 To approve the scope of the proposed LDO's for consideration through the democratic reporting process;**
- 6.2 To prepare the LDO's for the respective towns including, undertaking formal consultations as appropriate and to further report on their proposed scope, content and geographical extent;**
- 6.3 To approve the publication of the final LDO for public consultation for a minimum of 6 weeks;**
- 6.4 To provide officers with delegated authority to prepare evidence in support of the LDO;**
- 6.5 To grant officers delegated authority to make minor editorial and factual amendments;**
- 6.6 To amend the plan for the Carmarthen Town Centre LDO to include the whole of Lammas Street, Carmarthen.**

7. ANY OTHER ITEMS OF BUSINESS THAT BY REASONS OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT, 1972.

The Chair advised that there were no items of urgent business.

CHAIR

DATE

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EXECUTIVE BOARD

16 NOVEMBER 2020

PRESENT: Councillor E. Dole (Chair)

Councillors:

C.A. Campbell, G. Davies, H.A.L. Evans, P.M. Hughes, P. Hughes-Griffiths, D.M. Jenkins, L.M. Stephens and J. Tremlett.

Also in attendance:

Councillor D.M. Cundy.

The following Officers were in attendance:

W. Walters, Chief Executive;
 C. Moore, Director of Corporate Services;
 G. Morgans, Director of Education & Children's Services;
 R. Mullen, Director of Environment;
 L.R. Jones, Head of Administration and Law;
 P.R. Thomas, Assistant Chief Executive (People Management & Performance);
 D. Hockenfull, Marketing and Media Manager
 S. Rees, Simultaneous Translator;
 L. Jenkins, Executive Board Support Officer;
 R. Lloyd, Democratic Services Officer;
 E. Bryer, Democratic Services Officer;
 J. Corner, Technical Officer;
 J. Owen, Democratic Services Officer.

Virtual Meeting: - 10:00am - 10:40am

1. APOLOGIES FOR ABSENCE.

Apologies for absence were received from Councillor Linda Davies Evans, - Executive Board Member for Housing and Mr Jake Morgan - Director of Communities.

2. DECLARATIONS OF PERSONAL INTEREST.

Councillor	Minute Number	Nature of Interest
Cefin Campbell	6 - Countryside Access Charging Policy – Public Path Furniture	A public footpath runs through land that he owns.

3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE EXECUTIVE BOARD HELD ON THE 2ND NOVEMBER, 2020

UNANIMOUSLY RESOLVED that the minutes of the meeting of the Executive Board held on the 2nd November, 2020 be signed as a correct record.

4. QUESTIONS ON NOTICE BY MEMBERS

The Chair advised that no questions on notice had been submitted by members.

5. PUBLIC QUESTIONS ON NOTICE

The Chair advised that no public questions had been received.

6. COUNTRYSIDE ACCESS CHARGING POLICY - PUBLIC PATH FURNITURE

[Councillor Cefin Campbell, having earlier declared an interest in this item left the meeting and did not partake in the discussion or the vote thereof].

The Board considered a report providing details of a charging policy that had been developed by the Countryside Access service to introduce a means of recovering a portion of current expenditure on supplying and installing public path furniture on behalf of landowners.

The report highlighted that Section 146 of the Highways Act 1980 requires any stile or gate across a footpath, bridleway, or restricted byway to be maintained by the landowner.

The Board noted that the proposed policy had been carefully considered to introduce an appropriate and fair degree of cost recovery for furniture supply and installation by the Authority whilst formalising concessions in certain circumstances. In addition, the policy also served to provide a clear set of rules for furniture provision that would inform landowners of their statutory responsibilities and would assist Countryside Access staff in offering landowner support that was consistent, fair and reasonable.

UNANIMOUSLY RESOLVED to approve the adoption of a Charging Policy for the supply and installation of public path furniture across the public rights of way network.

7. TOWY COMMUNITY CHURCH - XCEL BOWL

The Board considered a report which proposed to support an application received the Xcel Bowl Centre and the charitable arms of Towy Community Church to enable them to a continue to deliver the services provided to the residents of Carmarthenshire and neighbouring areas. The report sought the Executive Board's approval for a commitment of funding to be made available as a grant, to ensure the longer-term financial sustainability of the Xcel Bowls and associated projects.

The Board acknowledged that the Xcel Bowl and associated projects provided vital projects including a Foodbank, Community Shop, Furniture Recycling and had worked with over 50 active referral agencies in and around Carmarthen including the Council to meet the needs of disadvantaged families.

The Board recognised that the Covid-19 pandemic and the associated lockdown would have had a significant impact on many other projects and suggested that it would be prudent to develop a criteria in preparation for future requests for support.

UNANIMOUSLY RESOLVED to APPROVE:

- 7.1 that a commitment of £50,000 be given to Towy Community Church to support the Xcel Bowl and associated projects allowing them to continue to trade. This would be funded from departmental reserves. The funding would be given as a grant which will be drawn upon as required;**
- 7.2 that should Towy Community Church require additional funds to support their continued operation, an increase to their existing loan of up to £50,000 would be allowable.**

8. COUNCIL'S REVENUE BUDGET MONITORING REPORT

The Executive Board considered the revenue budget monitoring report which provided the latest budgetary position as at 31st August 2020, in respect of 2020/2021. The budget position recognised the substantial additional pressures that had been placed on the Authority in responding to the Covid 19 pandemic.

Overall, the monitoring report forecasted an end of year overspend of £3,971k on the Authority's net revenue budget with an overspend at departmental level of £4,971k. The Executive Board noted that the unprecedented position was due to a combination of additional irrecoverable costs due to the Covid-19 activity, foregone income from services which had closed during the national lockdown and continued to experience reduced revenue, which may not be fully recompensed by Welsh Government (WG) and planned savings proposals which have been undeliverable due to the pandemic.

The report confirmed that the Authority was submitting a monthly hardship claim to Welsh Government for additional Covid-19 expenditure. The majority of costs were being refunded, though some were deemed ineligible, particularly linked to local decisions.

In light of the significant forecasted overspends at departmental level, Chief Officers and Heads of Service were asked to critically review options available to them to limit the forecasted overspend of budgets, whilst recognising the pressure Covid-19 had placed on the Authority's overall budget.

The Executive Board Member for Resources, in response to a query confirmed that the Welsh government were currently responding to address the issues arising within the leisure, culture and theatre sectors.

The Executive Board expressed their sincere thanks to the staff within the Corporate Services department for adapting to the new way of working throughout the pandemic and all their hard work in preparing the finances and managing Council expenditure.

UNANIMOUSLY RESOLVED that:

- 8.1 The Budget Monitoring report be received, and consideration given to the budgetary position and appropriate corrective action.**
- 8.2 Chief Officers and Heads of Service critically review options available to them to limit the forecasted overspend of budgets, whilst recognising the pressure Covid-19 has placed on the Authority's overall budget.**

9. CAPITAL PROGRAMME 2020/21 UPDATE

The Executive Board considered a report which provided an update of the latest budgetary position for the 2020/21 capital programme as at the 31st August, 2020 and detailed a set of virements which sought Executive Board approval.

It was reported that departmentally, a net spend of £63,428K was forecasted compared with a working net budget of £114,264K giving a -£50,836K variance.

The report highlighted the following additional Schemes, which had received direct funding, to the Capital Programme:-

- Private Housing;
- Flying Start;
- County Museum;
- Cross Hands East – Plot 3 and
- Re-fit Cymru.

UNANIMOUSLY RESOLVED that:

- 9.1 The capital programme update report be received.**
- 9.2 The virement detailed in the report be approved.**

10. ANY OTHER ITEMS OF BUSINESS

The Chair advised that there were no items of urgent business.

CHAIR

DATE

EXECUTIVE BOARD

Monday, 23 November 2020

PRESENT: Councillor E. Dole (Chair);

Councillors:

C.A. Campbell, G. Davies, H.A.L. Evans, L.D. Evans, P.M. Hughes, P. Hughes-Griffiths, D.M. Jenkins, L.M. Stephens and J. Tremlett;

Also in attendance:

Councillor D.M. Cundy;

The following Officers were in attendance:

W. Walters, Chief Executive;

J. Morgan, Director of Community Services;

R. Mullen, Director of Environment;

G. Morgans, Director of Education & Children's Services;

R. Hemingway, Head of Financial Services;

S. Pilliner, Head of Transportation & Highways;

L.R. Jones, Head of Administration and Law;

P.R. Thomas, Assistant Chief Executive (People Management & Performance);

D. Hockenfull, Marketing and Media Manager;

G. Morgan, Democratic Services Manager;

J. Corner, Technical Officer;

S. Rees, Simultaneous Translator;

J. Owen, Democratic Services Officer;

K. Thomas, Democratic Services Officer;

M.S. Davies, Democratic Services Officer.

Virtual Meeting: 4.00 pm - 4.30 pm

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interests.

3. QUESTIONS ON NOTICE BY MEMBERS

The Chair advised that no questions on notice had been submitted by members.

4. PUBLIC QUESTIONS ON NOTICE

The Chair advised that no public questions had been received.

5. EXTENDING FREE PARKING DAYS INTO DECEMBER 2020

The Executive Board considered a report on proposals to permit free parking days to be taken in the month of December in 2020 as an exception to support the economic recovery of towns during the Covid-19 pandemic.

The Council's current policy provided for five free parking days each year to support town centres but excluded the trading period of December. Some town

centres had approached the Council to request that December be included in the offer this year due to the exceptional circumstances caused by the COVID19 pandemic. The Council had supported town centres with free parking from March to September this year and with the continuation of the free parking pilots in place at each town. The latest request would help provide further support at this difficult time.

UNANIMOUSLY RESOLVED to approve the extension of free parking in December during 2020 only.

6. URGENT ITEM - TEMPORARY EMERGENCY PAYMENT FOR CARE STAFF (TO SUPPORT STAFFING IN PRIVATE CARE HOMES)

The Chair advised that pursuant to Section 100B (4)(b) of the Local Government Act 1972 he had decided to allow this item to be considered at the meeting as a matter of urgency as action was required to be taken prior to the next meeting of the Board. The report had been included on an amended Agenda published prior to the meeting.

Accordingly, the Executive Board considered a report seeking authority to implement a temporary emergency payment arrangement to support private care homes which were facing short notice staffing shortages as a result of the COVID 19 pandemic. This emergency payment would only be applicable where there were specific instances where the staffing complement of Private Care homes was compromised due to the statutory self-isolation and Covid19 Positive results of the private care home staff, where there is insufficient cover to deliver care. It was clarified that the Executive Board Member portfolios had been inadvertently inserted next to the wrong Executive Board Member and that the reference in the report to 'ICF capital' should read 'ICF revenue'.

It was noted that there would be no additional cost to the Authority, as these would be fully reclaimed from the relevant Private Care home that required support. Members welcomed the report and again paid tribute to all care home staff.

UNANIMOUSLY RESOLVED to approve the temporary emergency payment arrangement for care staff to support private care homes facing short notice staffing shortages as a result of the COVID 19 pandemic.

7. ANY OTHER ITEMS OF BUSINESS THAT BY REASONS OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT, 1972

The Chair advised that there were no items of urgent business.

CHAIR

DATE